

# **The pandemic crisis and the democratic process in the Arab region**

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Case Studies from the Arab region  
(Tunisia- Lebanon- Egypt- Jordan)

## The pandemic crisis and the democratic process in the Arab region

طبعة 2024

رقم الإيداع: 9772 / 2024

التسجيل الدولي: 978-977-821-410-9

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Project on Pandemic Lessons for Democratic Good Practices in Crisis in Egypt, Jordan, Lebanon, Tunisia (2022-2024)

Arab Alternatives Forum for Social Studies (AFA), and Tunisian Democratic transition observatory (OTTD), This project is funded by The United Nations Democracy Fund



دار صفصافة للنشر والتوزيع والدراسات  
49 شارع المخزن - العمرانية - الجيزة - مصر

**Mohamed El Agati**

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Case Studies from the Arab region  
(Tunisia- Lebanon- Egypt- Jordan)

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# **The Covid-19 pandemic and the democratic process in the Arab region**

## **Introduction<sup>(1)</sup>**

**Mohamed El Agati**

Director, Arab Forum for Alternatives

Since the beginning of the second decade of the 21<sup>st</sup> century, the Arab region has been going through ups and downs in terms of democracy, for there were times when actual reforms were introduced and others where democratic procedures were either adopted superficially or eliminated altogether. It has, therefore, been a turbulent time where there is constant tension between attempts at achieving democratic transition and the possibility of full regression to authoritarianism. The situation got more complicated with the emergence in late 2019 of the first Covid-19 cases and later the spread of the pandemic that claimed the lives of 6.45 million people until the end of 2022, according to head

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1- Researcher Mohamed Hamoush assisted in writing this introduction through providing perspectives based on which cases studies are examined in this book.

of the Emerging Diseases and Zoonoses Unit in the WHO Health Emergencies Program Maria Van Kerkhove. While several studies tackled the health, social, and economic repercussions of the pandemic, few studies focused on the political aspect and its impact on democracy, especially in the Arab region. This issue is addressed by the Arab Forum of Alternatives in collaboration with the United Nations Democracy Fund through several research papers that examine the political implications of the pandemic.

Papers in this project underline the way the pandemic triggered and/or accentuated problems linked the democratic process in the Arab region. This was particularly demonstrated through lack of trust in state institutions, which has always been the case in the region yet was aggravated during the pandemic, which was seen in the way people rejected, and at times suspected, precautionary measures taken by their governments including lockdown and vaccination. Objection to precautionary measures led to clamping down on opposition in different countries in the region. For example, bloggers were arrested in Tunisia while medical staff were targeted in Egypt.

Papers in this project emphasize the fact that the



democratic process cannot be seen in isolation from its larger context since it impacts and is impacted by social and economic conditions. That is why the social and economic effects of the pandemic were clearly reflected on democratic practices. For example, the turnout in elections was affected. In Egypt, only 29% of registered voters took part in parliamentary elections while in Lebanon the government used the pandemic to clamp down on political freedoms and put an end to protests. The same happened in Tunisia through imposing a four-day lockdown to stop protests living conditions on the anniversary of the revolution in January 2022. Studies also revealed that women were subjected to double repression since their household burdens increased especially with regards to children's education in addition to the fact that cases of domestic violence multiplied during the pandemic. Fragile and marginalized groups also suffered doubly including farmers, refugees, and migrants. In Lebanon, the pandemic was accompanied by a massive wave of discrimination against Syrian refugees who were particularly placed under a lockdown. Asian workers who were accused of bringing the pandemic and there were calls for deporting them.

During the pandemic, effective practices were

undermined in several countries in the region through putting into effect several measures that restricted personal freedoms, on top of which are emergency laws. While such laws were theoretically meant to curb the spread of the pandemic, they were used in many cases to clamp down on opposition and violate basic rights. In fact, several countries continued applying emergency laws after the end of the pandemic. In Tunisia, President Kais Saeid used the pandemic to justify several undemocratic measures such as dissolving the parliament and stalling the democratic transition that started with the 2010 revolution. In Jordan, authorities used emergency laws to clamp down on labor movements and curb freedom of expression and freedom of the press despite pledges by the prime minister that those laws would be used on a smallest scale.

Papers in this project reveal absence of transparency in many countries in the region during the pandemic. Even though several countries started off with accurate reports on the health, social, and economic conditions, which changed shortly after. This did not only apply to the number of cases but also to different official announcements about measures to alleviate the

impact of the pandemic. For example, in Tunisia the government announced postponing credit card and loan payments, yet additional interests were calculated without alerting creditors which rendered the postponement practically useless. The ranking of the four countries subject of the study dropped in the World Justice Project Rule of Law Index in 2022, which is indicative of lack of transparency and increased corruption during the pandemic. Egypt dropped from the 125<sup>th</sup> position to the 135<sup>th</sup> out of 140 countries, Lebanon from 96<sup>th</sup> to 106<sup>th</sup>, Jordan from 50<sup>th</sup> to 61<sup>st</sup>, and Tunisia from 56<sup>th</sup> to 71<sup>st</sup>.<sup>(2)</sup> This means that many countries used the pandemic to restore several authoritarian practices that were eliminated during the democratic transition period. It is noteworthy that those practices were, in many cases, met with massive popular support, hence bringing back an old repressive regime with a new populist discourse that is like the one the entire world is witnessing at the moment.

However, attempts at dealing with the pandemic, whether by governments or people, were not always negative as far as democracy is concerned. Several countries saw remarkable progress in the role of

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2-Link to the Rule of Law Index on the World Justice Project website: <https://worldjusticeproject.org/rule-of-law-index/global/2022/historical>

municipalities, including ones that are known for extreme centralization. Municipalities took part in the distribution of vaccines and implementation of precautionary measures despite financial and infrastructure obstacles. In Jordan, municipalities took part in sanitization processes and the distribution of aid. In Lebanon, municipalities played a major role in addressing lack of funds through collecting donations from well-to-do Lebanese citizens inside and outside the country. Civil society organizations also played a substantial role, especially through awareness campaigns, even in countries where their activities were restricted or where they fell under the control of the authorities or political/religious factions. The role civil society played during the pandemic signalled a relative return to the public sphere following a period of stagnation.

Several countries in the region made a point of abiding by democratic procedures despite the pandemic such as elections. In Jordan, parliamentary elections were held on time while minimizing electoral campaigns and meetings and taking precautionary measures during the polling process. Parliaments in all countries in the region, except Tunisia, continued working whether through online sessions or meeting in larger venues

to observe social distancing, which was the case in Egypt. Meanwhile, meetings of the Lebanese parliament were moved to the UNESCO Palace in Beirut.

While the pandemic shed light on defective public service systems in the region, it also provided an opportunity for societal participation in an attempt to address this defectiveness, hence giving rise to a democratic approach to the crises. In Lebanon, citizens organized themselves into groups that took charge of addressing the needs of fragile groups and the same happened in Tunisia, where civil society, business owners, and academics formed crisis management groups within municipalities. Women formed groups that aimed at countering domestic violence and many of them worked on drafting new legislations that provide women with protection during crises. Those responses show that while the pandemic resulted in several negative practices on the part of governments, this was not the case on the societal level, as different forms of solidarity played a substantial part in addressing the repercussion of the crisis.

This book includes four case studies from the Arab region: Egypt, Lebanon, Jordan, and Tunisia. The papers included in the book, a collaboration

between the Arab Forum of Alternatives and the United Nations Democracy Fund, examine the response of both governments and societies to the Covid-19 pandemic through six main aspects:

- Decentralization and the role of municipalities (municipal democracy)
- The role of elected entities (rotation of power)
- Governance and transparency on the level of legislations and practices especially from the perspective of the rule of law
- Political participation, the right to organize, the role of the political system, transparency in the political and electoral processes, and fair participation.
- Human rights and freedom of expression including individual, political, and press freedoms.
- The role of civil society and societal movements and political awareness
- Each of those aspects will also be dealt with from a gender perspective.
- This book will be followed by a series of analytical papers that tackle each of the previously

mentioned aspects from a comparative angle to achieve a deeper understanding of pressing issues in the region. This, in turn, helps in identifying common grounds through which collaborative work and exchange of experience are possible.





# **Democratic practices during the Corona pandemic: the Tunisian case**

**Fouad Ghorbali<sup>(3)</sup>**

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3- Assistant Professor of Higher Education at the University of Gafsa, PhD from the Faculty of Humanities and Social Sciences in Tunis in 2018, previously worked as a consultant at the Tunisian Ministry of Transport, in charge of social aspects before working as an expert at the European Investment Bank within the framework of Tunisian-European cooperation and is currently working on youth issues, social movements, and identity politics.

## **Abstract:**

This paper raises the issue of how crises affect democratic practices and the ways in which skills can be enhanced to enable relevant parties and stakeholders to participate effectively in public policymaking which can support social cohesion. The focus of this paper is to analyse the impact of the pandemic on democratic practices in the Tunisian context by highlighting the political, social, and economic dynamics produced by the pandemic. The current study also sheds light on how government actors and the rest of the actors interact within those dynamics that resulted in several conflicts and contradictions related to women rights and the distributive role of the state with regards to protecting vulnerable groups.

Keywords: Justice, Social Movements, Gender, Democracy

## **Introduction:**

At the beginning of 2020, Tunisians were following through the media and social media the beginnings of the COVID-19 pandemic in the Chinese city of Wuhan in late 2019 and elsewhere

in China before it spread to European countries. Relying on their popular and cultural preconception of epidemics<sup>(4)</sup>, ordinary people believed that the pandemic that shook China was the divine punishment inflicted on the Western world, and the Chinese, because they had unusual dietary habits, reactions that were associated with the extreme confusion the Tunisian people, like other peoples, experienced as a result of an unexpected epidemic. The speed of contagion led to forced isolation and encouraged the excessive consumption of false news and superstitions. At the same time, official health authorities were working through the media to adopt a reassuring discourse full of caution. On March 2, 2020, authorities announced the first case of COVID-19; the victim was a 40-year-old Tunisian man, in the southwestern province of Gafsa, who had returned from Italy. As a result, authorities took action to place 74 suspected cases in the same province under quarantine. Two of the cases violated their quarantine status, but regional health authorities did not hesitate to act against them<sup>(5)</sup>.

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4- Term coined by sociologist Asif Bayat to assert the ability of ordinary people to act and resist official policies, see his book in English: *How ordinary people change the middle East*, Second édition, Stanford university press, 2023 *Life as politics*.

5- Ibid.

The epidemic in Tunisia was not taken seriously by citizens at the beginning of its spread, but as the number of cases increased, the authorities began to tighten health measures, especially with recurrent warnings of the possibility of an escalation of infections. The medical discourse adopted by the government was an effective means of awareness, but at the same time it served as a control mechanism by the authorities to control all those who violate quarantine restrictions.

After recording twenty confirmed Covid cases, the government of Elias Fakhfakh decreed on March 13, 2020, adding the Corona virus to the list of communicable diseases in accordance with Law No. 71 of 1992 on communicable diseases and which stipulates that any violation of preventive measures is punishable by jail. On March 22, 2020, the government declared a comprehensive quarantine, which requires most of the population to stay at home and not go out unless necessary, until April 4, 2020. But before that, since the announcement of the first case, the government has taken a set of preventive measures such as closing national borders, stopping non-essential activities, closing restaurants and cafes, and allowing companies to use only 15% of their operating capacity. In the

meantime, the government discourse worked to establish a patriarchal relationship with citizens during the quarantine period based on the duality of advice and awareness through experts and doctors, but also in accordance with the policy of repression that restored old police practices based on the emergency law as a legal reference<sup>(6)</sup>. In fact, the purpose of this “patriarchal relationship” in a faltering democratic context was to provide justifications to help the government investigate some of the dire consequences of quarantine, especially those related to social and health guarantees that enable vulnerable groups to access free medication<sup>(7)</sup>.

In this regard, the government adopted a policy of silencing critical voices of official reactions to the pandemic. Two bloggers were arrested in March 2022 for accusing the authorities of practicing corruption, based on Article 86 of the Telecommunications Code<sup>(8)</sup>. Since October 2021, a month after he was inaugurated as head

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6- Tunisia's State of Emergency Act, <https://legislation-securite.tn/ar/law/41237>

7- "Details of the disbursement of grants to those affected by the consequences of the quarantine measures." 1623. Tunisian newspaper Al-Shorouk, <https://bit.ly/44Enoaz>

8- This chapter indicates that anyone who deliberately abuses others or disturbs their comfort through public telecommunications networks may be punished by up to two years' imprisonment.

of government, Mechichi<sup>(9)</sup> has used his “war” on protest movements using measures to contain the Corona virus, such as the adoption of a comprehensive quarantine for a few days and the curfew at night, which remained a measure imposed on Tunisians for nearly ten months<sup>(10)</sup> before that.

During the month of January, the Mechichi government approved a four-day quarantine, a decision taken in conjunction with the call of activists to go out to demonstrate, on the occasion of the anniversary of the Tunisian revolution, in order to denounce the social policies followed by the government with regard to managing the pandemic crisis, which took another turn through the increase in the pace of protests, which witnessed an upward trend during the first third of 2021 at a rate of 6,000 per day. On the other hand, government actors worked to blame the results of the health crisis on the general public in terms of the rise in infections as a result of their non-compliance during the period before the comprehensive quarantine, which required the closure of cafes and restaurants at about four o’clock in the evening. In this regard,

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9- “Combating COVID-19 in Tunisia: Government of El Mechichi, Police measures instead of vaccination,” 2023, Nawaat, <https://bit.ly/3ZbAuLp>.

10- Ibid.

the authorities were searching for justifications to develop radical and punitive policies that would enable control of the movement of citizens during the crisis period. In fact, the governor of Bizerte submitted a case to the Public Prosecution against four citizens who violated the quarantine.

On another level, the strong impact of the pandemic on the poor and part of the middle class, prompted the Fakhfakh government to allocate a grant estimated at \$70 that was distributed through the services of the Ministry of Social Affairs and the Tunisian Post. The government also tried to create a “temporary state of solidarity,” whereby banks deferred, albeit reluctantly, loan repayments and some businessmen donated to a current account opened by the Ministry of Finance for this purpose.

The government’s measures were not able to mitigate the consequences of the pandemic, especially on the economic level. Those measures were part of the containment policy imposed by the global context and were implemented against a neoliberal backdrop<sup>(11)</sup>. This meant that none of

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11- Since the 1980s, Tunisia has implemented a programme of structural reforms, recommended by the International Monetary Fund (IMF) and the World Bank, whereby several public institutions have been privatized and the State has reversed the social issue. <https://bit.ly/3PpGxbP>

those measures attempted to address the structural rationale of healthcare and social policies<sup>(12)</sup> and did not take social security into consideration, hence only serving to consolidate neoliberal policies rather than redress them. In fact, it is because of those policies that the state abandoned support for the healthcare sector, which exacerbated inequality and regional disparities and undermined the right to healthcare. The government of Mechichi did not address any of those issues, which is seen as a continuation of its negligent stance. In fact, Mechichi became prime minister after his predecessor Fakhfakh resigned following a corruption and conflict of interest case during a period of heated political conflict both inside and outside the parliament. *I Watch Organization*<sup>(13)</sup> directed harsh criticism at the Mechichi government, which saw it as failing to secure the vaccine for Tunisians, without discrimination and favouritism. In this context, the prime minister and his team preferred to spend the weekend during July 2021 in a hotel in the tourist city of Hammamet at a time when many Tunisians were facing death due to the pandemic.

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12- Ghannouchi, Sirine, *ibid*.

13-« Statement of support for the popular protests. », I Watch Organisation, 2021, <https://www.iwatch.tn/ar/article/837>.



At that time, the number of infections had reached about 550 thousand and the number of deaths was 644, while the percentage of vaccination in the same period reached 8% of the population. This situation was one of the most visible justifications used by President Kais Saeed when on 25 July 2021 he decided to dissolve Parliament, overthrow the Mechichi government and halt democratic transition, which was out on hold before in the midst of political conflicts within the parliament between the alliance led by Ennahda Movement and opposition parties such as the Free Constitutional Party led by Abir Moussi.

At the same time, there was a state of social tension, due to the delay in vaccination, and the high number of deaths, especially in July and August 2021, where terrifying images were broadcast of people on the ground for lack of hospital beds. Added to that were the government's false promises to vaccinate three million people, but the number of vaccinated people did not exceed 582,000 even though three million people were already registered on the e-Vacc system<sup>(14)</sup>.

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14- Combating COVID-19 in Tunisia: Government of El-Mishishi, Polis Metro Instead of Vaccination ", 2023, Nawaat, <https://bit.ly/3ZbAuLp>.

## **Economic, social, and political impacts of the pandemic:**

The pandemic did not pass in Tunisia without leaving economic, social, and political impacts. As per the report of the United Nations program issued in 2020<sup>(15)</sup>, the economic results are considered catastrophic and significant, especially after revealing several structural difficulties that the economy has been experiencing since 2008, and which worsened in 2011 after the protest movements that led to the fall of the Ben Ali regime. In 2011, inflation rates reached up to 7%, and during the first four months of 2023, it reached 11%, reflecting the severity of the pandemic's impact. At the macroeconomic level, the growth rate was negative, reaching 4.4% compared to a growth rate of 2.7% expected by the Finance Law for the same year in 2020.

The reasons for this decline were manifested in the reduction of production and the disruption of the supply-consumption relationship, in addition to the decrease in labor demand after the pandemic. This has led the United Nations Development

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15- PNUD «Impact économique du Covid 19 en Tunisie : analyse en termes de vulnérabilité des ménages et des micros et très petites entreprises» in <http://bit.ly/45Z8yfP>

Program report in 2022 to expect unemployment rates to reach 21.6% in the post-pandemic period, in addition to a decline in household consumption from 1.9% to -0.8%. As for the most affected economic sectors, such as the hotel and restaurant sector, their revenues have decreased by 64%, while the transportation sector decreased by 77.3%, and the textile, clothing, and leather sectors were among the most affected sectors. The manufacturing sector also declined by 27%.

These sectors are vital sectors as they are the most employable, which contributes to complicating the social situation, increasing unemployment rates, hence increasing the number of poor people. The United Nations program expects the poverty rate to reach 19.23%, which particularly affects workers in agriculture and other sectors such as the tourism sector and small craftsmen. This has exacerbated multidimensional poverty, leading to an increase in vulnerable groups, which requires social support from government institutions.

Some non-governmental organizations estimated <sup>(16)</sup> that the poverty rate has reached 40%, and the National Institute of Statistics confirmed that 160,000

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16- "The coronavirus is deepening the economic and social crisis in Tunisia." 2020.

Independent Arabic: <https://bit.ly/45FjfER>

jobs were lost due to the pandemic in the first third of 2020.<sup>(17)</sup> The gross domestic product (GDP) declined by 21.3% in the second quarter of 2020 but improved by 5.7%. Thus, the Tunisian economy contracted by 8.8%, which is the highest rate recorded since independence. This fluctuation was due to external factors, specifically the delay in vaccines. On the other hand, digital technology flourished with the rise of remote work, which was adopted by many private and governmental institutions during the pandemic period.

In July, the Minister Responsible for Major Projects announced an economic rescue plan that extends over several months. The plan includes negotiating with the International Monetary Fund to address the consequences of the spread of the coronavirus, and according to the Minister, it aims to preserve the economic fabric of institutions by continuing to provide them with liquidity, guaranteed by the government in the amount of 1.5 billion dinars. The plan also includes providing 100 million dinars as part of the implementation of the technical unemployment mechanism through financial payments to those who have lost their jobs due to the pandemic's effects<sup>(18)</sup>.

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17- Ibid.

18- Tunisia reveals details of economic bailout, Middle East Online, 13 July 2020, <https://bit.ly/3EvezFG>

These economic results will have implications for the social and political context. From a social standpoint, the pandemic has reinforced the importance of rethinking social justice and the distributive role of the state. This has highlighted the need for social protection policies for the poor, low-income groups, and the middle class in the fields of healthcare and employment. Efforts have also been made to address the suffering of senior citizens and marginalized people.

This pandemic revealed and exacerbated issues related to vulnerable populations, especially since the pandemic pushed many people into unemployment and precarious work and accelerated the expansion of the informal economy. Moreover, there has been a surge of irregular migration to Europe<sup>(19)</sup>. Additionally, the pandemic has revealed a deep-rooted “male-oriented” bias in the Tunisian society’s mental structures, whereby women have been the ones most affected by the crisis, particularly in terms of domestic violence<sup>(20)</sup>, which has increased. Furthermore, the engagement of feminist movements as well as the women’s civil

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19- « The escalation of migration from Tunisia... Figures and reasons (report) ». 2023, <https://bit.ly/3qVbETz>

20- « Tunisia: Coronavirus pandemic increases violence against women ». 2023. Euro-Mediterranean Right, <https://bit.ly/463vQRJ>

society in shaping policies related to pandemic management has been inadequate<sup>(21)</sup>.

1. From a political standpoint, the pandemic has exposed the fragility of democratic practices and their institutional, legal, and cultural roots. The crisis has not encouraged political participation as much as it has driven government actors to centralize power and resort to authoritarian and oppressive practices<sup>(22)</sup> through official state control mechanisms. At the institutional level, central authorities have sought to marginalize the role of local authorities in managing the health crisis. Social movements have also been suppressed under the pretext of quarantine measures. However, the government's response program has not been limited to authoritarian control mechanisms. It has also focused on accelerating progress towards health coverage by increasing public funding for health care services, building local public health capacities, and promoting the digitization of health care delivery to make it more efficient. There has also been a relentless effort to provide vaccines, medicines,

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21- « Actualités - Jamaity ». 2020. Jamaity.Org. <https://jamaity.org/category/actu-des-associations/page/6/>.

22- Ghannouchi, Sirene, Op.Cit.

and other healthcare needs to patients, regardless of their social and economic status. Finally, media platforms have been proposed to ensure that different segments of society have access to updated information about the COVID-19 virus.

2. From a freedom standpoint, the pandemic crisis has shown that preventive measures taken to protect people from health risks have led to violations of human rights related to mobility, expression, detention, and quarantine. These violations have been justified under the emergency law. The pandemic has also revealed that political actors associated with the democratic transition path have been motivated by a desire to benefit from the crisis to strengthen their positions in power, instead of consolidating democratic and participatory practices. This is clearly reflected in the concentration of power in the hands of the President of the Republic and the overall decline of intermediary institutions<sup>(23)</sup>.

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23- President Kais Saeed built his perception of governance on the basis of a grassroots construction that establishes a direct relationship between power and the people without mediation from parties and trade unions and based on a reading that considers that a complementary democracy cannot respond to the people's demands.

## Decentralization and the role of municipalities: Damaged local democracy:

The principle of decentralization in Tunisia has been theorized as a cornerstone of the democratic transition process, which aims to enhance citizen participation in local affairs, thus empowering the people with the mechanisms of accountability and citizen monitoring over the decisions of local officials, as stated in the constitution of 2014<sup>(24)</sup>. This has granted local authorities the power to exercise all legal actions, manage their local affairs independently of the state, and have a separate budget from the state's budget<sup>(25)</sup>.

Moreover, according to article 133 of the 2014 constitution, suspended by President Kais Saeed on July 25, 2021<sup>(26)</sup>, the electoral process has been extended to all local communities. Under this article, elected councils manage local communities. This has granted local communities' greater control over their affairs, enhancing their participation in local governance, and promoting democracy and accountability.

