

# Balancing Human and State Security in Policing Demonstrations: Lessons Learned from the Bobi Wine Demonstrations in Uganda

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**Abstract**

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Following the end of the 30 year's war and the roll-out of the modern-day state system, security has often been viewed as protection of the sovereign political entity from external attacks. This ancient thinking has however faced resistance especially in the post-Cold-War period with critics calling for a shift from State to human security. The human rights regime, gaining confidence in the post-World War II period has further deepened the need for human security. This has challenged the traditional security methods especially in demonstrations where the security personnel have a duoburden of guaranteeing state and human security. The paper relied on secondary sources of literature and used the case of the 2020 Bobi Wine demonstrations, to elaborate how policing demonstrations requires law enforcers to balance between state and human security. The paper specifically argues that the lessons learned from the demonstrations indicate that State and human security are interdependent and should not be treated separately even in violent situations. The paper recommends that demonstrators must practice their rights within the limits of the law and while the security personnel have the right to use force, only as the last resort should it be sanctioned.

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## **Background to the Study**

### **Conceptual Clarity**

In 1648, when the Westphalia Treaty was signed, a new state system was rolled out carrying with it the principles of state sovereignty and territorial integrity (Jolly & Ray, 2006) and recognition of the legitimate power of a sovereign as absolute (Rizmal, 2013). The creation of the modern-day state system translated into a self-help system in which every state would come to its own rescue in case of danger. The Westphalian model boiled down to constitutional, judicial and political independence of states within their boundaries and thus, the principle of legal authority in international politics was translated to mean independence from any other state (McGrath, 2018; Maftel, 2015, Rizmal, 2013). Interestingly, states were considered to be rational actors that, in the pursuit of their national interests would use power not to hurt the security of other political entities. State rationality was translated in the most ideal sense in Art. 10 of the 1933 Montevideo Convention that; the primary interest of state is the conservation of peace, differences of any nature which arise between them should be settled by recognized pacific means. The same convention recognized that a state is distinguished by a permanent population, a defined territory, government and capacity to enter into force with others (Montevideo Convention on the Rights and Duties of State). The key features confirmed by the 1933 Convention were cemented in the succeeding periods particularly in the 1900s as the international system struggled to find ways of creating a peaceful world. For instance, the United Nations (UN) and not so different from the predecessor; League of Nations (LoN)'s emphasis on self-determination (Rizmal, 2013) was built on the principle of sovereignty and restraint from interference in the internal affairs of member states (UN, United Nations Charter, 1945).

While four key features define the state, the most striking is sovereignty, whose definition is said to be wide and not universal. Sovereignty, according to individuals like Hobbes and Bodin is considered to take the domestic shape first – domestically therefore, a state should have the authority and effective control through government; interdependent sovereignty (ability of government to seal its borders, control the inflow of and outflow of goods, people, money, ideas); international legal sovereignty (recognition by other states and accorded legal privileges of statehood) and Westphalian sovereignty that grants a state immunity from external interference (Philpott, 2001). In international politics sovereignty is largely taken in two aspects; inside (internal) and external (an outside) sovereignty. On the inside, the concept deals with security, peace and hierarchy while on the outside, it concerns itself with issues of equality of states, prohibition on intervention among others (Volk, 2022). Volk's submission resonates with (Maftel, 2015) that the concept represents state supremacy and independence of state power in expressing and achieving governors will as generally will, compulsory for the whole society.

From the above, it is evident that sovereignty as a concept is multifaceted. In 2018, McGrath noted that the concept ranges from states control over the activities within its territory to a power and right recognized or effectively asserted in respect of a defined part of the globe to govern in respect of that part to the exclusion of nations or states or peoples occupying other parts of the globe (McGrath, 2018). Sovereign entities are administered by a sovereign who

produces and guarantees the situation as a whole. In reference to Schmitt, Maftel (2015) agreed that the essence is in the legal definition – not more in the monopoly or coercion to lead but rather in decisions undertaken. This work considers sovereignty to mean the domestic capacity of an independent state to control the economic, political and social concerns including taking charge over its population and externally, the ability to enter into and withdraw from relations with other political entities in the international system. By this definition, sovereignty can be interchanged with independence basically meaning the right to exercise within a well-defined territory and to the exclusion of any other state, the functions bestowed upon the state by the internal and external players. Internal sovereignty is particularly important for citizens to appreciate the state not as a mere administrative apparatus but rather with authority to make and implement policies and laws for the good of the state and the people.

