

CLOSING THE GATEWAYS OF DEMOCRACY:

Cities and the Militarization of Protest Policing

By

Gan Golan

B.A., Geography (1997)

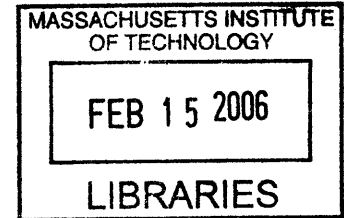
University of California at Berkeley

Submitted to the Department of Urban Studies and Planning in Partial Fulfillment of the Requirements for the Degree of Masters in City Planning

at the

Massachusetts Institute of Technology

September 2005



© 2005 Gan Golan

All Right Reserved

/ROTCH

The author hereby grants permission to reproduce and to distribute publicly paper and electronic copies of this thesis document in whole or in part.

Signature of Author.....

Department of Urban Studies and Planning

September 12, 2005

Certified by.....

Balakrishnan Rajagopal

Associate Professor, Department of Urban Studies and Planning

Thesis Supervisor

Accepted by.....

Langley Keyes
Chair, MCP Program

CLOSING THE GATEWAYS OF DEMOCRACY:

Cities and the Militarization of Protest Policing

by

GAN GOLAN

Submitted to the Department of Urban Studies and Planning

on September 12, 2005 in partial fulfillment of the
requirements for the Degree of Master of City Planning

ABSTRACT

In the era of globalization, cities function as ‘gateways of democracy,’ the spaces and places where the civil society literally ‘marches through’ in order to deliver oppositional claims into the global arena. However, this paper documents a broad, increasing pattern of political repression directed against peaceful protest in US cities, signifying that important avenues for democratic participation may indeed be closing.

Thesis Supervisor: Balakrishnan Rajagopal

Title: Associate Professor of Urban Studies and Planning

Acknowledgements:

A great deal of thanks is owed to Professor Balakrishnan Rajagopal for his guidance with this project, and his patience in seeing it through. Also, to Professor J. Phillip Thompson for his wealth of personal insight into the issues contained herein.

I am also deeply grateful for the rigorous, methodical work conducted by activists who continually gather and analyze a great deal of empirical data directly from field. This project could not have been completed, much less attempted, without their efforts. Chief among those who deserve thanks are David Meiren and Naomi Archer, founding members of the Save Our Civil Liberties network and Rev. Frank Morales, for his tireless research on the militarization of policing in the United States

Table of Contents

Acknowledgements:.....	3
Protest and Democracy	7
Cities and Democracy.....	9
The Greek Agora: The City as Birthplace of Democracy	9
The Middle Ages: The City as a Space of Freedom	11
Enlightenment Democracies: The City as a Space of Revolution.....	12
Globalization: Cities as “Gateways of Democracy”	16
Democratic Rights as Urban Rights	18
Global Cities and the Global Justice Movement.....	20
Descriptive Data	23
Methodology	23
Descriptive Findings:	27
Media tactics:	27
Legal tactics:	30
Use of force tactics:.....	33
Spatial tactics:	35
Intimidation tactics:.....	37
Intelligence tactics:	39
Data Analysis.....	41
A New Model of Political Repression.....	41
Transferring the Model	43
Post 9/11 – A Quantitative, Not Qualitative Shift	45
Manufacturing Links between Protesters and Terrorism.....	46
Big Threats Mean Big Money	50
Transference to every day policing	52
Institutional Contexts & Underlying Trends	55
The Federalization of Local Police.....	55
The FBI Joint Terrorism Task Force.....	58
Electronic Federalization	62
The Militarization of urban protest policing	65
Dispersal And Blockading.....	70
Mass Detention Facilities	71
Transfer Of Materiel	72
Embedded Media	73
Conclusion.....	73

