

FORMS OF PROTEST IN LATVIA DURING THE PANDEMIC VERSUS THE ACTIVITY OF THE POLICE*

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Abstract. The COVID-19 pandemic, which broke out on an unprecedented scale in 2020, forced the public authorities to impose a series of restrictions and limitations on constitutional rights and freedoms, which provoked strong reactions, particularly in the democratic world, and encouraged social unrest. The speed of the measures, their scope and the degree of negligence, which undoubtedly affected the lives of millions of people, strengthened social resistance. *The research problem* in this paper concerns the influence of the pandemic-related restrictions introduced in Latvia on the mobilisation and demobilisation of demonstrators and the evaluation of the methods used by the Latvian police in the conditions of civil disorder caused by these restrictions. *The aim of this paper* is to examine the violent acts committed by the demonstrators and the forms of protest they used, as well as to analyse the actions of the officers of the services responsible for securing the demonstrations. The author sought answers to two main research questions: What actions did demonstrators take during the pandemic in Latvia? How did the security services ensure the safety of the demonstrations and what methods did they use? *The study used* institutional and legal analysis as well as qualitative source analysis. It also used the method of content analysis, mainly of messages and announcements related to the behaviour of protesters and law enforcement agencies during the period in question.

Key words: Latvia, police, pandemic, protests, civil disorder.

JEL Classification: H76, H80

1. Introduction

During the pandemic, thousands of people around the world took to the streets to protest against the closures announced by governments. The successive waves of demonstrations were a response to government regulations restricting constitutional rights and freedoms (including mandatory vaccination against COVID-19), the main aim of which was to find an effective method of dealing with this unprecedented public health crisis (Furman et al., 2020; Rak, 2021, p. 17–23). The main research problem addressed by the author concerns the impact of restrictions imposed by the Latvian government on the mobilisation and demobilisation of protesters. The author also assesses the extent of violent behaviour on the part of the demonstrators. The aim is to analyse the forms of protest used by the demonstrators and the actions of the security forces to ensure the safety of the demonstrations. It is also worth reflecting on the nature of public protests and the methods used by the Latvian police, and assessing the strategy,

tactics and options for action in the context of public unrest caused by pandemic-related restrictions.

According to Jennifer Earl, "repression of social movements refers to attempts by groups, individuals or state actors (e.g., military, national and local police) to increase the costs associated with participation in social movements or otherwise restrict social movement activity against social movements." However, as she points out, unjustified and too frequent repression can be counterproductive and lead to an intensification of the activity of these movements. Equally dangerous, according to Earl, is the fact that the escalation of repression during demonstrations leads to the radicalisation of social attitudes and has a negative impact on civil liberties (Earl, 2013; Rak, 2020, p. 189–203). It should also be emphasised that the scale of protests is also determined by the way in which the government communicates with society. When the authorities draft legal regulations that imply the introduction of certain restrictions in the sphere of constitutional

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rights and freedoms, the way they communicate them to the public contributes to the escalation or de-escalation of protests. As R. Kwećko points out, "information contains a specific form of energy formulated in its material representation." (Mazur, 2013, p. 317–319) The forms of media communication used affect one's sense of security or threat. Governments that use the power of mass media, especially in the pre-election period, should be aware that the media help to identify the most pressing and topical issues at home and abroad. In addition, mass media can influence citizens' worldviews, attitudes, social roles and political preferences, and consequently the choices they make (Mazur, 2013, p. 317–319).

2. Rights and freedoms in Latvia in the pandemic era

Latvia is a parliamentary republic in which democratic power is balanced between the unicameral Parliament (*Saeima*), the head of state (the President), the executive (the Cabinet) and the judiciary. The directly elected *Saeima* chooses the President. On 12 March 2020, the Latvian government declared a state of emergency in response to the growing threat of a pandemic, in accordance with the 2013 Law on Emergency Situations and States of Exception (2013). According to Art. 4 (1) of the Law, the state of emergency is "a special legal regime during which the Cabinet has the right to restrict the rights and freedoms of the state administration and local government authorities, natural and legal persons, and to impose additional obligations on them." The government therefore decided to introduce a series of prohibitions and restrictions on civil rights and freedoms, on the grounds of public safety. Their main aim was to contain the transmission of the coronavirus. They included restrictions on public gatherings, travel, the functioning of state institutions, schools, shopping, health care, churches, etc. The state of emergency was regulated by two other laws: the Civil Protection and Disaster Management Act (2016), which defines the competence of the system of civil protection and disaster management subjects, and the Epidemiological Safety Act (1997). The state of emergency was lifted in April 2022, although a number of restrictions remained in place.