### **The Interlink between Security and Sovereignty**

The concept of security is as deep rooted as sovereignty. In fact, traditional security was explicitly equated to safety of the sovereign entity and considered thus as protection from external attacks (Asiimwe, 2017; Abaho, 2021; Rizmal, 2013). According to the Inter-American Institute of Human Rights (IAIHR), security in the Westphalian sense centered on territorial integrity, political stability, military and defense arrangements and economic and financial activities (IAIHR, n.d). The state hence monopolized the protection means and rights over its citizens. With the demystification of borders and space in the process of globalization, the concepts of sovereignty and security have been shifted. Traditional security has been de-faced following a 24hour communication infrastructure, increased information flow, borderless communities and increased migration in the global world. By extension, the superiority granted by the Westphalia treaty to States has both internally and externally been questioned (Volk, 2022). Consequently, if Westphalia era had based sovereignty and security in the state, increasingly, with an informed populace, the concept is facing a de-basing. According to Hendricks (2006), the 1990s were particularly characterized by the hyperglobalists and post-modernists who viewed nationalism and in turn national security dated. These intellectuals, Hendricks added insisted on the need to limit the consideration of the state as the main referent object and rather focus on roots of insecurity such as structural inequalities.

In the mid-2000s, uprisings in regions like North Africa did not only confirm the need to change from an exclusive stress on national security but bounced back the key questions of what is actually protected and by what means (Sedra, 2017). Calls by globalists and security reformers such as Buzan question the middle ages thinkers like Bodin's views of absoluteness, indivisibility, perpetual and unlimitedness of a sovereign entity while emphasizing the need for according relevance to non-military issues such as food, health and education. The changing nature of the concept of sovereignty has moved alongside the collapsing foundation of security. Equated to beauty and considered very elastic (Williams, 2013), security ranges from protection of core values (equally wide) (CHS, 2003) to protection of the vital core (Alkire, 2002). The concept has been thought of as a social obligation that preserves a culture, social order and identity. Politically, it involves the protection of ideology and government

organizations. From the standpoint of defense and military affairs, security covers the physical protection of citizens, government and resources. Security also may be viewed economically, as the stable management of welfare and access to markets, capital and finance. With regard to the environment, security may further be defined in terms of conservation of natural ecosystems (Maclean, 2006). The definition offered by Maclean widely captures both state and human aspects of security and is a break from the traditional state-centric view that focused on safeguarding national interests and state borders through power projections (Hendricks, 2006).

### **The Context: The Bobi Wine Demonstrations**

On November 18 and 19, 2020, Uganda's security sector made headlines of clashes between the security agencies and protestors that left between 50-100 people dead (Tumusiime, 2020; Atuhaire, 2020). Among the injured were 11 (eleven) security personnel prompting the security minister to proclaim police's right to shoot and kill if the protestors reached a certain level of violence (Atuhaire, 2020). Dubbed the Bobi Wine protests, the political disturbance in Kampala, was sparked by the arrest and detainment of Mr. Robert Kyagulanyi, an opposition candidate in the race for the presidency of Uganda for the 2020/ 2021 election cycle, on charges of violating rules promulgated by the government of Uganda and adopted by the Independent Electoral Commission to contain the spread of coronavirus, while he canvassed for votes, including convening prohibited massive crowds for electoral purposes.