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24- Yerks, Sara and Muasher, Marwan. « Decentralization in Tunisia: Strengthening the Regions and Empowering the People », Malcom Carnegie Middle East Center.

25- Ibid.

26- On September 22, 2021, Qais Said issued a presidential order on exceptional measures to suspend the legislative branch of the 2014 Constitution.



Municipal and regional councils shall elect universally, freely, directly, secretly, fairly, and transparently. Members of municipal and regional councils elect regional councils. The electoral law guarantees the representation of young people in local government councils “One of the objectives of decentralization in Tunisia was not only to promote democratic participation as stipulated in the legal frameworks, but also to promote local development and make it more participatory in its economic and cultural levels, and to make public services closer. The social claims<sup>(27)</sup> in Tunisia were implicit in more “proximity State”<sup>(28)</sup> rather than the concentration of power in the capital.

However, despite the existence of legal frameworks, represented in particular in the Code of Local Authorities, and the existence of speeches by governmental and non-governmental actors supporting the process of decentralization as a method of governance, this principle remained” a fantasy in the imagination, according to the words of private law professor Naji Baccouche<sup>(29)</sup>, as the political system in Tunisia was historically very

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27- Yerks, Sara and Muasher, Marwan, Op.Cit.

28- Ibid.

29- Ibid.

centralized, whether in the time of Bourguiba or Ben Ali, a centrality that accompanied the experience of democratic transition that Tunisia has known since 2011. As one of the government officials in charge of the process of decentralization in Tunisia, “The main dilemma we faced when the decentralization process began was the dominance of the central system, which reflected negatively on the municipalities, which turned into subordinate facilities and deprived of powers. This centralization created an intensive bureaucracy and distorted the image of municipalities.”<sup>(30)</sup> In addition to this, the municipal division was based on security concerns rather than development or democracy, as the municipal division was employed to control the most problematic areas and strengthen the central state’s authority over the territorial area, and the evidence of this is the creation of many municipalities<sup>(31)</sup> without taking into account developmental requirements This is what made many municipal officials, through a study conducted by the Tunisian Association for Social Cohesion with the support of the United

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30- Ibid.

31- Municipal observatory, 2023: [https://baladia.marsad.tn/nouvelles\\_municipalites](https://baladia.marsad.tn/nouvelles_municipalites).

States Agency for Development<sup>(32)</sup> in 2022, acknowledge that municipalities are almost deemed powered institutions whose tasks are limited to classic tasks, such as removing garbage and preparing some streets, which made the relationship they establish with citizens a bureaucratic and purely administrative relationship that could not turn into participatory frameworks to support active citizenship<sup>(33)</sup>.

The pandemic crisis has, however, heightened concerns about the relationship between government actors and local authorities regarding the power of municipalities to take initiatives in addressing the health<sup>(34)</sup> crisis and combating the risks of the virus. This concern has been reflected in a struggle for power<sup>(35)</sup> between the center and local authorities. Legally, this struggle has resulted in Prime Minister Elyes Fakhfakh issuing a statement on March 25th, 2020, stating the need to coordinate with the supervisory authority before taking measures and procedures to prevent the spread of the COVID-19

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32- Ghorbali, Fouad. *Impact of Local Policies on Youth (Aromatization and Violent Extremism)*, Tunisia Society for Social Cohesion 2022.

33- Ghorbali, Fouad, *Op.Cit.*

34- *Ibid.*

35- *Ibid.*

virus<sup>(36)</sup>. The statement affirmed that all state officials, including governors and mayors, must review the supervisory authority obligatorily in advance in the form of additional preventive measures. Elias Fakhfakh did not hesitate at the time to declare that: “In times of crisis, there is no decentralization, and in times of war there is no room for diligence, it is necessary to return to the centralization of decision.” This statement was criticized for its legal flaws, as municipal councils are not subject to direct state authority and do not fall under the authority of the Ministry of Interior. Municipal councils have been elected since 2018 and have the power to manage their local affairs independently. The relationship between the central government and local authorities is not regulated by circulars. This led the Municipalities Confederation<sup>(37)</sup> to express its dissatisfaction with the circular and call on government officials to consider the principle of decentralization and the role of municipalities in responding to the pandemic by establishing crisis cells and carrying out sanitization operations.

The main issue is not so much a legal matter as it

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36- Ibid.

37- Al Saghir, Essam. “Local authority on the line of crisis... Decentralization in the Time of the Corona.” 2020, Legal Agenda: <https://tinyurl.com/29lhq7aw>

is rooted in the centralization mentality of political actors in Tunisia and citizens' perception of the state's centralization and the central government's desire to use the pandemic to enhance its political dominance by monopolizing the use of violence against dissenters and controlling the discourse surrounding the pandemic. This has intersected with the political practice of President Kais Saied, despite their different formulas, who decided to merge the Ministry of Local Affairs with the Ministry of Interior, as of November 24, 2021. This means that decentralization is no longer an official priority.

The fragmented political landscape has made building balanced and stable relationships between the central and local authorities a challenge. Therefore, it is possible to follow the relationship and the state of confusion that exists, coinciding with the underlying instability resulting from three prime ministers leading the pandemic crisis over a period of only two years: Youssef Chahed (August 27, 2016- February 27, 2020), Elyes Fakhfakh (February 27, 2020- September 2, 2020), and Hichem Mechichi (September 2, 2020- July 25, 2021), and then a government vacuum for more than a month and a half, in addition to an increase

in polarization and escalating tensions within the parliament and between the legislative and executive institutions of the state. The relationship between the central and local authorities has varied, sometimes characterized by weakness and other times by flexibility and strength, depending on the personality of the Prime Minister and their level of cooperation with the Presidential institution or conflict with it.

On the other hand, the role of municipalities has been positive at the local level. Municipalities have been active since the first COVID-19 case was announced on March 2, and they were able to establish crisis cells within their municipal councils in cooperation with businessmen, civil society, and academics. They showed preparedness and proactivity in containing the crisis by taking preventive measures such as sanitization, banning gatherings, closing wedding halls, and cafes. They also played an effective and alternative role to the central government in closing some gaps in the social protection system and helping distribute and facilitate donations to vulnerable groups, providing shelter in some areas for women exposed to violence. However, the sensitivity of the central government towards the intervention of

municipalities without consulting the center and its reluctance to share information, especially the list of COVID-19 patients, with local authorities, has caused a lot of frustration among many municipal councils.

On March 8, 2023, the President issued a decree that dissolves municipal councils and replaces them with temporary councils overseen by administrative officials. The president has employed several issues as a justification for the decision, which was issued after the bloody confrontations that followed the events of January 26, 1978, led by the Tunisian General Labor Union (UGTT) against the government's social policies. These issues such as the tense relationship between the governor of Ben Arous and the mayor of the town regarding the preparation of streets for the National Day of Victory. This tension led to the dismissal of the mayor, who was affiliated with the Islamic Ennahda Movement, based on a decree issued in November 2022 due to "proven serious errors involving legal violations and serious harm to the public interest," in which he refused to respect the administrative hierarchy and placed the Ministry of Interior on official correspondence.

In addition to this, the decision comes in the

context of many municipalities neglecting their basic tasks of waste collection. The city of Sfax, the second-largest city in the country, experienced a severe waste crisis due to the crisis of the Guonna landfill in the nearby city of Akkarb. This crisis can be partly explained by the confusion in the relationship between the central and local authorities, as the central government lacks a clear environmental policy, especially regarding waste management. This is an area where local authorities feel that their scope of action and intervention is limited and subject to government intervention. In addition, there has been frequent resignation of members of municipal councils due to political disagreements. Thus, the COVID-19 crisis in Tunisia was a “non-human agent” that interacted with a locally complex and unstable economic and political context. This contributed to weakening local democracy and promoting authoritarian practices based on strengthening the central authority of the bureaucratic state, reducing the margin of political participation for citizens at the local level. This has negatively impacted youth and women in particular.

Many young people included in a study by the



Tunisian Association for Social Cohesion<sup>(38)</sup> stated that their relationship with the municipal affairs is limited, and they do not feel the presence of any local policies that work on changing their conditions. Their participation is weak, a situation that applies to women as well. Men dominate municipal councils, and women do not have any impact on local decisions. Even the women's and youth committees do not have any legal power that makes their proposals binding and influential. This is due to the weak adoption of the decentralization path at the local level. The weak influence of women on decisions at the local level has contributed to many women facing the consequences of the pandemic alone, especially with the delayed government decision at the central level concerning the prevention strategy from the pandemic and the involvement of local authorities in decision-making, sharing information about the social impacts and supporting vulnerable groups, including mostly women.

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38- Impact of local youth policies (freshness and violent extremism), Tunisia Society for Social Cohesion

## Enacting the state of emergency:

There are no explicit legal provisions in the Tunisian legal system that regulate the state of emergency and the health risks<sup>(39)</sup>. This has led the authorities to rely on decree number 50, issued in 1978<sup>(40)</sup>, which has not been abandoned or even amended in the eras of Bourguiba, Ben Ali, or during the “democratic transition” period. This law enables administrative authorities at the central and regional levels to take exceptional measures during emergencies, imposing strict restrictions on public space and human rights, such as the right to travel, freedom of expression, and peaceful protest. In some cases, even house arrest can be imposed. In this regard, the Tunisian authorities found in this law a standardized reference for imposing several restrictions on human rights, giving priority to a security approach over a social and developmental approach. This has made the authorities reinforce undemocratic practices and push citizens to normalize them under the pretext of preventing the

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39- Ben Mahfoud (Haykel), “The State of Exception, New Regime of Common Law: Must and Freedoms? from terrorism to health emergency” in *Annuaire international de justice constitutionnel* n°36 -2020-2021. Doi: <https://doi.org/10.3406/aijc.2021.2918>

40- It was issued following bloody confrontations following the events of 26 January 1978, known as Black Thursday, led by the Tunisian General Federation of Action against the Government's social policies.

spread of the virus.

Regarding the human rights aspects related to the social issue, the COVID-19 crisis in Tunisia revealed and confirmed the presence of significant social and regional disparities in the right to health. These disparities are related to a developmental model that has long historical roots, which the revolution failed in uprooting and changing. This made access to treatment during the coronavirus pandemic, especially for intensive care families, a regional privilege. The pandemic revealed the weakness of the health infrastructure in various governorates, especially the interior and border governorates, where there are only 331 intensive care beds nationwide, or only three beds per 100,000 citizens.

Additionally, some governorates, such as Tataouine, which is the largest governorate in Tunisia in terms of area, had only three obstetricians in 2016, and there are still no intensive care units in this governorate, despite the pandemic. Some other governorates also suffer from a shortage of medical staff due to the emigration of doctors and the government's failure to recruit new staff. When the pandemic spread in Tataouine, there were only five intensive care families for about

150,000<sup>(41)</sup> people and two ambulance cars were available. Moreover, there are no private clinics in this governorate, and many patients, who have the financial means, must travel to the capital and coastal cities, where private health units are more effective compared to those available in the interior regions. The public health sector has been exhausted by years of privatization policies and the state's escape from its social responsibilities.

Therefore, the state saw no other solution to deal with the consequences than to resort to the same practices that the Ben Ali regime used to deal with crises, relying on the bureaucratic apparatus of the state, represented by the Ministry of Social Affairs and local authorities, to provide temporary and modest assistance to the poor registered in official records. However, many invisible groups working in the informal sector, which contributes to about 35% of the GDP<sup>(42)</sup>, were excluded from these aids.

The official approach to the social issue during the pandemic was based on the principle of “need”

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41- Malmoum, Alfa. Tunisia: A Security Department for the Coronavirus Pandemic at the Expense of the Right to Health, Orian 21 March and April 2020

42- Informal economy in Tunisia: Definitions, Exploratory Analysis and Outline of an Integrated Strategy | United Nations Development Programme". 2023. UNDP, <https://bit.ly/3P5p5rX>

rather than “right”. The state approached those affected by the pandemic as “social situations” rather than “citizens” who should have their right to be protected. The pandemic became a mechanism of categorization and social exclusion that successive governments have failed to reduce or eliminate. Despite Tunisia’s ratification of several international treaties on economic, social<sup>(43)</sup>, and health rights<sup>(44)</sup>, the pandemic crisis exposed unjust disparities, which affected the most vulnerable regions like the rural and popular areas. The authorities’ response was to move the security bureaucratic apparatus to control those regions, but not to address the social injustices they face. There was heavy security presence to regulate the distribution of aid, sometimes using force against those seeking help. The security approach was more comprehensive and worked through the mechanism of stigmatization and social exclusion, which particularly impacted residents of poor neighbourhoods adjacent to major cities. The media

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43- At the regional and international levels, Tunisia has ratified several instruments affirming the right to health, including the International Covenant on Economic, Social and Cultural Rights and the African Charter on Human and Peoples’ Rights, article 16 of which stipulates that « everyone has the right to the best physical and mental health condition to which he has access ».

44- “Tunisia: Hundreds of people arrested after renewed night-time protests and army deployed in several cities”. 2021. France 24, <https://bit.ly/482VLeh>

advertising campaign was also directed against them by considering them unaware of the importance of complying with quarantine measures.

### **Stigma and exclusion in pandemic time:**

At its beginnings, the pandemic crisis contributed to the reproduction of panic and racism among groups in Tunisian society towards African migrants, not only because of fears of the spread of infection, but also because of the absence of government protective strategies for them. Irregular African migrants account for 20 percent of the total proportion of migrants, which includes students, people fleeing the hell of fighting and poverty as well as those waiting for opportunities to sail to Europe via ‘death boats’. In this context, it cannot be claimed that the provision of some food financial assistance or the media-societal sympathy for ‘African’ migrants has made the issue a top priority on the agenda of successive governments in Tunisia. However, the signs of intense focus on the issue have contributed to moving the file in decentralized governance circles (municipalities) through participatory initiatives (local government/civil society/citizen) to build

more flexible and willing strategies to respond to the needs of these migrants on the one hand, and reduce the manifestations of inequality and social abuse (wages, dismissal from work or homes, racism, stigmatization, exploitation, etc.) in the midst of current national transformations on the other hand.

### Working class neighbourhoods: spaces for stigma in the time of the pandemic:

During the initial days of the health lockdown, the government believed that the popular neighbourhoods were out of control and that their residents were unwilling to abide by the quarantine instructions imposed by the authorities in mid-March 2020. This belief led the authorities to tighten their grip more on those areas, and many unemployed young people, who were enraged by the behaviour of the security forces, engaged in confrontations with the police. This was evidenced by the violence that erupted during the first day of the lockdown in the city of Sfax<sup>(45)</sup>, and videos were circulated on social media showing police assaulting young people who violated the quarantine<sup>(46)</sup>.

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45- Ibid.

46- Ibid.

At the same time, the medical discourse, in alliance with the media, which was biased towards the government's vision and reflected it, continually condemned the reckless and inappropriate behaviour of the residents of poor neighbourhoods. In this context, the "petty bourgeoisie," represented by a significant presence in the media, tried to impose its view on the health lockdown by providing advice to the residents of poor neighbourhoods to stay at home and use the time to read, watch movies, and engage in their hobbies. Meanwhile, the official discourse ignored the difficult living conditions of the residents of those neighbourhoods, especially in terms of housing. Most of the young people living in those areas lack independent housing and suffer from a lack of education, unemployment, and participation in the informal and unstructured economy.

This challenging situation has made the streets their vital space, and the authorities have excluded them from it during the lockdown without providing effective economic or psychological support. The health lockdown became for the residents of poor neighbourhoods a period characterized by suffering and violence, whether resulting from the authorities' violence under the pretext of implementing



quarantine measures or domestic violence, which women were among the first victims of. This suffering has its roots in the interior regions, where residents are forced to migrate to major cities to find work, which is not available to everyone who is compelled to engage in insecure professions and rely on the informal economy, a context that has encouraged irregular migration from Tunisia, especially with the presence of migrants from sub-Saharan Africa and the growing human trafficking gangs.

During 2020, more than 10,000 irregular migrants reached European shores. This issue has its roots in the absence of development policies and the inability to create political stability in addition to the governments' inability after the revolution to reduce the intensity of regional disparities between the regions. This context has had a severe impact on the mental health of young people who have found no options but to engage in risky behaviour, such as self-directed violence, violence against others, and drug use, as a reaction to the uncertainty of their future.

## Freedom of movement:

The pandemic crisis has not only revealed social and geographical disparities that the state has been unable to solve and deal with in a way that strengthens the community's resilience, but it has also exposed that dealing with fundamental freedoms was not deeply rooted among the official bodies responsible for implementing the quarantine measures, which were hastily and sometimes improvisational<sup>(47)</sup>.

For example, the decision to close the borders, which was made by the Prime Minister led to several incidents at the land borders. On 14th March 2020, the authorities closed the maritime borders and announced the suspension of trips to and from Italy. Two days later, all air, sea, and land crossings were permanently closed, except for evacuation and commercial exchange flights, which created confusion among travellers.

In this regard, Lawyers Without Borders considered in one of its reports that the rapid decision to close the borders, which was made and taken without any prior announcement, led to several incidents at the

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47- Lawyers Without Borders. "Two Months of Struggle Against COVID-19 in Tunisia: Analysis on the Rule of Law."

land borders. On 20th April, 65,018 Tunisians found themselves unable to cross the Tunisian-Libyan border at the Ras Jedir crossing, which forced them to enter by force, prompting security forces and the army to intervene to put an end to it. Those who entered by force were also detained and quarantined in isolation.

Compulsory isolation of expatriates and evacuees:  
delay in legal bond:

In the same context, the government decided to force citizens and expatriates who were evacuated to enter compulsory quarantine in the places designated by the health authorities. The decision was made on March 13th, 2020, but it was not organized according to a decree until April 17th, 2020, causing confusion and a lack of transparency regarding the level of decision-making and a sign of a lack of coordination among the parties involved in the crisis. This led to citizens who were evacuated from Turkey and Italy on April 20th, 2020, refusing to enter mandatory quarantine in the places designated by the government.

This prompted the Public Prosecutor of the Court of First Instance in Tunis to declare to the local media that the judiciary would be represented at the

airport to monitor the quarantine process.

In this regard, “Lawyers Without Borders”<sup>(48)</sup> considered that the mandatory quarantine imposed by the government on citizens who were evacuated to designated places is a process that restricts freedom<sup>(49)</sup> and cannot be implemented except under specific conditions. In this regard, hundreds of Tunisians found themselves confined all day in several hotels without any legal basis.

Curfew: Subject to the Security Authority’s estimates:

The curfew and the prohibition of citizens from leaving their homes represented one of the security mechanisms adopted by the government to deal with the pandemic crisis. This mechanism was based on restricting freedom of movement in terms of place and time. It was adopted in several stages ranging from the ban on leaving the house from 4 pm to 6 am, to the total curfew that only allowed leaving in incredibly special circumstances. On March 18th, 2020, the President of the Republic announced, following a meeting of the National Security Council, a curfew throughout the entire

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48- Ibid.

49- Ibid.

country from 6 pm to 6 am. The curfew prohibited the movement of individuals and vehicles except for medical teams, workers with night work permits, and for health emergencies.

The President of the Republic based his decision to take this action on Article 80 of the Constitution, which regulates the state of exception to face the pandemic as an urgent danger. However, the legal prevention process created “Gray areas” and “uncertainty” as no detailed procedural clarifications have been provided, which opened the door to some security-related interpretations that led to deviations affecting the right of movement. In this context, several governors of the states, in parallel with the President’s decision, relied on the Emergency Law, which enables them to impose restrictions and take measures without directly referring to the central authority. In this regard, the Governor of Kef<sup>(50)</sup>, located in the north of the country, issued an order prohibiting movement from 6 pm until 6 am.

The provisions faced by citizens who violated the quarantine were severe prison sentences<sup>(51)</sup> and

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50- Ibid.

51- Ibid.

financial penalties ranging from 600 to 2500 Tunisian dinars. In this context, several people in the city of Gafsa in the south of the country faced six months in prison and a fine of 120 dinars. Other people in Sidi Bouzid in the center of the country faced sentences of up to two years in prison with a fine of 2500 Tunisian dinars.

### Freedom of expression:

Freedom of expression did not face significant violations during the pandemic, as comments criticizing the authorities continued social media and other public and private media outlets. However, many laws that the authorities interpret to restrict freedom of expression remained effective, such as laws related to assaulting public employees during their duties on false charges.

Two bloggers were arrested in May 2020 for accusing local authorities of corruption in the distribution of aid by local authorities, while a journalist faced criticism and insults on social media from the Minister of Health, affiliated with the Islamic Renaissance Movement. The blogger and local activist, Anis Mabrouki, was imprisoned in the Manouba region one day after broadcasting a video on social media documenting a crowd of

citizens gathered outside the closed municipal office in the Tabarbah region (30 km west of the capital, Tunis)<sup>(52)</sup> demanding financial aid promised by the government. Mabrouki was sentenced under Articles 316 and 128 of the Penal Code for “causing noise and disturbance that obstruct public order” as well as “attributing illegal matters to a public employee without evidence.”

In the city of Tajerouine in the Kef region of northwestern Tunisia (175 km west of Tunis), local activist Hajer Al-Awadi<sup>(53)</sup> was imprisoned on charges of corruption for distributing semolina in a video she posted on Facebook on April 12, 2020. She stated that she had been assaulted while filing a complaint with the police with her uncle. She was charged with “encroachment on a public employee” under Article 125 of the Penal Code when she appeared before the court. Tunisia also witnessed social media campaigns targeting critical journalists, such as Khalifa Shoushan, a commentator for national radio, who faced racist criticism targeting his black complexion for questioning Health Minister Abdellatif Mekki’s performance.

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52- “Setbacks to freedom of expression in Tunisia during its fight against COVID-19”, 2020, Global Voices: <https://ar.globalvoices.org/2020/05/06/64558/>.

53- Ibid.

The government's discourse at the time considered what the authorities were doing as a war against the pandemic, and the health minister was compared to a "general." This comparison between war and pandemic resistance was used as a basis by the authorities to justify suppressing journalists, bloggers, and online activists.

The dominant political parties in parliament saw the pandemic as an opportunity to score political points, and the Ennahda Movement, which controlled parliament, was at the forefront of those parties. The official discourse maintained the term "state of war" to create a state of polarization, fear, and panic among citizens, and to justify the lack of tolerance for government critics. Tunisia is currently living in a post-pandemic era under Decree No. 54<sup>(54)</sup>, which was approved by President Kais Saied to combat rumours on social media. However, this law has been added to a series of other laws that restrict freedom of expression and make government officials immune to criticism, especially in times of crises.

It can be said that freedoms, in general, and

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54- « DCAF Legal Data », 2023. Legislation-Securite.Tn. <https://legislation-securite.tn/ar/law/105732>.



freedom of expression, in particular, have witnessed multiple violations in Tunisia during the pandemic. These violations were framed legally based on the Emergency Law, which was active in Tunisia during the pandemic because of the multiple terrorist attacks that Tunisia witnessed, especially the attack on the Bardo Museum in 2015. Some freedoms were also violated based on the authorization that gave the Prime Minister the power to manage the pandemic in all areas, including those related to rights and freedoms.