Prime Minister Krišjānis Kariņš justified the need for the state of emergency by saying that "it is necessary to ensure that our health service can continue to provide quality services to people, it is necessary to ensure that young people can continue their education, it is necessary that our economy continues to function. That's why we need to do everything we can to limit the spread of the disease." (Latvian Public Broadcasting, 2020a).

As S. Olsen, M. Birģelis and L. Kadile point out, during the pandemic no amendments were made to the Latvian Constitution that would significantly change the constitutional system of the state, especially with regard to changing the rules of cooperation between state authorities. It should be noted, however, that the pandemic situation "triggered tensions regarding the division of powers between the executive and the legislature, leading to discussions on the reintroduction of a modified version of Article 81 of the *Satversme*. In the past, this article gave the government the right to issue legislative decrees between sessions of the *Saeima*, but it was removed from the constitution more than a decade ago because such powers were being abused and exercised without the necessary justification." (Olsen, Birģelis, and Kadile, 2021) According to the above-mentioned scholars, "the executive's legislative powers played a significant role in dealing with the COVID-19 crisis. These powers are reflected in Cabinet Orders and Regulations. Cabinet Order No. 103 and Cabinet Order No. 655 included restrictions on the free movement of individuals, private events and meetings, the operation of cultural, exhibition and religious sites, beauty treatment and retail services. In addition, Cabinet Order No. 103 further empowered the Minister of Health to restrict access to health services, although this regulation was later criticised for violating the principle of legality." (Olsen, Birģelis, and Kadile, 2021)

The Constitution of the Republic of Latvia guarantees the freedom of peaceful assembly. According to Art. 103 of the Basic Law states that "The State shall protect the freedom of peaceful assemblies, street processions and pickets, announced in advance." (Constitution of the Republic of Latvia, 1922) In addition, Latvian law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the legality of his or her arrest or detention before a court. The government generally complied with these requirements during the pandemic (The Constitution of the Republic of Latvia, 1922, Art. 90–94).

According to S. Olsen, M. Birģelis and L. Kadile Cabinet, Order No. 103 stipulated that all public events, including meetings, processions and pickets, were prohibited (Regarding the Declaration of the Emergency Situation, 2020a). Informal gatherings, initially limited to 50 people, will also be banned from 25 March 2020, except for outdoor funerals and christenings in special cases (Regarding Declaration of the Emergency Situation, 2020a). From 12 May 2020, prearranged events up to 25 participants allowed (Regarding the Declaration of the Emergency Situation, 2020a). Under Order No. 655, adopted on 6 November 2020, public outdoor events such as fireworks, meetings, processions

and pickets were banned from 30 December 2020 to 6 April 2021 (Regarding the Declaration of Emergency Situation, 2020b). In turn, Regulation No. 360, entitled Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection, adopted on 9 June 2020, modified the previous rules and, from 7 April 2021, private outdoor gatherings of 10 people from two households and processions and pickets of 10 people were permitted (Epidemiological Safety Measures for the Containment of the Spread of COVID-19 Infection, 2020).

In Latvia, the State Police and municipal police forces share responsibility for maintaining internal security. The State Border Guard, the Armed Forces, the Defence Intelligence and Security Service, the Office for the Protection of the Constitution, the State Security Service and the National Guard are responsible for external security, but they also have some internal security responsibilities.

The Latvian Ombudsman, Juris Jansons, referring to the principles underlying the new COVID-19 regulations in the context of civil rights and freedoms, pointed out that the legislator should ensure a balance between individual and collective interests. He believes that the Law on the Management of the Spread of COVID-19 infection raises concerns in this regard (Baltic News Network, 2021a; Olsena, Birģelis and Kadile, 2021).

Reports on respect for civil rights in 2020–2021 show that the Latvian government has generally respected the constitutional right of assembly. However, it should be noted that some additional restrictive legislation was adopted during the pandemic. For example, organisers of demonstrations had to notify the authorities 10 days in advance. Authorities could issue permits for demonstrations within 24 hours if longer notice was "reasonably impossible". Officials could refuse or modify permits to prevent public disorder. As a result of the COVID-19 pandemic, the government introduced several temporary restrictions on public gatherings, which varied according to the perceived risks (United States Department of State, 2020, 2021).

3. Forms of protest

There is no doubt that proper risk assessment and de-escalation measures by the police help to maintain peace and order during protests. Anne Nassauer identifies four measures that can be used to calm emotions and keep demonstrations peaceful.

