

COVID-19 and governance in the Global South

The role of power distribution in redefining the social contract

Opinion piece

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SOUTHERN VOICE

Southern Voice is an open platform for think tanks, comprising 59 Think Tanks from Africa, Latin America & Caribbean, and Asia. It contributes to the global dialogue on the Sustainable Development Goals (SDGs). Its ultimate aim is to address the existing 'knowledge asymmetry' and 'participation deficit' in the dialogue on development. It does this by producing, promoting, and disseminating evidence-based policy analysis by researchers from Global South countries.

UNDP's Oslo Governance Centre (OGC), works closely with UNDP central and regional bureaus in New York headquarters and other relevant UN bodies in strengthening the overall analytical and learning ability in the area of governance and peacebuilding. Our focus includes human development, democratic governance and conflict prevention to support policy development and applied research, with an overarching focus on democratic governance and peacebuilding in crisis, conflict and transitional contexts.

INTRODUCTION

There is no doubt that the COVID-19 pandemic has highlighted the importance of governance arrangements, both nationally and globally. The varying effectiveness of the pandemic response across countries and regions has depended largely on the capacity of societies to reach agreements and follow them collectively. We have seen the relevance of the quality of governance across different levels (global, national, and local) and among different actors (public, corporate, etc.) impacting both the short-term response to this crisis, and the long-term achievement of the 2030 Agenda.

With this in mind, Southern Voice and UNDP's Oslo Governance Centre joined forces to drive a conversation across the Global South on the emerging trends on governance during the pandemic, and the implications for SDG 16 and the 2030 Agenda more broadly. This collaboration translated into policy roundtables across Africa, Asia, Latin America, the Arab region, and Europe and the Commonwealth of Independent States (ECIS), as well as an online consultation on the SDG 16 Hub. These conversations touched on a diverse range of issues on peace, justice, and inclusive institutions. Throughout the different consultations, we identified an underlying concern: the pandemic has exacerbated the unequal distribution of power.

Reflecting on the discussions of governance in global development discourse, we see how it is usually analyzed through the lenses of concrete techniques and approaches that can improve the relationship between governments and citizens. These include, for example, strategies

to increase transparency, accountability, participation, or state capacity. But what is increasingly apparent is that a more fundamental structural change is needed to address the multiple and overlapping

»The pandemic has highlighted the need to unpack the meaning of strong institutions. A paradox seems to emerge: strong institutions that can implement policies swiftly in response to crises are essential but, at the same time, too much power that can be abused has been detrimental.«

crises facing the world today. Addressing inequality must be at the heart of development, as the redistribution of power and resources is necessary to rebuild the social contract and restore trust and legiti-

macy of the state. In this context, the focus of the UN Secretary-General's report, "Our Common Agenda" (United Nations, 2021), highlights the need to renew the social contract grounded on human rights. After all, these fundamental societal agreements between people and the state are the foundation for all forms of governance.

ANALYZING POWER DYNAMICS IS ESSENTIAL FOR A NEW SOCIAL CONTRACT

We recorded similar narratives across all regions. COVID-19 is revealing extreme inequalities and resulting in a dangerous imbalance in the distribution of power within societies. We refer to power here as the capacity to influence others; that could be states, groups or individuals. Findings from the studies we conducted on the COVID-19 pandemic and governance in the Global South (UNDP & Southern Voice, 2022) make apparent the importance of democratizing political power in responding to global health emergencies. Across the Global South the pandemic exacerbated or highlighted existing power imbalances. There was friction between the executives and legislatures regarding pandemic laws; in some cases, in Latin America the legislature and judiciary were able to check the excesses of the executives. In other countries, where independence of legislative or judicial institutions was weak, governments were able to exploit pandemic-related measures to consolidate their power. The imbalance of power also enabled corruption, for example, in the enforcement of pandemic procedures and rules, and in the equitable access to social protection measures. This hampered the effective handling of the pandemic and the

mitigation of its effects on society. These abuses of power had disproportionate effects on lower income groups and marginalized populations, as they felt the brunt of the economic consequences and, at times, faced violent enforcement of lockdown restrictions. In response, across all regions, different forms of civil unrest and social movements emerged as citizens protested the imbalance of power, abuse of authority, rising inequality, lack of social protection, and widespread corruption as confidence in the ability of governments to deliver in the interest of the population diminished.