Upon his detainment, Kyagulanyi's supporters took to the streets riotous, destructive to public works and property, and attacking fellow citizens they suspected of supporting or sympathizing with the ruling party, the National Resistance Movement. The destructive acts by the protestors attracted violent reactions from the state agencies charged and burdened with the constitutional duty of upholding law and order, protection of people and their properties and prevention of crime (Constitution of the Republic of Uganda, 1995, 1995). Unfortunately, the reaction had a human toll that included among others the killing in some cases, and maiming in others, of innocents not involved in the violence. A boy, just to mention only one collateral damage, took a bullet while he walked with his mother on the streets and later died from the infliction; and in the like manner did as many as twenty innocents incur the cost, according to a police statement (Tumusiime, 2020; URN, 2020).

The Bobi Wine protests were however a resurrection of historical violent clashes involving state agencies and citizens. Historians make reference to the November 10 1964 Nakulabye massacre in which Premier Milton Obote's government, intolerant to lawlessness and unruliness killed civilians. Like the Nakulabye Massacre, the Bobi Wine protests revealed the actuality of post-independence Uganda in which promises for unity and order have been replaced with politically motivated violence with security personnel at the center (The Nakulabye Massacre - 1964, 2012). In a related narrative, May/June 1966, Buganda region witnessed unrest following the attack on Kabaka Edward Mutesa's Palace by the army at the behest of Prime Minister Milton Obote; and a countless number in 1969 lost their lives in Kampala in the wake of an attempt on (now) President Obote's life. In 2009, there were the —Buganda riots, which proceeded a blockade imposed by security personnel against

Kabaka Ronald Mutebi's delegation to Kayunga in preparation for the Kabaka's gracing of the National Youth day (HRW, 2010). In response, the Kabaka supporters burnt tyres, blocked traffic and pelted stones against security while security used mass arrests, beatings and shootings leading to the death of about 27 people (HRW, 2010). In 2011, the walk-to-work protests engineered by the then leading opposition politician Kiiza Besigye, and countered by the Police and the Military, jointly; turned violent and bloody at the expense of human life and livelihood. The protests largely took an economic dimension challenging the rising commodity prices that attracted government silence – but later turned political and questioned the creation of new districts amidst growing levels of corruption (Gatsiounis, 2011).

### **Methodology**

In demonstrating the need to balance state and human security, the paper used the 2021 Bobi Wine demonstrations as a point of reference. The researcher depended on secondary sources of data including;

- a) Cardinal law of the land; the 1995 Constitution of the Republic of Uganda that spells out the functions of security agencies and citizens' rights
- b) Peer reviewed works relating to both state and human security
- c) Human rights organizations' reports relating to the conduct of security personnel during demonstrations
- d) International and local media reports in relation to the management of politically instigated demonstrations.

### **During the Desk Review, the author aimed at;**

- a) Demonstrating the shift from the traditional focus on state security to human security in the contemporary period;
- b) Highlighting the mismanagement of demonstrations and the resultant human insecurity symptomized by loss of life and property and
- c) Elucidating the interdependent relationship between state and human security and the need to balance the two in all situations

### **Discussion: Lessons Learnt from the Bobi Wine Protests that inform the policing of demonstrations**

#### **Lesson 1: Duty and right to use deadly force in order to protect**

Every state is established to endure, and to do so its founders put in place the means and mechanisms of ensuring it does. The state has to be secured to endure, which is why the idea of state or national security exists. Although national security from the perspective of international relations refers to the protection of \_the state including its boundaries, people, institutions and values— from external attacks' (CHS, 2003), it also includes the protection of the state from internal implosion. Accordingly, the maintenance of law and order and internal security, and the defense of the state against external intrusion is the duty of security agents (in Uganda's case, Police, Defence Forces, Prisons Service, Internal and External security Organizations among others), which are created, empowered and armed to ensure state security or national security. Meantime, the State remains the central human security



provider. Thus, when demonstrators become unruly and destructive, they don 't only threaten the stability and legitimacy of the state but also shake the main sources of protection for its citizens from any kind of threats.