These include:

– full communication and effective police management;

– respecting territorial boundaries;
 – avoiding signs of escalation;
 – proper recognition of the emotional dynamics of outbreaks of violence (Nassauer, 2015, p. 132–152; Ellefsen, 2021, p. 87–108).

An analysis of media reports shows that during the pandemic, the largest demonstrations took place in the country's capital and were organised in response to the restrictions introduced by the government. It should be noted that the second wave of protests escalated. The sense of fatigue caused by the restrictions increased the frequency of street protests. Prolonged lockdowns and new COVID-19 regulations, such as the right of employers to dismiss workers without a valid COVID-19 vaccination certificate, triggered social unrest.

It should be noted that the riots took different forms. To illustrate the nature of the demonstrations, the author, following Kamila Rezmer-Płotka (2022, p. 58–59), has adopted the following division of the protesters' actions:

Blockade of key points, buildings, roads, etc.

People gathered in front of the government building in Riga to protest against the imposition of the state of emergency in spring 2020. In the autumn of the same year (6 November 2020), demonstrators in the centre of the capital waved banners with slogans such as "No to Emergency", "Emergency or Coup?", "Police State – No!". (Latvian Public Broadcasting, 2020b).

Demonstrations in front of the headquarters of important institutions, combined with verbal calls for protests.

On 4 August 2021, an opposition MP, Aldis Gobzems, issued a public call for residents to protest against the government's amendments to the law on controlling the spread of the COVID-19 infection. The residents gathered in front of the Saeima building, then stopped at the Freedom Monument and later went to the Government building (Baltic News Network, 2021b). It should be added here that in 2021 the Latvian police fined 2,350 people for organising unauthorised public protests against possible compulsory vaccination measures, such as the demonstration on 13 December 2021 (Baltic News Network, 2021b).

Cooperation with other protest groups.

The demonstration against compulsory vaccination organised by activists of a new party – Latvia First (LPV) – in Old Riga on 19 August 2021 was joined by members of the new Slesers party. With 5,000 participants, it was reported to be the largest demonstration in Latvia since 2009 (Euronews, 2021; The Baltic Times, 2021).

On 18 September 2021, a well-known Latvian politician and businessman, Ainārs Šlesers, organised a demonstration attended by 1,000 people. The demonstrators called on Latvians, Russians,

Christians, right-wingers and left-wingers to unite in the fight for voluntary vaccination. Slogans such as "Freedom!" and "We are the power!" were raised, and the current authorities in Latvia were told to leave (Baltic News Network, 2021c).

Pickets.

On 15 December 2020 a picket against the COVID-19 restrictions was held in Riga (Latvian Public Broadcasting, Klūga, 2020).

Protests related to violation of traffic rules or unauthorised use of an audible signal and slowing down road traffic, e.g., the demonstration in Riga on 14 December 2020 (Baltics News, 2020).

Protests organised by internet activists.

On 20 March 2021, members of some Facebook groups, such as *Tautas Varas Fronte online* (People's Power Front online), held a demonstration in the centre of Riga. There were several hundred participants and the leader of the protest was activist Valentins Jeremejevs, who had previously been arrested for spreading fake news about COVID-19 (Spundiņa, Latvian Public Broadcasting, 2021).

Petitions, lawsuits and acting in more formalised structures.

A petition to allow hairdressers and other beauty professionals to return to work; a lawsuit by the Book Publishers' Association, which led to the reopening of bookshops in Latvia) (Rfi, 2021).

Performance protests.

On 18 February 2021, "Haircuts on ice" in Latvia to protest against COVID-19 related bans (Inquirer.net, 2021).

4. Police action against the demonstrators

It should be emphasised that effective policing in crisis situations should be based above all on peaceful forms of communication and cooperation. As Karl A. Roberts, Brendan J. Cox, Auke Van Dijk and Brandon del Pozo point out, the recommended steps include "Engaging with the public in a friendly and supportive manner, explaining the health rules and why they are needed, and encouraging individuals to comply. Enforcing the rules through various sanctions is seen as a last resort and is only used when other persuasion methods fail." (Roberts et al., 2021, p. 4)

Demonstrations in response to the introduction of pandemic-related restrictions in Latvia were of a more peaceful nature. The police used information campaigns to encourage people to stay at home. In contrast, COVID-19-related regulations introduced in some other European countries, which give police enormous powers to unduly restrict protests and provide for draconian penalties for violations, sparked large demonstrations in Austria, Belgium, Croatia, Italy and the Netherlands. Some protests

turned violent, leading to dozens of arrests and injuries among demonstrators. Such drastic events were not observed in Latvia (Amnesty International, 2022).