## **The status of women: violence and stigma:**

### More gender-based violence:

Women have been the most affected by the COVID-19 pandemic at several social and economic levels. The number of cases of violence against women has seen a worrying increase since the issuance of Government Decree No. 156 for the year 2020, which relates to measures to reduce the impact of the pandemic. As of May 3, 2020, the Ministry of Women, Family, Children, and Senior Citizens reported 7,000 cases of violence<sup>(55)</sup> through

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55- « Tunisia: Coronavirus pandemic increases violence against women », 2023, Euro-Mediterranean Rights, <https://bit.ly/463vQRJ>

the hotline number it established. This increase coincided with the decision taken by the Highest Council of the Judiciary to postpone hearings related to civil cases, including reconciliation sessions.

These decisions hindered women's access to justice services and all entities concerned with combating violence against women. The government's adoption of the "state of war against the pandemic" made it a physical and psychological threat to women, and violence has worsened, especially within families experiencing poor economic conditions and deteriorating living conditions. Networks of discrimination, such as "Hetero-patriarchal Discrimination"<sup>(56)</sup> have been observed on social media platforms that target women. Pages on social media also circulated comparisons of women to the COVID-19 virus, calling it a deadly virus. It was also noted that the mortality rate among men due to the virus was higher than women because "viruses recognize each other."<sup>(57)</sup>

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56- Shekhawi, Hazem. "In understanding the violence inflicted on women in spaces in the time of coronavirus," issued in the chapters of Forum No. 4 2020, Tunisia Forum for Economic and Social Rights.

57- Hazel, Amal. "Cleaning Ladies: Actors in the Battle for Life." Forum brochure No. 4 2020, Tunisia Forum for Economic Rights

In the same context, the pandemic crisis revealed the suffering of women working in the healthcare sector, especially cleaning ladies who were exposed to the risks of medical waste, in addition to the increase in their working hours during the pandemic<sup>(58)</sup>, in harsh social conditions, as shown in a study conducted by the Tunisian Forum for Economic and Social Rights. Several cleaning workers stated that the pandemic has further complicated their already fragile situation, which intersects with the weakness of the healthcare system, as the state was unable to provide the necessary equipment to protect medical teams and hospital <sup>(59)</sup>workers during the early days of the crisis.

Other women working in vital sectors, such as those working in large commercial spaces, were also at risk of infection. These women typically have less access to education, making them in need of health advice, support, and awareness. Among the groups of women who have been clearly affected by the pandemic and whose situation remains unchanged by the government are rural women working in the agricultural sector. A study

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58- Ibid.

59- Ibid.

conducted by the Tunisian Forum for Economic and Social Rights revealed that 92% of women working in agriculture have no social coverage<sup>(60)</sup>, despite Tunisia frequently being described as a pioneer in women's rights in the region. However, there appears to be a gap between legislation and reality. Despite the government's positive discourse on women and efforts to enhance women's rights in Tunisia, women working in the agricultural sector still suffer from working conditions that do not meet human standards and transportation that is fraught with risks.

The Ministry of Agriculture figures in Tunisia, according to a paper by the Arab Reform<sup>(61)</sup> Initiative, indicate that 32% of Tunisian women live in rural areas and that 65% of rural women, according to the National Institute of Statistics, have dropped out of school early, surpassing illiteracy rates for rural women. Women make up 70% of the agricultural workforce, but their wages remain lower than men's and they are exploited unfairly. In addition, they are unable to access land equally with men

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60- Tunisia Forum for Economic and Social Rights « Women working in the agricultural sector and policies for the perpetuation of vulnerability », May 2023: <https://bit.ly/484axkS>

61- Alessandra Pajek, « Tunisia: Corona Makes Rural Women Worse », Arab Reform Initiative, November 25, 2020, <https://bit.ly/461OLN6>

due to the inheritance law based on Islamic law, which feminist movements have not been able to change despite their continuous efforts.

The pandemic has exacerbated the harsh economic conditions for women in the agricultural sector, although work on farms did not stop during the pandemic. “Women workers who relied on transportation to reach farms were limited to only the sites they could access due to movement restrictions, which means less work and less income.<sup>(62)</sup>” In addition to the unfair working conditions, employers did not seriously work on providing protective measures for women working in the agricultural sector, and the media was not interested enough in discussing the issues of vulnerable groups in the public space, where the discussion was focused on economic problems and ways to prevent the pandemic. Medical and technical discourse dominated the crisis at the expense of the social issue.

It can be said that the pandemic has revealed that the situation of women in Tunisia during crises often becomes more complex due to the lack of activation of existing legal systems, as well as the weakness of the feminist movement, which is

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62- Ibid.

limited to issues that do not link between the legal and economic rights, in addition to the lack of social roots of the feminist movement in Tunisia among vulnerable groups living in the poorest areas, and its restriction to the upper middle classes living in the cities, despite the efforts made by feminist activists to support women who face social, psychological and economic violence<sup>(63)</sup>.

However, in the same context, the presence of Tunisian women was effective in efforts to combat the spread of the pandemic. They represented the majority of the workforce in the forestry sector and 15% of the workforce in agricultural lands, where they did not stop working. “Working” women in rural areas continued to work despite frequent accidents of death vehicles, in addition to suffering from domestic work and caring for patients as kindergartens were closed.

The COVID-19 pandemic confirmed that Tunisian society still suffers from gender discrimination regarding the distribution of roles within the household, which is manifested most sharply in the increasing cases and spread of gender-based violence. The pandemic reinforced the patriarchal

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63- Baity Society for Battered Women, <https://bit.ly/3EtHppJ>

mentality inherent in reducing women's political presence and decision-making positions, and not eliminating inequality in the private sector. It also revealed the reluctance of security and judicial institutions to deal quickly and immediately with violence against women and child abuse due to the closure. Feminist and human rights activists have succeeded in obtaining a law in Favor of domestic workers and protecting victims of violence, which has made civil society an alternative framework to official institutions in protecting women from violence.

## **Parliament and electoral bodies:**

### Conflict over the authorities:

In an important article about the political conflicts in Tunisia during the COVID era, Eric Gobe<sup>(64)</sup> argues that understanding the political dynamics experienced by Tunisia during COVID requires a return to the 2019 elections, where voters sent a strong message to both the Ennahda movement, which won 52 seats out of 217, and to Nidaa

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64- Gob Eric, « Tunisia in 2020: political struggles at the time of Covid - 19. » *The year of the Maghreb* n°26 -2021

Tounes, which was on the brink of disappearing. This was reflected in what Michel Camau, a specialist in Tunisian affairs, calls the “populist moment,” which was manifested in the election of President Qais Saied with a vote approaching three million. However, this dynamic did not only result in the rise of populism, but also in the state of fragmentation that Tunisians experienced, and which will be resolved later by Saied under Article 80<sup>(65)</sup> of the 2014 constitution, which has been replaced by a new one.

parliamentary life was dominated by chaos, paralysis, and ongoing conflicts between 2019 and the rise of Abir Moussi’s party, which calls for the return of the old regime. Furthermore, Ennahda’s failure to form a government despite winning the elections added to the turmoil. This is due to the nature of the proportional representation system in the parliamentary system, and Ennahda’s reliance on alliances to ensure its continued governance. This made the parliament a negative and harmful authority, according to Eric Gobe<sup>(66)</sup>.

In his speech on March 21, 2021, Elyes Fakhfakh

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65- Ibid.

66- Ibid.



proposed a draft Law that would allow the government to manage the pandemic without referring to the legislative authority for a period of two months. Some members of parliament viewed this proposal as a desire by the executive authority to dominate and take advantage of the crisis, and to infringe on the legislative authority. However, the Prime Minister was able to obtain authorization on March 25, 2020, from the ruling coalition, including Ennahda, despite opposition from some of its leaders. The ruling coalition and opposition worked to reduce the authorization period to one month. This reflected the reluctance of parliament to relinquish its powers, which have been the center of power in Tunisia since the fall of Ben Ali until the decision of Kais Saied to activate Article 80 and change the political system to a system centralized in the hands of the President.

On March 26, 2020, parliament held an opening session where they emphasized the need for the executive authority to be supervised and intervened in the management of the crisis while ensuring the unity of the state and its institutions. However, Prime Minister Elyes Fakhfakh expressed his unwillingness to accept any decision by parliament that could hinder the work of the government.

This was not well received by Ennahda, which eventually toppled Fakhfakh later under corruption charges. He was replaced by Hichem Mechichi on July 25, 2020, who would leave his position on July 25, 2022.

The COVID-19 pandemic came in a critical and troubled political and economic context where the ruling groups were unable to manage their conflicts, which affected the healthcare situation. During the months of March, April, and June 2021<sup>(67)</sup>, Tunisia witnessed a significant increase in the number of cases, and the government was unable to provide vaccines. The economic damages also resulted from poor management of the crisis during the second and third waves, where the gross national income decreased to about 8.6%. Additionally, the complete halt of tourism, one of the pillars of the Tunisian economy, negatively impacted the economic situation.

The lack of political stability within parliament and the growing rift between the President and a large sector of the political elite resulted in social protests that peaked during December 2020 and January 2021. The protests were concentrated in

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67- Ghanouchi, Sirine, Op. Cit

the poor neighbourhoods around cities, and the government responded by using security measures, including curfews and arrests of many protesters. All these factors were crucial in the President's power grab and his interpretation of the economic and political crisis as a pressing danger that required a suspension of parliament and an adherence to the constitution.

The Tunisian experience during the COVID-19 pandemic demonstrated that political instability and the lack of democratic practices within political parties and parliamentary institutions can be a key factor in withstanding crises. Fragility in the democratic transition and the failure of ruling elites to adopt a democratic culture have contributed to the domination of the bureaucratic apparatus of the state and the return of authoritarian practices in managing the health crisis. The pandemic revealed that the “war” against the virus was, in fact, a struggle for power and influence among different authorities seeking to serve their own interests. This was reflected in the government's decisions, which often favoured large institutions at the expense of smaller ones and vulnerable groups.

## **Social movements and the role of civil society:**

### Social Movements:

Tunisia was facing a COVID crisis alongside an economic crisis and political instability, with a fierce struggle between the dominant actors in the political field to gain a larger share of power resources. This contributed to fuelling protest movements and eroding the trust between citizens and the ruling elite.

In this regard, protest movements such as “Appeal” emerged, meaning that their action in the public space was a tool for a reminder that was not heeded, and their inclusion in public policies in general and pandemic management plans in particular. Authorities found in closing public spaces during the pandemic a favourable opportunity to restrict protest movements and reduce their role in conveying unheard demands, most of which relate to social issues and the effects of pandemic management on vulnerable groups.

On this basis, these movements emerged as a vital indicator of fragility and the ability of “invisible” actors to resist. The climate of protests at the end of 2020 resembled the protests of December 2017, which overthrew the Ben Ali regime. The protests

that continued throughout 2020 were a challenge to the authority that worked to cancel the public space by restoring old authoritarian practices, represented in strengthening security policies. One of the policy papers<sup>(68)</sup> produced by the Tunisian Forum for Economic and Social Rights indicates that the pace of protest did not stop despite the curfew imposed by the government and the continued activation of the state of emergency. According to Forum reports, the number of protest movements reached about 8,759 and economic and social demands topped the list of demands by 37 percent, while demands on the right to development accounted for about 20 percent and access to health services by 20 percent.

These protests raised a central problematic, which the authorities tried to put in silence, that the pandemic is not just a technical health issue, as the official medical discourse tried to promote, but an issue specifically related to economic and social rights that require rethinking the design of structural policies that oppose the various faces of inequality. The absence of this policy that the government actors lack is what has reinforced the radicalism of some of the protests, especially the disruption of production means and resorting to

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68- Ibid.

general strikes in several areas<sup>(69)</sup>.

These protests have raised a central problematic that the authorities tried to silence, which is that the pandemic is not just a technical health issue, as the official medical discourse tried to promote, but an issue specifically related to economic and social rights that require a rethinking of the design of structural policies that oppose the various faces of inequality. The absence of this policy, which government actors lack, has reinforced the radicalism of some of the protests, especially the disruption of production means and resorting to general strikes in several areas. In the youth domain, a protest movement emerged under the slogan of “the wrong generation.”

It is a protest generation that has emerged within the collapse of institutions and the weakness of laws and procedures to accommodate the demands of various societal factions (youths, especially between the ages of 15 and 25), who showed in the protest movements (January 2021) that this age group, which lives mostly in poor neighbourhoods adjacent to cities, is the most interested in taking risks to break the prevailing Molds (confronting

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69- Ibid.

security/violence), and illegal migration (burning) is the main goal for many of them as a counter-movement to the system.

The spaces of marginalization have expanded and can no longer be read on the basis of the developmental conflict between inland and coastal cities, but on the basis of horizontal and multiple dimensions, which is as much strengthened by the pandemic crisis as it is associated with the reshaping of the social state in a neoliberal context that began to take shape in Tunisia since the mid-1980s.

#### Civil society:

Since the fall of Ben Ali's regime, one of the main actors in Tunisia's democratic transition process, the civil society fabric (meaning the organized association sector) has taken the initiative, sometimes before official authorities, in dealing with the crisis imposed by the pandemic, especially regarding caring for social repercussions. Some associations have compensated what the state has left regarding helping vulnerable groups, which has long been appreciated by government authorities who found in the civil society intervention an opportunity to escape from their social responsibilities.

However, the civil society intervention was not

only in the context of providing social assistance to those affected by the pandemic but also consisted of a range of civil coalition<sup>(70)</sup> formations composed of non-governmental associations and organizations to pressure the government to review the health emergency plan it has approved.

The civil coalition, which issued a statement on August 3, 2021 (among the signatories was the Tunisian General Labor Union), considered that after the health situation has deteriorated and the number of deaths has exceeded 20,000 and hospitals have been unable to provide oxygen to all patients in need, it is the responsibility of authorities to update the national vaccination strategy and take urgent measures to improve the capacity of health structures to face the pandemic. Moreover, the government needs to learn from the crisis of the pandemic. The Tunisian General Labor Union rejected in this regard the reforms required by the International Monetary Fund to resolve the economic crisis in Tunisia, which it believes will further marginalize vulnerable groups that have been directly affected by the pandemic.

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70- "Statement of the Civil Society Coalition to Defend the Public Health Facility," 2021, FTDES: <https://bit.ly/45YYy6y>



In the same context, the “corona crisis” has pushed the feminist civil society to a solidarity and advocacy dynamic for women’s rights. An investigation<sup>(71)</sup> carried out by a journalist from the Center for Women’s Documentation (a government center) shows that many women have been driven during the pandemic period to rush into volunteer work, in addition to their household work, in factories “in order to provide the necessary support in the mask manufacturing process through collective work at different levels and capabilities<sup>(72)</sup>.” The investigation considers that women volunteers have taken the forefront in a range of fieldwork, such as helping families, securing food supplies, and sanitizing schools and public institutions. However, on the other hand, many women’s organizations have sounded the alarm due to the high rates of violence against women inside confined spaces during the pandemic period.

Although those associations varied in their ways of expression and protest, they all agreed on the need to develop a preventive policy to protect women

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71- Women Leaders and Management of the Health Crisis, Creedif Magazine Issue 52 March 2021.

72- Ibid.

from violence during the quarantine period. For example, the Tunisian Association of Democratic Women played an important role in supporting victims of domestic violence during the healthy confinement periods. Starting from the slogan “the pandemic and increasing violence against women,” the association posted on its page the numbers of counselling centers for women victims of violence in Tunis, Sfax, Kairouan, and Sousse<sup>(73)</sup>.

Moreover, the association launched an electronic campaign against violence, using photos and hashtags such as “The pandemic and increasing women violence,” “The violence against women kills (like) the pandemic.” In this way, the pandemic formed an opportunity for the feminist dynamic to remind everyone of the violence that women experience and to pressure the authorities towards protecting women.

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73- Ibid.

## **Conclusion:**

### Deepening the crisis of democratic transition:

The pandemic in Tunisia, as in the Arab region in general, was not just a medical and epidemiological event, but a “collective phenomenon<sup>(74)</sup>” with multiple political, social, economic, and cultural dimensions. While the COVID-19 outbreak hit all countries worldwide in a globalized context characterized by acceleration, interconnectivity, and fluidity of information flow and human traffic, the crisis management always remained constrained by local constraints and economic capabilities of each country.

This has led to a variety of approaches and unequal management forms of the pandemic between countries and even local domains. This confirms the necessity of putting crises in their contexts. This is what this paper has done by analysing the practices of both government and non-government actors and their revealed fissures regarding economic and social aspects. But regarding the fragility of the democratic system and its lack of sociological and institutional roots, as revealed by the Tunisian experience that was considered an exceptional

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74- Coined by French anthropologist Marsal Moss.

experiment in the Arab world concerning democratic transition processes. This experience did not last long before the pandemic cracked the political actors who failed to manage the political disputes and turn them into opportunities for achieving development and social justice and thus created a favourable opportunity for authoritarian tendencies and the rise of populism.

The indirect effects of the pandemic have deepened the fragility of democratic practices and fuelled the recovery of authoritarian practices. However, this cannot be understood within a direct causal relationship between the pandemic and democracy, as we can find its interpretation in the processes of the society itself and its relationship with the idea of democracy.

Democracy in Tunisia, within the context of its experience, has been associated with an election process dominated by procedures. This has led many to feel that they are not adequately represented and that their votes have been stolen to serve the interests of economically influential groups benefiting from the democratic process.

Many people also felt like they were victims of the “contempt” practiced by the ruling elites.

Regarding the development model prevailing in Tunisia, the pandemic event, like other events the country has witnessed, revealed the need for its review. This model showed cracks and flaws that intensified the crisis and its severe effects on the economy and, more importantly, on the democratic issue.

The Tunisian economic development model has been based, since independence, on an integrative logic, which is built on a social contract where the sponsoring state constitutes one of its parties<sup>(75)</sup>. This contract expired in the mid-1980s when the country adopted a liberal market economic system without supervisory institutions.

This approach contributed to the rise of a class of newly wealthy people, such as real estate speculators, smugglers, and those who illegally profited from privatization. All of these were able to benefit from the democratic openness after Ben Ali's fall, and upon their entry into the political field, it was not based on changing the legal and institutional systems that cemented inequality and the absence of development. Rather, it was

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75- Ghorbali, Fouad. "Tunisia in the time of coronavirus: the society of risk and time of uncertainty", Arab Ambassador 7 April 2020, <https://assafirarabi.com/ar/30291/2020/04/07/>

to benefit from these systems that cemented the rent economy and “accounting capitalism.” This weakened the democratic idea itself and reduced its ability to resist the consequences imposed by the pandemic.

On the other hand, the pandemic in the Tunisian context showed the social actors’ ability to resist and create a relative balance towards modifying some government choices and joining advocacy for vulnerable groups.

Moreover, traditional solidarity systems have shown their ability to play a role in crises by maintaining social cohesion, such as family and local solidarity, especially in areas where traditional structures maintain their influence. Tribal and local affiliations played a role in protecting some individuals affected by the pandemic. This requires thinking about ways to balance democracy as a civic mechanism and solidarities in a way that supports democratic participation and citizenship.

Recommendations for sound democratic practices include:

- Embedding a democratic culture at the institutional level.

- Embedding a crisis-management planning culture in healthcare and other institutions to ensure they are prepared for such events.
- Establishing mechanisms and plans based on transparency and credibility during crises to ensure the provision of necessary information to the public and build mutual trust between government institutions and society.
- Developing a guide regarding the handling of vulnerable groups during crises to ensure their protection and meet their needs.
- Supporting the independence of the media in dealing with health and other crises to provide critical information and ensure transparency in crisis management.
- Activating the oversight role of parliament on executive authorities during crises to ensure accountability.
- Establishing a transparent mechanism for complaints at the governmental level to enable all groups and stakeholders to voice their concerns.
- Supporting women's rights during crises.

- Empowering civil society with effective mechanisms to deal with crises.
- Supporting transparency in democratic practices in crisis management.
- Developing a national strategy focused on transparency to address corruption.



# **Collapse, Politicization and Abuse: Tracking the Coronavirus in Lebanon**

**Fatima A. El Moussawi<sup>(76)</sup>**

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## **Abstract:**

The Lebanese case study from the “Lessons from the Pandemic for Good Democratic Practices in Crises in Egypt, Jordan, Lebanon and Tunisia (2022-2024)” project intends to study the positioning of the pandemic in the intersection of Lebanon’s crises and its impact on freedoms, human rights, and democratic practices. The paper tries to understand the connection between an economic collapse, one that is the largest in Lebanon’s history, the pandemic itself, and the explosion of the Beirut port. While the paper presents the direct impact of the pandemic and subsequent lockdown on the uprising that preceded the pandemic by months, it also examines the impact of COVID-19 on the reactions of officials and the reactions’ influence on the course of democratic processes, public freedoms, and the code of human rights in the country. The paper also tracks the mechanisms and effectiveness of the national plan adopted by the authorities and tries to spot the violations that occurred in the process, especially about decentralization, the role of political parties, and transparency in dealing with related issues. The paper lists some of the violations that took place, the controversy surrounding them and the reaction

of the civil society as an influential party in the Lebanese uprising and in the relief work that responded to the collapse, the pandemic, and the explosion of the port. On the other hand, it also highlights some of the good practices that have emerged in the official response to the pandemic.

**Keywords:** Uprising, pandemic, democracy, human rights, decentralization, transparency, political parties, collapse, violations.

## Introduction:

In April 2020, Liz Sly authored an article for The Washington Post stating that “Lebanon is in a big mess. But on coronavirus, it is doing something right.<sup>(77)</sup>” The article, which highlighted the country’s early lockdown measures, demonstrated how Lebanon, despite its ongoing crisis, took early notice of the threat of the pandemic. In contrast to major nations that initially underestimated the pandemic<sup>(78)</sup>, Lebanon imposed restrictions on various essential facilities and eventually implemented a complete lockdown in mid-March, just over a month after the first case was detected.

Questions arise about the reasons that led a political authority accused of corruption, indifference, and exploitation by the population in the country to take measures that preceded (apparently) major nations in addressing the spread of the pandemic. While it has been linked to personal fear fuelled by the general state of panic, leading to adherence to the measures, such fear cannot be justified by

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77- Sly, Liz (2020). Lebanon is in a big mess. But on coronavirus, it is doing something right. The Washington Post. <https://shorturl.at/itV49>

78- The article referred in particular to the US and British realities and the process of scaling down the impact of the pandemic adopted by both Trump and Johnson in the policy approach.

the necessity of the Lebanese society's voluntary compliance with laws or its trust in public policies in a country whose banks have been refusing for five months (until that time) to give depositors their money, or whose higher authorities have refrained from intervening to prevent the free fall of the Lebanese pound against the US dollar.

The subsequent reality indicates that the pandemic gave rise to panic among the population due to the perceived danger of descending into an unknown abyss under the authority of a political power that lacked the will or ability to intervene and act for rescue if the country's affairs plunged further into peril. The initial reaction that emerged among the population, conveying the impression that things were under control, was nothing more than an expression of people's apprehension about the Lebanese political authority and its capabilities or lack thereof, and what it might or might not do in the event of a catastrophe.

This paper explores how Lebanon's experience with the pandemic has amplified concerns on multiple levels<sup>(79)(80)</sup>. The paper aims to address the project's

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79- Namour, Karim (2021). What did we learn from the first year of Coronavirus? Legal Agenda. <https://tinyurl.com/ys6jdkjz>

80- Namour, Karim. Engineering the coronavirus system (panic and law in coronavirus time). Legal Agenda. <https://tinyurl.com/yu3glemh>

central question regarding the repercussions of the pandemic, examining practices that were, in some cases, positive and preventive, aligning with the reality of the population and the healthcare system. In other instances, however, these practices had undesirable effects on various aspects.