The Bobi Wine Protests<sup>11</sup> were not peaceful but violent, and according to the assessment of Uganda 's security agencies, they were not spontaneous but pre-planned (Uganda Police Force, 2020). The rioting happened in the middle of an election campaign for a new government of Uganda. Thus, the riots which were staged by the supporters were directed against the incumbent government and were therefore politically motivated. It may be inferred that; the political goal was to overthrow the government by violent means. Thus, had the security forces not stepped in promptly and decisively to stop the politically-charged riots the democratically-elected government whose term of office had yet to expire, might have been violently overturned. Upending a democratically elected government by violent means is an affront against the collective sovereign will of the people and can be a source of political turmoil, disharmony, disorder, and more violence. Most important, such political turmoil threatens personal security and can risk a repetition of the unpleasant events in Germany or neighboring Rwanda. Therefore, the use of force suffices not only for its protection from internal upheavals but also for the good of the people.

**Lesson 2:** Security Agencies have a duty and the right to use deadly to safeguard the security of citizens and their property

The idea behind a people organizing and constituting themselves into a state, is the latter 's connection with the notion and reality that within the state organization lays the institutions, which serve the general good of citizens. Without institutions such as the security organs, society is likely to brutal, chaotic and unmanageable as might replaces right (Dobrosielski, 2013). Such institutions manage the \_monopoly of the legitimate use of physical force 'and, therefore, the security of citizens (Trobbiani, 2013). No individual can guarantee their security better than the state can, which has the monopoly of force. It follows that the claim that the state should be responsible of the protection of its citizens is expressed in concept of Responsibility to Protect (Trobbiani, 2013).

The responsibility to protect peoples, as understood within the field of international relations, is borne first and foremost by the state under which they are organized, and in case the state fails, the responsibility falls on other states that constitute the international community (Rizmal, 2013). Therefore, it is without intellectual doubt that the state bears the primary burden of providing security to its citizens, not only from external intrusion but also from internal attacks, which may be occasioned on them by their fellow citizens. Security agents bear the responsibility to protect citizens from chaos, from infringement upon their rights and liberties, from disorder, and from destruction or arrogation of their properties, when and if such are occasioned by fellow citizens. Under non-violent circumstances, security agents are obliged to use more pacific means to prevent and punish perpetrators, but are enjoined by the call of duty to use deadly force if and when doing so becomes the necessary means of ensuring the security, rights, and liberties of its citizens when they come under attack. Particularly, such force ought to be used to prevent the destruction of property that imperils human life.

**Lesson 3:** The security forces have a duty to defend themselves when under attack

Self-defence is an inherent right granted by the law of nature unto every human person, whether a private person or one acting on behalf of the state in the execution of their duty. Self-defense, unlike murder (unlawful killing of another person) or manslaughter (lesser a crime than murder depending on circumstances), killing while defending self is permitted for one to protect against harm (HG. Org, n.d). Thus, any person who kills another in self-defense does just killing because killing in self-defense is an involuntary act that is prompted by the law of self-preservation which is inherent in every person's nature. Basically, one can infer that with self-defense, the idea that if I didn't kill the person first, I would get killed myself by him; thus, I am constrained to kill him promptly in order to save my own life.

An attacker who is violent and is armed with an object that can take out the attacked warrants the application of deadlier force. Thus, an agent of the state on official duty has not just a duty to protect others but a right also, to protect himself and to use deadlier force against an attacker. Indeed, although has argued against using deadly force in efforts to quell riots because of the risk of killing innocent persons; he nonetheless accepts the use of such force in the event of self-defense. During the Bobi Wine protests, the participants attacked and injured several security agents on duty, using stones, hammers, and other tempered objects that put the lives of security agents in danger ( Times, 2020; The Independent, 2020). By attacking security agents with intent to injure or kill them, the rioters created a warlike climate in which the security agents and the rioters became armed belligerents, and innocent civilians became collateral victims of a warlike situation in a warlike zone. While the Bobi Wine demonstrations reveal a number of lessons for both the security personnel and claimants of political liberties (demonstrators), it is important that law enforcers appreciate the need to police such political environs from a balanced angle that features both state and human security. In the section that follows, the need for balancing these two securities is demonstrated.