To maintain the balance of power and further cooperative and collective action in pandemics and beyond, action must be taken at three different levels: the multilateral system, national institutional arrangements and the inclusive participation of individuals.

MULTILATERAL ARRANGEMENTS THAT PROVIDE POLICY SPACE TO NATIONAL GOVERNMENTS

The Our Common Agenda Report rightly highlights that a social contract is built at the local and national levels. It is not something that can be imposed top-down. Consequently, the Secretary-General highlights, "I will therefore mobilize the whole United Nations system to assist countries in support of a renewed social contract, anchored in human rights." (United Nations 2021, p.220). In practice, this entails creating policy space and strengthening regional and global spaces that promote human rights. Other global governance spaces, such as the G20, can also provide policy space to promote the renewal of a more inclusive and just social contract, to ensure that it is effective.

The issue of a lack of policy space for governments to operate during the pandemic came out clearly in the dialogues hosted over the last year. The concept of policy space has been used to describe the tensions, particularly in trade, between global agreements and national policies. Participants highlighted how, in the Global South, governments' capacity to respond with fast and substantial investments to the pandemic was limited by the lack of fiscal space due to lack of access to international financing or increasing debt. International trade rules proved inadequate to support developing countries in accessing medical equipment and vaccines. In other words, the global norms had a direct impact on how well governments were able to react. Multilateral arrangements that support a new social contract, are those that provide governments the policy space to respond to the needs of their citizens, including setting up early warning systems to enable countries to act and put in place resources for social policies to address the national-level fallout of global crises.

While the policy space at the international level remains important to enable inclusive and responsive governance, promoting accountability mechanisms at the regional and global levels can also be effective to curb abuse of authority. Strengthening international mechanisms such as the Human Rights Council and regional human rights bodies to hold national actors to account for violation of human rights and abuse of power in the context of the pandemic may be needed (Mthembu, 2021). Further, in the dialogues it was suggested that engagement of civil society organizations and national human rights

»On the one hand, policy space remains important to enable good governing. On the other hand, independent regional and global actors that can demand accountability from governments ensure that there is no abuse of power.«

mechanisms be increased with a particular focus on addressing the priorities and including the participation of vulnerable communities. To this end, we emphasize the urgency of increasing local and global support toward human rights defenders, many of whom have been at the frontlines of demanding accountability for abuses and calling for a more inclusive and just pandemic response.

INSTITUTIONS THAT BALANCE POWER IN SOCIETY

SDG 16 promotes peace, justice, and strong institutions. The pandemic has highlighted the need to unpack the meaning of strong institutions. A paradox seems to emerge: strong institutions that can

implement policies swiftly in response to crises are essential but, at the same time, if sufficient oversight measures are not in place, the risk remains that strong institutions can easily abuse power and may not necessarily cater to marginalized and vulnerable populations. What are the characteristics of strong institutions that promote a balanced distribution of power in society?

»After the pandemic, and with the objective of a new social contract, the re-balance of power in governance is needed.«

First, they must be institutions that do not abuse their legitimate power. The discussions across different regions highlighted how some governments have exploited the pandemic to put in place measures to secure their own power and prevent freedom of assembly and dissent. Furthermore, in some regions, there is concern that the pandemic response has been highly securitized: from the language used to the tactics applied such as the use of security forces in the implementation of curfews and use of surveillance technology (UNDP & Southern Voice, 2022). In the short term, all these abusive strategies re-

duce the efficacy of public policies put in place to control the pandemic. In the long term, it erodes public trust in governments and the rules it puts in place.

At the national level, there is a need to strengthen institutions within and outside governments that provide checks and balances for the use of power by the executive. This includes a strong legislature and independent judiciary. In Latin America, despite attempts by the executive to consolidate power in several countries, in most countries the legislative and judiciary were able to keep the executive in check (UNDP & Southern Voice, 2022). External bodies such as human rights commissions and other independent oversight bodies to check governments' actions are also critical. These institutions must remain functioning even throughout crises.