Democratic Planning: Some Assembly Required	75
Introduction	75
A brief history of planning and protest	75
Public Infrastructure	76
Urban Renewal.....	77
Housing	78
Waste Disposal.....	79
Public Transit	82
International Development and Regional Planning	85
Police Repression and Democratic Planning	95
Summary and Conclusions	95
Conclusions.....	99
Towards a Political Right to the City	99
Structure vs. Content: Local Autonomy vs. Local Democracy:.....	99
Re-envisioning Lefebvre’s “Right of the Inhabitant”	101
Implementing the Right to the City	103
Appendix: Data Citations	105
World Trade Organization, 1999.....	105
International Monetary Fund/World Bank, 2000.....	107
Republican National Convention, 2000	109
Democratic National Convention, 2000.....	111
Presidential Inauguration Washington, 2001	113
World Economic Forum, 2002	115
Anti-War (Port Protest) Oakland, 2003.....	117
International Monetary Fund, World Bank Washington, 2002.....	119
Anti-War (Global Day of Action), 2003	121
Free Trade Area of the Americas, 2003	123
Group of 8 Summit, 2004	126
Democratic National Convention, 2004.....	131
Republican National Convention, 2004	133
Presidential Inauguration Washington, , 2005	136
Bibliography	139

Protest and Democracy

“ In a democratic society, citizens have a right to gather peacefully and protest the policies of their government with demonstrations, marches, petitions, boycotts, strikes, and other forms of direct citizen action. Direct action is open to everyone in a democracy...Protests are a testing ground for any democracy.”

-From “What is Democracy?” an educational publication from the US Department of State, which seeks to inform people in other countries about “American life and culture”.¹

Shortly after September 11, 2001, despite the concerns of civil liberties and human rights organizations, US Attorney General John Ashcroft affirmed that basic political rights were not under attack in the United States. In fact, those who suggested this were helping to “aid terrorists” by “trying to scare peace loving people with phantoms of lost liberty.”² Judge Robert Bork concurred, stating that concerns about eroding political rights were merely “alarmism” by those who would “recklessly exaggerate the threat to our liberties” and “give ammunition...to our enemies”.³

But what does the evidence say? If protests are indeed ‘a testing ground for any democracy’ is America passing the test? This paper examines the US Government’s response to mass protest across in cities across the nation in order to understand the current condition of political rights in the United States. Do members of the public face state repression if they attempt to exercise their rights? Are civil libertarians merely alarmists who are ‘shouting fire in a crowded theatre’ or is the ‘theatre’ actually burning?

This study collects data from mass protests events between 1999 and 2005, focusing on the two largest protest-based social movements in the nation, the Anti-War movement, and The Global Justice movement. A standard definition of ‘repression’ was applied to these protest events to see if

¹ Cincotta, Howard (ed). *What is Democracy?* U.S. Department of State's Bureau of International Information Programs, 1998.

² US Atty. General John Ashcroft. Testimony Before The Senate Judiciary Committee. December, 2001.

³ Bork, Robert. Civil Liberties After 9/11, Alarmism puts Americans' safety at risk. *Wall Street Journal*. August 25, 2003.

any instances or patterns of repression could be found, using six categories of repressive tactics: (1) media tactics, (2) legal tactics, (3) use of force tactics, (4) intimidation tactics, (5) spatial tactics, and (6) intelligence tactics. The results are presented and analyzed in chapters 2 and 3.

Before turning to the evidence however, this paper examines the issue of repression and democracy through the lens of urban history. A skeptic might ask: so what if the evidence *does* ultimately show that protests are being repressed in a few major cities in America, does this really mean we are living in a more repressive society? In order to understand the focus of this study, as it is limited to cities, it is important to understand Democracy's close relationship to The City. This provides insight into how a government can effectively enact repression without having to deploy it universally throughout the nation.

The second chapter examines the details of the data. If repression is indeed happening, how is it being accomplished? Furthermore, how could egregious acts of repression take place without the rest of the population knowing? This chapter uses the six categories of repression outlined above to deconstruct the mechanics of modern protest repression.

The third chapter analyzes these findings to see how they compare with earlier studies on protest policing. Do these findings signify a shift in protest policing since the 1980s and 1990s? If so, what are the implications of these trends for local governments, and the general population? Are we returning to a previous era of government secrecy, infiltration, and lack of accountability?

The fourth chapter asks a question of special importance to the field of urban planning. Should protest (and for that matter, the repression of protest) present any special concern for urban planners? In addressing this question, this paper argues for an expanded notion of democracy that sees protest as an inherent part of the democratic planning process.