However, it should be noted that the police recorded some incidents of smashing the window of a police car and lighting firecrackers, as well as alcohol abuse (Latvian Public Broadcasting, 2021).

The police mainly used fines to punish protesters, but also arrested the most active demonstrators. The police tended to use persuasion rather than security measures such as tear gas, water cannon, pepper gas or truncheons. Repressive measures included arrests, the construction of barriers and blockades, and the imposition of fines – on 14 December 2020, around 100 people were fined, and the maximum fine allowed by law could reach up to 5,000 euros (Baltics News, 2020). The non-repressive measures taken by the Latvian police, on the other hand, included: surveillance, cooperation in organising protests with their leaders, patrolling the streets, encouraging people to stay at home by informing them about the dangers related to the transmission of the virus, communicating with the protesters in order to reduce the level of emotion, and spreading the information that "the police are recording what is happening with technical means and will accordingly assess any violations of the epidemiological restrictions." (Spundiņa, Latvian Public Broadcasting, 20/21)

The State Police stated that they saw a high risk of provocation and escalation of violence in these events and reminded that it was important to observe all epidemiological safety rules and warned that they would assess the responsibility of the organisers (The Baltic Times, 2021). The police warned against "deliberate gatherings during the state of emergency without considering the risks of COVID-19, which is an administrative offence. According to Section 225.1 of the Criminal Code, violation of restrictions and prohibitions imposed during a state of emergency is considered a criminal offence if it causes major damage." (Baltic News Network, 2021d).

It should be emphasised that, despite well-designed procedures for securing demonstrations, some escalation could not be avoided. As a result, criminal proceedings were initiated for assaulting a police officer during a protest. In addition, a number of minor incidents were reported, including a smashed police car window and firecrackers (Baltics News, 2021).

At media conferences, police representatives stated that the police were strictly against activities where the number of participants exceeded the number considered epidemiologically safe (Baltic News Network, 2021c). They said that they had a lot of video material that could be used to identify picketers who

would be punished for violating the COVID-19 restrictions (Eesti Rahvusringhääling, 2021).

The head of the Latvian State Police, Ruks, pointed out that "the State Police officers are responsible for ensuring public order, preventing crime and all kinds of violations of the law. Police officers cannot afford to remain inactive in such situations [...]. The State Police have always been and will always be part of society, and police officers, like other members of society, are affected by the pandemic and its consequences. [...]. We ask citizens to show understanding and patience, and not to succumb to provocation and commit a criminal offence in the form of mass gatherings during the COVID-19 pandemic, putting their health and the health of others at risk. The police are prepared for any development of these events." "We hope that the Latvian people will prove to be responsible and able to meet the challenges posed by this pandemic, and will refrain from responding to provocations aimed at destabilising the situation." "I would like to reiterate that our goal during the pandemic has always been to ensure public safety, not to punish people. Let us all take responsibility for ourselves, for each other and for our country!" [...] "They are not freedom fighters. They are just gross violators who do not understand the consequences. We support freedom of expression and human rights. But when limits are crossed and government restrictions are not respected, the police will be tough." (Baltic News Network, 2021d; Eesti Rahvusringhääling, 2021).

5. Conclusions

As mentioned above, public protests against pandemic-related restrictions and mandatory vaccinations took place mainly in Riga, but also in some other parts of Latvia. They involved representatives of various social groups. Although they were not as dramatic or as large as those organised in France, Spain or Germany, they highlighted the lack of an effective government information campaign on the seriousness of the threat and the steps taken by the authorities. As a result, people took to the streets to express their anger and conspiracy theories grew in popularity. The internet, which was the main source of information about COVID-19, was full of fake news filled with fear, uncertainty and a sense of threat. The authorities failed to communicate their policies to society, leading to a decline in trust in the government and social unrest. People criticised both the government's decisions, which they saw as "delayed, ill-considered and inconsistent", and the working methods of the services and institutions responsible for public order and security (Kuczyńska-Zonik, 2021). In this context, it is worth recalling that the crisis of citizens' trust in the state is a serious threat to democratic principles and values. The reality of the pandemic period showed that in many countries of the world, including Latvia, political aspects took precedence over the law in the decision-making process. As a result, civil society was seriously damaged – through the restriction of interpersonal relations, social resistance, growing mistrust of the authorities and lack of respect for the law.

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