Second, decentralized institutions are less likely to be able to abuse power since different roles and responsibilities are shared between different levels of government. In large countries with federal systems, subnational authorities are often better placed to put in place local-level pandemic response measures that reflect the concerns and priorities in the location. Local authorities, at times, were also effective in counterbalancing executive power by questioning and challenging centralized decisions that were not in the interest of local populations. Furthermore, decentralized institutions have proven better at responding to the needs of communities during the pandemic and providing needed health and social services. For example, India reached millions through a vast network of rural local bodies (called *gram panchayats*) and frontline public officials (Kapur, 2021). Subnational institutions can

play an important role in building trust in the public sector within society as they are often the ones most directly in contact with the population.

Finally, strong institutions are those that are less vulnerable to corruption and capture by elites. The corruption scandals regarding the management of COVID-19 resources along with government shortcomings in implementing social services have reinforced perceptions of a distant State, run by a privileged elite (UNDP & Southern Voice, 2022). In summary, strong institutions are those that are resilient during crises and are able to effectively respond to their population, upholding good governance principles of transparency, inclusion and participation so that power is shared and there is sufficient oversight in place to ensure accountability.

EXPLICIT AND INTENTIONAL INCLUSIVE INSTITUTIONS

While the previous two sections have highlighted the importance of systems both at the national and global levels, a people-centered approach remains critical. At the heart of the social contract is the relationship between people and how power is organized. Without adequate representation and participation in decision-making spaces of different population groups, an inclusive social contract is not feasible. As we see increased polarization across all regions and countries, inclusive governance approaches promoting tolerance and solidarity become even more needed.

The regional dialogues highlighted that COVID-19 restrictions had a disproportionate impact on marginalized populations and excluded many lower income populations, especially daily income earners.

When governments criminalized non-compliance with COVID-19 measures, these groups were especially affected (Zagmutt and Bohmer, 2021). The restrictions also particularly affected women, who make up a large part of the informal work sectors. In addition, the pandemic placed an additional burden on care responsibilities which was for the most part absorbed by women. Additionally, for many governments it has proven difficult to provide social protection to everyone. In Asia, undocumented persons and migrant workers are a key demographic that suffered from additional discrimination and marginalization during the pandemic (UNDP & Southern Voice, 2022). These are just two examples to illustrate that when policies are not intentionally inclusive, they can have discriminatory outcomes. A critical step to address this would be to ensure that participation of youth, women, and marginalized groups are included in all levels of policy making and that avenues for increased public participation is built into governance processes

Furthermore, the pandemic has shown us the increased importance of digital spaces to promote political participation. For example, to circumvent restrictions on public physical gathering, people sought out online platforms to exercise their freedom of association, assembly and expression. However, these digital spaces are not inclusive by design either. Disparities among different population groups in access to digital spaces could also be seen as "a tool of social and political exclusion" (UNDP & Southern Voice, 2022). As more governance processes and means of public engagement and participation in political processes become digital, equitable ac-

cess to technology and digital capabilities are essential to ensure inclusive participation and prevent disenfranchising those on the other side of the digital divide.

CONCLUSION

The pandemic has served to refocus our attention on the interconnectedness of the world across countries and communities and to recognize that to effectively recover from this pandemic, we need to address inequalities: economic, social and political inequalities. This requires a rebalancing of power and renewing of the social contract. To implement changes in this direction, we must think at both a systemic and individual level. Multilateral institutions must provide sufficient policy space to countries

so that they can put in place effective policies that respond to the needs of citizens, and that respond to crises promptly. At the national level, governance institutions should strengthen systems promoting the distribution of power at all levels – from decentralization of authority to systems of checks and balances. But strengthening institutions is insufficient if these institutions are not truly inclusive, promoting participation and representation of different groups. To correct the grave imbalance of power seen across all regions as they face multiple waves of the pandemic, it is clear that policy decisions must explicitly seek to address inequality and exclusion, both in terms of the process of design as well as in the outcomes.

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