

Risks of the Effects of Restrictive Measures on the Democratic Foundations of a State

Irena TUŠER¹, Radovan POTUČEK², Šárka HOŠKOVÁ-MAYEROVÁ²

¹*Department of Security and Law, Ambis University, Lindnerova 1, 180 00 Praha, Czech Republic*

²*Department of Mathematics and Physics, University of Defence, Brno, Kounicova 65, 662 10 Brno, Czech Republic*

E-mails: ¹irena.tuser@ambis.cz; ²radovan.potucek@unob.cz; ²sarka.mayerova@unob.cz

Abstract

The regional and local impacts of the restrictive measures taken to mitigate the covid-19 crisis are highly heterogeneous and have significant consequences for the efficiency of society's functioning, the emergency management of the state administration, and the political responses of the governing parties. The paper deals with the assessment of threats and risks resulting from the restrictive measures of the government as part of the solution to the pandemic crisis situation in the Czech Republic (CR). The aim of the authors is to identify the most serious threats and risks that can affect the democracy and internal security of the CR during a pandemic and to propose recommendations for their mitigation. To assess the defined threats and risks, a point semi-quantitative method was used, working with values for probability, impact and the opinion of evaluators, called the PCE method (Probability, Consequences, Evaluator). Out of the twenty assessed threats, a group of evaluators identified the eight most serious ones, using the PCE method.

KEY WORDS: *democracy, current threats, emergency management, internal state security, pandemic, restrictive measures, risk assessment, risk matrix*

1. Introduction

The implementation of any measure by the state must be in accordance with the principles of the rule of law, which must also be observed during crisis situations. Criteria are established for assessing compliance with these principles. These criteria include legality, legal certainty, the prohibition of arbitrary use of executive powers, and the accountability of governments to legislation, which is guaranteed by judicial and parliamentary control. If extraordinary powers are used, they must fulfill the factor of necessity, adequacy, and temporality. They must always be implemented not only within the limits of the constitutional law of the given country, but also in accordance with the standards established by European and international law [1].

Fundamental rights, the principles of the rule of law, and the duty to abide by democratic principles are laid down in the Treaty on the European Union (EU), the Charter of Fundamental Rights of the European Union, and within the framework of obligations in the field of international law, which have been accepted, on the basis of their sovereignty, by all EU member states [1]. According to international law, every state has the duty to observe, protect, and promote human rights. These are international obligations; the principle of their compliance should not be the subject of political discussion. Authorities must ensure that their responses to threats are democratically debated, publicly consulted, and subject to parliamentary control. The aforementioned principles also include the necessity to deal with fake news, including in situations where such news is based on the intention to weaken a political opponent. Fake news can reduce the effectiveness of restrictive (emergency) measures applied in response to a crisis situation [1].

The regional and local impact of the covid-19 crisis is highly heterogeneous and has significant implications for crisis management and policy responses [2]. The paper deals with the risks of territorial impacts resulting from the restrictive measures of the government as part of the solution to the pandemic crisis situation in the Czech Republic (CR). The risks of impacts from the adopted anti-pandemic measures manifested themselves in all spheres of society's life – in the field of healthcare, economy, education, and also in the social, political and security fields [2].

The aim of the authors is to identify the most serious threats and risks that can affect the democracy and internal security of the state (CR) during a pandemic and to propose preventive measures for their mitigation in future states of emergency.

¹ Corresponding author.

E-mail address: irena.tuser@ambis.cz

1.1 Findings from Expert Studies

This subchapter presents the factors that were identified in expert studies and that influenced the democratic foundations of the state and the social, economic and educational spheres of society during the pandemic. (e.g. [21, 22])

The authors of the study [3] aimed to investigate the relationship between the quality of democracy in the country and the government's response to the pandemic. They focused on measures that had an impact on the democratic foundations of the state, which are protected in liberal countries, but can be limited in emergency situations. The authors of the study addressed the following three areas in 34 countries:

- accelerated purchasing processes of medical equipment and personal protective equipment (non-transparent public procurement);
- quick allocation of state support to individuals and businesses (possible connections/relationships of the entrepreneur to the politicians of the ruling party);
- pharmaceutical licensing benefits and related business (profit) [3].