Finally, in the fourth chapter this paper looks at possible remedies. If an erosion of political rights in cities is indeed occurring, how might we re-imagine the function of cities to restore them as places of political freedom and democratic practice? How might notions of local autonomy and local democracy strengthen cities' role as Gateways of Democracy? In doing so, I use Henri Lefebvre's concept of 'The Right to the City' as a valuable way to envision a way forward.

Chapter I:

Cities and Democracy

Cities are not merely centers of economic or cultural exchange, but also of political exchange. They provide the ‘focal points’ of democracy; the primary spaces where the public enacts vital forms of democratic action, particularly those that take place outside the formal channels of government. Hence, they are also the places where the political rights that protect these citizen-based actions are most necessary. Since their inception, basic political rights such as freedom of speech and assembly have been closely connected to urban form.

The Greek Agora: The City as Birthplace of Democracy

In the West, the first formal political rights arose from the city. While democratic decision-making structures certainly existed within village life throughout the ancient world, the basic rights associated with democratic governance were first created in, and for, the urban landscape.⁴ Ancient Athens (5th century BCE) is where political rights such as freedom of speech and assembly were first consciously conceived and put in practice. Specifically, in 507 BCE the Athenians began to use a form of government they called *demokratia*, meaning rule by the people, or *demos*. Unlike modern democracy, it was a form of direct democracy, in which every citizen had the right to vote directly on all issues brought before the government.

Within *demokratia* every citizen had the right to bring a petition before the governing assembly, or *ecclesia*, and had the right to address all of its members without obstructions or intermediaries. As long as the individual spoke honestly, it is said, they could speak critically without fear of reprisal for the content of their words. This early form of free speech, which guaranteed every citizen an equal right to political speech, was referred to as *isegoria*, meaning literally ‘equality in the *agora*,’ or public square.

The *agora* was a physical space at the center of urban social life in Athens, and it provided the guiding metaphor for this new, democratic approach to government. According to historian

⁴ Mumford, L. *The City in History: Its Origins, Its Transformations, and Its Prospects*. New York: Harcourt, Brace and World, 1961.

Richard Sennett, the agora was “a place of assembly that had no visual barriers, no compartmentalization... spaces were used for political confrontation.”⁵

Debate, dissent and confrontation were central to the political life of the Greeks,⁶ offering citizens ability to directly confront their leaders with their failures. This freedom of speech before the institutions of government was accompanied by a similar, if not greater amount of freedom of speech in public and in daily life, practiced ubiquitously throughout the public spaces of the city.⁷ Democratic norms were so strong within Athenian society that for citizens, direct involvement in government was seen as a social obligation. The essential meaning of "freedom" for the Greeks was the freedom to participate in political life.⁸

While cities were major centers of economic and military power, the great Greek philosophers saw the political life of cities as more important. Socrates saw the city as first and foremost as place for the open exchange of ideas. He bemoaned politicians who “filled the city full of harbors and docks and walls and revenues and all that, and have left no room for justice and temperance.” Aristotle described cities as in essence, “built politics.”

The modern Western concept of political rights still draws upon the Athenian formulation, which provided protections for dissent and promoted the unrestrained use of public space for political purposes. The ancient relationship between the urban landscape and democracy also endures, preserved within our language. The word ‘politics’ itself is derived from the Greek word for city, *polis*. Similarly, the words ‘civilization,’ ‘civility’ and ‘citizen’ all stem from the word city.

However, this describes only one side of Athenian democracy. While the citizens enjoyed the ability to speak freely, move freely, and question their leadership, more than 2/3 of the population of Athens - women and slaves - were not allowed to attain citizenship and so had no democratic rights whatsoever. Many slaves were subject to brutal forms of labor. None were allowed to enter many of the ‘public’ spaces of the city, such as the gymnasium or the public assembly. Astonishingly, it was right in the middle of the agora, the place where ‘all citizens were equal,’ that slaves were bought and sold. While Athens prided itself as a city of unequalled openness, in truth, it

⁵ Sennett, R. *The Spaces of Democracy: The 1998 Raoul Wallenberg Lecture*. Ann Arbor: Goetzcraft Printers, 1998.

⁶ Walters, Frank D. Isocrates and the Epistemic Return: Individual and Community in Classical and Modern Rhetoric. *JAC Journal*, 1993: v. 13.

⁷ Ibid.

was a highly segregated city, where access to the spaces of democracy and freedom were regulated by an unequal distribution of rights.