The paper investigates whether the public authorities in Lebanon have exploited the pandemic to restrict public rights and freedoms, examining its impact on the democratic aspects and the freedom of expression (or its absence) in the country. It provides an overview of all aspects of violations and related developments that Lebanon has witnessed as a result of the pandemic.

While the paper assumes that a lack of trust in political authority is fundamentally behind the disciplined public behaviour in facing the pandemic, we delve into our review to dissect the behaviour of the authority. What motivates the stringent measures of a fragile State structure? Do they stem from a sense of responsibility, aligning with international standards and recommendations of the World Health Organization? Or did the authority early on recognize an opportunity in the crisis to reclaim its grip and authoritarian practices, pulling itself out from under the rubble

of the collapsed banking system and saving itself from public discontent? The question extends to understanding whether the State, from the outset of its response to the pandemic, applied effective, protective measures consistent with human rights and the public good.

### **A pandemic within a catastrophe:**

The COVID-19 pandemic has posed an unprecedented challenge not only to the healthcare emergency system but to the entire global order. It has placed the economies of the world, political systems, and globalization under a test of continuity, safety, discipline, democracy, populism, cooperation, priorities, cohesion, and security. The scene appeared tense and chaotic before countries began taking measures aimed at preserving public safety and containing the pandemic, amid concerns about the economy, which was inevitably impacted by the halt in public life. While it is still too early to discuss the real and profound impact of the pandemic on all the aforementioned aspects, the examination of its effects in these various contexts began from the important decision to impose lockdowns, mobilization, and closures (varying

from one country to another) or hesitation in doing so (based on the principle of herd immunity).

Undoubtedly, these measures had a direct impact on the restricted areas of freedom and democracy in many countries around the world. This is particularly evident in the experience of Arab countries, especially since most of these countries have known and applied emergency laws for decades under various names and pretexts, but fundamentally for political and security reasons. Although the pandemic compelled Lebanon to declare a general mobilization and later a state of emergency, assessing the impact of the virus itself on all legal, humanitarian, political aspects, as well as on freedoms and democracy, appears challenging. This difficulty arises because its timing coincided with one of the most severe crises in the history of the Lebanese entity.

Today, Lebanon faces its most dangerous economic crisis, threatening its existence and social structure. The World Bank has classified it as one of the most severe and dangerous economic crises globally since the nineteenth century, emphasizing that it is a crisis deliberately caused by the ruling political



class<sup>(81)</sup>. Lebanon has experienced an unprecedented collapse in the exchange rate of the Lebanese pound against the dollar, alongside the near-total paralysis of most official state institutions and the absence of means of livelihood for the broader segments of the Lebanese population, refugees, and residents in the country. The economic crisis is the result of decades of monetary, financial, and economic policies adopted by the ruling class, culminating in ignoring its early signs and persistently avoiding the initiation of a rescue plan. This has exacerbated the situation day by day, leading to a worsening class divide and increased migration<sup>(82)</sup>.

Since 2019, Lebanon has been facing a severe economic collapse, political divisions, internal and regional crises, and later, an explosion in its capital's port in August 2020. This event significantly impacted the Lebanese collective awareness of institutions and security, especially with the profound divisions regarding the investigation into its causes that persist to this day<sup>(83)</sup>. The economic

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81- World Bank (2022). The crisis in Lebanon: a major denial under a deliberate recession. <https://shorturl.at/hmuOQ>

82- Al Jazeera News Site (2023). A very dangerous situation. The Monetary Fund sounds the alarm about Lebanon. <https://shorturl.at/kqE58>

83- Asharq al-Awsat Site (2022). A sharp judicial split threatens to close the investigation into the Beirut port explosion. <https://tinyurl.com/ywfstjr5>

crisis, which began in 2016 but was concealed through financial engineering devised by the Central Bank of Lebanon and endorsed by the ruling authority, erupted openly in 2019. This led the country into a popular uprising that started on October 17, 2019, in Beirut and extended to various regions, even those under the influence of major political parties.

Under this scenario, the pandemic reached Lebanon and evolved, taking the country through even more challenging stages, and casting its repercussions on the entire legal system. It has also impacted democratic practices, amplifying the likelihood of violations that often intensify in situations like these and find broader justification and concealment.

### **Coronavirus: spatial and moral decline of Lebanon's uprising:**

The political authority in Lebanon has undertaken unprecedented attempts to suppress the protests since they erupted in 2019. It has been accused of succumbing to external pressures and attempting to undermine the cohesion of the country. Additionally, political entities, even those not aligned, have

coordinated their rhetoric and intentions to undermine the uprising, either through defamation or by confiscating it. This involves authorities sidelining opposition voices and, at times, through attacks by supporters of the ruling parties on protesters in Martyrs' Square in central Beirut.

The uprising manifested in various forms of protest, such as gatherings, marches, and the establishment of tents where people and activists met to discuss human rights, economic conditions, gender issues, and more. It continued in this manner at a high pace for months.

However, with the onset of the pandemic and the accompanying cautionary atmosphere, especially regarding gatherings and the need for physical distancing, there was a forced decline in all these forms of protest and organization. Due to lockdowns and curfews, people could no longer assemble as before or participate in marches due to the rules imposed by security forces, holding gatherings responsible for the health risks associated with them. This placed everyone in a situation where responsibilities outweighed the seriousness of the

anger and the urgent need for change<sup>(84)</sup>.

On March 15, 2020, the government of Hassan Diab<sup>(85)</sup> issued a decree declaring a state of general mobilization and implementing several measures to curb the spread of the pandemic<sup>(86)</sup>. Subsequently, the Ministry of Interior removed the tents from Martyrs' Square<sup>(87)</sup>.

This marked the first exploitation of the pandemic to undermine political freedoms and put an end to the popular movement. Consequently, the central space that hosted the core of the uprising was eliminated.

Later, the economic crisis worsened, placing the livelihood crisis at the top of priorities. Most of the entities present during the uprising shifted their focus to work and mobilize towards relief efforts and voluntary organization. This marked a shift in attention towards humanitarian issues arising from the pandemic and the lockdown.

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84- Schoorel, E., Luitjens, M., & van der Reijden, L. S. (2020). The impact of COVID-19 on the revolutionary movement in Lebanon. Fes Lebanon.

85- Based on the National Defense and Infectious Diseases Acts.

86- These measures highlighted citizens "commitment to their homes and not to leave their homes unless absolutely necessary."

87- Days after its passage and sterilization under the pretext of "the safety of the protesters", according to the then Minister of the Interior, Mohammed Fahmy.

As for the media, regardless of its orientations, it began dedicating most of its content to addressing the pandemic crisis, providing statistics on cases and necessary guidelines for protection and virus containment. This also contributed to undermining the media and morale space for the protests<sup>(88)</sup>. One of the most dangerous consequences of the lockdown was the closure of banks<sup>(89)</sup>, which slowed down and halted the pace of protests and intrusions that were happening in front of and inside the banks by depositors, political activists, and economists.

It can be concluded that the determination to keep people away from banks, as a measure by the authorities, occurred simultaneously with preventing demonstrations and removing the tents and processions of the uprising. This underscores to what extent these banks, in the collective consciousness of the uprising, represent a fundamental pillar of the Lebanese political system.

Here, it can be said that the most powerful measures of the Lebanese authorities seized the

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88- Choucair, Walid (2020). Lebanon dismissed its rulers from demonstrations by protesters. The Independent Arabia website. <https://tinyurl.com/yp5pmr9a>

89- A bank emergency plan in Lebanon to keep pace with public mobilization due to coronavirus. New Arabic. <https://tinyurl.com/yrlye7e7>

opportunity provided by the general mobilization to alleviate and divert revolutionary pressure away from their institutions.

According to Dr Nadine Abdullah's paper on adopting an interactive and dynamic perspective for analysing social movements in the context of a pandemic, the concept of "Player" in the social movement becomes apparent through the confrontation between protesters and official security authorities. The authorities managed to reposition themselves as the driving force in containing popular discontent through the pandemic, after the protesting forces, despite their differences, had been the main players in the preceding months.

### **Beirut port explosion and renewed popular anger:**

On August 4, 2020, a massive explosion occurred in the Beirut Port, marking a historic turning point in the political, social, and security contexts of Lebanon, further compounding the existing

collapse<sup>(90)</sup>. People rushed to help the injured, retrieve bodies, clear debris, and aid the affected. This led to a surge in recorded COVID-19 cases without any official measures, especially as the Lebanese public was already furious, and the government sought to avoid any clashes under the pretext of the pandemic<sup>(91)</sup>. Protesters stormed the Ministry of Foreign Affairs and called for the parliament to be invaded, prompting the Lebanese army to forcefully remove them in the first confrontation between the public and official authorities since the uprising. The angry streets regained significant momentum after the explosion, and any narratives related to public safety were unable to stop it<sup>(92)</sup>.

The political authority was fully aware that there was no choice but to allow this anger to surface, even if in an exaggerated manner after what had happened, despite the intervention of security

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90- AFP website 24 (2020). Dozens of people killed, and thousands injured in a massive explosion in Beirut's port and the head of government pledge to hold those responsible accountable. <https://shorturl.at/cipA6>

Note, R. P. B (2020). The Political and Institutional Deficiencies that Led to the 4th of August Disaster. Report retrieved from <https://shorturl.at/bfjlo>

91- Sputnik Arabic website (2020). Lebanon's health minister warns of worsening coronavirus infections after Beirut explosion. <https://shorturl.at/dgjE9>

92- BBC News Arabic website (2020). Beirut explosion: Mass demonstrations and Lebanese Armed Forces expel protesters who stormed the Foreign Ministry's headquarters. <https://www.bbc.com/arabic/middleeast-53706387>

forces with tear gas and stun grenades.

It can be said that the protest square regained some of its momentum, which would not have been possible without the horrendous scale of the disaster. Returning to the concept of the “Player” in the social movement, the scene at that time does not suggest that the protesters and revolutionaries had regained this role. It can be said that the authority retained it, knowing that it had to allow this anger to take its course to contain the situation, fearing what might have happened otherwise<sup>(93)</sup>.

With the repercussions of the explosion and the continued escalation of the financial crisis, it has become challenging to assess the cumulative impact of the pandemic in isolation as a underminer of democratic practices, freedoms, and political engagement.

The emerging picture of the situation in which the Lebanese people and residents in Lebanon find themselves must necessarily reflect the intersection of the explosion, the collapse, and the pandemic. It should encapsulate and reveal aspects of policies

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93- Human Rights Watch (2021). “They Killed Us from the Inside.” Report retrieved from <https://www.hrw.org/report/2021/08/03/they-killed-us-inside/investigation-august-4-beirut-blast>



that have shaped the foundations and features of the state in Lebanon over three decades, since the Taif Agreement.

Here, we address the aspects that were affected by the pandemic across various fields within the system of rights, freedoms, democracy, and the status of women in Lebanon. This includes examining how authorities at central, local, official, and sometimes repressive levels dealt with the evolution of the pandemic. Additionally, we seek to understand the role played by political parties as part of the authorities and the role undertaken by civil society organizations.

## **The pandemic at the local level: municipal roles and faulty decentralization:**

One of the aspects that must be considered in understanding the political performance of the Lebanese authorities in responding to the pandemic is dealing with it from the perspective of decentralization, especially since Lebanese law theoretically intricately links infectious diseases with decentralized measures. The reality is that there is an urgent need to adopt broad administrative decentralization accompanied by financial decentralization (to ensure its effectiveness), not only at the level of services and development but also at the political level, with the presence of a strong central authority<sup>(94)</sup>.

Although administrative decentralization is recommended through the Taif Agreement to be adopted after the end of the Lebanese Civil War, successive governments after the war neglected it and did not address it in their agendas.

In 2012, due to urgency and by the decision of the Cabinet, a special committee on administrative decentralization was formed, chaired by the former

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94- From an intervention by former Interior Minister Ziad Baroud in a TV interview in 2020. <https://tinyurl.com/ypypdydd>

minister Ziad Baroud. The committee concluded the necessity of transferring wide-ranging powers and tasks from the central authority to the councils of the districts, with the need to secure the financial resources necessary for exercising these powers<sup>(95)</sup>.

However, the situation remained unchanged until the pandemic (and to this day), and efforts to establish effective decentralization in theory are still unrealized. The power and resource division in the exclusive law that the authority adheres to after the Taif Agreement is conducive to the corruption of the ruling political class and is consistent with the process of sharing the spoils<sup>(96)</sup>. But with the onset of the pandemic and the imposition of emergency law, the authority found itself compelled, albeit reluctantly, to adopt decentralization in its only form in Lebanon: Municipalities.

The importance of local institutional work for municipalities is evident through their municipal activity, allowing direct interaction with citizens<sup>(97)</sup> and meeting their needs throughout Lebanon. The

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95- Hashim, Najm (2023). "Decentralization in Lebanon between the Taif Agreement and the communities". The Independent Arabic. <https://tinyurl.com/yr65jmrh>

96- Nashaba, Shadi (2020). "Lebanon between federalism and decentralization." Al-Nahar newspaper website: <https://tinyurl.com/y3c74s8z>

97- Municipal work in Lebanon is governed by the Organization Act of 1977 and has very broad powers but is often accompanied by very limited financial potential.



an extremely limited number of municipalities had expert teams in sanitation, the necessary materials, and the knowledge to distinguish between eliminating viruses and dealing with rodents and insects that did not transmit the virus.

This is accompanied by numerous measures that restricted public freedoms, such as the regulation of movement that included citizens and displaced persons within the municipal scope without consulting the Shura Council and obtaining the approval of the administrative control authority. The central authority also exploited the pandemic to seize municipal resources allocated for aid. Law 161/2020 required municipalities to transfer funds to the central authority for it to manage in addressing the coronavirus, assuming the municipalities had a financial surplus. This was nothing more than an attempt to control municipal funds and their powers, later imposing guardianship without any legal justification<sup>(99)</sup>.

In contrast, the role of municipalities, in general, was vigilant and swift, prompting many experts to view municipalities' experience with the pandemic

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99- Sadik, Zhuan (2021). Municipalities in the face of the coronavirus pandemic. Legal Agenda.: <https://tinyurl.com/yu6hr7v5>

as an argument to enhance the concept and application of decentralization in Lebanon.

With the onset of the pandemic, the Disaster Risk Management Unit at the Presidency of the Council of Ministers, in collaboration with the General Directorate of Local Councils and Municipalities at the Ministry of Interior and Municipalities, the Ministry of Public Health, UNICEF, UNHCR, and the World Health Organization, developed the “Municipalities and Municipal Federations Plan to Confront the Novel Coronavirus<sup>(100)</sup>.”

This plan was based on the concept of administrative decentralization. It included delegating broad powers to municipalities to deal with the pandemic at the local level, encouraging them to form inspection, sanitization, and awareness teams. The plan also involved financial incentives for municipalities to enhance their capabilities in combating the pandemic. Many observers considered this plan a positive shift towards strengthening the principle of decentralization in governance.

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100- The Municipalities and Municipal Union's plan to combat the coronavirus has been published on the website of the United Nations Development Programme. <https://tinyurl.com/ytjy4r29>

Lebanon's municipalities have tried to conduct their tasks, despite several obstacles, most notably: the fact that they themselves suffer from structural problems, poor political employment and the confiscation of financial resources, the collapse of the Lebanese pound, which has increased their financial capacity.

However, municipalities are among the institutions that have played an especially important role during the pandemic. They have been closely responsible for counting cases, sterilizing areas, monitoring prohibitions, and conducting many tasks related to the safety of individuals during quarantine of infected persons or contacts<sup>(101)</sup>.

The municipalities often relied on self-help efforts and financial assistance from their residents to carry out their tasks. The mayor of Al-Qaa mentioned the aid provided by the town's residents from their own pockets, and expatriates from the town sent support to alleviate the difficult situation during the general mobilization.

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101- Frenjia, Tony (2020). The coronavirus imposes the application of expanded administrative decentralization. Al-Nahar newspaper website. <https://tinyurl.com/y27dnwdm>

A study conducted in 2022, covering all districts<sup>(102)</sup>, indicated that municipalities that succeeded in containing the pandemic had the following factors: assistance from affluent citizens and expatriates, a growing sense of solidarity and the necessity of assistance within local communities, the collaboration of non-governmental organizations, scouting, spiritual authorities, schools, and others, the presence of reliable sources for circulated information, and a significant and effective role for primary health centers such as clinics and laboratories. It is noteworthy that most of these factors are associated more with the efforts of the communities themselves than with the central authority, confirming that effective containment was primarily driven by community efforts.

## **Deferred right for Lebanon's parliament: A stalled democracy:**

It is essential to examine the performance of the parliament in the context of the pandemic,

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102- Al-Mulki, J. M., Hassoun, M. H., & Adib, S. M. (2022). Epidemics and local governments in struggling nations: COVID- 19 in Lebanon. *Plos one*, 17(1), e0262048. <https://tinyurl.com/yqjf7akq>



especially amidst the parliamentary and governmental resignations that preceded it. Following the resignation of Prime Minister Saad Hariri's government in response to the demands of the October uprising, Hassan Diab was tasked with forming a new government that received minimal confidence in the last session before the pandemic disrupted parliamentary sessions for a period.

In addition to relocating the parliament from the main chamber in Martyrs' Square in downtown Beirut to the conference hall at the UNESCO Palace, the parliament has been unable to convene regularly until April 21, 2020, thus delaying decisions on many critical issues.

When parliament convened for the first time, it had 66 items on its agenda. The first action taken was the approval of a previous loan agreement with the World Bank worth \$120 million to support the healthcare system amid the pandemic. This decision aimed to mitigate the impact of the economic crisis compounded by the pandemic if the state's resources continued to fall short in containing the infected cases.

The amnesty law was also one of the laws brought back into discussion during parliamentary sessions

amid the pandemic, echoing calls for finding a solution to overcrowded prisons and the severity of the situation if the pandemic threatened the lives of thousands of prisoners. The parliamentary debate on the issue of general amnesty led to tensions between factions, based on the principle of appeasing popular sentiments in the face of economic pressures.

Hezbollah, the Amal Movement, and the Future Movement (which was still active in politics as a coalition at that time) sought to pass the law to release many detainees affiliated with their areas of influence. However, Christian parties opposed the matter, fearing reactions from their bases, especially since some of the detainees had faced the army and were arrested on charges of terrorism or incitement. The project was not approved, but it underwent a lengthy tug-of-war that revealed the entrenched positions of the blocs behind the desires of their bases. Originally, such an issue was raised to appease public sentiment, giving us an idea of how legislative approaches unfolded during a sensitive and crucial time like the pandemic.

Several decrees and laws related to healthcare spending and health coverage were either proposed at the cabinet level or in parliament. One of the

most notable laws was the emergency use of the coronavirus vaccine law in January 2021 to ensure the start of vaccine availability in February.

It is worth mentioning that the President and members of the parliamentary health committee worked quickly to develop and pass a repeated expedited law to regulate the emergency use of medical products to combat the coronavirus. The importance of the law lies in ensuring that companies selling vaccines, including the American company Pfizer, are exempt from liability in case of any subsequent complications, allowing these companies to sell vaccines in Lebanon. The law was enacted to facilitate obtaining the vaccine from any company, not just Pfizer, allowing all medical companies and the private sector to import vaccines to combat the pandemic. It was considered important to open the door for the private sector because vaccines provided by the Lebanese state would not be sufficient and might not be available quickly enough to meet the required health coverage<sup>(103)</sup>. It is worth noting that in December 2021, the Parliament approved an agreement between Lebanon and the World Bank to implement an emergency project to support the

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103- Jamal, Rita (2021). Lebanon's parliament approves law on emergency use of coronavirus vaccine. From the new Arabic site. <https://tinyurl.com/ywmgoljl> link

social safety net to respond to the pandemic and the economic crisis in Lebanon. This agreement aims to finance a program supporting the poorest families (around 147,000 families) with \$246 million over a period of 12 months through cash cards, but the terms lacked many guarantees and clarifications<sup>(104)</sup>. The sessions of parliament were accompanied by demonstrations in Beirut to fundamentally oppose the living situation and hold deputies and the government responsible for reluctance to seek a real solution to the economic collapse.

Lebanon has a long history of legislative obstruction, and the pandemic is not the first of its kind to cause parliamentary paralysis. However, the nature of the situations and proposed laws that accompanied that period was sensitive, especially due to their connection to financial laws, foremost among them the proposed bank control law and the proposed “Capital Control” law<sup>(105)</sup>, which aims to keep capital in the country and not to withdraw it,

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104- Parliamentary Observatory in the Legal Agenda (2021). Amend the Social Safety Net Support Agreement by Law? When the ruling authority threatens the “social safety net.,” <https://tinyurl.com/yqky8zku>

105- Al Nashra Website, Economics of Countries (2020). “Capital Control ” to the financial stone and Thursday session “Protector” to the Council of Ministers. <https://shorturl.at/INU19> link

Nour-Eddine, Ali (2021). Salama lies again: Know to smuggle deposits and don't stop them. Location of cities. <https://shorturl.at/ehrG9>

causing a rift between the blocs and remaining ink on paper.

At the time, Prime Minister Hassan Diab stated that he wanted to push this proposal forward, while his finance minister Ghazi Wazni (who submitted the proposal himself) withdrew the draft law from the Cabinet table, citing that “his political reference rejects it” after parliament Chairperson Nabih Berri claimed that the law harms depositors in favour of the banks. It is noteworthy that this law was introduced and obstructed after the political class, according to economic activist sources, managed to withdraw their fortunes estimated in billions of dollars from Lebanon, prompting the legislators (beneficiaries of the absence of the law) to slow down its adoption under flimsy pretexts.

The representation of women during that period was low and ineffective despite the exacerbation of the pandemic for cases of gender-based violence, domestic violence, and the large-scale exploitation of women in invisible and unpaid domestic work, which required protective legislative intervention to enact or support protective laws. Only women’s and feminist elements have raised their voices in parliamentary committees to draw attention to the danger of the absence and weakness of the

legal system in protection.

However, women in parliament at that time were few and were associated with the agendas of traditional political parties that did not push these demands onto the agenda of any of the subsequent sessions. It is worth mentioning that the former Minister of State for Women's Affairs, Violette Safadi, had, before the uprising, submitted a request to the parliament Chairperson, Nabih Berri, to hold an exclusive session in March 2020 to discuss laws related to women's rights, following consultations with activists in the feminist movement in Lebanon. However, the Hariri government, of which she was a part, resigned, and that ministry was abolished in the Hassan Diab government, and the Speaker did not commit to holding the session.

The experience of the Lebanese Parliament during the pandemic did not differ much from before in terms of dynamics and legislative orientations, as it was dominated by a politicized character in many aspects, either pushing some proposals to the agenda or removing other items from it. However, it is commendable for dealing with the aspect related to the pandemic, specifically at the level of vaccines effectively, even if it lagged in addressing the issue of social coverage.

## **Transparency, governance, and the pandemic: The state's malfunctions:**

According to the World Bank's Worldwide Governance Indicators, Lebanon ranked 185th out of 214 countries in government effectiveness in 2020, down from 2019. It also ranked 15th regionally in the Corruption Control Index, which measures the level of corruption in a country<sup>(106)</sup>. All the repercussions and manifestations of the economic, institutional, and pandemic collapse converge in Lebanon at these levels. It is not possible to claim that the pandemic has negatively impacted governance and transparency in Lebanon, but we can say that it has revealed the gaps and flaws in them in a new and clear way.