The aforementioned areas occurring in the context of the covid-19 crisis solution have together increased the risk of corruption. The cause was a rapidly developing pandemic and the accompanying economic recession, which led to fierce competition for essential resources. Furthermore, government decisions rapidly mobilized public funds (both for health and economic stabilization) on an unprecedented scale, creating opportunities for profit-seeking through various means, including corruption. Finally, politicians, health professionals, or other actors who have the power to influence the life of society have had considerable discretion in allocating the required resources. Lack of transparency and insufficient monitoring/oversight have exacerbated the problems of fraud and corruption [3].

The expert study "Democracy, Autocracy, and Emergency Threats: Lessons for COVID-19 from the Last Thousand Years" [4] compares the effectiveness of a democratic and autocratic system in dealing with emergency situations. The results of the study [4] indicate that in the period of dealing with external threats, each of these two forms of government has its specific strengths and weaknesses. In an autocratic form of government, the centralization of power enables decisive and uncompromising action, which is necessary in certain phases of solving an emergency situation. The negative of this form of government is the ability to keep relevant data secret, i.e. information can be suppressed and related problems ignored (e.g. restrictions on human dignity, basic human rights). In contrast, in a democratic form of government there is greater transparency of information, external threats are not kept secret. However, the decentralization of power inherent in a democratic establishment can lead to a slow response and a potentially ineffective outcome [4].

In the conclusion of the study [4], the author considers three alternative proposals for more decisive and effective democratic action in the period of crisis resolution. The first option is the establishment of central management for a limited period of time. The second alternative is higher investment in the preventive capacities of the state. The third proposal is to transfer responsibility to individual regions. The third strategy is presented by the author [4] as the most effective from a historical point of view, but its functionality is conditioned by the positive acceptance and appreciation of the voters (inhabitants of the given region). However, this assumption cannot be guaranteed.

Another factor that has a very negative impact on democracy and internal security of the state is the uncontrolled spread of fake news and disinformation [5]. Manipulative disinformation campaigns usually focus on shaping public opinion or on trends in foreign electoral interference. Disinformation is set up to polarize a democratic society [6]. They create or exacerbate tensions and undermine democratic pillars such as electoral systems. Social media is used for the coordinated spread of disinformation. While public trust in mainstream media is on the decline, alternative news ecosystems are on the rise. Citizens' trust in disinformation limits their ability to make competent (informed) decisions [6].

The issue of the influence of disinformation on democratic processes and human rights in the world is also addressed by the European Parliament (EP) [6]. The EP should support the orientation (focus) of states on new regulations, laws, and standards that regulate content online, as well as support their efforts in democratic capabilities in the fight against disinformation [6]. With respect for human rights and democratic principles, the EP proposes five actions for local politicians to support the issue being addressed. They are the following:

1. to support local initiatives in the fight against disinformation;
2. to strengthen the plurality of media within the disinformation strategies;
3. to respond immediately to a wave of disinformation;
4. to strengthen small advisory forums focused on disinformation;
5. to develop education about human rights and democratic foundations of the state [6].

The global disruption of continuous education during covid-19 can also be classified as one of the negative impacts resulting from the restrictive measures adopted. The transition of education to an ad hoc online environment was reflected in the knowledge of students, depending on their family socio-economic conditions and on the means and qualities of school facilities in terms of technical equipment, as well as in the abilities and competences of teachers [7-9].

The socio-economic impact can be named as a negative consequence of the long-term closing of schools, which will manifest itself in future years for the current young generation. The closure of schools has caused an educational slump that will affect the professional life of young people and loss of earnings [10,11].

In the Czech Republic, more serious impacts were also seen in socio-economically weaker students. Wellbeing [12] and psychological problems of students were and are underestimated, the system in the Czech Republic does not try to sufficiently support socially disadvantaged students [10,11]. The implementation of summer tutoring camps and the amendment of the legislation regarding the funding of school psychologists can be mentioned as positives [11]. Strengthening the resilience of education systems requires careful assessment of the impact of the pandemic crisis, but also anticipation of future crises in order to modify existing policies [9].

