Download date: 16. okt.. 2026

Danish Institute for International Studies

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Fejerskov, Adam Moe; Lang, Johannes

Publication date:
2020

Document Version
Publisher's PDF, also known as Version of record

Link to publication

Citation for pulished version (APA):
Fejerskov, A. M., & Lang, J. (2020). *War on the virus: Military responses to COVID-19*. Danish Institute for International Studies (DIIS). DIIS Policy Brief Vol. 2020 No. December

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WAR ON THE VIRUS

Military responses to COVID-19 challenge democracies and human rights around the world

Countries across the globe have mobilised security forces to counter COVID-19, but such militarised pandemic responses threaten the security of civilians and pose challenges to democracy.

'We're at war', French president Emmanuel Macron declared in March, as he ordered the closing of the country's borders and told people to stay at home in response to the pandemic. The language of war conveyed the seriousness of the situation, calling on all of society to unite in the face of a major crisis. But talking about and reacting to the ongoing pandemic as a war has also had the effect of turning a public health crisis into a matter of national security.

MAIN FINDINGS

- When governments articulate the COVID-19 response as a 'war', they effectively turn a global public health crisis into an issue of national security.
- Granting armed forces a leading role in pandemic responses may challenge the legitimacy of other public institutions and of the armed forces themselves.
- The urgency of involving armed forces in COVID-19 responses means that mechanisms of audit, accountability and democratic oversight are not always upheld.

More than words

The war metaphor is not merely rhetorical. Both in democracies like France and in authoritarian states like China, healthcare systems and police forces were initially overwhelmed in their attempts to cope with the number of patients and enforce measures to keep infection rates down. Many governments looked to their militaries and security forces for support. Military commanders responded by declaring a 'war against COVID-19', arguing that the world's armed forces should take 'a lead role in containing it'. An American military advisor told Fortune magazine that 'we need to fight coronavirus like we fight insurgents on the battlefield'.

provision of civilian public (health) services, activating emergency capabilities in delivering food aid, constructing and running field hospitals, as well as producing and distributing personal protective equipment. The US Army Corps of Engineers constructed field hospitals at a cost amounting to $660 million during the initial wave of COVID-19. Likewise, the National Guard was deployed to support food banks and the delivery of food aid across the US. In many African countries, armed forces have taken the lead in setting up and running testing stations, thereby blurring the line between civilian and military domains in the provision of public services.

> The militarised response is not just a matter of equipment and logistics but is also about how governments engage with the public.

In many places the deployment of the military has greatly enhanced the operational effectiveness of testing and the organisation of pandemic responses. But declaring the pandemic to constitute a state of emergency or calamity provides the legal basis for mobilising security forces and imposing severe restrictions on the personal freedom of movement and the right to assemble. In states with more authoritarian systems, from China and the Philippines to several African countries, this securitisation and militarisation of the COVID-19 response has offered an opportunity to silence political dissent or violently push back against popular demonstrations. In young democracies with an authoritarian bent (such as, for instance, Mozambique), the militarisation of the pandemic response risks reversing recent democratisation processes. But more established democracies should also be alert to how articulating the pandemic as a national security threat and authorising the military to enforce government policies might damage the transparency and legitimacy of government actions.

The expanding scope of military action

The securitisation and militarisation of the COVID-19 response has been apparent in at least three areas. First, security forces have assumed larger roles in the

Second, armed forces working with police have enforced lockdowns and social distancing, implemented containment strategies, and provided supply chain security. During the spring of 2020 more than 2.5 billion people were affected by some form of lockdown. In France more than 100,000 military and police personnel enforced near-total lockdowns, with similar situations occurring across the world, including in India and Kenya. Many of these curfews have occurred in contexts where people need to leave home to work. In the Philippines, President Duterte announced that those breaking the lockdowns 'would be shot'. In South Africa 230,000 lockdown-related arrests were made between March and May, and 11 citizens lost their lives due to these police actions. Police brutality was also reported in other countries, for example Kenya, Nigeria and Mozambique.

