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Calling in “Sick”: COVID-19, Opportunism, Pretext, and Subnational Autocratization

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As governments sought to manage the coronavirus pandemic, many pursued temporary increases in centralized authority, a general tactic of crisis management. However, in some countries, public health was not the only motive for centralization. The COVID-19 response coincided with broader worldwide trends toward autocratization. Some of these efforts happened while the world was preoccupied with responding to the pandemic without concretely referencing coronavirus; however, in other cases, public-health rationales are clearly and explicitly invoked as a pretext for actions that instead aid the consolidation of regime authority. This has been especially pernicious in subnational politics, where efforts have been made to undermine the ability of opposition parties to fairly contest local and regional politics. This article examines four cases in which political actors either opportunistically used distraction from the COVID-19 pandemic or explicitly invoked public health while seeking to undermine long-term political contestation in their jurisdictions: Hong Kong, Hungary, Uganda, and the United States. We characterize the use of pandemic response as pretext or opportunity for undermining opposition parties, recentralizing political authority in dominant actors, and inhibiting the fair contestation of elections.

Tandis que les gouvernements cherchaient à gérer la pandémie de coronavirus, nombre d’entre eux ont cherché à accroître temporairement la centralisation de l’autorité, une tactique générale de gestion de crise. Cependant, dans certains pays, la santé publique n’a pas été la seule motivation pour cette centralisation. La réponse à la COVID-19 a coïncidé avec des tendances mondiales plus larges à l’autocratisation. Certains de ces efforts ont été déployés sans faire concrètement référence au coronavirus alors que le monde était préoccupé par la réponse à la pandémie ; toutefois, dans d’autres cas, des raisons de santé publique ont clairement et explicitement été invoquées comme prétexte pour des actions qui contribuent plutôt à la consolidation de l’autorité du régime. Cela a été particulièrement pernicieux dans les politiques infranationales dans lesquelles des efforts ont été déployés pour miner la capacité des partis d’opposition à contester équitablement les politiques locales et régionales. Cet article examine quatre cas dans lesquels les acteurs politiques ont soit exploité le détournement de l’attention lié à la pandémie COVID-19 de manière opportuniste, soit invoqué explicitement la santé publique en cherchant à saper la contestation politique à long terme dans leurs juridictions : Hong Kong, la Hongrie, l’Ouganda et les États-Unis. Nous caractérisons l’utilisation de la réponse à la pandémie en tant que prétexte ou opportunité pour miner les partis d’opposition, recentraliser l’autorité politique dans les mains des acteurs dominants et empêcher toute contestation équitable des élections.

Cuando los gobiernos intentaron gestionar la pandemia del coronavirus, muchos quisieron reforzar de manera temporal la autoridad centralizada, una táctica general de gestión ante una crisis. Sin embargo, en algunos países, la salud pública no fue el único motivo para implementar la centralización. La respuesta ante la pandemia de la COVID-19 coincidió con las tendencias mundiales más generales hacia la autoritación centralizada. Algunos de estos esfuerzos tuvieron lugar mientras el mundo estaba preocupado por responder ante la pandemia sin hacer referencia específica al coronavirus; sin embargo, en otros casos, las razones de salud pública se invocan de manera clara y explícita como pretextos para acciones que, en cambio, ayudan a consolidar la autoridad del régimen. Esto ha sido especialmente perjudicial en la política subnacional, donde se ha intentado socavar la capacidad de los partidos de la oposición para refutar de manera justa la política local y regional. En este artículo, se examinan cuatro casos en los que los actores políticos aprovecharon la pandemia de la COVID-19 como distracción o invocaron explícitamente la salud pública mientras buscaban socavar la contestación política a largo plazo en sus jurisdicciones: Hong Kong, Hungría, Uganda y Estados Unidos. Caracterizamos el uso de la respuesta ante la pandemia como pretextu oportunidad para socavar a los partidos de la oposición, volver a centralizar la autoridad política en los actores dominantes e inhibir la contestación justa de las elecciones.

Introduction

Organizational theory posits that even in the most horizontal organizations, a crisis will centralize decision-making in the hands of a small group of leaders (Hermann 1963; Holsti 1972; ‘T Hart, Rosenthal, and Kouzmin 1993). States are no different, and even liberal, constitutional democracies centralize in response to crises and emergencies (Lazar 2009). States may enact temporary measures to resolve a crisis (Drabek 1986), which would otherwise be seen as unacceptable to their citizens (Annas 2002; Davis and Silver 2004).


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Crisis can lead to new powers for governments that endure beyond the resolution of the event itself.

The coronavirus pandemic, as a generational crisis, has been no different. Indeed, the COVID-19 pandemic is one where some greater centralization of authority seems necessary. Yet, as essential as many public-health measures have been to reduce the spread of the virus, in other cases the pandemic has led leaders already following an autocratizing agenda to opportunistically consolidate authority. In some cases, the pandemic has been explicitly invoked as a rationale for this accrual of power, as in the case of the ability to rule by decree given to leaders in Ghana and Hungary (Addadzi-Koom 2020; Guasti 2020). In other cases, like the imposition of the controversial National Security Law in Hong Kong, COVID-19 was not invoked; however, national governments took advantage of the situation to push through policies to reinforce centralized control that would otherwise be staunchly opposed by other countries or domestic opponents, were leaders not distracted by the immediate concerns of stemming the spread of a life-threatening disease.