Nevertheless, several institutional and executive developments favouring pandemic containment were observed, especially in the efforts undertaken by the Ministry of Health. This includes establishing new COVID-19 departments in hospitals, opening more centers to accommodate a larger number of patients, and increasing the number of intensive care beds in hospital departments dedicated to

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106- Lebanon ranks 185 globally in the effectiveness of the Government... Its classification in the level of corruption has not changed. Al-Nahar newspaper website. <https://tinyurl.com/yfxkd3la>

COVID-19 patients. Additionally, continuous efforts were made to secure additional oxygen devices in anticipation of emergencies<sup>(107)</sup>.

The National Committee for the COVID-19 vaccine was formed in Lebanon, led by Abdul Rahman Al-Bizri, a trusted physician and deputy in the public sector. Regarding the vaccines, Lebanon witnessed diversity with the approval of various vaccines in early 2021, including Pfizer, AstraZeneca, the Russian Sputnik vaccine, and the Chinese Sinopharm vaccine. These vaccines were distributed through a plan that considered age groups, storage requirements, and a national registration platform, ensuring an organized and efficient vaccination process for the Lebanese population. It is noteworthy that the authorities assured from the beginning that everyone in Lebanon, without exception, would have access to the vaccine<sup>(108)</sup>.

However, despite these efforts, the pandemic revealed new aspects of official determination to lack transparency and to compromise the effective

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107- Middle East Website (2020). Lebanon is preparing to reopen after increasing coronavirus beds. <https://shorturl.at/myK59>

108- Drian, Melissa (2021). "AstraZeneca" lands this week in Lebanon. Do we have the freedom to choose between vaccines? <https://elsiyasa.com/article/175698>



management of public affairs. One prominent example of this was in the vaccine distribution and the transparency of the procurement process.

The World Bank offered Lebanon a loan of \$34 million to purchase vaccines after the government informed them of its inability to afford the vaccines. An agreement was reached between the World Bank and the government to conduct the vaccination process based on a specific hierarchy considering age groups, individuals' medical history, and medical needs. The Impact platform was established for registration and to coordinate the prioritization of vaccine distribution based on agreed-upon criteria.

Amid the commencement of the vaccination rollout, journalist Timour Azhari tweeted, confirming that 11 Lebanese deputies aged over seventy would attend a parliamentary session to receive the vaccine, in clear violation of the terms of the loan and without regard for the agreed-upon prioritization between the government and the World Bank. The vaccines were indeed administered to the deputies. The head of the National Committee for the Coronavirus Vaccine in Lebanon, Abdul Rahman Al-Bizri, spoke out, saying, "What happened today is a violation that

we cannot remain silent about. It is an attempt to distinguish a group of people,” and he threatened to resign from his position in response to the violation that occurred.

What is noteworthy is that some deputies who received the vaccine not only refrained from apologizing but also responded to Al-Bizri’s criticism by accusing him of populism. They personally attacked the representative of the World Bank for the Middle East, Saroj Kumar Jha, after he described the incident as a violation of the agreement, accusing him of lying and fabricating. They also accused representatives from the International Red Cross of receiving the vaccine early with them and claimed they were not alone in doing so. This could have led to a major crisis between Lebanon and the World Bank, potentially halting the vaccination process and suspending the loan. The situation was rectified, but this incident remains a testament to one aspect of how the pandemic crisis has been handled.

## **The authoritarian banking system:**

Despite the ongoing debate over whether authoritarian states are more efficient in managing the pandemic crisis compared to their democratic counterparts, the logical argument is that what is happening in Lebanon revolves around the different aspects of the Lebanese system. Regardless of which aspect is more rooted, it is tasked with containing the pandemic, facing it, and manoeuvring around the demands of the people. The entities involved include the state institutions themselves, political parties, non-governmental organizations, the public sector, or the private sector.<sup>3</sup>

In this context, the issue of transparency in spending is addressed. It is important to know where and how the Lebanese authorities have invested State funds, taxes, grants, and loans in recent years, and whether the infrastructure has been prepared to tackle such crises. This question is particularly relevant when reviewing the performance of private hospitals, the majority of which refused to admit COVID-19 patients, while the government-run Beirut Hospital accepted them. It is worth noting that most of these private hospitals had received grants and funds from the Lebanese government, surpassing what the public sector had received, prior to the COVID-19 pandemic.

## **People's needs undermined by politicization:**

Due to lockdowns and the stay-at-home orders, many individuals and families saw a reduction in their income, prompting them to turn to political leaders and parties. These political entities, through their local branches and various associations, stepped in to meet people needs to varying degrees, distributing in-kind aid, medications, and financial assistance.

It was evident that the relief efforts carried out by political parties were directed towards three main objectives: absorbing the growing public anger due to the official failure to provide a social protection plan, implicitly apologizing for the poor performance since the onset of the economic crisis and the outbreak of protests, and, thirdly, investing in actions that could strengthen their positions in the upcoming parliamentary elections two years later.

The approach of the political authorities in Lebanon during the pandemic can be described as “trading in fear and exploiting people’s needs<sup>(109)</sup>.” The parties took on roles that were originally the responsibility

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109- Yamine, Layla (2020). “Trading in fear: Authority in Lebanon exploits coronavirus pandemic.” Open Democracy Website. <https://tinyurl.com/yrx98cn>

of the state. However, in the pandemic scenario, it became apparent that political parties, regardless of their political and ideological orientations and funding sources, resembled fiefdoms with spheres of influence within a crumbling state entity absent from its name, Lebanon<sup>(110)</sup>.

### **Re-election of traditional parties and the rise of new votes:**

The parliamentary elections that took place in May 2022, after the pandemic measures began to recede, carried many implications reflecting the impact of the official handling of the pandemic, the explosion, and the economic collapse on people's perception of responsibility and accountability. This, in turn, influenced their voting behaviour and, subsequently, political representation in a troubled country on the social and sectarian levels like Lebanon.

In terms of election results, it is possible to read them in two directions: Firstly, there was an election for new voices represented by what became known as the reformist deputies. This was a clear protest

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110- States within the Country. Lebanese parties in the face of coronavirus '(2020). Al JazeeraNet <https://tinyurl.com/yr5wjra3>

message against the provocative practices of the political establishment, which showed its worst during the crisis.

Eli El-Ferzli<sup>(111)</sup>, one of the deputies who received the vaccine and caused confusion on the issue, lost his parliamentary seat to a new deputy in the Baalbek region. Marwan Kheireddine, a former minister, and owner of the Resource Bank also lost. He has been accused of assaulting the economic journalist Mohammad Zbeeb, who is considered by the revolutionaries as one of those who exposed the financial system.

However, on the other hand, the convergence of the pandemic with economic and living collapse allowed, as mentioned earlier, people to turn more to some traditional political parties and forces to secure the essentials. This increased the level of dependence on these parties despite all the challenges facing the country. This reality secured a strong comeback for a significant portion of the political class to regain control. This was reinforced by sectarian and factional rhetoric on electoral platforms, coupled with fear of the

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111- "The result of the Western Bekaa... Al-Farzali is a former deputy! ". (2022) from the Lebanon Debate website. <https://tinyurl.com/ykdx48yd>

unknown in the political landscape or the absence of the only supporting sources for the increasingly marginalized groups amid rising poverty and deprivation.

The new faces that entered parliament were highly active, both during the uprising and the pandemic. While these figures do not belong to unified traditional ideologies, they are characterized by civil work closely related to young groups and alternative media. They presented oppositional stances to the government's handling of the pandemic and other current issues. Some of these new figures come from academic backgrounds and have experience in the field, which gained them the reputation of competence among their voters even before their political performance became apparent. This was due to their activism and engagement with young people during the lockdown.

The reality is that the quarantine period, along with its activities and discussions on social media, especially through group applications like Clubhouse<sup>(112)</sup>, brought together many young people around political debates and the possibility

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112- Al Abtah, Soessen (2021). Club House sweeps. Website here Lebanon. <https://tinyurl.com/yv8j6o4v>

of change through participation in the political process and the parliamentary elections of 2022. The lockdown, which created virtual spaces between activists and incoming voters, seems to have emboldened many activists to run for elections later, inspired by the people's desire, especially among the youth and those who participated in the uprising, for a new political reality.

### **An erosion of freedoms and countless human rights violations:**

One of the prominent issues that impacted the human rights aspect regarding the pandemic was the mandatory vaccination, a matter that found resonance worldwide, not just in Lebanon. The issue sparked controversy in countries like France, Austria, and even Arab nations like Jordan. The president of the General Confederation of Lebanese Workers stated that “the government’s decision to mandate vaccination for public sector employees and other sectors constitutes a blatant violation of the Lebanese constitution and all international laws,” echoing sentiments expressed in movements against mandatory vaccination in the streets of



Europe<sup>(113)</sup>.

Hundreds of Lebanese workers took to the streets of Beirut in protest the decision to mandate vaccination against the coronavirus. During this time, many facilities required proof of vaccination doses before allowing entry to gatherings or even permitting travel. This issue remains contentious in any discussion as it poses the question of public safety and responsibility versus the personal right of individuals to choose<sup>(114)</sup>.

From another perspective, Karim Nammour, in reviewing the consequences of the first year of the pandemic, suggests that the measures taken by the government of Hassan Diab, while aligning with the global trend of flattening the epidemiological curve, somehow led to “utilizing COVID-19 for normalization with the construction of a police State.”

The mentioned police State is not limited to restrictive political practices and limited freedoms but also encompasses the violation of rights, not only through official actions but also by creating

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113- Alam, Hiba (2022). Mandatory receipt of coronavirus vaccine sparks legal controversy in Lebanon... An eye for freedom and humanity's salvation. <https://shorturl.at/htxT5>

114- BBC Arabic website (2022). Corona vaccines: compulsion or choice?, <https://www.bbc.com/arabic/interactivity-59871519>

a fertile ground for people to violate each other's rights. A series of violations affected citizens, residents, refugees, and migrants, finding an open path during the pandemic, fuelled by racial and sectarian tensions. As expected, the pandemic cast its heaviest shadow on the most vulnerable and fragile groups<sup>(115)</sup>.

### **Refugees and migrants: Double suffering:**

Among the notable violations accompanying the pandemic was the discrimination against Syrian refugees in some Lebanese towns. This discrimination had already begun before, but it took on deeply racist forms, especially with accusations that they were the ones bringing the pandemic to certain areas. Some municipalities or influential parties in these areas significantly undermined their movements, preventing them from freely moving around during permitted days. Additionally, roadblocks were set up, and towns were isolated in a manner that was not effectively protective but rather exclusionary<sup>(116)</sup>.

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115- The Corona virus causes a year of human rights crises. Human Rights Watch website: <https://tinyurl.com/yw69ugo6>

116- Lebanon: Measures to confront the Corona virus threaten refugees. Human Rights Watch: <https://tinyurl.com/ykkt9ud2>

It is essential to mention the incident where Lebanese citizens detained migrant labourers in buildings in the Ras Nabaa area, accusing them of bringing the virus to the area and demanding their deportation once the airport reopened. This occurred after the Ministry of Health announced the infection of over 70 Bangladeshi workers residing in one of the buildings. This incident reflects the worsening narratives and racist practices conducted by a significant number of Lebanese people towards refugees and migrant workers. The problem with this incident is that none of the official authorities treated it because of inappropriate living and health conditions experienced by migrant workers in Lebanon. Instead, some officials echoed populist calls for their deportation<sup>(117)</sup>.

The same issue is related to the vaccination process. Human Rights Watch expressed concerns that the Lebanese government's vaccination program might exclude refugees and migrant workers among other marginalized groups. Despite the government's promise of an equitable vaccine program, data from the vaccination registration platform and Lebanese government online data

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117- The suffering of migrant workers in quarantine during the Covid-19 pandemic.

Doctors Without Borders website: <https://www.msf.org/node/47737>

showed that 5.36% of registered individuals and 2.86% of those who received the vaccine are non-Lebanese (who constitute over 30% of the population).

These low percentages come despite higher death rates among Syrian and Palestinian refugees compared to Lebanese citizens, attributed to a significant number of refugees being present in Lebanon illegally, causing fear and reluctance to seek the vaccine or move to access it. The vaccination process has also been marred by confusion, a lack of information, and political interference<sup>(118)</sup>.

The scene of violations continues with the observation of the mistreatment of the rights of migrant domestic workers<sup>(119)</sup>. In Lebanon, which applies the sponsorship system for the recruitment of foreign workers, especially those working in homes or institutions, there is no legislation to protect this category. Matters are left to be arranged between the workers and their sponsors, increasing the margin of violations they face. With

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118- Lebanon: Refugees and migrants are not included in the vaccination campaign. Human Rights Watch website: <https://tinyurl.com/ynv73wah>

119- Abdel-Aal, Joel (2022). "Covid-19: Migrant workers' attempts to survive in Lebanon." Raseef 22 website, <https://tinyurl.com/ytlehl8d>

the start of lockdowns and everyone staying at home, domestic workers were no longer able to go out on their days off. They began to shoulder more responsibilities for longer hours without rest, along with violations in the payment of their wages, which were supposed to be in dollars or the equivalent but were often received in a lower value or sometimes not received at all.

When some families could no longer afford to pay their wages, migrant workers were placed in a shocking and inhumane scene in front of embassies and consulates, resembling a process of disposal. This occurred not only when they were in desperate need of shelter but also to claim their wages from previous months that they often did not receive (anti-racism movements documented severe violations in this regard).

Women faced violations during the pandemic. Their exposure to violence increased, as mentioned earlier, and their ability to report diminished, especially as they were often in close quarters with their abusers throughout the lockdown<sup>(120)</sup>. It is worth noting that the closure of urgent matters courts for

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120- Shara, Ines (2021). Between the coronavirus and the port bombing and economic crises, Lebanese women tested double violence. Legal Agenda: <https://tinyurl.com/2x84fvbl>

an extended period during the lockdown hindered many requests for protection from abused women. As violence expanded during the pandemic, it revealed the law's inability to create any protection system for women. The limitations of reporting in the context of lockdowns, the lack of self-reliance, and economic independence for women became apparent. In addition, the increased burdens placed on women within households affected their work, whether they were working inside or outside the home. This exacerbated the crisis of unpaid care work. In many cases, women found themselves forced to choose between home and work, leaving their jobs to meet family needs, especially with the declining value of income as the value of the Lebanese pound decreased.

In addition to the violations, there were arrests and prosecutions of activists and journalists who criticized the abuses accompanying the general mobilization and those who monitored economic conditions and objected to the political and economic performance of the government and security forces.

The magazine “Maharat”<sup>(121)</sup> documented many transgressions committed by the media itself in dealing with the pandemic. One of the most prominent incidents involved revealing the identity of the woman<sup>(122)</sup> who was the first case of COVID-19 in Lebanon, including displaying her ID card. This action was seen as a partisan move because the media outlet that disclosed the woman’s identity was associated with a specific political party, contrary to the party to which the woman was assumed to belong based on her name and residential area. As a result, the first case led to racist tensions on social media.

## **Civil society and the pandemic: Shifting roles and reversed priorities:**

In response to these violations and others, civil society had to develop a reaction and approach towards the government’s plan and measures during the pandemic. A petition was issued that addressed

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121- Shaaban, Hassan (2020). “The Arab media in the time of” coronavirus “between professional falls and the control of the authority. Skills magazine: <https://tinyurl.com/ymcmwr62>

122- “Lebanon records the first infection with the Corona virus... The patient is from the Saqr family and comes from Iran.” (2020). kataeb.org website: <https://tinyurl.com/ylufby2b>

various points and covered legal and democratic aspects<sup>(123)</sup>. The feminist civil society took action to aid, raise awareness, and advocate for legal and on-the-ground solutions. Associations, organizations, and individuals from the feminist movement collaborated with the anti-racism movement to organize and find solutions for the challenges faced by migrant workers.

The feminist activists also had to innovate solutions to reach out to abused women and create new ways for them to report and seek protection. Some associations focused on educating women about the possibility of using confidential phone lines to communicate secretly and seek help in cases of domestic violence.

At a time when most calls received by hotlines from associations were for consultation in the pre-pandemic era, they are now increasingly reporting incidents of violence. In a situation relying solely on associations is not sufficient for protection, communication and collaboration between associations, the Ministry of Health,

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123- Statement by 27 non-governmental organizations and research centers on the Lebanese government's response to the Covid-19 pandemic crisis. Published by the American University of Beirut in April 2020. Available via the link: <https://ti-nyurl.com/yoh3sbpf>



the police, and shelter centers are essential. This collaboration should also include psychological and moral support for survivors, with a focus on the importance of engaging the community in the prevention and protection of women from violence and its consequences, especially within the context of a pandemic and its oppressive layers.

In response to the increasing violence against women during the pandemic, the reaction of civil society, feminist movements, and women's organizations in Lebanon closely aligned with the global response, considering violence against women as the silent and real pandemic<sup>(124)</sup>. Since the beginning of the pandemic, the UN Women called on the international community, governments, the private sector, and civil society to prioritize the prevention of violence against women and girls<sup>(125)</sup>. Based on this call, organizations working in this direction in Lebanon took a stance in developing services to address the exposure of girls and women

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124- United Nations (2020). The impact of the COVID-19 pandemic on violence against women and girls in the Arab States -- from the perspective of women's civil society organizations. <https://shorturl.at/pHKSU>

125- Faiza, Maria Noel (2020). Addressing the impact of the COVID-19 pandemic on violence against women and girls. United Nations Organization website. <https://www.un.org/ar/128430>

to violence<sup>(126)</sup>.

Due to lockdown measures, efforts were focused on adapting these services to remote protection methods, providing remote listening and counselling. The efforts to increase awareness and promote the rejection of violence against women and girls were equally important, both in the collaborative work between these organizations and with official and media entities, especially through social media platforms.

Many persistent efforts have been made to find solutions for the families of Lebanese women married to foreigners, who faced issues related to residency and returning to Lebanon from abroad, as well as concerning the payment of fees for children in schools and universities. The issue of invisible labor remains a challenge for the feminist civil society, with many activists striving to advance it, despite complete disregard from economic frameworks for addressing the plight of women working without pay in their homes.

Alongside the efforts made by political parties,

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126- Haider, Hassan (2022). Increasing violent crime against women as a result of crises in Lebanon: communicating our responsibility? Website of the AI Nashra. <https://shorturl.at/nowz4>

the role of civil society during the pandemic became prominent in terms of material and humanitarian aid, gaining even more significance after the explosion. This was particularly evident as aid flowed into Lebanon following the explosion, with a focus on reaching civil society components, non-governmental organizations, and the Lebanese Red Cross due to resentment, anger, and a lack of trust in political parties and institutional authorities.

Civil society in Lebanon has been active for decades, both in human rights and development-related activities. However, its role during the COVID-19 pandemic, influenced by the remnants of the stalled revolution in early 2020, resembled the role it played during the Lebanese Civil War, especially after the Beirut port explosion and the escalating humanitarian needs it imposed. Despite facing challenging circumstances, civil society organizations that managed to pass and enforce laws, or at the very least submit them to parliamentary committees and the cabinet, found themselves in a situation that constrained their human rights and advocacy efforts, pushing them into the relief category—a situation unavoidable in the face of the deteriorating conditions imposed by the pandemic.

## **Conclusion:**

COVID-19 had a profound impact in Lebanon due to the pre-existing political and economic challenges facing the country. The pandemic exacerbated the Lebanese crisis, affecting not only the physical and mental health of the population but also diminishing areas of freedom, expression, democracy, and rights that were once thought to be unique in the region's history of emergencies. COVID-19 altered many priorities and exploited the popular anger that had been subjected to public safety measures, despite the belief in the necessity of continuing the uprising.

The pandemic was used to eliminate a significant opportunity for change and reform in a country that was prepared to hold the political class accountable for leading it to financial and social ruin. This crisis revealed the structural weaknesses in the societal and institutional makeup and their readiness for disasters. It demonstrated the gap between the people and the concept of the state when they found various parties leading and rescuing the ship without reaching safety. At the same time, several positive official and unofficial initiatives and phenomena emerged that strengthened the resilience of the population in the face of such crises.

One of the most notable initiatives was the

adoption of public health principles and expert opinions as a progressive and practical basis for many decisions regarding lockdowns, pandemic response, prevention, distancing, and vaccine acquisition and distribution. Despite numerous challenges, the legislative branch assumed, to some extent, emergency responsibility to participate in the safety process and strived to find opportunities that ensure equal access to vaccines for all residents, overcoming narratives, incitement, and violations.

Today, Lebanon bears many lessons that, if taken seriously, can contribute to bridging the gaps in human rights, humanitarian services, and citizenship that the population finds itself in. Most of these acquired gains over the years were not sufficiently fortified to withstand a pandemic intersecting with Lebanon's largest crises. However, Lebanon's experience with the pandemic demonstrated that countries with modest and lax infrastructure can mobilize quickly and respond effectively to avoid major catastrophes. It showed that such countries can leverage their resources to minimize losses and maintain the coherence of the aid and relief system, as happened in Lebanon.

The changing, adaptive, and open role of civil society, as much as it led to relief efforts, also

reveals the extent of how civil and civic society in Lebanon coped with crises within fragile official structures.

This requires focused support and organization for their experiences, especially with the ongoing crisis in the coming phase. The experience of municipalities in responsibly and promptly dealing with the pandemic, acknowledged by many, and criticized by others, remains influential in reviving the demand for administrative decentralization to manage the country, particularly with continued resource shortages requiring direct and localized interventions. This experience serves as a case worthy of reflection and improvement.

# Egypt and the Covid-19 Pandemic

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The Covid-19 pandemic has ignited several debates on the future of democracy. Most predominant of which is the debate on whether the pandemic will have a negative or positive effect on democracy<sup>(128)</sup>. Optimistic analysts look towards the positive effect of introducing mechanisms of direct democracy to directly consult with the public rather than representative bodies such as those introduced in Europe. Pessimistic analysts look towards the curtailing of freedoms and lack of parliamentary oversight<sup>(129)(130)</sup>, especially in countries without a solid democratic foundation. While there has been some discussion on the effect of covid on autocracies, the case of Egypt has not received much academic attention.

The Egyptian experience with covid-19 has

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128- Warren P. Strobel and Dustin Volz, "Covid-19 Fuels Inequality, Political Divide, Authoritarianism World-Wide, U.S. Intelligence Analysts Say," *Wall Street Journal - Online Edition*, April 9, 2021, 2,1911],»issued»:{«date-parts»:[["2021»,4,9]]}],»schema»:{«https://github.com/citation-style-language/schema/raw/master/csl-citation.json»}<https://shorturl.at/frv89>

129- Andrea Cassani, "COVID-19 and the Democracy-Autocracy Freedom Divide: Reflections on Post-Pandemic Regime Change Scenarios," *Political Studies Review* 20, no. 4 (November 2022): 717-24, <https://doi.org/10.1177/14789299211047087>.\\uc0\\u8221{ } (\\it{)Political Studies Review} 20, no. 4 (November 2022)

130- Nicole J. Saam, Carmen Friedrich, and Henriette Engelhardt, "The Value Conflict between Freedom and Security: Explaining the Variation of COVID-19 Policies in Democracies and Autocracies," *PLoS ONE* 17, no. 9 (September 9, 2022): 1-17, <https://doi.org/10.1371/journal.pone.0274270>.



been significant. According to the WHO, between January 2020 and February 2023 Egypt had 515,698 confirmed cases of Covid-19 with 24,809 reported deaths<sup>(131)</sup>. The effects of Covid on the already struggling economy were significant, in 2020 alone the service sector fell by 10.9% and the industrial sector fell by 8.3%<sup>(132)</sup>. The impact on the economy resulted in a significant cut down on welfare measures that in turn impacted income and food security<sup>(133)</sup>.