**Lesson 4:** State and Human security are complementary

Like Philpott explained, interests, often considered by realists as material power – land, wealth and military might be not the only focus of states. But so too are domestic demands such as protection of human rights that feed into the global focus of the idea of human security. Therefore, both demonstrators and law enforcers must know that no state is an island but exists rather in a community of states guided by international norms and values. While state security considers safety as safeguarding against external threats, human security moves attention to the individual and focuses on wellbeing. Therefore, as Maclean (2006) noted, security of the state surrounds structured threats such as war while human security emerges from unstructured ones including protection of the individual from violence, violation of rights and others like diseases and terrorism.

Further, Maclean argues that although dismissed as too broad, and de-focused, the people-centered approach reconceptualizes security in a fundamental way. Focusing on people as opposed to the state, the multi-dimensional and interconnected approach argues security for the people is key for the attainment of a stable state. This is because the human security

dimensions; political, socio-economic are after all state security concerns. For instance, Jolly & Ray (2006) noted that in countries like Afghanistan, human security cannot be attained without addressing key issues such as democratic governance, transnational crime; regional conflicts and socio-economic exploitation. Notable is that human security doesn't take away the position of the state as the viable provider of security but rather holds that a secure state may not necessarily mean a secure people (Maclean, 2006).

**Figure 1:** The interdependent nature of human and state security

Human Security Issue	State Function
Freedom from violence (personal security)	Prevention of crime, domestic violence through investment in policing; border controls
Freedom from fear and freedom from want (access to basics of life, protection from diseases, illiteracy, conflict)	Stable governance, provision of basic infrastructure such as roads, hospitals, allocation of available resources to the public
Political, cultural rights and promotion and safeguarding	Setting up legal, constitutional and juridical measures
Political, economic and democratic participation	Creation of room for democratic participation, trade and stability of the markets

Adopted from Maclean (2006); Human Security and Internationalization of Security in consultation with literature

It is apparent that traditional security is limited in the contemporary times. Human rights, including political rights are not only claimed by the people but must also be protected by the state. While international community recognizes that there is no any other authority above the state, the authority must not be used to suppress people 's rights. This is evident in the works of security experts such as Buzan, Security must look at social aspects and should no longer be conceived in military context. Human rights provisions such as Art. 7 of the ICCPR forbid torture, cruel, inhumane or even degrading treatment or punishment. In the Preamble, the States are called on to promote universal respect for and observance of human rights and freedoms. Balancing state and human security is key because both are necessary elements in the construction and maintenance of a robust state.

### Conclusion

This work has argued that there is need to balance between state security and human security in policing demonstrations. Particularly, the article posits that the ancient perceptions of security as safety of the sovereign political entity have since been diluted and are now competing with widened views of security that hold the individual as central for a stable state. It has been argued further that contrary to Westphalian security that equated state safety to human safety, states have instead been at the forefront in abusing their own citizens. The author advanced how the language of human rights and liberties has penetrated security discussions strongly advocating for human dignity, safety of the individual from fear and want and participation in events that inform individual destiny. This work noted however that individual rights must not be taken for granted and must be enjoyed within the limits of the



law for the good of both state and human stability. Referring to the 2020 Bobi Wine demonstrations, the work drew lessons that are key for both demonstrators and state agencies including the possibility of the use of force by the later should the former go beyond certain levels of violence. It is recommended that to strike a balance between state and human security, law enforcers should use force as a last resort measure (when all other means in the performance of their duty have failed), particularly for the sake of the innocent life that ends up being taken.