Scholars have rightly called attention to the significant impacts that measures taken to reduce the spread of the coronavirus have had on autocratization. They have resulted in restrictions on the media, curtailments of the right to assembly, and the postponement of elections. Many of these actions are temporary and have been taken by governments without inclinations toward autocratization (Maerz et al. 2020). However, in other cases where autocratization is a preexisting phenomenon and has progressed further, there are likely to be significant long-term impacts to political contestation (Rapeli and Saikkonen 2020). While national-level impacts have garnered significant attention, COVID-19 will also have significant long-term impacts on subnational politics in countries where we have seen autocratization, even from measures stated to be in the interest of public health. These changes will reduce the possibilities for the opposition to fairly contest elections, to effectively govern, and to exercise oversight.

This article identifies two concrete mechanisms through which the coronavirus pandemic has furthered subnational autocratization: opportunism and pretext. First, building on the literature about crisis response and autocratization, we argue that autocratizing regimes have opportunistically used distraction during the pandemic to push forth reforms that undermine subnational political contestation, while in other cases public-health concerns were used as a pretext to accomplish these same goals. While these mechanisms can also be found nationally, we focus on the subnational level given the importance of subnational governments in pandemic response. We then empirically examine our conceptualization in four exploratory cases, chosen to illustrate mechanisms in different contexts. In each, we have seen governmental COVID responses that will have long-term impacts on subnational politics: Hong Kong (China), Hungary, Uganda, and the United States. Cases were selected to provide variation across both geography and regime type. These include democratic (United States), hybrid (Hungary), and competitive authoritarian (Uganda) regimes; Hong Kong is also included as a unique case, as a more democratic enclave within an authoritarian single-party state. While these cases also have suffered from autocratization at the national level, we focus especially on subnational politics, which is equally important for the long-term health of political contestation but often neglected by the literature. Finally, we conclude.

## Subnational Autocratization and COVID-19

Over the past twenty years, we have seen a worldwide trend toward autocratization, accounting for the hardening of authoritarian and hybrid regimes in addition to regression and backsliding in democracies (Lührmann and Lindberg 2019). Autocratization often manifests as undermining judicial independence, restricting media freedom, limiting the ability of the opposition to fairly contest elections, and weakening the informal norms governing free societies (Bermeo 2016; Levitsky and Ziblatt 2018). Such processes are often gradual, with the true damage coming from the accumulation of myriad smaller antidemocratic policies (Lührmann and Lindberg 2019; Jakli and Stenberg 2021). For example, in the US case, threats to electoral democracy emerged, following the realignment of the south into a Republican Party stronghold, through a series of low-salience contestations of the regime established by the Voting Rights Act of 1965 (VRA) across several decades. This culminated in the elimination of a core component of voting-rights protections in the Supreme Court’s 2013 decision Shelby County vs. Holder (Rhodes 2017). Hence, while the VRA is often seen as a key instrument of democratic consolidation after a long period of subnational autocracy, gradual, subnational processes helped to erode electoral democracy (Gibson 2012; Mickey 2015).

Subnational politics matter to autocratizing governments for both policy and political reasons. In terms of policy, the past thirty years have resulted in significant political, administrative, and fiscal decentralization (Manor 1999; Faguet 2014). Substantive policymaking occurs in subnational jurisdictions (Trounstine 2009; Hooge et al. 2016), and subnational jurisdictions are perhaps even more important in pandemics. The geographic spread of disease is territorially uneven, and local and regional governments are often responsible for implementing policy in many areas (public health, policing, public goods provision) essential for pandemic response (Rocco, Béland, and Waddan 2020; Iverson and Barbier 2021). Some national governments have also sought to shift blame to subnational tiers of government (Smyth et al. 2020). As Greer et al. (2020) note, many national governments pushed responsibilities onto regional and local governments by minimizing or abdicating their own roles. The increasing complexity in intergovernmental relations is an important background factor that shapes how the innate centralizing, antidemocratic tendencies of crisis response ultimately impact local politics.

Beyond their intrinsic importance as an area of policymaking and implementation, subnational governments are politically valuable to autocratizing regimes. They often constitute a proving ground for the actors seeking to prevent the ruling party from pursuing an antidemocratic agenda. Opposition parties can demonstrate their competence, gaining the credibility needed to compete against dominant parties (Lucardi 2016; Farole 2021). Subnational governing units can also be crucial for resource distribution, to reward supporters, and to maintain long-term political control (Stenberg 2018). Autocratizing reforms in subnational politics often get less attention, allowing antidemocratic regimes to solidify control at less cost (Jakli and Stenberg 2021). In all of these cases, controlling subnational governments is crucial to ensuring long-term regime stability.