Third, the pandemic has seen a rapid conversion of security technologies for use in the tracking, monitoring and mitigation of COVID-19. The US Joint Analytic Real-time Virtual Information Sharing System, or JARVISS, developed to target criminal activity around army installations, is now being used to track the spread of COVID-19 and monitor the impact of the virus on installation readiness, training and recruiting. In Israel, where there have been calls for putting the

Israeli Defence Forces in charge of handling the pandemic, the government has approved emergency regulations allowing mass location tracking of citizens as part of the national effort to slow the pandemic. The mandate to do so was assigned to Israel's domestic security agency. In Pakistan, the Inter Services Intelligence directorate's system for tracking and tracing suspected terrorist activity (combining telecommunications and intelligence services) is being used in COVID-19 case tracking.

Prominent voices in the US military admit that disease control has not been a focus area for the Pentagon or other large militaries around the world. The former supreme allied commander of NATO James Stavridis writes that 'we did virtually nothing to prepare for a large medical epidemic'. In his view, militaries should look at the corona virus as a wakeup call that fundamentally expands the concept of what constitutes a national security threat and the mandate of security forces in response to such threats, particularly at the domestic level. Thus, the militarisation of the pandemic response has also begun to transform militaries themselves and the way they view and act in the world.

A 'pandemic of repression'

The legitimacy of politically imposed restrictions is crucial if countries are to steer their way through the pandemic. Yet the decision to expand the powers of militaries and security agencies (by granting them the authority to enforce curfews or increase surveillance, for instance) might weaken the perceived legitimacy of the government response. Any disproportionate use of force, restriction on civil or human rights, or treatment of public health services in terms of 'command-and-control', 'biosecurity' and 'protection' puts a strain on civil–military or community–police relations and might undermine public trust and the legitimacy of the imposed restrictions.

The urgent transfer of authority to security institutions or the armed forces also reduces the transparency and accountability of government actions when they make civilian and parliamentary oversight difficult or impossible. Numerous countries in Latin America and Africa have seen corruption in the immediate aftermath of the huge influx of funds that occurred as armed forces were tasked with procuring equipment and providing logistical support to public health services. Moreover, many political decisions during

Residents look at soldiers guarding a street in Cali, Colombia during a curfew imposed in red-zone neighbourhoods due to high numbers of COVID-19 cases. Luis Robayo/AFP/Ritzau Scanpix

the pandemic have been made unilaterally by governments, including decisions to expand the legal use of force. As a minimum, transparency is about communicating what the authorities are doing and why they are doing it, and providing public information on justifications and exit strategies.

Transparency is also at stake when security authorities are tasked with tracking and tracing COVID-19. Can citizens be sure that the wealth of data involved in this effort is not being abused? Security authorities and intelligence agencies already use private data from mobile phones, bank accounts, health databases, etc. for surveillance and other purposes far removed from the original intentions behind the collection of the data. These practices, along with data maximisation efforts (in both the collection and handling of data) and the transfer of data to defence authorities, contradict privacy principles against the cross-use of data. The pandemic intensifies this existing concern with privacy and personal security, including physical security. On numerous occasions during the pandemic, governments have deployed security forces disproportionately to marginalised communities, which has increased the criminalisation of poverty and homelessness in a time of lockdown. This pattern has repeated itself in several low- and middle-income countries, including India, Nigeria and Rwanda, during what has been dubbed a 'pandemic of repression'.

Temporary response or precedent for the future?

The post-pandemic effects of these developments are still uncertain, but the current militarisation of the COVID-19 response risks doing long-term harm to both public health and human rights, potentially solidifying authoritarian practices. The militarised response is not just a matter of equipment and logistics but is also about how governments engage with the public; it is not just about the expanded legislative room for militaries and law enforcement to manoeuvre in, but also crucially about how this legislation is enforced and translated into action. The urgency of the situation has, broadly speaking, led to open-ended mandates, often without transition plans for military disengagement, without strong mechanisms of audit in place, and without accountability and democratic oversight. The protracted nature of the crisis might cement some of these new practices and could set a precedent for the future. The danger is that governments might institutionalise some of the troublesome developments and that the effects will be felt long after the end of the pandemic.

Authors: Senior Researcher Adam Moe Fejerskov admo@diis.dk & Senior Researcher Johannes Lang jla@diis.dk

Cover photo: Soldiers from the 4th Military Region of the Brazilian Armed Forces take part in the cleaning and disinfection of the municipal market in Belo Horizonte, amid the COVID-19 coronavirus pandemic. Douglas Magno/AFP/Ritzau Scanpix