Accordingly, the Egyptian government rolled out emergency measures to lessen the economic and social impact. However, to make these changes the state increased centralization. The legislative authority facilitated this trend by making several legal amendments to consolidate the power of the executive branch. Following which the state security apparatus targeted dissidents and repressed critical voices. Despite the general negative impact on democracy, there were some positive developments

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131- WHO, "Egypt: WHO Coronavirus Disease (COVID-19) Dashboard with Vaccination Data," World Health Organization, 2023, <https://covid19.who.int>.

132- Clemens Breisinger et al., "Impact of COVID-19 on the Egyptian Economy: Economic Sectors, Jobs, and Households," 0 ed. (Washington, DC: International Food Policy Research Institute, 2020), <https://doi.org/10.2499/p15738coll2.133764>.

133- Ragui Assaad, Caroline Kraft, and Mohamed Marouani, "Egypt Covid 19 Country Case Study" (ILO, February 2022), [https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---sro-cairo/documents/publication/wcms\\_838226.pdf](https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---sro-cairo/documents/publication/wcms_838226.pdf).

in terms of governance, women's rights, and the role of unions and professional syndicates.

## **Section I: Decentralization and the role of local councils**

Globally, empowered local councils have been key to dealing with the Pandemic. Not only have they been instrumental in formulating and implementing health policy, but they have also been invaluable in dealing with the economic and social fallout of covid-19. However, in the case of Egypt decision making and implementation of policies was extremely centralized for the entirety of the pandemic, with most decisions being taken directly by the cabinet and highest levels of the executive branch<sup>(134)</sup>. To understand why local councils were so underutilized, it is essential to take a slightly historical perspective.

Egypt was among the first states in the region to introduce the concept of local administration in the modern sense. In 1883 “directorate councils” were

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134- Amr Hamzawy and Nathan Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?" (Carnegie Endowment for International Peace, July 23, 2020), <https://carnegieendowment.org/2020/07/23/how-much-will-pandemic-change-egyptian-governance-and-for-how-long-pub-82353>.

introduced throughout the state as branches of the central administration. This system was expanded by the 1923 constitution. It was later reformed by the 1979 constitution and its current structure remains the same<sup>(135)</sup>.

Despite this, Egypt has long suffered from a problem with extreme centralization of power. The central administration and local authorities collect most taxes have no power to raise their own taxes and fund themselves<sup>(136)</sup>. This centralization of power underlines a problem of geographic inequality with large disparities between governorates and localities<sup>(137)</sup>. The 2014 constitution aimed to rectify the situation by explicitly stating in article 176 that

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135- Ahmad Saleh, "Local Councils in Egypt: Decentralization and the Dream of Political Action," Civil Society Organisation, Legal Agenda, November 20, 2018, <https://english.legal-agenda.com/local-councils-in-egypt-decentralization-and-the-dream-of-political-action/>.

136- Salwa Tobbala, "TOWARDS A DECENTRALIZED GOVERNANCE SYSTEM IN EGYPT," *Journal of Public Policy and Administration* 4, no. 1 (May 15, 2019): 13-32, <https://www.iprjb.org/journals/index.php/JPPA/article/view/884>.

137- Mohamed Abdel Hadi Shantir, "Decentralization and Geographical Inequality in Egypt," *Arab Reform Initiative*, April 20, 2022, <https://www.arab-reform.net/publication/decentralization-and-geographical-inequality-in-egypt/>.»container-title»:»ArabReform Initiative»,»language»:»en»,»note»:»publisher: ArabReform Initiative»,»source»:»www.arab-reform.net»,»title»:»Decentralization and Geographical Inequality in Egypt»,»URL»:»https://www.arab-reform.net/publication/decentralization-and-geographical-inequality-in-egypt/»,»author»:»[{«family»:»Shantir»,»given»:»Mohamed Abdel Hadi»}],»accessed»:»[{«date-parts»:»[{2023,3,30}]}],»issued»:»[{«date-parts»:»[{2022,4,20}]}]»,»schema»:»https://github.com/citation-style-language/schema/raw/master/csl-citation.json»]

Egypt would shift towards a decentralized system.

The constitution also gave elected local officials the right to oversee and remove unelected local officials. It guaranteed a quota of 25% of seats in local councils to women and 25% of seats to youth. Further, the constitution also gave local councils the right to set their own budgets but gave no direction for how this would occur, leaving it up to the parliament to draft an organizing law<sup>(138)</sup>. Based on this, the national council for women stated in 2017 that they plan to train 10,000 women across the state to run for local council elections<sup>(139)</sup>.

Unfortunately, the constitution's provisions have never been put into practice. The last local council election was held in 2008. In 2011, after the Arab spring, the Court of Administrative Affairs dissolved the local councils and since then no elections have taken place<sup>(140)</sup>. Unelected officials have completely run subsequently local

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138- Rania Zada, "Local Councils in the New Egyptian Constitution" (Arab Forum for Alternatives, August 31, 2014), <https://www.afalebanon.org/ar/publication/5684>  
المحليات-في-الدستور-المصري-الجديد

139- National Council for Women, "Women and Local Councils," The National Council for Women official Website, November 29, 2017, <http://ncw.gov.eg/News/2923/>  
المرأة-والمحليات

140- Samar Salama, "Local Councils Missing for 11 Years. Will the Government Release the New Local Councils Law?" *Parlmany*, October 30, 2022, <http://www.parlmany.com/News/2/498896/>  
المحليات-١١-سنة-غياب-هل-تفرج-الحكومة-عن-قانون-الإدارة

councils. Citizens have complained that these councils suffer from a high degree of corruption and inefficiency<sup>(141)(142)</sup>. Commentators also point to the inability of the system to deliver basic services and the lack of mechanisms to include citizens in decision making<sup>(143)</sup>.

Consequently, during the pandemic there were no elected local councils available to participate in decision making and this remains till the current day<sup>(144)</sup>. The central government provided local councils with minimal financial assistance during the pandemic<sup>(145)</sup>. The prime minister did sanction the governors and local councils to assist in implementing policy decisions taken by the cabinet

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141- Gamal Roushdy, "The Local Council Law that upsets the lives of Egyptians," *Dostor*, January 10, 2023, <https://www.dostor.org/4278990>.

142- Al-Wafd Electronic Portal, "Reform Efforts Still Ongoing: Corruption of Localities: Main Challenge to Reform," September 8, 2020, <http://surl.li/fyhor>.

143- Tobbala, "TOWARDS A DECENTRALIZED GOVERNANCE SYSTEM IN EGYPT."

144- Gamal Essam-El-Din, "Egypt's Local Councils in Limbo - Egypt - Al-Ahram Weekly," *Ahram Online*, January 9, 2020, <https://english.ahram.org.eg/NewsContent/50/1201/359104/AIahram-Weekly/Egypt/Egypt-local-councils-in-limbo.aspx>.

145- Shantir, "Decentralization and Geographical Inequality in Egypt."»container-title» :»Arab Reform Initiative»,»language» :»en»,»note» :»publisher: Arab Reform Initiative»,»source» :»www.arab-reform.net»,»title» :»Decentralization and Geographical Inequality in Egypt»,»URL» :»https://www.arab-reform.net/publication/decentralization-and-geographical-inequality-in-egypt/»,»author» :»[{«family» :»Shantir»,»given» :»Mohamed Abdel Hadi»}],»accessed» :»[{«date-parts» :»[[2023,3,30]]}],»issued» :»[{«date-parts» :»[[2022,4,20]]}]]»,»schema» :»https://github.com/citation-style-language/schema/raw/master/csl-citation.json»}

and the covid commission, but they were not part of the policy making process<sup>(146)</sup> or the distribution of vaccines which was managed centrally<sup>(147)</sup>.

Parliament has yet to pass a law elaborating on the role and functions of local councils, despite the 2014 constitution clearly stating that local council elections must be conducted by a maximum of five years. In the 2017 annual youth conference the president was directly asked why the elections had been postponed and he stated that parliament had higher priority laws that needed to be drafted first<sup>(148)</sup>. Some commentators have speculated that the real reason for the delay is due to fears that local councils would allow the Muslim brotherhood a chance to return to power, given they still have supporters, especially in rural areas. This fear is further exacerbated by the lack of a popular political party -similar to the national democratic party of the Mubarak era- to stand against the remaining Muslim brotherhood networks<sup>(149)</sup>.

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146- Hamzawy and Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?"

147- Amnesty International, "Flaws in Egypt's Covid-19 Vaccine Rollout," Press Release, Amnesty International, June 29, 2021, <https://shorturl.at/gwHO9>.

148- Saleh, "Local Councils in Egypt."

149- Saleh.

The outlook for real decentralization is mixed. On a positive note, in early 2023 the former governor of Cairo stated that the new local councils' law will shortly be approved, and elections are imminent<sup>(150)</sup>. It is also encouraging that while the constitution was revised in 2019, the commitment to decentralization remains the same. The new law will thus have a solid constitutional foundation to build on. Conversely, the issue of local councils was missing from the government's plan of action for 2018-2022<sup>(151)</sup>. Also, electing local councils requires more than just a law, it requires; political will from the state and political parties, a clear plan to finance the budgets of these councils, a plan to train employees on the new system, and initiatives to raise citizen awareness and participation<sup>(152)</sup>. Until these basic provisions are met, it will be difficult to see real decentralization in Egypt.

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150- Bassam Ramadan, "Former Governor of Cairo: Local Council Elections to be held soon and the national dialogue will see the light," *Egypt Today*, January 15, 2023, <https://www.almasryalyoum.com/news/details/2794151>.

151- Shantir, "Decentralization and Geographical Inequality in Egypt."»container-title»:»Arab Reform Initiative»,»language»:»en»,»note»:»publisher: Arab Reform Initiative»,»source»:»www.arab-reform.net»,»title»:»Decentralization and Geographical Inequality in Egypt»,»URL»:»https://www.arab-reform.net/publication/decentralization-and-geographical-inequality-in-egypt/»,»author»:»[{«family»:»Shantir»,»given»:»Mohamed Abdel Hadi»}],»accessed»:»[{«date-parts»:»[[2023,3,30]]}],»issued»:»[{«date-parts»:»[[2022,4,20]]}]]»,»schema»:»https://github.com/citation-style-language/schema/raw/master/csl-citation.json»}

152- Tobbala, "TOWARDS A DECENTRALIZED GOVERNANCE SYSTEM IN EGYPT."

## Section II: Role of the Legislative Authority

Parliaments throughout the world were put under extreme pressure by the pandemic. They needed to guarantee the right to life and right to health as the highest priority, while at the same time make sure that emergency measures did not completely override citizens personal rights and freedoms<sup>(153)</sup>. To do this, parliaments needed to perform several key roles. These roles should include enacting emergency measures, legislating to protect public health, monitoring the implementation of the executive branch, and representing citizens.

The Egyptian Parliament like many of its counterparts across the world had to undergo a period of disruption during pandemic. The Parliament stopped its session starting from the 23<sup>rd</sup> of March 2020 but returned to in person sittings quickly by the 20<sup>th</sup> of April 2020<sup>(154)</sup>, while implementing social distancing within the premises.

Among the more prominent pieces of legislation

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153- Alessandra Spadaro, "COVID-19: Testing the Limits of Human Rights," *European Journal of Risk Regulation* 11, no. 2 (June 2020): 317-25, <https://doi.org/10.1017/err.2020.27>.

154- Mohamed Abdel-Aty and Mohamed Abdel-Qader, "Parliament enacts a number of measures to address the effects of Covid-19," *Egypt Today*, April 21, 2020, <https://www.almasryalyoum.com/news/details/1970771>.



for emergency measures were amendments to the emergency law (Egypt had been continuously under the emergency law from 2017 until 2021). The amendments gave the president more power to introduce measures to contain the pandemic, such as quarantines and delaying education. These amendments also included a clause to allow delegation of these powers to the Prime Minister<sup>(155)</sup>. Surprisingly, the President indeed delegated most of these powers, as will be seen when discussing governance in the following section. The parliament also enforced social distancing and made budgetary changes to fund hospitals and support families struggling with the

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155- Hamzawy and Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?"

economic effects of the pandemic<sup>(156)</sup>.

The parliament passed several key pieces of highly controversial legislation with little or no input from the public during the pandemic. This included legislation that directly dealt with the pandemic and others that dealt with security issues. Among the controversial laws passed regarding the pandemic is the “Symbiotic contribution” law which gave the government the authority to reduce

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156- Emad M. Elkhachen, Ahmed Sarhan, and Amanze Ejiogu, “Egyptian Budgetary Responses to COVID-19 and Their Social and Economic Consequences,” *Journal of Public Budgeting, Accounting & Financial Management* 33, no. 1 (January 1, 2020): 78-86, <https://doi.org/10.1108/JPBAFM-07-2020-0116>. the funding of these interventions and their short- and long-term implications. Findings The analysis shows that the Egyptian government's response to the pandemic will shrink Egypt's fiscal space significantly as increased borrowing and debt service obligations are not offset by the levying of corona tax on salaries and wages. However, increased taxation will impact negatively on poverty. The authors show that social interventions such as cash transfers are not provided at a level which will make an impact on alleviating poverty. The authors highlight increased spending on health as well as the adoption of a gender perspective in the response to the pandemic as positive outcomes with potential for future societal impact. Originality/value The authors highlight the Egyptian government's budgetary response to the COVID-19 pandemic and the economic and social implications of this response.»»container-title:»Journal of Public Budgeting, Accounting & Financial Management»,»DOI:»10.1108/JPBAFM-07-2020-0116»,»ISSN:»1945-1814»,»issue:»1»,»note:»publisher: Emerald Publishing Limited»,»page:»78-86»,»source:»Emerald Insight»,»title:»Egyptian budgetary responses to COVID-19 and their social and economic consequences»,»URL:»https://doi.org/10.1108/JPBAFM-07-2020-0116»,»volume:»33»,»author:»[{«family:»Elkhachen»,»given:»Emad M.},{«family:»Sarhan»,»given:»Ahmed},{«family:»Ejiogu»,»given:»Amanze}],»accessed:»[{«date-parts:»[[2023,2,10]]},»issued:»[{«date-parts:»[[2020,1,1]]}],»schema:»https://github.com/citation-style-language/schema/raw/master/csl-citation.json»)

the salaries of public and private sector workers by 1% and 0.5% respectively for a year to deal with the fallout of the pandemic. At surface level the law encouraged social solidarity, however given the dire economic situation, the law negatively impacted citizens. Especially, those with the lowest income levels<sup>(157)</sup>.

The most controversial parliamentary decision of 2020 was sanctioning the deployment of military troops to Libya to assist the government of Khalifa Haftar. This decision was taken in a closed session with no input from the public<sup>(158)</sup>, despite the seriousness of the consequences of taking part in a foreign conflict.

Rather than monitoring the executive branch, the parliament actually passed legislation that undermined its own ability to oversee the executive branch. In July 2020, the parliament amended the law governing the sovereignty state

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157- Habiba Mohsen, "Egyptian Parliament and the Covid-19 Pandemic: An Active Parliament Regardless of the Crisis," Civil Society Organisation, *Global Partners Governance* (blog), October 1, 2020, <https://gpgovernance.net/egyptian-parliament-and-the-covid-19-pandemic-an-active-parliament-regardless-of-the-crisis/>.

158- Deutsche Welle, "Egypt Greenlights Troop Deployment in Libya," *Deutsche Welle*, July 20, 2020, <https://www.dw.com/en/egypts-parliament-approves-troop-deployment-in-libya/a-54247567>.

fund. The amendment allowed the president to move ownership of state assets to the fund without parliamentary oversight<sup>(159)</sup>. Moreover in 2021, when the president ended the emergency period (the emergency law) the parliament amended several laws to allow the executive branch to retain some of the powers that they had with the emergency law. This included the expansion of authority of military prosecutors and courts to deal with matters such as protests and attacks on public infrastructure. They also amended the 2015 anti-terrorism law which enables the president to “take any appropriate measures to preserve security and public order” with no parliamentary oversight. According to the amendment, the president can now delegate said authority to any official<sup>(160)</sup>.

In short, although the Egyptian parliament was active in passing emergency measures and addressing security concerns, they passed several highly controversial pieces of legislation without public input. Further, rather than holding the executive branch to account they actively produced legislation that limited their own ability to monitor

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159- Mohsen, “Egyptian Parliament and the Covid-19 Pandemic.”

160- Human Rights Watch, “Egypt: Emergency Provisions Made Permanent” (Human Rights Watch, November 5, 2021), <https://www.hrw.org/news/2021/11/05/egypt-emergency-provisions-made-permanent>.

them. There is limited evidence that they were concerned with giving voice to their constituents or protecting the rights of the most vulnerable groups of society.

### **Section III: Governance, transparency in legislature**

The UN defines governance as “the process of decision-making and the process by which decisions are implemented (or not implemented)” and good governance as “participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law.”

Egypt, whether before or after the pandemic, would be difficult to classify as a state subscribing to the principles of good governance<sup>(161)</sup>. In fact, the decision-making process during the pandemic was extremely top-down and centralized. With the onset of the pandemic, and the introduction of the relevant amendments to the emergency law, the

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161- Wael Aly, "Bad Governance and Failure of Development Progress in Egypt Causes, Consequences and Remedies," *Journal of Public Administration and Governance* 3 (January 17, 2014): 39, <https://doi.org/10.5296/jpag.v3i4.4340>.it created the conditions (such as rampant corruption, violation of human rights and absence of rule of law

President delegated the primary responsibilities of managing the pandemic to prime minister Mostafa Madbouly. The prime minister in turn created a high commission to manage the pandemic. The commission was made up of high-ranking technocrats from the relevant ministries including -but not limited to- ministers. This commission oversaw both the planning and the management of the covid -19 pandemic<sup>(162)</sup>.

On a positive note, the military was not at the forefront of the decision-making hierarchy. Since 2011, whether the topic was security or development related, the military had always been at the helm of leadership. However, during the pandemic, the leadership role fell firmly to the prime minister, cabinet, and their team of technocrats. The military's only provided support with tasks such as the production and distribution of facemasks<sup>(163)</sup>.

While it is not feasible to access all elements of good governance, it is necessary to address the issues of transparency and rule of law. Egypt is notorious for being lacking in transparency and high in corruption of all levels. According to transparency

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162- Hamzawy and Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?"

163- Hamzawy and Brown.

international's 2022 corruption perceptions index, Egypt ranks 130 out of 180 countries in terms of perceived corruption<sup>(164)</sup>.

Although the 2014 constitution stated in article 68 that Egypt needed to adopt a law on right to information, no law has been thus far enacted. Even though civil society organizations and the ministry of justice both submitted draft laws on the topic to the parliament in 2012 and 2013, respectively. Limited access to information makes it difficult for citizens to hold the government to account and is one of the reasons that corruption levels are so staggering. All of which takes a toll on the democratic process<sup>(165)</sup>.

More troubling is Egypt's poor performance when it comes to maintaining rule of law. The world justice project's rule of law index ranked Egypt's global as 135<sup>th</sup> out of 140 states in terms of maintaining rule of law in the year 2022. This is down from 125<sup>th</sup> in 2020. This ranking comes

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164-Transparency International, "Egypt - Corruption Perception Index," Non-governmental Organization, Transparency International, January 31, 2023, <https://www.transparency.org/en/countries/egypt>.

165- Association of Freedom of thought and Expression, "The Legislator's guide to a Access of information law" (Association of Freedom of thought and Expression, December 31, 2021), <https://afteegypt.org/advocacy/manuals/2021/12/31/27891-af-teegypt.html>.

mostly from lack of constraints on governmental powers, limited transparency of the government, and failure to protect fundamental rights among other issues<sup>(166)</sup>.

It is also important to highlight the issue of inclusion. The state tried to address the different ways in which the pandemic affected women. In general women functioned as first responders or primary caregivers during the pandemic<sup>(167)</sup>. According to one poll, household work increased by 51% and time spent in childcare increased by 61% during the pandemic<sup>(168)</sup>.

The Egyptian government had been campaigning for greater gender equality since 2017 with the unveiling of the national strategy for empowering women 2030<sup>(169)</sup>. During the pandemic, the

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166- Rule of Law Index, "WJP Rule of Law Index - The Arab Republic of Egypt," World Justice Project, 2022, <https://worldjusticeproject.org/rule-of-law-index>.

167- OHCHR, "Responding to the Needs of Women, 'First Responders' to Egypt's COVID-19 Crisis," UN Office of the High Commissioner for Human Rights, February 25, 2021, <https://www.ohchr.org/en/stories/2021/02/responding-needs-women-first-responders-egypt-covid-19-crisis>.

168- National Council for Women, Baseera the Egyptian Center for Public Opinion Research, and UN Women, "Women and the Covid 19 Pandemic," April 14, 2022, <https://arabstates.unwomen.org/sites/default/files/FIELD%20Office%20Arab%20States/Attachments/Publications/2020/05/Egypt%20COVID-19%20Brief%20women%20%20covid%2019%20en.pdf>.

169- Ahmed Maher Abu-el Nasr and Mohamed Eissa, "Decisions to empower and support women over 8 years...from here was the beginning," *Al-Watan News*, September 4, 2022, <https://www.elwatannews.com/news/details/6281875>.



governmental initiatives introduced focused on addressing the economic and social burdens of women, in line with the previous policy. They introduced a grant to support irregular employment of which 47% of their beneficiaries were women. The government granted paid leaves for women who were pregnant or caring for children under the age of twelve. They also continued programs for increasing childcare options in rural areas (under the Hayah Karima initiative) and projects for economic empowerment and improving literacy rates<sup>(170)</sup>.

While the government was not successful in improving transparency and rule of law, it is important to highlight the successful management of the pandemic through civil government. Moreover, they did attempt to be more inclusive of women, even if a broader approach -taking into consideration minorities and people with different abilities- would have been more inclusive.

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170- Egypt Today, "Discussed: How Egypt Took into Account Women's Needs during Pandemic," *EgyptToday*, January 17, 2022, sec. News, <https://www.egypttoday.com/Article/1/111930/Discussed-How-Egypt-took-into-account-women's-needs-during-pandemic>.

## Section IV: Political Participation

The freedom of assembly is one of the most heavily controlled rights in the Egyptian context. Authorities have restrictions on any protest activity. Protests need to be pre-approved by authorities. Small scale protests were dispersed with force by the state security apparatus. The exact number of people arrested is unknown due to the heavy censorship<sup>(171)</sup>. In 2022, several activists were denied entry to Egypt for fear that they would protest at Egypt's COP27 conference<sup>(172)</sup>.

Political Parties are highly distrusted in the Egyptian context<sup>(173)</sup>. After the Arab spring new political parties were formed (due to lack of trusted preexisting parties). In the 2011-12 elections there was some real competition amongst different parties, but since then they have become less accepted. This is particularly due to the fragmented nature of political parties after the Arab spring and

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171- Amnesty International, "Amnesty International Report 2020/21" (Amnesty International, 2021), <https://www.amnesty.org/en/wp-content/uploads/2021/06/English.pdf>.

172- Amnesty International, "Egypt 2022 - Human Rights Report" (Amnesty International, 2022), <https://www.amnesty.org/en/location/middle-east-and-north-africa/egypt/report-egypt/>.