Given that (1) autocratizing regimes often seek to centralize authority in the executive and remove the fair contestation of politics and (2) centralizing authority in the
Executive is often seen as a good practice for responding to crises, crises are rife with possibilities for abuse by governments wanting to limit the capacity of their opposition. External crises and emergencies, therefore, create structural opportunities to push democratization forward. The need to respond to rapidly developing situations coherently, quickly, and authoritatively often leads to the centralization of authority – especially in the executive. This can, therefore, aid in long-term efforts to centralize political authority in national states in ways that limit future contestation. Pandemics may be crises that are particularly vulnerable to this type of manipulation. The normal functioning of the rule of law can often be suspended as a component of government response. Even the most democratic regimes may curtail civil liberties in a state of emergency or in their response to an external crisis. Epidemics and pandemics have in the past led governments to respond to outbreaks by limiting civil liberties to reduce the spread of disease (Barbisch, Koenig, and Shih 2015; Rothstein 2015).

All of these restrictions are imposed with the assumption that things may return to “normal” after the crisis ends. However, this logic presupposes a government in favor of the maintenance of existing norms and principles. When that assumption is broken, if an autocratizing government is interested in accruing more power and control, then crisis becomes an opportunity for further authoritarian consolidation. Democracies become up to 75% more likely to erode during states of emergency (Lüthmann and Rooney 2021), demonstrating that an immediate crisis response can have long-term reverberations for the future fair conduct of politics.

The V-Dem Pandemic Backsliding project systematically analyzes the impacts of COVID-19 response on democracy. On average, they find that the negative impacts on democratic practice are reducing even as the crisis continues (Kovács et al. 2020). However, while some policy choices (including well-intentioned suspensions of elections) may have temporarily impacted the conduct of political contestation without threatening its long-term stability, others are poised to have longer term, pernicious effects. Specifically, we expect these long-term threats to appear in countries where we already see autocratizing processes underway. COVID-19 does not cause autocratization but can be an enabling factor in certain circumstances for regimes to further existing trends.

V-Dem’s PanBack index looks at the specific likelihood of changes implemented under COVID-19 having long-term impacts furthering autocratization. Hungary, Uganda, and the United States all score as having a moderate-to-high risk of COVID-19 responses impacting the country’s long-term trajectory. On a 0-1 scale, with 0.3 and above being considered high risk, Hungary and the United States each scored 0.22, and Uganda scored 0.4 (Edgell et al. 2020). In these cases, there is a real risk that autocratizing decisions made during the coronavirus crisis can have substantive, enduring impacts on contestation. This can happen in one of two ways, and understanding the differences between these two paths can be crucial to understanding how those seeking to safeguard democratic institutions should respond. First, as discussed above, the crisis can be used opportunistically, to take advantage of the distraction of international actors and domestic opponents, who might otherwise mobilize to block reforms. Second, governments can explicitly justify institutional changes and reforms as necessary to respond effectively to the crisis: the crisis itself becomes a pretext. These two pathways are often found together, as our case studies illustrate.

**Crisis as Opportunism**

As David Lake notes, opportunism, a situation in which actors violate norms and agreements out of self-interest, is widespread in international politics (Lake 1996, 13). In international relations, when the resources of powers are tied up, there can be strategic motivation for opportunistic aggression from other states in pursuit of their own foreign policy objectives (Brands and Montgomery 2020). Crises – or other circumstances requiring a great deal of attention from organizations under threat – minimize bandwidth to focus on other issues. While Lake’s conceptualization focuses on international relations, the concept extends to domestic politics as well: an opposition absorbed in crisis management may not be able to respond effectively to opportunistic behavior by governments. Studies of firms have shown that when organizational leadership is distracted, adversaries behave opportunistically (Ahmad and Bollaert 2021).

A transnational crisis, therefore, changes the strategic calculus of states, creating opportunities for governments to pursue actions that would otherwise attract international or domestic outrage, as other states or political actors are consumed by managing the situation. Certainly, a major global crisis such as COVID-19 would have this effect, as an effective response requires mobilizing a great deal of resources. Due to the demands of the crisis, political actors logically have reduced bandwidth to focus on behavior that they would normally respond to. This creates circumstances favorable to strategic opportunism, where states pursue objectives that might be unpalatable to domestic actors or the international community. In more conventional times, international actors may “name and shame” as a general diplomatic response, including to antidemocratic reforms (Selchimie 2017); domestic actors may pursue a range of actions, including legislative obstruction, social protest, and counter campaigns. However, when governmental and media attention is focused on the crisis, these tools become either less available or less effective.

The COVID-19 pandemic has several examples of this type of opportunism, where states pursue objectives that they know either domestic opponents or the international community would strongly object to. In these cases, COVID-19 provides cover via the timing of the action, but the policy changes are not justified using public-health rationales. This allows states to pursue desired-but-contentious policies that may not be able to be credibly associated with pandemic response. These opportunistic responses largely build on the existing trends of autocratization, and we do not seek to make a causal argument. Instead, we seek to illustrate how the response to COVID-19 created the circumstances in which there were fewer opportunities available to credibly resist the implementation of autocratizing policies. The most prominent example of this is the Chinese government’s institution of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (hereafter National

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1 The decision to suspend an election is not intrinsically evidence of autocratization. In French municipal elections, where second round elections were postponed, turnout was historically low, and disease proximity negatively impacted turnout further. However, the decision to postpone was a well-intentioned response to the pandemic and did not clearly advantage any side (Noury et al. 2021).