### References

- Abaho, A. (2021). The shadow pandemic: Covid 19 and gender insecurity in Uganda. *Journal for Gender, Society and Development*.
- Alkire, S. (2002). *A conceptual framework for human security*, Oxford: Oxford University.
- Asiimwe, M. S. (2017). *Security Studies: Principles and Practices*. Kampala: Marko Mangheni Publishers.
- Atuhaire, P. (2020). *Bobi wine protests: Shoot to kill defended by Uganda minister*, Retrieved Oct 28, 2022, from <https://www.bbc.com/news/world-africa-55016519>
- CHS. (2003). *Human security now*, New York: UN.
- Constitution of the Republic of Uganda, 1995. (1995). Retrieved July 28, 2020, from [https://statehouse.go.ug/sites/default/files/attachments/Constitution\\_1995.pdf](https://statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf)
- Dobrosielski, J. (2013). *An analysis of a Hobbesian morality in international relations*. Retrieved from <https://www.e-ir.info/2013/01/19/an-analysis-of-a-hobessian-morality-in-international-relations/>
- Financial Times. (2020). *Content*. Retrieved December 25, 2020, from Financial Times: <https://www.ft.com/content/6fdab2c1-9c84-45b0-a6d1-95da1521807c>
- Gatsiounis, I. (2011). *Deadly crackdown on Uganda's walk to work protests*, Retrieved Oct 28, 2022, from <http://content.time.com/time/world/article/0,8599,2067136,00>.
- Hendricks, C. (2006). *From state security to human security in Southern Africa: Policy Research and capacity building challenges*. Institute for Security Studies. Retrieved from <https://issafrica.org/chapter-1-introduction-from-state-security-to-human-security-in-southern-africa-cheryl-hendricks>
- HRW. (2010). *Uganda: Investigate 2009 Kampala riot killings*, Retrieved Oct 28, 2022, from <https://www.hrw.org/news/2010/09/10/uganda-investigate-2009-kampala-riot-killings>

- IAIHR. (n.d). *What is human security?* Retrieved Oct 2022, 26, from [https://www.iidh.ed.cr/multic/default\\_12.aspx?contenidoid=ea75e2b1-9265-4296-9d8c-](https://www.iidh.ed.cr/multic/default_12.aspx?contenidoid=ea75e2b1-9265-4296-9d8c-)
- Jolly, R., & Ray, D. B. (2006). *The human security framework and national human development Reports: A review of experiences and current debates*. UNDP. Retrieved from <https://hdr.undp.org/system/files/documents//human-security.human-security>
- Maclean, G. A. (2006). Human security and the globalization of international security, *The Whitehead Journal of Diplomacy and International Relations*, 89-99.
- Maftel, J. (2015). *Sovereignty in international law*. 11(1), 54-65.
- McGrath, C. (2018). *Principles of sovereignty under international law*, Retrieved Oct 24, 2022, from [http://envlaw.com.au/wp-content/uploads/handout\\_sovereignty.pdf](http://envlaw.com.au/wp-content/uploads/handout_sovereignty.pdf)
- Philpott, D. (2001). *Usurping the sovereignty of sovereignty?* World Politics, 297-324.
- Rizmal, I. (2013). *Sovereignty and security in the new century*, Retrieved from [https://issat.dcaf.ch/download/22976/290531/Irina\\_Rizmal\\_Sovereignty\\_and\\_Security\\_in\\_the\\_New\\_Century.pdf](https://issat.dcaf.ch/download/22976/290531/Irina_Rizmal_Sovereignty_and_Security_in_the_New_Century.pdf)
- Sedra, M. (2017). *Security sector reform in conflict-affected countries: The evolution of a model*, New York: Routledge.
- Trobbiani, R. (2013). *How should national security and human security relate to each other?* E-international relations.
- Tumusiime, B. (2020). *National news*, Retrieved December 1, 2020, from Daily Monitor: <https://www.monitor.co.ug/uganda/news/national/police-start-probe-into-bobi-wine-protest-killings-3214888>
- Uganda Police Force. (2020). *Latest posts*, Retrieved December 24, 2020, from Uganda Police Force: <https://www.upf.go.ug/joint-security-briefing-on-the-state-of-security/>
- URN. (2020). *Bobi wine protests: How 15-year-old boy was shot dead*, Retrieved Oct 28, 2022, from <https://observer.ug/news/headlines/67539-bobi-wine-protests-how-15-year-old-boy-was-shot-dead>
- Volk, C. (2022). The problem of sovereignty in globalized times. *Law, Culture and Humanities*, 716-738.
- Williams, D. P. (2013). *Security studies: An introduction*. New York: Routledge.