173- Amr Hamzawy, "Egypt's Consolidated Authoritarianism -," *The Brown Journal of World Affairs* 26, no. 1 (2019): 73-85, <http://bjwa.brown.edu/26-1/egypts-consolidated-authoritarianism/>.

their inability to have competed with the Muslim brotherhood's freedom and justice party. Currently, the Nation's Future Party seems to have become the de facto government party, but overall, there is extremely limited public engagement with any political party<sup>(174)</sup>.

Egypt conducted parliamentary elections as scheduled in October and December of 2020 with little or no disruption from the pandemic, however voter turnout was not high at only twenty-nine%<sup>(175)</sup>. Whether this was a result of the pandemic or of the general political climate is debatable. The government, however, used the pandemic as an excuse to delay the issuing of the local council's law and subsequently the local council elections. It is worth noting that the deadline for holding the local council elections (as per the constitution) should have been before the pandemic in 2019<sup>(176)</sup>.

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174- Marina Ottaway, "Abdicating Responsibility: Political Parties in Egypt | Wilson Center" (Wilson Center, May 25, 2021), <https://www.wilsoncenter.org/article/abdicating-responsibility-political-parties-egypt>.

175- Mahmoud Mourad, "Pro-Sisi Party Wins Majority in Egypt's Parliamentary Polls," *Reuters*, December 14, 2020, sec. Middle East & Africa, <https://www.reuters.com/article/egypt-election-int-idUSKBN28O2T0>.

176- Essam-El-Din, "Egypt's Local Councils in Limbo - Egypt - Al-Ahram Weekly."»container-title»:»Ahram Online»,»title»:»Egypt's local councils in limbo - Egypt - Al-Ahram Weekly»,»URL»:»https://english.ahram.org.eg/NewsContent/50/1201/359104/AIAhram-Weekly/Egypt/Egypt-s-local-councils-in-limbo.aspx»,»author»:»[family»:»Essam-El-Din»,»given»:»Gamal»]],»accessed»:»[{date-parts»:»[[2023»,3,30]]»,issued»:»[{date-parts»:»[[2020»,1,9]]]]]»,»schema»:»https://github.com/citation-style-language/schema/raw/master/csl-citation.json»]

Women's participation is officially guaranteed by a quota of 25% in parliament<sup>(177)</sup>. They also are guaranteed 25% of local council seats in local council elections when they occur<sup>(178)</sup>. They are also represented by the national council for women (NCW), however the NCW is not an elected body and due to its weak institutional framework, it is not very capable of being an effective vehicle for increasing the participation of women<sup>(179)</sup>.

An innovation in political participation since 2015 is a series of informal talks hosted by the government in a bid to engage citizens. A good example of this could be the introduction of the now annual world youth forum. The forum held since 2017 (with the exceptions of 2020 due to global lockdowns and 2023 due to global economic pressures) allows youth to directly engage with

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177- Greg Power et al., "Women's Participation in Political Life in Egypt and Beyond" (The American University in Cairo, 2021), <https://documents.aucegypt.edu/Docs/GAPP/execed-Women%E2%80%99s%20Participation%20in%20Political%20Life%20in%20Egypt%20and%20Beyond.pdf>.

178- Zada, "Local Councils in the New Egyptian Constitution."

179- Amany Khodair and Bassant Hassib, "Women's Political Participation in Egypt: The Role of The National Council for Women," *International Journal of Political Science and Development* 3, no. 7 (July 30, 2015): 326-37, <https://papers.ssrn.com/abstract=2861469>.»plainCitation»:»Amany Khodair and Bassant Hassib, "Women's Political Participation in Egypt: The Role of The National Council for Women," *International Journal of Political Science and Development* 3, no. 7 (July 30, 2015

policy makers. The president has often attended the forums to directly engage with the participants<sup>(180)</sup>. Similarly in 2022, a ‘national dialogue’ on political social and economic issues was called for by the president. Initial discussions have been held but the official launch will be on May 3<sup>rd</sup>, 2023. While the premise of both these discussions is good as it attempts to increase public engagement, however, there needs to be more inclusion of the opposition for this to be effective<sup>(181)</sup>.

In summation, traditional measures of political participation through the exercise of the right to assembly and political parties are extremely constrained. However, it needs to be noted that the state is attempting to encourage political participation on its own terms through the new dialogue initiatives. It is interesting because this form of participation directly engages policy makers with the public. Nevertheless, the ad hoc nature of these initiatives is not sustainable. It would be more beneficial to institutionalize them to make

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180- World Youth Forum Official Website, "About the World Youth Forum," World Youth Forum, 2021, <https://wyfegypt.com/>.

181- Khaled Dawoud, "Egyptian 'National Dialogue' Will Kick off amid Difficult Domestic Situation" (Middle East Institute, October 20, 2022), <https://www.mei.edu/publications/egyptian-national-dialogue-will-kick-amid-difficult-domestic-situation>.

them a permanent feature of public participation as well as give better standards for measuring their outcomes. With regards to the participation of women, on paper Egyptian women have the means to effectively participate in the politics of the state through the mentioned mechanisms, however in practice there are significant challenges for effective participation.

## **Section V: Human Rights and Freedom of Expression**

Human Rights are heavily constrained in Egypt. It would be difficult to address all infractions on human rights during the pandemic with any depth, thus this section will focus on the most impacted rights, freedom of expression, freedom of the press, the rights of prisoners, and the rights of women.

During the pandemic, the State repressed those that spoke out against any governmental policies related to covid or questioned their effectiveness. This led to medical practitioners being among the most targeted by the state security apparatus in 2020. At least seven members of the doctors' syndicate were detained for expressing their concerns and many more received threats. This

included Syndicate treasurer Mohamed Moataz al-Fawal who was detained for sharing a Facebook post criticizing the prime minister<sup>(182)</sup>.

Similarly, journalists were also discouraged from speaking out. Several journalists were detained for “spreading false news,” including editor in chief of the Al-Manasa news-site Noura Younes<sup>(183)</sup>. By 2022, at least twenty-six journalists remained detained on accusations of spreading false news, misusing social media, or terrorism<sup>(184)</sup>. Notably, Ruth Michaelson of the Guardian was also expelled from the country in 2020 for spreading false news<sup>(185)</sup>.

Egypt has been consistently classified as ‘not free’ by freedom house’s freedom on the net report. Egypt received a score of 26 out of 100 for its very tight control of what citizens can and cannot access, for detaining citizens based on what they post online, and for disrupting messaging software

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182- Ruth Michaelson, “Egypt: Doctors Targeted for Highlighting Covid-19 Working Conditions,” *The Guardian*, July 15, 2020, sec. World news, <https://www.theguardian.com/world/2020/jul/15/egyptian-doctors-detained-for-highlighting-covid-19-working-conditions>.

183- Amnesty International, “Amnesty International Report 2020/21.”

184- Amnesty International, “Egypt 2022 - Human Rights Report.”

185- Hamzawy and Brown, “How Much Will the Pandemic Change Egyptian Governance and for How Long?”

during protests among other issues<sup>(186)</sup>.

Conditions for prisoners during the pandemic were extremely poor. Throughout the world prisoners were released to ease overcrowding in prisons with the pandemic, while in Egypt around 300,000 people were detained for violating lockdown constraints. In addition to this, the committee for justice documented 9,211 cases of arbitrary arrest between April 2020 and June 2021. While the state denied there being cases of covid within prisons, between 31 and 111 cases were confirmed by the committee for justice in the same period<sup>(187)</sup>.

The effect of covid nineteen on women's rights throughout the world has been significant. Egypt is no exception to the case. We can highlight three different impacts on women's rights in Egypt during the pandemic: increased levels of domestic violence against women, a significantly increased burden in unpaid domestic labor, and more worryingly an increase in cases of female genital

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186- Freedom House, "Egypt: Freedom on the Net 2020 Country Report" (Freedom House, 2020), <https://freedomhouse.org/country/egypt/freedom-net/2020>.

187- Committee for Justice, "Egyptian Prisons During the Pandemic 2020-2021" (Committee for Justice, December 27, 2021), <https://www.cfjustice.org/cfj-egypt-failed-to-deal-with-covid-19-inside-detention-centers-and-prisons/>.



mutilation (FGM).

Domestic violence in Egypt has always been problematic. The director of the National council for women in 2017 stated that around 8 million women were at risk of domestic violence per year (based on statistics collected in 2015)<sup>(188)</sup>. During the pandemic, several civil society organizations reported that they received increased complaints of domestic violence<sup>(189)</sup>. Further, surveys conducted confirmed that domestic violence increased during the pandemic. A survey of 509 women in urban areas determined that 43.7% of their respondents had experienced some form of domestic violence during the pandemic, while only 38.1% of them had experienced domestic violence before the pandemic<sup>(190)</sup>. This result is further corroborated by another survey of 2109 women that showed 43.2%

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188- Mohamed Ragheb, "The Director of the National Council for Women: 8 million Women and Girls are at risk of domestic violence annually," El Youm7 News, January 9, 2017, sec. رئيسة-القومى-للمرأة-8-ملايين, <https://www.youm7.com/story/2017/1/9/>, 3047399/امرأة-وفتاة-يعانين-من-العنف.

189- Monica Naguib, "Egypt: The Pandemic of Domestic Violence - Focus - Al-Ahram Weekly," *Ahram Online*, August 20, 2021, <https://english.ahram.org.eg/NewsContent/50/1209/419277/AIAhram-Weekly/Focus/Egypt-The-pandemic-of-domestic-violence.aspx>.

190- Asmaa Mohammad Moawad et al., "Violence and Sociodemographic Related Factors among a Sample of Egyptian Women during the COVID-19 Pandemic," *Egyptian Journal of Forensic Sciences* 11, no. 1 (2021): 29, <https://doi.org/10.1186/s41935-021-00243-5>.

of their respondents had experienced domestic violence during the pandemic<sup>(191)</sup>. Further, the UNICEF has indicated that the pandemic has resulted in an increase in cases of FGM, particularly in upper Egypt. However, the exact rate of increase is difficult to measure<sup>(192)</sup>.

The issue of domestic violence was acknowledged in the media and in the rhetoric of governmental figures. Governmental acknowledgment of these issues could be seen as a positive development as it raises public awareness. Which in turn sparked an intense public debate that is translating into attempts at reforming the country's antiquated personal status law. The law that governs all aspects of marriage, polygamy, inheritance, and divorce among other topics related to gender equality. In 2021 the Egyptian government introduced a draft of a reformed personal status law which was the topic of heated parliamentary debate. When a consensus on the changes could not be reached, the President decreed in 2022 that the ministry of justice form a committee of legal experts look

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191- Eman Esmat Tosson and Rabab Atta Saudi, "Change in Spousal Violence before and during Covid-19 Pandemic in Egypt," *Family Medicine & Primary Care Review* 23, no. 4 (2021): 481-87, <https://doi.org/10.5114/fmpcr.2020.100447>.

192- Dalia Younis, "During COVID-19, FGM Is on the Rise | UNICEF Egypt," UNICEF, June 21, 2021, <https://www.unicef.org/egypt/stories/during-covid-19-fgm-rise>.

over the points of contention and amend the draft. In March 2023, the ministry of justice declared that they are finished with the draft, and it will be resubmitted to parliament for discussion within the coming weeks<sup>(193)</sup>.

In short, the protection of human rights in Egypt remains one of the most problematic points for the Egyptian State. Apart from the efforts made at upgrading the protection of women's rights there are no significant positive developments in this area.

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193- CNN Arabic, "The New Personal Status Law, why does the government want to document divorce?" *CNN Arabic*, March 21, 2023, sec. الشرق الأوسط, <https://arabic.cnn.com/middle-east/article/2023/03/21/a-new-personal-status-law-in-egypt-divorce-rates>.

## Section VI: Role of Civil Society and Social Movements

Across the globe during the pandemic, activists have tended to focus on five key areas: protests (against restrictions seen as barriers to freedom and rights), defence of the rights of workers, mutual aid and solidarity, monitoring policy makers, and popular education<sup>(194)</sup>. In Egypt, activists have not been able to freely engage in these roles due to restrictions on civil society.

Since 2011 Civil Society organizations (CSOs) have been routinely harassed by the state. Members of human rights non-governmental organizations (NGOs) have been detained on charges ranging from terrorism to spreading of false news<sup>(195)</sup>. In 2019 the Egyptian Parliament passed the final draft of law number 149 the Law Governing the Pursuit of Civil Work (commonly referred to as the NGO Law). The law has placed severe restrictions on funding for CSOs, forced them to undergo registration with the ministry of social solidarity, placed several prohibitions on what kind of activities they could

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194- Geoffrey Pleyers, "The Pandemic Is a Battlefield. Social Movements in the COVID-19 Lockdown," *Journal of Civil Society* 16, no. 4 (October 1, 2020): 295-312, <https://doi.org/10.1080/17448689.2020.1794398>.

195- Amnesty International, "Amnesty International Report 2020/21."

engage in, and gave the minister of social solidarity the right to halt their activities or dissolve them<sup>(196)</sup>.

Naturally, due to the restrictions placed on CSOs, they have not been able to perform their role in monitoring policy makers nor have they been able to perform their role in defending the rights of people. The only role CSOs were welcomed to participate in during the pandemic has been service delivery or social protection from the effects of the pandemic<sup>(197)</sup>.

It is also important to note that according to different polls Egyptians have also lost trust in both political actors and NGOs<sup>(198)</sup>, which creates greater difficulty in reviving civil society and increasing participation in public life.

With the constriction of traditional activism through civil society and lack of faith in CSOs, online activism has increased. This is especially

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196- The Tahrir Institute for Middle East Policy, "TIMEP Brief: Law No. 149 of 2019 (NGO Law)," August 21, 2019, <https://timep.org/2019/08/21/ngo-law-of-2019/>.

197- Manal Soliman and Fawzia Youssef, "The Social Responsibility of Civil Society Organizations in Achieving Social Protection for Irregular Workers in the Context of COVID-19 Pandemic an Applied Study on the Egyptian Red Crescent Association in Assiut Governorate," *The Egyptian Journal of Social Work* 11, no. 1 (January 2021), [https://ejsw.journals.ekb.eg/article\\_139329\\_a1959103c285750a7b7a598de6980908.pdf](https://ejsw.journals.ekb.eg/article_139329_a1959103c285750a7b7a598de6980908.pdf).

198- Hamzawy, "Egypt's Consolidated Authoritarianism -."

true of activism on issues related to sexual harassment and women's rights. In 2020, when victims of rapist Ahmed Bassam Zaki published their experiences online, concerned citizens took to social media to demand his arrest. The ministry of interior took these demands seriously and the perpetrator was later tried and sentenced to 8 years in prison<sup>(199)</sup>. This is not an isolated incident. Since the beginning of the pandemic several perpetrators of sexual violence were brought to public scrutiny due to social media activism. This wave of online activism has resulted in some long-term online initiatives being created, the most prominent of which could be considered the "Speak-up initiative" which provides a safe space for victims of sexual violence to come forward anonymously. Since their inception, they have launched a few successful campaigns against perpetrators of violence, and they have also become prominent on social media for raising awareness on women's rights issues<sup>(200)</sup>.

One of the most startling changes brought about

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199- Olivia Mustafa, "Ahmed Bassam Zaki Sentenced to 8 Years in Prison for Sexual Assault | Egyptian Streets," *Egyptian Streets*, April 11, 2021, <https://egyptians-streets.com/2021/04/11/ahmed-bassam-zaki-sentenced-to-8-years-in-prison-for-sexual-assault/>.

200- Speak Up Initiative, "Successful Campaigns," Speak Up, March 1, 2022, <https://speakupeg.com/successful-campaigns/>.

by the pandemic was the return of professional associations to the public eye. Unions and professional associations in Egypt have always been heavily controlled by the Egyptian State, and more so for their role in the Arab spring<sup>(201)</sup>. Currently candidates are carefully vetted by the security apparatus before running in the elections. However, the pandemic has resulted in several professional associations having to go head-to-head with the state to protect the interests of their workers. Chief among these associations would be the doctors' syndicate and the nurses' syndicate. Both syndicates have had to clash with the state over issues relating to safety and working conditions of their personnel<sup>(202)</sup>. This has resulted in some very prominent arrests<sup>(203)</sup> (as discussed in section V), nevertheless the government did attempt to placate discontent by pledging better safety measures for medical staff and recognizing their key role during the pandemic.

The teachers' syndicate was also prominent in

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201- Joel Beinin, "The Rise of Egypt's Workers" (Carnegie Endowment for International Peace, 2012), <https://www.jstor.org/stable/resrep12998>.

202- Hamzawy and Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?"

203- Michaelson, "Egypt."

promoting the rights of teachers<sup>(204)</sup>. Teachers were among the most affected workers; with little to no training and next to no resources they were asked to transfer teaching online. The syndicate thus was forced to aggressively lobby the state to secure more resources<sup>(205)</sup>.

While this section shows that the government has imposed rigorous top-down restrictions on civil society, there are some significant positive developments from the bottom up. The spontaneous online activism -especially since it is concerned with gender issues- signals that Egyptians are searching for a different way to engage with the state. Moreover, the willingness of the state to engage with this form activism is also a positive development during the pandemic. Further, the return of associations into public life, even if on a limited capacity, is also an encouraging sign. This does not indicate that syndicates and unions are ready to play a more active role in the policy making process, but it is an important development after years of very limited activity.

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204- Hamzawy and Brown, "How Much Will the Pandemic Change Egyptian Governance and for How Long?"

205- Hamzawy and Brown.



## Conclusion

Promoting democratic values is not an easy process under normal circumstances, much less during a pandemic when all democratic processes have been impacted.

The numerous negative developments that occurred can be traced to the government being more concerned with solidifying its power base as opposed to promoting democracy or protecting human rights. This translated in several ways; the parliament passing legislation that serves to centralize power and limit the ability of the legislature to check the power of the executive, the indefinite postponement of local elections, the suppression of voices of dissent, and constraining traditional avenues of political participation and civil society.

While the picture appears bleak, there have been positive developments. The fact that the military was willing to take a step back and support civilian leadership is a change that cannot be understated. Moreover, the government has introduced some positive top-down measures in two arenas improving the functions of the state and in being more inclusive. With regards to improving the

function of the state, the policies introduced to help alleviate the effects of the pandemic were responsive to the needs of the people, despite the state's limited resources. In terms of inclusion, the government has been sensitive to gender issues in terms of both legislation and policy. While there is much room to grow in terms of including the differently abled and minorities, this does not diminish the positive steps taken for inclusion so far.

The positive developments are also not restricted to just top-down initiatives. The public's engagement with online activism -especially in the arena of women's rights- indicates that the people are still willing to push for democratic change. Further, the return of unions to public life -even if in a limited capacity- is a welcome development.

Finally, the issues that have seen the most contradictory developments are political participation and civil society. On the one hand the government has restricted CSOs and traditional means of participation such as political parties. On the other hand, they made the effort to encourage people to directly interact with state officials through the mentioned dialogues initiatives and their responsiveness to certain online campaigns.

It would be easy to dismiss the efforts as simply shallow commitments to participation, especially since not all actors were welcome to participate. However, it may be more productive to encourage the formalization of these mechanisms as regular features of the political process in the hopes of a gradual opening.



# COVID-19 in Jordan: Impact on governance

Walid Hosni Zahra<sup>(206)</sup>

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206-Member of the Jordanian Journalists' Syndicate since 1996, the Federation of Arab Journalists, Jordan Writers Association, and the Union of Arab Writers, expert in democracy and media studies, editor-in-chief of Amman Net newspaper and Radio Al Balad station, author of 15 books and dozens of studies and research papers and took part in dozens of conferences.

## Introduction:

The Covid-19 pandemic took its toll on Jordanian people and the Jordanian government. Jordan was one of the first countries to take early and strict measures following the spread of the pandemic. In March 2020, the Jordanian government put into effect for the first-time emergency law number 13, issued in 1992<sup>(207)</sup>, to curb the spread of the virus. Based on this law, the government issued thirty-six defence orders, thirty-nine communiques, and six regulations that administered citizens' daily lives, full and partial lockdowns, and quarantine. Restrictions pertaining to the law, which were gradually relaxed in mid-April, had a negative effect on the country on the social and economic levels. Unemployment rates reached unprecedented levels and women and wage workers were the most affected. Poverty rates increased and production revenues decreased as facilities operated with only 50% of their capacity. This study aims at

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207- Defense Law number 13 for the 1992 replaced the 1935 Defense Law. Article 2 of the law states that "in case of (i) emergencies that threaten the national security or general safety due to wars, a state leading to them, disorders, internal armed uprising, general disasters, outbreaking of a plague or epidemic; (ii) the Royal Decree shall include explanation of the state that required this Law to be effective, the area and date it will be effective in; and (iii) ceasing this Law is announced by a Royal Decree issued based on the decision of the Cabinet." For the full text see: <https://2u.pw/rVsNq4>

underlining the impact of the pandemic on Jordan and Jordanian citizens. Despite the drawbacks, response to precautionary measures was mostly positive. Even though hundreds of individual violation cases were reported, they still did not affect the overall process, especially that the government imposed strict penalties on everyone who broke the laws.

Governance principles were affected by governmental measures that ensured the full implementation of the emergency law, which in turn affected human rights. This development is intricately linked to the replacement of the Public Health Law, issued in 2008, with the National Defence Law, which was implemented quite selectively. The government also monopolized all precautionary measures and became the only source of Covid-related data, hence negatively impacting the right to access information whether for regular citizens or the press. By suspending its sessions during the pandemic, the House of Representatives no longer performed its duty of monitoring the performance of the government. This was accompanied by a remarkable decline in the role of civil society as most organizations focused on humanitarian aid during the pandemic.

## **The pandemic: Between the medical and the political:**

Covid-19 turned from a medical issue into a political one, especially in Arab countries where security measures were at the center of any plan to fight the pandemic. On both the medical and political levels, Arab governments assumed full authority and became the only entity in charge of dealing with the pandemic not only through health institutions but also security and political ones, and many laws were suspended. In democratic transition countries, such as Jordan, the government had absolute power at the expense of all democratic establishments. New laws issued at the onset of the pandemic contradicted, hence suspended, already existing laws, impacting political and civil rights in addition to economic and social conditions. Despite the negative repercussions, most Jordanians accepted those policies and adhered to the new regulations.

In March 2022, that is two years after the first Covid case was reported, the Jordanian government started relaxing restrictions.<sup>(208)</sup> Life started going

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208- The first case was of a Jordanian citizen who came from abroad on March 2, 2020. In February 2020, the government announced examining all passengers arrived from abroad.



back to normal as on May 25, 2022, masks were no longer mandatory. However, the Ministry of Health kept releasing a weekly report with the numbers of cases and deaths. In the last report, published on the cabinet's official website, the total number of Jordanians who evaluated positive reached 1,731,549 while the total number of deaths reached 14,105 since the first case was reported<sup>(209)</sup>.

On March 17, 2020, Jordan declared a state of emergency and a royal decree<sup>(210)</sup> put into effect emergency law number 13 for the year 1992<sup>(211)</sup>, following the discovery of eighty-four cases, mostly coming from abroad. On March 20, the Jordanian government imposed a full curfew. According to

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209- Statistics included cases from March 13 till August 2022.