2 Hong Kong is not considered separately from mainland China in this index so is not discussed here.

3 These actions may have been otherwise pursued, but they can be opportunistically timed.
Security Law or NSL), which severely restricted civil liberties in Hong Kong. This move came after one year of protest in Hong Kong (for more, see Ting 2020). The imposition of the NSL led to arrests of opposition politicians and dissidents and had a general chilling effect on the freedom of speech and the press. In Poland, the government amplified its already discriminatory rhetoric against the LGBTQ+ community and moved to severely restrict already limited access to abortion (Golec de Zavała et al. 2021). While in these cases we still do see some prominent objections (e.g., Wintour 2020), they do not come on the scale that we might see were pandemic response not the primary worldwide governing objective.

**Crisis as Pretext**

The alternative to using the crisis opportunistically, while would-be critics are distracted, is explicitly justifying increasing autocratization under the pretext of managing the crisis. This does not merely take advantage of critics’ distraction but provides a direct rationale to respond to potential criticism: actions become explicitly justified as necessary to respond effectively to the crisis. Scholars argue that governments use pretext to justify responses to a variety of crises: humanitarian (Goodman 2006), drug trafficking (Mercille 2011), threats from terrorism (Bamford 2005), and fears of domestic unrest (Paczkowski 2015). Perhaps the most famous example of such pretext is the Reichstag Fire, 4 the 1933 burning of the German parliament building (Mommessen 1985). Adolf Hitler took advantage of the unfettered emergency powers provided by Article 48 of the Weimar Constitution to crack down on the Communist Party opposition, fundamentally giving Hitler the ability to directly rule as a dictator. We can also see states of emergency playing pretextual roles to facilitate subnational power consolidation in autocratizing regimes in the present day. Whiting and Kaya (2021) outline how states of emergency were used to wrest political control of municipalities from Kurdish minority parties in contemporary Turkey.

Both opportunism and pretext provide avenues for the escalation of autocratization during COVID-19. Pretext is, however, especially pernicious: the abuse of public-health rationales to undermine political contestation has a secondary effect of undermining confidence in legitimate public-health measures needed to respond to an ongoing crisis. It is easy to justify actions in the name of public safety and public health that might otherwise be unacceptable (Annas 2002).

This abuse is readily apparent in the COVID-19 pandemic at both the national and the subnational levels. In Hungary, the ruling Fidesz party’s parliamentary supermajority gave Prime Minister Viktor Orbán the open-ended right to rule by decree to manage the public-health threat; Orbán opportunistically restricted freedom of the press and pushed an anti-LGBTQ+ agenda (Guasti 2020). Opposition efforts to question the imposition of rule by decree were met with accusations that they were impeding the government’s ability to stop the spread of coronavirus (Kádár 2020). Ghanaian President Nana Akuffo-Addo gained similar prerogatives from the national parliament (Addadzi-Koom 2020), while India’s government invoked the Disaster Management Act to bypass democratic accountability (Thomson and Ip 2020). In these cases, we see national governments clearly pursuing actions designed to limit political contestation and civil liberties under the guise of legitimate public-health concerns.

We focus especially on the impacts of such measures on subnational politics, including measures implemented at both national and subnational levels. The inherent centralizing tendencies of crisis and emergency response make subnational jurisdictions especially vulnerable, as they are often forced to cede authority, autonomy, and capacity to national governments (see, e.g., Meneguzo et al. 2013). Centralization may not inherently undermine political contestation; however, when paired with the existing autocratizing tendencies in a political system, it creates new opportunities for power consolidation. The role of subnational tiers of government in the autocratizing process is too often overlooked as an important location for regime consolidation and antidemocratic practice.

The following four cases (Hong Kong, Hungary, Uganda, and the United States) illustrate the ways that responding to the COVID-19 pandemic has been used both opportunistically and as an explicit pretext for undermining subnational contestation. While these cases differ in terms of regime and institution type, governance in all four countries has been autocratizing over the past several years. We also see the opportunism and pretext strategies mobilized differently across our cases. Table 1 depicts our cases on a two-by-two table, with the left axis indicating if actions were motivated primarily by immediate domestic incentives (i.e., an ongoing electoral campaign) and the top axis indicating the juridical institutional independence of subnational jurisdictions. These cells should not be seen as deterministic, as we may see either strategy pursued in either context or strategies pursued in conjunction. However, we see that pretext is more readily mobilized where there is weaker subnational institutional independence, and we increasingly see pretext in Hong Kong after the NSL weakens Hong Kong’s juridical independence.