2. Material and Method

To fulfill the intention of the authors, the threats resulting from the measures taken to mitigate the spread of the infectious disease covid-19 and their potential impact on society, democratic foundations and the internal security of the state were first defined [13-15]. A total of 20 threats were identified, see Tab. 1. The threats were defined by a group of evaluators, which consisted of 48 members. The evaluators were selected based on the criteria of erudition, profession, and willingness to participate in the survey. The members of the evaluation group came from the fields of economy, tourism, security services, psychology, political science, the Army of the Czech Republic (ACR), customs administration, State Material Reserves Administration, law, education, healthcare (virology, psychologist, oncologist), culture, journalism, and the general public.

Table 1

Identified threats resulting from the adopted restrictive measures

ID	Threat	Risks from threats
1.	threat to public health	loss of life caused directly by the pandemic as well as insufficient care in other medical fields
2.	restrictions on services, trade, and industry	reduced income of legal entities and entrepreneurial natural persons; economic losses of the state, regions, municipalities
3.	rising unemployment	burden on public finances
4.	social aspects	lower standard of living
5.	online education	lower level of education
6.	psychosocial burden	threat to mental health
7.	limitation of sport activities	deterioration of the health of society
8.	limitation of interpersonal contacts	disruption of family relationships; decrease in communication skills in personal contact
9.	overload of medical staff (mental and physical)	physical exhaustion, post-traumatic stress disorder
10.	limitation of social life in the municipality (region)	the closing down of interest associations, cultural and sports clubs, disruption of interpersonal relations
11.	home isolation	growth of netolism (addiction to social networks), disruption of family life

12.	increase in extremism, sects, anti-social phenomena	increase in crime, worsening of the internal security of the Czech Republic
13.	insufficient communication to the population by the government; insufficient explanation of the importance of measures by the government	disregard of government decisions; loss of control over the fight against the pandemic
14.	increase in the number of cyber attacks	disruption of critical infrastructure
15.	invasion by a foreign state	loss of sovereignty of the CR
16.	takeover of bankrupt companies by outside (foreign) capital	loss of control of the CR over its own economy
17.	takeover of bankrupt businesses by the local economic elite	oligarchization of society
18.	destabilization of the political situation	fall of the government, chaos in the management of the pandemic
19.	abuse of power	corruption in public contracts
20.	manipulation of public opinion; fake news	strengthening/weakening of the political power of the government or the opposition, causing distrust in the government

Source: the authors

To evaluate the risks associated with the identified j^{th} hazard and the impacts caused by it, a point semi-quantitative method is used, working with values for probability, impacts, and the opinion of the evaluators, called the PCE method (Probability, Consequences, Evaluator) [16], where:

a) item P assesses the probability with which the considered j^{th} hazard can occur, on a scale ranging from 1 to 5, where 1 corresponds to the lowest probability, 2 to small, 3 to medium, 4 to large, and 5 to the highest probability;

b) item C evaluates the amount and severity of the consequences (impact) caused by the activation of the j^{th} hazard, on a scale ranging from 1 to 5, where 1 corresponds to the lowest, 2 minor, 3 moderate, 4 major, and 5 the highest severity of the consequences;

c) item E takes into account the opinions of a group of evaluators who take into account the level of severity of the threat, the accumulation of risks, the factor of time, and other factors that affect the risk. The evaluation was again carried out on a scale from 1 to 5, where 1 corresponds to the lowest level, 2 small, 3 medium, 4 large, and 5 the highest.

Probability $P(t)$, Consequences $C(t)$, as well as Evaluator opinion are functions of time t . The risk severity value R was calculated according to the formula:

$$R(t)=P(t).C(t). E(t). \quad (1)$$

3. Results and Recommendation

To classify the severity (acceptability) of risks, Table 2 was used, which defines the set of resulting values calculated according to formula (1), and which defines their verbal expression and description of the severity of the risk. The index determination of the values in the closed interval (Tab. 2) is not fixed. The indicated index values were modified by a group of evaluators for the needs of the presented survey.