210- The Emergency Law was issued in accordance with Article 124 of the Jordanian constitution: "In the event of an emergency necessitating the defense of the Kingdom, a law, which shall be known as the Defense Law, shall be enacted giving power to the person specified therein to take such actions and measures as may be necessary, including the suspension of the operation of the ordinary laws of the State, with a view to ensuring the defense of the Kingdom. The Defense Law shall come into force upon its proclamation by a Royal Decree to be issued on the basis of a decision of the Council of Ministers.

211- The royal statement was issued on March 17, 2020: "I hereby direct the Government to ensure that the implementation of the Defense Law and the orders issued under it will be within the most limited scope possible, without infringing on Jordanians' political and civil rights, but, rather, safeguarding them and protecting public liberties and the right to self-expression enshrined in the Constitution and in accordance with regular laws currently in effect, and guaranteeing the respect of private property, be it real estate, or movable and immovable funds." Full text on <https://2u.pw/i14D8e>

Minister of Health Saad Jaber, the first Covid case was reported on March 2, 2020<sup>(212)</sup>.

Jordanian Prime Minister Omar Al Razzaz was given full authority to deal with pandemic. This included the restriction of basic rights, even though otherwise was promised. In a statement on putting the Defence Law into effect, Razzaz said the law will be implemented on a small scale only to protect citizens from the pandemic and stressed that the rights of Jordanians will not be affected, including the right to freedom of expression. He, however, distinguished between freedom of expression, which he argued would not be violated in any way, on one hand and spreading rumours and fake news on the other hand. This is because, he added, the latter is bound to spread fear and chaos hence needs to be penalized accordingly<sup>(213)</sup>. What happened on the ground was remarkably different since the new regulations restricted freedoms, compromised several basic rights such as the right to freedom of expression and freedom of the press, and affected labor rights in addition to cancelling almost all activities organized by civil

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212- Available on Arabia Weather website: <https://2u.pw/XfFzDz>

213- Available on AmmanJo website: <https://2u.pw/gFpBbj>

society organizations.<sup>(214)</sup> Added to that is the crisis of the Teachers' Syndicate, which led to the arrest of 30 teachers. On March 24, 2020, protests were banned.

As a result of the curfew and the closure of both public and private institutions, most daily activities ground to a halt. Even the health sector was restricted by the new laws and the unlimited power granted the prime minister. Based on the Defence Law, the government issued thirty-six defence orders, which included dozens of instructions and precautionary measures. This started with operating state institutions at 50% of their capacity through mobility restrictions and the closure of provinces all the way to a full curfew. All those measures had a negative impact on people's livelihoods, right to freedom of movement, and social relations. Like all countries across the world during Covid, Jordan was faced with the choice between protecting

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214- Three journalists and a member of parliament were arrested, and reports criticized policies that allowed clamping down on journalists. Michael Page, deputy Middle East director at Human Rights Watch said, "The Jordanian government has acted decisively to protect its citizens and residents from Covid-19, but recent measures have created the impression that it won't tolerate criticizing the government's response to the pandemic... Jordan is confronting unprecedented challenges as it deals with Covid-19, but the crisis should not be used as a pretext to limit free expression." For full text see: <https://www.hrw.org/news/2020/05/05/jordan-free-speech-threats-under-covid-19-response>

citizens' basic rights on one hand and fighting the pandemic regardless of the type of measures and their impact on the other hand. Since the balance tipped in favour of the second choice, basic rights and freedoms were no longer a priority when compared to protecting the health and safety of citizens.

This tough choice put principles of governance to the test as questions were raised about the practicality of implementing them on the ground when faced with a pandemic. According to the definition adopted by the Jordanian government, governance is a set of legislations, policies, organizational structures, procedures, and regulations that determine the way a government operates in order to achieve its goals ethically, professionally, and transparently. This is done in accordance to monitoring, evaluation, and accountability mechanisms that guarantee the efficiency of performance on one hand and access to government services on the other hand. In short, governance is comprised of the arrangements made by the government to guarantee the implementation of desired outcomes by all relevant parties<sup>(215)</sup>. This definition, which is in line with that adopted

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215- "Guidelines for governance practices in the public sector." The Ministry of Public Sector Development, June 2014: <https://2u.pw/waCPpQ>

by the UN, was questioned during Covid when governments started adopting measures that contradicted its main components, as will be analysed in the paper.

### **First: Decentralization and the role of municipalities:**

Jordanian municipalities played a major role in fighting Covid in their respective regions, yet they remained under the control of the Defence Law and related regulations and their role was eventually restricted to sterilization and distributing humanitarian aid, including food, among citizens. Except for providing basic services to citizens, the role of municipalities declined as meetings were put on hold and elections were postponed till March 2022 when restrictions were relaxed. With precautionary measures, municipalities worked with half their capacity, which led to the deterioration of services. Also, most activities held or supervised by municipalities were suspended. Municipalities in the east and the north, where Syrian refugee camps are located, faced more challenges than the rest of the country whether in terms of the number of cases, quarantine, or medical services as well as

the practicality of protective measures. It was also harder in those parts to keep providing the camps with food and healthcare considering the curfew and other restrictions imposed by the government.

Business closures and curfew led to the deterioration of the Jordanian economy, which was also reflected on municipalities since their already scarce resources were channelled towards emergency services including sterilization campaigns and fuel for ambulances and similar vehicles. Closures led to delays in transferring money to municipalities as well as a major drop in municipal revenues. This drove the Jordanian government, through the Ministry of Planning, to get an 8.8 million-dollar loan from the World Bank five months after the pandemic started in the country in order to support municipalities, especially those dealing with the added challenge of the influx of Syrian refugees and the difficulty of finding jobs for both Syrians and Jordanians in these areas especially in light of the deterioration of municipal services during the pandemic<sup>(216)</sup>.

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216-"Additional USD 8.8 million in World Bank funding for municipalities." Ministry of Planning and International Cooperation: <https://tinyurl.com/2aam55zk>. Jordan is home to around 1.3 million Syrian refugees, 80% of whom live in municipal communities, which constitutes a major burden on providing basic services such as water, sewage, electricity, waste management, healthcare, and education.

Jordanian women were among the most affected by precautionary measures, especially in terms of jobs. According to the Department of Statistics, the percentage of unemployment among women during the third quarter of 2020 reached 33.6% with an increase of 6.1%. Women also suffered more in terms of layoffs and salary reductions in the aftermath of the pandemic. In addition, thousands of women were forced to quit their jobs with the closure of schools and nurseries to take care of their children, especially considering the absence of social security<sup>(217)</sup>. Cases of domestic violence also increased remarkably. According to the Ministry of Social Development, the Family Protection Department received reports of 10,750 cases of domestic violence in 2020. During curfew, those cases were estimated at 1,785 including forty-three that were offered protection at social shelters<sup>(218)</sup>.

It is noteworthy that precautionary measures did not take gender into consideration as gender equality was totally overlooked. As a result, women had to deal with more burdens during the pandemic as previously mentioned. This led to the establishment

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217- El Shobaki, Hayat. "The status of women in Jordan during the Covid-19 pandemic." <https://2u.pw/i31xmd>

218- Ibid.

of a social security system for mothers. The system is based on funding nurseries and allowing mothers to pay fees in instalments, in addition to paying a childcare allowance for stay at-home mothers<sup>(219)</sup>. This system aimed at supporting and empowering women, especially those on maternity leave who need help finding jobs after their leave ends and need support for nurseries<sup>(220)</sup>.

## **Second: The role of parliament and elected bodies:**

Covid-19 impacted elections across the world as elections were postponed in more than 70 countries to curb the spread of the pandemic while 55 countries, including Jordan, held elections under tight security measures, yet fears of the pandemic led to a remarkably low turnout. The House of Representatives suspended its sessions as soon as the Defence Law was put into effect while government meetings continued via Zoom. The House of Representatives stopped performing its duties in monitoring the performance of state

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219- The social security system related to motherhood was launched on October 20, 2020, and published in the official gazette and on the Jordanian News Agency website: <https://2u.pw/lpi5ia>

220- Ibid.



institutions as the government was given full authority to make decisions related to fighting the pandemic, which made it above accountability. The 18<sup>th</sup> term of the House of Representatives ended and elections for the 19<sup>th</sup> term, the current one, were held in November 2020 amid tight security measures, which led to a low turnout that was estimated at 30%. Also, the participation of women remarkably dropped, which was accompanied by a similar drop in the number of women representatives that did not exceed the 15-seat quota. This was not the case with the preceding elections, held in 2016, in which women got twenty seats, which is five seats above the quota. According to a study on the 19<sup>th</sup> parliamentary elections conducted by the Eye on Women Coalition, led by the Solidarity is Global Institute- Jordan, women's participation in the elections dropped remarkably during the pandemic<sup>(221)</sup>. Jordan witnessed a heated debate over holding parliamentary elections while the Defence Law is in effect and in light of fears of the pandemic by voters and candidates alike. In addition to tight security measures during the electoral process, meetings and conferences by candidates were

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221- For a summary of the outcomes see the Jordanian News Agency website Petra:  
<https://2u.pw/3dg6yy>

brought to a minimum. Although the Independent Election Commission and candidates and their supporters made a lot of effort to encourage voters to take part in the elections, fears of the pandemic were too dominant to increase the turn out. The turnout was 29.9% (12.43% for men and 11.26% for women)<sup>(222)</sup>, which is the lowest since the 1989 parliamentary elections. As soon as the results were announced, the government imposed a full curfew for four days<sup>(223)</sup>.

On March 22, 2022, municipal elections were held, and the turnout was 30% (52% for men and 48% for women) and no women ran for mayor<sup>(224)</sup>. The participation of women in municipal elections was better since by then precautionary measures were relaxed. Despite this only fifty-five women won while 265 women won through the quota system<sup>(225)</sup>.

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222- Independent Election Committee: <https://www.iec.jo/ar>

223- "Less than 30%: Covid and partial lists result in low turnout in Jordanian parliamentary elections." AlJazeera.net: <https://tinyurl.com/29tlgmpx>

224- Final report on outcomes of monitoring municipal elections, April 2022: <https://tinyurl.com/2d7etrq6>

225- The total number of winners in all elected councils reached 1335 members, 340 of whom were women (25.4%): 918 in municipal councils (248 women, 27%), 289 in regional councils (66 women, 23%). 265 women won through the quota system and only 55 won through competition. Ibid.

### **Third: Governance and transparency on the legislative and practice levels:**

Most laws regulating daily life in Jordan were suspended and principles of governance including participatory practices, transparency, and accountability were no longer applicable. This was particularly demonstrated when the House of Representatives did not meet to discuss measures taken by the government or to look into possible mechanisms of monitoring the implementation of those measures. The government just went ahead and put the Defence Law into effect then issued thirty-six defence orders, thirty-nine communiques, and six regulations. When King Abdullah II declared a state of emergency on March 17, 2020, the emergency law became the main reference for the government in all measures taken to curb the pandemic, which in turn meant suspending other laws and compromising the basic rights and freedoms of citizens. The government also issued a law that prohibited putting debtors to jail, which led to major losses for citizens who were owed money. Once again, none of those laws were gender sensitive.

In addition to curfew, closures, and restrictions on movement, the government reported at times to the military and security forces to impose more restrictions in regions where the pandemic spread at a higher rate. It is noteworthy that people's reaction to those measures was positive even when the government determined when they were allowed to leave their house in order to buy necessary commodities. In fact, citizens were allowed to go out at certain hours only and sirens would sound all over the country to remind citizens that the curfew had started. This curfew was implemented in all cities and villages in the country without exception.

According to Brookings Doha Center, several Arab governments took advantage of the pandemic to consolidate authoritarian rule and there are several indications that those governments were no longer capable of abiding by the principles of good governance. In addition, absence of accountability during the pandemic led to the emergence of nepotism and corruption, which was demonstrated in several fields including government purchases and public health. Governments also faced the challenge of maintaining people's trust, which is basically linked to transparency in the decision-making process, and this was not the case during

the pandemic as governments did not give people access to all information regarding adopted measures<sup>(226)</sup>.

According to the 2021 Corruption Perception Index issued by Rasheed for Integrity and Transparency, the Jordanian Branch of Transparency International, Jordan dropped in the World Justice Project Rule of Law Index by two positions. The index measures the extent to which state officials are accountable under the law, how clear and fair laws are, how the law is enacted, and whether justice is achieved through independent entities. This index reflects the points of view of citizens and local legal experts. Jordan kept the 49<sup>th</sup> position out of one hundred in the Corruption Perception Index in 2021<sup>(227)</sup>.

#### **Fourth: Political participation:**

Political participation rates declined remarkably during the pandemic as the Defence Law banned public meetings and all gatherings of more than five people. This affected the activities of political

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226- Rahel M. Schomaker. "Governance in the Arab region: Experts discuss public responses to COVID-19." Brookings: <https://www.brookings.edu/articles/governance-in-the-arab-region-experts-discuss-public-responses-to-covid-19/>

227- Rasheed- Transparency International Jordan: <https://2u.pw/xVizDO>

parties and trade unions. Parliamentary elections were held in 2020 as the number of cases was on the rise. The transparency of the electoral process was also questioned, and several violations were reported by both local and international monitoring bodies. Added to this is the decline in women participation and representation as previously noted.

The government allowed the Journalists' Syndicate to hold its elections in October 2021 and the same was done later with other syndicates. However, the most striking development was arresting and putting on trial members of the Teachers' Syndicate and closing the syndicate headquarters. Such actions affected the image of the government since it became obvious that the Defence Law was being used for purposes that are not related to the pandemic.

Elections across the Arab region was negatively affected by the pandemic. Governments became the only source of information on the electoral process and political parties almost played no role, both factors that led to a drop in participation and turnout. The impact on women was highlighted by A UN Women report: "The Arab region has the lowest participation of women in political life globally

and is ranked the lowest in political participation on the gender gap index. At only 15.2%, the region is far behind the global average of 22.1% of women represented in parliament. Some countries have made efforts to embed gender equality in constitutions and policies, including a provision for a quota system, however, this is the exception rather than the norm”<sup>(228)</sup>. These percentages were before the pandemic, which means they dropped even more after.

It is noteworthy that several legislative reforms were introduced during the pandemic, particularly after parliamentary elections. On June 10, 2021, King Abdullah II instructed former prime minister Samir Al Refaei to establish the Royal Committee to Modernize the Political System to be in charge of updating legislations related to different aspects of political life in Jordan. The committee is divided into six sub-committees: elections, political parties, youth empowerment, women empowerment, local administration, and constitutional amendments. The last sub-committee focuses on amendments pertaining to elections, political parties, and parliamentary regulations. The committee amended

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228- "Leadership and political participation." UN Women- Arab States: <https://arabstates.unwomen.org/en/what-we-do/leadership-and-political-participation-3>

election, political parties, and local administration laws as well as the constitution<sup>(229)</sup>.

### **Fifth: Human rights and freedom of expression:**

There were no changes in laws and legislations related to freedom of expression in 2020 and 2021, yet the Defence Law and subsequent decrees and regulations had a negative impact on freedom of expression, freedom of the press, and personal freedoms. This was particularly demonstrated in the curfew and banning all forms of gatherings, which in turn affected political rights. According to Reporters Without Borders, Jordan ranked low in the World Press Freedom Index as it occupied the 129 out of 180 in 2021 yet moved nine positions up to rank 120 in 2022<sup>(230)</sup>. One of the major violations of freedom of the press that took place at the time of the pandemic was blocking news websites. This was seen as abuse of power and the state was accused of breaching its duty to protect freedom of press and publication.

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229- For a detailed description of committees' work see the official website of the Royal Committee to Modernize the Political System: <https://2u.pw/ftWdul>

230- Official website of Reporters Without Borders: <https://2u.pw/mBv3lb>



The National Center for Human Rights released a report on the impact of Covid-19 on civil and political rights between March and May 2020, the interval in which a full lockdown was implemented for the first time. The report warned of implementing the Defence Law and related regulations without a constitutional framework that protects basic rights and freedoms. It also highlighted the necessity of taking justice into consideration when imposing and implementing restrictions and called upon the government to produce alternatives to arresting citizens who violate the rules. In addition, the report underlined the urgency of amending regulations that criminalize posting news about the pandemic through media outlets or on the internet due to the negative impact they have of freedom of expression and freedom of the press<sup>(231)</sup>.

In the same vein, the Center for Defending Freedom of Journalists released a report entitled “Under Blockade” about freedom of the media in Jordan in 2020. The report shed light on state policies in dealing with the media and journalists during the pandemic and whether they are in line with basic freedoms. The report also examined the

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231- “National Council for Human Rights issues report on impact of Covid on civil and political rights in Jordan.” Petra: <https://2u.pw/fTmYZB>

repercussions of the Defence Law and its regulations as far as freedom of the media is concerned and documented several violations against journalists. In addition, the report underlined several measures where pandemic restrictions were used to target freedom of the press. The center issued an earlier report in April 2020, that is one month after the Defence Law was out into effect, in which a sample of twelve media outlets was used to examine the credibility of media outlets. According to the report, people tended to trust media outlets that got information on the pandemic from official sources and the same applied to content that aimed to raise awareness. The report also noted that people are unlikely to believe information posted on social media<sup>(232)</sup>. Other reports considered the Defence Law a tool to encroach upon rights and freedoms<sup>(233)</sup>.

King Abdullah II has instructed the prime minister to implement the law only when necessary and to make sure it does not violate the political and civil rights of Jordanians nor affect their freedom of expression, warranted by the constitution. He also stressed the importance of respecting

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232- "Jordanian Defense Law: A tool for encroaching upon rights and freedoms." Al Arabi Al Jadid: <https://tinyurl.com/2827mfr9>

233- "Will the Defense Law affect human rights indicators?" Al Ghad Newspaper: <https://tinyurl.com/26vn2fhs>

private property, both movable and immovable<sup>(234)</sup>. However, the government did not abide by several of those instructions when issuing laws related to pandemic restrictions.

### **Sixth: Civil society and social movements:**

The work of civil society organizations suffered after the Defence Law was enacted. In fact, those organizations were already subjected to restrictions before the pandemic since any foreign funding needed to be approved by the cabinet. With Covid, restrictions increased as their activities and meetings were suspended, and foreign funding stopped. There was also a major shift in civil society's work as they focused on humanitarian relief and efforts to alleviate the impact of the pandemic on the poor. Even when the government relaxed restrictions, civil society organizations did not go back to normal, and they were only allowed to resume activities on an exceedingly small scale. This undermined one of the main roles of civil society, which is taking part in dealing with crises, especially that those organizations are always closer to the people and can find solutions that cater to their

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234- Royal statement, Op. Cit.

needs. Several civil society organizations called upon the government to allow their representatives to take part in the crisis management committee so they can contribute to making policies and finding solutions. Many activists, including women, also demanded empowering civil society organizations so they can take part in helping vulnerable groups and argued that the government can benefit from their expertise in launching awareness campaigns that would play a major role in shaping people's response to the pandemic. However, civil society organizations were marginalized at the time of the pandemic and hardly played any role. It is noteworthy that there are more than 6,600 civil society organizations in Jordan and their members amount to one million while people who work in their activities are estimated at 50,000. They also manage projects and launch campaigns through funding, which means easing the burden on the state<sup>(235)</sup>.

Restrictions on civil society organizations can be seen as part of weak governance during the pandemic since they did not make it possible for different relevant parties to join forces and fight the

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235- Al Zayat, Anwar. "Jordanian civil society and marginalization during Covid." Al Arabi Al Jadid: <https://tinyurl.com/2ad8263g>

pandemic. According to Metri Mdanat, secretary general of the Economic and Social Council of Jordan, weak governance was one of the major challenges that faced the medical sector during the time of the pandemic, especially because of lack of coordination between different parties that took part in providing medical services. Added to that was the absence of monitoring mechanisms for the private medical sector<sup>(236)</sup>. In fact, the strategies used by the government to deal with the pandemic led to the deterioration of governance in different aspects of life in Jordan. This was especially demonstrated in the striking rise of unemployment rates reaching 24% in 2021 (30.7% for women and 22.3% for men)<sup>(237)</sup>. A substantial percentage of Jordanians who became unemployed worked for civil society organizations, which had to lay off many of their staff after their activities were put on hold and their funding got channelled towards humanitarian aid. Women who worked in those organization were more affected.

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236- TV interview: <https://tinyurl.com/2b2sp5xj>

237- Arabi 21 website: <https://tinyurl.com/2as4thv3>

## **Conclusion:**

The public budget is one of the most important documents that reflect a government's economic and social policies. First, it demonstrates the short-term economic policy, which in turn shows how the government translates the strategic objectives of the state through turning them into quantitative objectives that can be measured. Second, a public budget is of extreme importance to marginalized groups since it directly impacts growth, inflation, income distribution, subsidies, and social policies. Looking at Jordan's public budget shows the challenges the government faced when the 2021 budget was prepared. These challenges were comprised of forecasts related to a decline in revenues, a rise in public debt, soaring unemployment and poverty rates. This necessitated more flexibility when preparing the budget in order to face all drastic developments as well as transparency in relation to revenues and spending.

Like all countries across the world, Jordan was heavily impacted by the pandemic, which was demonstrated in a shrinking economy, a decline in investment, remittances, trade, and tourism, the later constitution 10% of the gross domestic product. In addition, more than 250,000 daily

wagers lost their jobs because of business closures. A study called “Evaluating the Impact of Covid on Women-Owned Businesses in Jordan,” conducted by the Jordan Forum for Business and Professional Women in collaboration with the Center for International Private Enterprise (CIPE), stated that 74% of workers laid off during the pandemic were women. The study noted that measures taken to fight the pandemic did not take working women into consideration and did not provide them with the necessary support<sup>(238)</sup>. The study showed that 70% of businesses owned by women had to take out loans to continue paying salaries and that 50% of these companies had to reduce the prices of their products so they would be able to compete considering closures and decline in demand. In addition, 30% of those companies had to reduce the number of employees<sup>(239)</sup>.

A study entitled “Jordanian women in the shadow of the pandemic: How Covid affected the work and Safety of Jordanian women” was released in February 2022 by Al Quds Center for Political Studies. The study stated that 50% of women working in the private sector lost their jobs, 17%

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238- “74% of Covid layoffs are women.” Petra: <https://2u.pw/AVu1eu>

239- Ibid.

had to close their businesses, 5% lost their houses and had to live with a family member, and 7% had to move to cheaper houses. In addition, around one third of those women spent all their saving to cover housing expenses while 35% stopped working during the lockdown, 13.4% temporarily closed their businesses, and 57.7% lost a large percentage of their incomes and became indebted<sup>(240)</sup>.

Covid-19 constituted a major economic and social shock in Jordan, especially that the country had already been suffering from an economic slowdown and a rise in unemployment rates before the pandemic. Some sectors were particularly harmed such as trade, remittances, tourism, and the service sector. When the pandemic started spreading, the state was no longer able to deal with resulting financial losses that hit hundreds of thousands of citizens and household heads. As part of an attempt to face this problem, the government resorted to companies known as “service providers,” especially in the fields of technology and food supplies. Those companies functioned as mediators between the government and the people. The government also enlisted the

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240- “5% of Jordanian women lost their jobs and 17% closed their businesses during the pandemic.” Al Ghad News Paper : <https://tinyurl.com/23nec72t>



help of the Social Security Corporation to cover the expenses of workers and companies through several programs. In addition, the Social Security Investment Fund developed several policies that included supporting the unemployed and the self-employed. Regarding financial policies, the Central Bank of Jordan reduced key interest rates, pumped cash through reducing minimum amounts for fixed term deposits and relaxed the terms for funding small and medium projects.