In Hungary and in Uganda, where we have weak subnational institutional independence, we see the national government mobilize pretext as a strategy. In Uganda, the government primarily focuses on policies pertaining to an upcoming election, while in Hungary the government focuses on institutional changes and non-electoral pretext. In cases with greater subnational institutional independence, in both democratic and authoritarian contexts, we see opportunism used in conjunction with pretext. In the United States, we see initial attempts at pretext quickly give way to opportunism as belief in the threat of the virus becomes polarized. In Hong Kong, we see the Chinese government initially move opportunistically and then reinforce its recentralization of control through specific pretextual justifications relating to pandemic response as institutions are weakened.

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4 Which, of course, the Nazi Party may have been directly involved in starting (see Hett 2013).
Hong Kong

In recent years, the Chinese national government has made concrete steps to bring Hong Kong more tightly into its orbit. The agreement reached with the United Kingdom for its 1997 handover to China stipulated that Hong Kong would abide by the “one country, two systems” principle until 2047, maintaining greater freedoms and civil liberties in the Special Administrative Region of Hong Kong than the rest of the country. However, tangible, incremental steps have been taken since 1997 to slowly bring Hong Kong more into line, showing a clear pattern of autocratization and authoritarian encroachment (Fong 2021). As these steps have been taken, there have been increasing movements among Hong Kongers to assert their political rights and to advocate for further democracy.

These efforts significantly escalated in 2014 with the Umbrella Movement, a social movement emerging in response to Beijing’s moves to restrict the freedom of pro-democracy candidates to run in Hong Kong’s chief executive elections (Lo 2017). In 2019, protests erupted again, this time over a new proposed extradition law. This larger movement, the Water Revolution, lasted several months, impacting economic activity and ultimately forcing the withdrawal of the proposed law (Ting 2020). However, Beijing also indicated that they would be more actively involved in administering Hong Kong in the future (Hui 2020a). In a show of dissatisfaction with the government’s response to the protests, pro-democracy parties swept to power in the city’s November 2019 elections across the eighteen district councils, with turnout up over 20 percent (Lai and Wu 2019).

With the onset of COVID-19, efforts to reassert central government control in Hong Kong again escalated. These efforts have distinct phases that relate to both opportunism and pretext. First, we see the June 2020 implementation of the NSL as a clear move to take advantage of both the international community being too preoccupied with COVID response to respond as aggressively as they might otherwise and pandemic restrictions on social gatherings (and legitimate concerns among potential participants about disease spread) to limit the scale of domestic response. Second, we see the invocation of public-health measures as the rationale for suspending the Legislative Council (LegCo) elections in September as an explicit use of pretext.

After the momentum of the Water Revolution, including in the district council elections, Beijing announced that a new National Security Law would go into effect at the end of June 2020. The NSL sweepingly curtailed freedoms of speech and assembly in Hong Kong, giving the state greater surveillance capabilities and functionally declaring discussions of a democratic Hong Kong to be illegal. While it is entirely probable such a law would be eventually passed absent the pandemic, the People’s Republic of China (PRC) was opportunistic with its timing: the announcement and implementation, strategically coordinated while the rest of the world was heavily occupied with responding to the public-health crisis, meant that many countries did not respond as strongly as they might have otherwise. Criticism was still widespread (e.g., by the United Kingdom in Wintour 2020), although stronger diplomatic measures were largely not pursued. Fears of spreading the virus, restrictions on movement, and fears of public shaming for quarantine violations (for more on shaming, see Ho, Fong, and Wan 2021) also all served to reduce the scale of domestic protest when compared to 2019—all of which created an opportunistic domestic environment for the crackdown. The NSL’s passage predictably led many opposition politicians and activists to limit their activities and/or self-censor. Pro-democracy parties disbanded, and many activists were immediately detained (Hui 2020b).

However, subsequent restrictions on political rights in Hong Kong have invoked public-health guidelines as explicit pretexts for interfering with the conduct of subnational democracy. In September 2020, Hong Kong Chief Executive Carrie Lam suspended the 2020 LegCo elections for a year. She used emergency powers, explicitly stating that the vote could exacerbate the spread of COVID-19 in the city (Cheung, Wong, and Chung 2020). The use of public-health rationale to suspend the LegCo elections builds on the NSL’s demonstrable chilling effect on Hongkongers publicly engaging in political discourse. LegCo rules already limit the success of initiatives from the pan-democratic opposition (Smyth, Bianco, and Chan 2019), meaning that the calculus to suspend the elections was more about fears of Beijing appearing weak if the opposition was successful than the likelihood of passage of actual legislation that would impact PRC control. Moreover, the decision to suspend the election came after twelve prominent opposition candidates were barred from running (BBC News 2020). This timing suggests that officials decided that suspending the candidates would not sufficiently guarantee pro-Beijing candidates would win in September, and further measures were needed. It is unlikely that steps to suspend the candidates would be taken if it were already known the election would be delayed for legitimate public-health reasons. Since the suspension of the election, many candidates who organized and/or contested the unofficial pro-democracy primaries in July 2020 have been arrested for supposed NSL violations, including LegCo members and academics (Human Rights Watch 2021).