At the height of Athenian democracy, Greek democrats never seriously challenged the institution of slavery. Aristotle states quite plainly: “the lower sort of mankind are by nature slaves, and it is better for all inferiors that they should be under the fold of a masters.”⁹ Athens was simultaneously the birthplace of democracy and a cradle of oppression. It is this contradiction that perhaps best illustrates the often fractured nature of democracy within cities.

The Middle Ages: The City as a Space of Freedom

Throughout the middle ages, cities continued to be the preeminent laboratory for new social experiments in democracy, as they provided the most fertile ground for popular movements to grow and overthrow existing regimes. The new middle classes produced by the urban economy became a social force capable of making demands (sometimes violently) upon the existing power elites, the nobility.¹⁰ Throughout the Italian city-states of Venice and Florence, to the German ‘free cities,’ to English towns and boroughs, new experiments in power sharing, democratic self-rule and political liberties took shape.

One method of legally ensuring new rights to urban citizens was called a “charter of franchise” wherein freedoms and liberties were not bestowed upon individuals, but instead upon the city’s territory. The city itself was the space of freedom and people acquired freedom by virtue of living in it. ¹¹ As such, these ‘free cities’ became a place where feudal serfs could escape the cruelties of feudalism that dominated the countryside. ^{12 13} In many regions of Europe, residing in a city for ‘a

⁹ Aristotle. “Politics. Book I: Pt. V.” in Jowett, Benjamin. *The Complete Works of Aristotle*. Jonathan Barnes (ed). Princeton University Press, 1991.

¹⁰ Dahl, Robert A. *On Democracy*. Yale University Press, 1998.

¹¹ Patterson J. and S. Allsford, *Medieval English Towns, A Glossary*. (Accessed on April 10, 2005) <http://www.trytel.com/~tristan/towns/glossary.html>

¹² Ingersoll, Richard. “The Uses of Decorum” in *Cities in History*. Rice University, Fall 1995. (Accessed on April 10, 2005) <http://www.owlnet.rice.edu/~arch343/lecture10.html>

¹³ Dahl, Robert A. *On Democracy*. Yale University Press, 1998.

year and a day' automatically granted a serf freedom from feudal servitude. Many of these towns were run by new democratic structures, such as town councils.¹⁴

Enlightenment Democracies: The City as a Space of Revolution

While city-states had been the birthplace of democracy, nation-states had become the prevailing political unit by the time democracy began to re-emerge. This shift from city-state to nation-state forced a shift away from direct democracy towards representative democracy for practical reasons of scale.^{15 16} In the much larger nation state, there were no practical means by which the entire nation's population could participate directly in the day-to-day decisions of government, as the Athenians had done in their direct democracy. To surmount "the practical limits that a sizeable citizenry imposes on democracy"¹⁷ a new fusion of governmental forms was created that merged the existing non-democratic elite structures of government that existed at the time, with the Greek concept of democracy. The new formulation, dubbed 'representative democracy,' was widely replicated in the post-revolutionary nation-states of the United States and Europe.

Ironically, this transition away from the city-state only served to increase cities' importance to the functioning of democracy. In city-states, democratic governments had represented only those who lived within city bounds and directly attended public forums. However, in nation-states, cities became the decision-making centers for a population and territory of much greater size. This *concentrated* the political role of cities as epicenters of democratic decision-making.

However, the representative formulation raised concerns among democratic theorists as to whether representative democracy was actually true democracy. Influential democratic theorists like Rousseau pointed out that reliance on 'representatives' could give rise to an entrenched class of ruling elites that could abuse their position and operate in their own self-interest. He described the shift from monarchy to representative democracy as merely a shift from 'hereditary aristocracy' to an 'elective aristocracy.'¹⁸

¹⁴ Knox, E.L. S. *History of Western Civilization: Medieval Society*. Boise State University, 2004. (Accessed on April 10, 2005) <http://history.boisestate.edu/westciv/medsoc/22.shtml>

¹⁵ Dahl, Robert, "The City in the Future of Democracy" in John Arthur. *Democracy: Theory and Practice*. Belmont, California: Wadsworth, 1992.

¹⁶ Mansbridge, Jane J. "The Limits of Friendship" in John Arthur. *Democracy: Theory and Practice*. Belmont, California: Wadsworth, 1992.