Risk Severity Categories

<i>R value category</i>	Risk severity	Description of risk level
1-25	Insignificant	The risk is negligible for the subject (state), there is no need to implement countermeasures, only to monitor the threat/risk continuously.
27-50	Acceptable	The risk is acceptable for the subject (state), countermeasures can be implemented by decision of the state administration, it is important to monitor the threat/risk.
60-80	Undesirable	The risk is undesirable for the subject (state), the implementation of countermeasures is necessary/important.
100-125	Unacceptable	The risk is unacceptable for the subject (state), immediate implementation of countermeasures, consider a substantial change to the system/process/management.

Source: the authors

A group of evaluators identified eight of the most serious threats out of the 20 threats assessed using the PCE method. The eight most serious threats from the implemented pandemic measures threatening the internal security of the state and its democratic foundations are shown in Table 3.

Table 3 Risks most threatening security and democracy in the Czech Republic

ID	Threat	Risk from a threat	P	C	E	R	Severity of R
1.	Threat to public health	Loss of life caused directly by the pandemic as well as insufficient care in other medical fields	5	5	5	125	Unacceptable
2.	Ad hoc Education online	A reduction in the level of education and the related reduction in human capital	4	5	5	100	Unacceptable
3.	Abuse of power, corruption	Corruption in public contracts	4	5	4	80	Undesirable
4.	Destabilization of the political situation	The fall of the government, the chaos in dealing with the pandemic	4	4	4	64	Undesirable
5.	Restrictions on services, trade and industry	Reduced incomes of legal entities and natural persons doing business; economic losses of the state, regions, municipalities	5	4	3	60	Undesirable
6.	Manipulation of public opinion	Strengthening/weakening the political power of the government or the opposition; causing distrust in the government	5	4	3	60	Undesirable
7.	Increase in extremism, sects, anti-social phenomena	Increase in crime; deterioration of the internal security of the Czech Republic	4	5	3	60	Undesirable
8.	Takeover of bankrupt businesses by foreign capital	Loss of control of the Czech Republic over its own economy	4	5	3	60	Undesirable

Source: the authors

From the results of the survey, it can be concluded that three risks with the most serious impact have been identified, which can affect the internal security of the state (CR) and its democratic foundations. The risks arose based on the ongoing pandemic and the restrictive measures taken by the government. The risks are:

1. The risk of loss of life caused directly by the pandemic as well as by insufficient care in other medical fields, which result from the threat to public health;
2. the risk of lowering of the level of education, which results from the threat of school closures, or from ad hoc online learning;
3. the risk of corruption in public contracts and subsidies, which results from the threat of abuse of power.

A map of risks can be used to present the identified risks in the undesirable and unacceptable severity category.

3.1 Recommendations

The stated recommendations are based on knowledge of the state of the problem being addressed, knowledge of professional literature, survey results, and the professional knowledge and experience of the members of the evaluation group. The proposed preventive measures aimed at mitigating the defined risks in the Czech Republic are in four areas.

1. Increasing the crisis preparedness of the state in the area of dealing with pandemics:
 - Securing adequate amount of material in stock ahead of time (e.g. injection needles, syringes, ventilators, respirators) and plans for their distribution, logistics.
 - Ensuring higher protection and more intensive care for vulnerable groups of the population (the elderly and the handicapped).
2. Increasing the resilience of the education system:
 - Introduction of disaster mitigation strategies in the field of education. Include consultations with youth and representatives of the education sector as part of emergency management and decision-making processes.
 - Providing youth workers, educators and parents with uniform and consistent formal support.
 - Extending financial support for the development of adequate technological infrastructure.
3. Increasing transparency and public control in the implementation of government measures:
 - Amendment of normative legal acts, which will enable quick but effective control of the measures taken, especially planned material purchases (e.g. in the form of the establishment of a parliamentary control commission), which are carried out in the Czech Republic without a transparent tender process when a state of emergency is declared.
4. Improving the crisis communication strategy and explaining the actions of the government and participating organizations, enabling free dialogue and limiting censorship:
 - On the part of state authorities, preventive and repressive interception of the issue of disinformation; providing a wide space to competent information that is guaranteed by the state.
 - Enabling uncensored expert and lay debate in such a way as to minimize the risk of spreading disinformation. This can reduce the threat of mass migration of free debates to the dark net.