The passage of the NSL itself did not rely on public-health justification and was instead merely opportunistically timed to minimize opposition, so the move to invoke coronavirus later in the crackdown seems to be a conscious strategic choice to even further limit dissent. However, the suspension of LegCo elections was not the only instance of public health being used to limit anti-regime protest. Hong Kong’s COVID lockdown was strategically extended to June 5, 2020 (Thiessen 2020), ensuring that the traditional demonstrations in Victoria Park on the anniversary of the Tiananmen Square crackdown could not be held at their typical scale (Hernández, Ramzy, and May 2020). Police also used public-health rationales to justify fining student reporters at public protests (Thomson and Ip 2020, 24). These trends suggest clear uses of COVID-19 as a pretext to minimize public debate about Hong Kong’s democratic future.

Hungary

Since taking power in 2010, the right-wing Fidesz party has consistently pursued policies of autocratization in Hungary, including constitutional reforms, changes to election law, restrictions on media freedom, and limits on judicial independence (Bíró-Nagy 2017; Krekö and Envedi 2018, among others). Such autocratization extended to subnational politics, where Fidesz-led city councils altered municipal regulations to reduce oversight and limit fair electoral competition (Jakli and Stenberg 2021). Hungary’s Prime Minister, Viktor Orbán, has steadily consolidated control over the past eleven years, strategically using populist rhetoric and government funds to ensure success in Hungary’s no-longer-fairly contested elections. The onset of the COVID-19 pandemic, however, clearly furthered Fidesz’s autocratizing tendencies at both the national and the subnational levels.
In March 2020, Hungary’s Parliament, in which Fidesz holds a legislative supermajority, declared a state of emergency in response to COVID-19 (Novak and Kingsley 2020). This open-ended state of emergency gave Orbán the ability to rule by decree; while it could be revoked by the parliament at any time, Fidesz’s supermajority ensured that this was a blank check. Orbán used these powers widely; the Hungarian Helsinki Committee NGO (2020) tracked 147 uses during the period it was active (March 30–June 18, 2020). Among the most notable autocratizing uses was the imposition of a potential five-year jail sentence for “disseminating misleading information” (Guasti 2020, 53). Emergency powers were used for such concerns as increasing the time needed to respond to public information requests to limit public oversight (Kádár 2020), indicating a clear use of coronavirus as a pretext for other antidemocratic measures.

The Hungarian parliament “revoked” the state of emergency in June; however, it was replaced by a state of medical crisis, which continued to allow the government to rule by decree and which could not be revoked by Parliament (Bayer 2020). Orbán strongly emphasized the public-health rationale for the state of emergency, stating that it was an enabling factor for Hungary’s rapid pandemic response (Bene and Boda 2021, 96–97). While these sequential “states” directly contributed to continued autocratization at the national level, they also furthered Fidesz’s long-standing goals of consolidating control over subnational politics.

While Fidesz has had considerable success in municipal politics compared to many right-wing dominant party regimes (Stenberg 2018; O’Dwyer and Stenberg 2021), a pan-opposition coalition managed to defeat Fidesz-backed candidates in some of Hungary’s largest cities in 2019 (Hegedűs 2019). This created the opportunity for opposition mayors in cities such as Budapest to gain credibility and increase their prominence, ultimately paving the way to challenge the regime. Fidesz, however, has used the COVID-19 pandemic to restrict the independence of municipalities, bringing them further under national control and undermining the ability of opposition mayors to both govern effectively and respond to the public-health crisis. This gives the national government the ability to “capture” cities, by reducing their autonomy (Gibson 2012). This differs from many other cases of subnational autocratization in the COVID-19 pandemic, where we have often seen public health used as a pretext for the strategic manipulation of elections and campaigns. In Hungary, we instead see that the pandemic was used as a pretext for municipal finance reform, which can undermine subnational politics non-electorally.

Several measures implemented early in the stages of pandemic response had concrete impacts on municipal finance: in almost all cases, responding to the pandemic was used as the official rationale. Car tax revenues were shifted to a county-level epidemic-protection fund to aid pandemic response (Előd 2020a); county administration is dominated by Fidesz. The collection of tourism taxes was suspended from April through the end of 2020, ostensibly to help hotels endure fewer overnight guests (Zaborszky 2020). While in aggregate these taxes do not make up a significant portion of municipal revenues (car taxes 1.2 percent, tourism taxes 0.6 percent), there is substantial variation between municipalities, and some budgets are significantly impacted (Bucsky 2020). Parking fees, which are directly paid to municipalities, were also abolished, officially to minimize transmission risk on public transportation (hirando.hu 2020). In forty-nine cities, largely controlled by the opposition, parking fees are on average 2.6 percent of total revenue, rising to 6.5 percent for districts in Budapest (Bucsky 2020). Wealthier municipalities were also subjected to a solidarity tax, transferring money to other municipalities even as their own tax revenues were curtailed (Rovó 2020). Orbán’s legislation allowed for the creation of special economic zones, removing selected industrial sites from local business tax rolls and regulatory oversight (Dezső and Előd 2020). Mayors explicitly alleged that these policies were pretexts used to deprive cities of funding (Csurgó and Sajó 2020); forty-one independent and/or opposition mayors issued a joint statement protesting the cuts and accusing the government of “bleeding local governments” and weakening crisis response (Matalin 2020), as municipalities also incurred increased pandemic-related expenses at the same time as experiencing a government-imposed revenue shortfall. By depriving opposition-controlled cities of funding, Fidesz undermines opposition parties’ ability to govern effectively, weakening them in future electoral campaigns.

While many of these decrees expired with the end of the initial state of emergency, the financial shortfalls they caused had long-term effects, and certain consequences, such as the special economic zones, were permanent, having enduring fiscal impacts on municipalities. Moreover, subsequent legislation, implemented under the state of medical crisis, has furthered these goals. In December 2020, local business taxes for small- and medium-sized enterprises were halved for the next two years (Előd 2020b). For small municipalities, new intergovernmental aid measures from the central government would fill this gap automatically. However, for municipalities with over twenty-five thousand residents, often where the pan-opposition coalition had managed limited success in the 2019 municipal elections, government aid would only be disbursed case by case. This is a much larger proportion of local revenue than the taxes reallocated early in the pandemic. Local business taxes make up 26.2 percent of total local government revenue (Bucsky 2020). This gives the national government valuable leverage over opposition-controlled cities, especially considering the other pandemic measures restricting municipal finance.

Uganda

Long before the pandemic, Uganda experimented with decentralizing political power from the central government to subnational units (Green 2010). However, the ruling National Resistance Movement (NRM) party, led by President Yoweri Museveni, understood that subnational elections, and in particular the opening of space for opposition contestation at the local level, could threaten the regime. The NRM’s dominance in local elections has slowly eroded over the years. At the highest position in local government (chairperson), the NRM won 82 of 112 seats in the 2016 election (Gibb 2016). In urban local government, however, support for opposition parties is markedly higher. In the January 2021 polls, opposition candidates won the majority of council seats in the country’s eleven major cities (Daily Monitor 2021b). Recent developments in Ugandan politics have seen support for opposition parties in local elections expand to other parts of the country. For instance, the popularity of the prominent opposition figure Robert Kyagulani (Bobi Wine) and his new National Unity Party is credited for the NRM’s loss of local government seats in traditional strongholds in Central and Eastern Uganda in 2021 (Mufumba 2021). The 2021 election occurred in the context of an unprecedented global pandemic, with the NRM-led government using pandemic-related measures as a pretext to centralize authority further and to undermine opposition mobilization at the local level.
In the early phase of the pandemic, Uganda reported 284 infections and no deaths. However, the government went on to implement one of Africa’s strictest lockdowns, closing businesses and schools, banning public gatherings, severely restricting the use of public transportation, and imposing an eight-and-a-half-hour nightly curfew (Xinhua 2020). Amidst these harsh and seemingly premature measures, the president stress-tested the ability of political institutions in Uganda to counter his authoritarian overreach, hinting at the possibility of delaying the elections (Biryabarema 2020). While the country’s Electoral Commission declined to postpone the elections (Kirabo 2020), the measures introduced by the government ostensibly designed to fight the pandemic resulted in political double standards and an unequal playing field for the opposition at the subnational level.

After lockdown restrictions were gradually eased in Uganda in the summer of 2020, the government announced a ban on political rallies (Ssenoga 2020). The stated reason for the ban on rallies was to fight the spread of the coronavirus, and candidates were told to campaign by leaflet, radio, TV, or on the internet (Ssenoga 2020). The enforcement of the ban on campaign rallies especially appeared to target local governments where opposition parties are more popular. For instance, the opposition candidate Major General Mugisha Muntu was blocked from campaigning in the Entebbe municipality (Adude 2020). Elsewhere, attempts by opposition candidates to hold rallies for local races were met with a violent police response (Grasse et al. 2021). Conversely, NRM candidates successfully held rallies throughout the country in different cities, with few wearing face masks and without practicing social distancing (Uganda Daily 2020). The suspension of in-person campaigning was especially devastating to opposition party campaigns. In Uganda, as in many African countries, most interaction between voters and parties for municipal elections occurs at election rallies, as many voters do not have access to television or the internet (Ssenoga 2020). While candidates for higher political office tend to have more visibility through traditional media, candidates for local elections are particularly reliant on face-to-face interactions with constituents.

After adopting a ban on mass rallies, Uganda’s Electoral Commission required candidates to campaign through traditional media and online as a substitute for in-person campaigning. Yet, when opposition candidates for municipal elections attempted to access radio stations and TV networks, they were met with arrests and harassment (Draku 2020). In some municipalities, journalists were arrested for interviewing opposition candidates (CPJ 2021). The government also introduced pandemic-related restrictions that targeted nontraditional media, blocking major social media platforms two days before the election (Reuters 2021). This decision had an impact on opposition campaigns in local government elections because the voter base of opposition parties in Uganda is predominantly young, and opposition candidates rely on social media campaigns to mobilize voters in local elections (Anguyo 2021). Traditional media in Uganda is owned by government allies or is state-run, and opposition candidates use social media to directly broadcast their campaign rallies and news conferences to voters (Reuters 2021). In the context of widespread restrictions on physical and digital campaigning, turnout was considerably depressed for local elections (Daily Monitor 2021a).