4. Conclusions

The purpose of the contribution was to identify the most serious threats and risks resulting from the restrictive measures adopted during the pandemic. The defined risks affect democracy and the internal security of the Czech Republic.

On the basis of the identified risks with a territorial impact, it can be stated that the Czech Republic may still be affected by the pandemic both in the field of health care and in the economic and security fields. The closure of schools has long-term serious social and financial consequences for society [16-18]. For the functioning of the state, the loss of trust in the authorities, the danger of dividing society and the paralysis of state power at the moment when the government measures are not respected [2, 14, 15] appear to be a very significant threat. The urgency of responding to the crisis and the speed with which the measures were taken often led to insufficient mechanisms for accountability and monitoring of the allocation and distribution of emergency aid [19, 20]. As a result, the risks of corruption and fraud increased and the effectiveness of the rapid response of emergency management authorities and adopted measures was compromised.

For possible future emergencies, the public policy of the Czech Republic should update the system of emergency management, the system of economic measures for crisis situations, and introduce a strategy for mitigating disasters in the field of education. The knowledge and experience gained from past emergency management activities

should be actively taken into account in future activities and behavior of emergency management authorities and other interested stakeholders. Based on the feedback analysis of the facts, preventive measures, crisis plans, crisis procedures, and subsequent theoretical and practical training should be updated.

The results of the presented survey may be beneficial for future studies that seek to expand information depending on the evolution of the pandemic.

Acknowledgements

Irena Tušer would like to thank AMBIS University, Prague, for its support, and Radovan Potůček and Šárka Hošková-Mayerová would like to thank for the support of the project VAROPS; as this research work was supported by the Project for the Development of the Organization „DZRO Military autonomous and robotic systems“.