**United States**

In the United States, the administration of core democratic rights, including (though not exclusively) the right to vote, occurs at the subnational level. While the 1965 VRA gave the federal government extensive capacity to oversee election administration in jurisdictions with a history of racial disenfranchisement, the US Supreme Court struck down the formula that supported this provision in 2013, allowing Republican state officials to introduce a wave of new franchise restrictions at the subnational level. This move elicited the reemergence of a round of voter suppression laws, especially in states governed by Republicans. Together with a surge in extreme partisan gerrymanders and a crackdown on labor organizing in swing states, these procedures contributed to an increase in democratic backsliding even prior to the pandemic (Rocco 2021).

The COVID-19 pandemic also presented Republicans with opportunities—successfully leveraged or not—for contesting electoral democracy in the United States. Not all strategies were equally available to Republicans, however. For example, Republicans had fewer opportunities to use COVID-19 as a pretext for autocratization. This is because Republican elected officials—and ultimately Republican voters—were far less likely than their Democratic counterparts to act swiftly to control the pandemic. At the state level, Republican governors and legislatures generally enacted weaker and shorter nonpharmaceutical interventions than their counterparts in the Democratic Party (Adolph et al. 2021). Because of this, it would have been far more difficult for Republicans to simultaneously justify curbs on the grounds of public health while claiming to their constituents that the pandemic did not require serious public-health interventions. Instead, the evidence suggests Republicans locked themselves into an opportunistic response; throughout the first year of COVID-19, Republicans often leveraged the effects of public-health responses to undermine the functioning of core democratic institutions.

Some of the clearest episodes of opportunism in the United States surrounded decisions whether and how to delay spring elections, which occurred as the first wave of COVID-19 began to crest, before the development of widespread public-health protocols. Both public-health and election officials converged on the idea of delaying primaries as a means of reducing the spread of COVID-19 from in-person voting and avoiding massive reductions in turnout. Between March 13—the date on which President Trump declared a national emergency under the Stafford Act—and September 1, 2020, state officials ultimately delayed twenty-three of fifty-nine scheduled elections. Even so, lawmakers in several states took actions calibrated to reduce turnout. When decisions by public-health and election officials in Ohio triggered a primary delay and a shift to all-mail balloting, Republican leaders in the state’s legislature stepped in with a more-restrictive set of ballot deadlines, which caused thousands of absentee ballot requests to fail to arrive in time and led to a decisive drop in turnout (Rakich 2020).

The pattern in Wisconsin was even more acute, since the April 7, 2020, election featured not only a Democratic presidential primary but also a state Supreme Court race in which Daniel Kelly, an incumbent justice appointed by the former Republican Governor Scott Walker, was defending his seat against Jill Karofsky, a liberal with Democratic Party bona fides. Governor Tony Evers, a Democrat, took executive action to delay the election and extend the deadline for absentee ballots after Republicans in the state legislature refused to act. Yet, on the eve of the election both the Wisconsin Supreme Court and the US Supreme Court—both sharply divided along ideological lines—issued rulings in suits brought by Republicans that reversed Evers’ decision.
Taking advantage of the innate centralizing tendencies of crisis management to consolidate authority and undermine their opposition. States have done this through two primary mechanisms: opportunism and pretext.

This has not only happened on the national level. We have seen governments use COVID-19 as both an opportunity and a pretext to interfere with subnational politics, including suspending or interfering with the free conduct of elections, depriving opposition-controlled municipalities of resources to limit their ability to govern, and cracking down on social movements. These responses, either enabled by the distortion of the international community or opposition forces, or through the pretext of direct public-health responses, can negatively impact the fair conduct of politics well beyond the resolution of the pandemic.

In Hungary and Uganda, where we see established dominant parties seeking to maintain control, pretext is the dominant subnational strategy, and public-health justifications are mobilized as pretexts to limit the effectiveness of potential subnational bases of opposition power. In Hong Kong, pretext is used even more aggressively to prevent opposition success in elections; however, Beijing also opportunistically used the preoccupation with pandemic response to push through the National Security Law to more fundamentally limit any future democratic contestation. In the United States, virus skepticism from the Republican Party made the use of a pandemic pretext nearly impossible; instead, they opportunistically emphasized supposed threats from pandemic election procedures to try to question the legitimacy of democratic elections altogether, so as to further restrict the franchise going forward.

In all of these cases, there are possibilities for the impacts of the policies implemented during COVID-19 to be durable. They were implemented as part of larger trends toward autocratization designed to assert enduring partisan control at the national and subnational levels. However, the policies focusing on institutional structures may be especially difficult to disentangle. While policies focusing on an election at hand, as in Uganda, enable the current government to maintain control and potentially implement more antidemocratic measures, changes to long-term institutional autonomy and independence have direct impacts that will last beyond current administrations.

Together these cases offer clear illustrations of two potential strategies, opportunism and pretext—which can be used in isolation or in combination—that autocratizing leaders can use in times of crisis to seek to further consolidate control. Understanding the distinctions between these strategies can be critical for ensuring effective responses to threats to the institutions of political contestation.

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