References

1. **European Economic and Social Committee.** Stand SOC/691 The impact of the COVID-19 pandemic on fundamental rights and the rule of law across the EU and the future of democracy. 2022.
2. **OECD.** The territorial impact of COVID-19: Managing the crisis and recovery across levels of government. 2021 Paris, Available online: <https://www.oecd.org/coronavirus/policy-responses/the-territorial-impact-of-covid-19-managing-the-crisis-and-recovery-across-levels-of-government-a2c6abaf/>.
3. **Engler, S., Brunner, P., Loviat, R., Abou-Chadi, T., Leemann, L., Glaser, A., Kübler, D.** (2021) Democracy in times of the pandemic: explaining the variation of COVID-19 policies across European democracies, *West European Politics*, 44:5-6, 1077-1102, DOI: 10.1080/01402382.2021.1900669.
4. **Stasavage, D.** (2020). Democracy, Autocracy, and Emergency Threats: Lessons for COVID-19 from the Last Thousand Years. *International Organization*, 74(S1), E1-E17. doi:10.1017/S0020818320000338.
5. **Douven, I., Hegselmann, R.** Mis- and disinformation in a bounded confidence model. *Artificial Intelligence*. 2021; 291, 103415. <https://doi.org/10.1016/j.artint.2020.103415>.
6. **European Parliament,** Directorate-General for External Policies of the Union, Colomina, C., Sánchez Margalef, H., Youngs, R., et al., The impact of disinformation on democratic processes and human rights in the world, European Parliament, 2021, <https://data.europa.eu/doi/10.2861/59161>.
7. **Aucejo E., French J., Araya U.P., Zafar B.** COVID-19 is widening inequality in higher education. *VoxEU.org – CEPR*. 2020, Available online: <https://voxeu.org/article/covid-19-widening-inequality-higher-education>.
8. **Hammerstein, S., König, C., Dreisörner, T., Frey, A.** Effects of COVID-19-Related School Closures on Student Achievement-A Systematic Review. *Front. Psychol.* 2021, 12:746289. doi: 10.3389/fpsyg.2021.746289.
9. **European Parliament. Policy Department for Structural and Cohesion Policies.** Directorate-General for Internal Policies. Education and youth in post-COVID-19 Europe – crisis effects and policy recommendations. 2021. PDF ISBN 978-92-846-8039-9. doi:10.2861/794039. Available online: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/690872/IPOL_STU\(2021\)690872_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/690872/IPOL_STU(2021)690872_EN.pdf).
10. **Kazanský, R.** The Definition Frame of the Conflict of the Crisis Management in the International Relations. In: Tušer, I., Hošková-Mayerová, Š. (eds) *Trends and Future Directions in Security and Emergency Management. Lecture Notes in Networks and Systems*, vol 257. 2022, Springer, Cham. https://doi.org/10.1007/978-3-030-88907-4_5
11. **Lánská K.** Zavřené školy během covidové pandemie budou mít vliv na budoucí ztráty v příjmech současné mladé generace. (Closed schools during the covid pandemic will affect future income losses of the current young generation.) *EDUin*. 2022. Available online: <https://www.eduin.cz/clanky/zavrene-skoly-behem-covidove-pandemie/>. In Czech.
12. **World Health Organization.** Health and Well-Being. 2018. Available online: <https://www.who.int/data/gho/data/major-themes/health-and-well-being>.
13. **Robinson, J. A.** Economic Development and Democracy. *Annual Review of Political Science*. 2006; 9:503-527 <https://doi.org/10.1146/annurev.polisci.9.092704.171256>.
14. **Lewkowicz, J., Woźniak, M., Wrzesiński, M.** COVID-19 and erosion of democracy. *EconomicModelling*. 2022; 106, 105682. <https://doi.org/10.1016/j.econmod.2021.105682>.
15. **Crabu, S., Giardullo, P., Sciandra, A., Neresini, F.** Politics overwhelms science in the Covid-19 pandemic: Evidence from the whole coverage of the Italian quality newspapers. *PLoS One*. 2021 May 20;16(5):e0252034. <https://doi.org/10.1371/journal.pone.0252034>.
16. **Koudelka, C., Vrána, V.** Rizika a jejich analýza. (Risks and their analysis). 2006. VŠB-TU Ostrava, Available online: <http://feil.vsb.cz/kat420/vyuka/Magisterske%20nav/prednasky/web/RIZIKA.pdf>. In Czech
17. UNESCO, International Association for the Evaluation of Educational Achievement (IEA). The impact of

the COVID-19 pandemic on education: international evidence from the Responses to Educational Disruption Survey (REDS). Meinck, Fraillon, Strietholt (Eds.), 2022; p. 224, ISBN 978-92-3-100502-2. Available online: <https://unesdoc.unesco.org/ark:/48223/pf0000380398>.

18. **Collective of authors.** Krize a příležitosti. Ekonomické a sociální dopady epidemie Covid-19. (Crisis and opportunity. Economic and social impacts of the Covid-19 epidemic.), Rosa Luxemburg Stiftung e. V., 2020. p. 120, ISBN 978-80-907997-1-4. In Czech
19. **Vagaská, A., Račková, P., Jekl, J.** Key dimensions of an innovative approach to the teaching of mathematics at technical universities (in SK and CZ). In: ICERI2021 Proceedings. Online Conference: IATED, 2021, vol. 14, p. 9995-10002. ISSN 2340-1095. ISBN 978-84-09-34549-6. doi:10.21125/iceri.2021.2374
20. United Nations; Sharm El-Sheikh. Crises and Corruption: Emergency Responses during Covid-19. Experiences and Lessons Learned. 2021.
21. **Bekesiene, S., Meidute-Kavaliauskiene, I., Hoskova-Mayerova, S.** Military leader behavior formation for sustainable country security. Sustainability, 2021, 13(8), 4521. doi:10.3390/su13084521
22. **Tušer, I., Hoskova-Mayerova, S.** Trends and Future Directions in Security and Emergency Management. Cham: Springer Nature Switzerland AG, 2021, 403 p. <https://doi.org/10.1007/978-3-030-88907-4>