¹⁷ Held, David. *Models of Democracy*. Stanford: Stanford University Press, 1996: 119

¹⁸ Rousseau, J. "The Social Contract" in H. G. Leigh, Oliver (ed.). *Ideal Empires and Republics*. Washington, DC: 59

To address these critiques, the architects of the new national democracies added a set of liberal institutions and rights - in addition to the right to vote- to serve as safeguards meant to ensure to the proper functioning of democracy. Chief among these were the rights of the people to and speak out publicly on the issues and form their own autonomous associations, embodied by the rights such as the freedom of speech and freedom of assembly.¹⁹ Citizen action was seen as a necessary countervailing set of checks and balances to prevent a new oligarchy from forming out of the representative elite. These additional institutions, values and rights, like the Greek *ecclesia*, were meant to allow the people to represent their own interests directly - in case their representatives failed them. As democratic historian Robert Dahl writes, under liberalism democracy “was transformed into a pluralist political system in which autonomous associations were held to be not only legitimate but actually *necessary* to democracy on a large scale.”²⁰ (emphasis added)

It was understood that in order for government to remain accountable to the people, citizens must have rights that allowed them to impact the decision-making process from ‘outside’ the formal representative process. As historian Susan Wiltshire states, the freedom of assembly is “the freedom of last resort for people who feel they don’t have other forms of access to the established structures of government.”²¹ In the United States, the freedoms of speech, assembly and the press (meant to guarantee an ongoing role for these ‘outside’ forms of citizen action) were enshrined in the First Amendment of the Constitution. The reasoning behind the first amendment is to allow for the ‘Redress of Grievances,’ which asserts that rulers are not all-knowing and need to be informed of citizens’ goals and desires.²²

Democratic theorists underscore the importance of these liberal institutions and rights, and the types of citizen-based action they engender. Tom Bottomore asserts that within Western democracies, social movements are a “permanent feature of political life, reflecting a broader movement to extend democracy. Representative government, parties and elections are now seen

¹⁹ Bottomore, Tom. “Political Sociology: A Classic Study Of Modern Politics.” Johannesburg: Ravan Press, 1993. In Cherry, Janet. *KWAZAKELE: The Politics of Transition in South Africa (Doctoral Thesis)*. Rhodes University, 2000.

²⁰ Dahl, Robert A.. *Democracy and Its Critiques*. New Haven: Yale University Press, 1989: 30

²¹ Greece, Rome, and the Bill of Rights: an interview with Susan Ford Wiltshire. Transcript from ‘Speaking Freely’ Radio Program (Recorded May 24, 2000 in Nashville, Tennessee).

²² Berry, Gregory and P. Broussard. *Why First Amendment Rights Are Essential to the Functioning of a Free Society: Individual Rights and Collective Benefits*. Howard University School of Law. November 1, 2001.

increasingly as providing an essential framework but as inadequate by themselves to establish a democratic society in the more radical sense of government by the people.”²³

Byron Miller concurs: “Social movements are essential to any well functioning democracy. While electoral and judicial processes render key governance and regulatory decisions at specific moments...social movements give voice to people and causes outside the established power structure...and create the conditions and pressure necessary for broader debate and action within the official institutions of democracy.”²⁴

What is largely unappreciated within historical narratives of western liberal institutions is their deeply urban character. The nations’ cities and towns were the primary locations where autonomous organizations formed, and where the laws protecting them were most needed. Despite the pre-dominantly rural population distribution of both French and American societies, the architects of the new democracies in both countries knew from direct experience that cities were the places that had fomented their democratic revolutions, and were the most likely site to provide the basis for its ongoing health.

In France, this point was made most obviously by the revolution itself. While discontentment was widespread, the revolution only began in earnest with the staging of the ‘municipal revolutions.’ Starting the storming of the Bastille on July 14, 1789 in Paris, these urban insurrections became a full blown revolution when twenty-six out of the countries largest 30 cities ousted their royal officials and installed citizen rule.

The American Revolution was also sparked primarily by urban uprisings. The first acts of revolution erupted in 1765 when the Sons of Liberty staged protests against the Stamp Act in several American port cities. The revolutionary campaign further increased in militancy in the wake of another urban incident, the Boston Massacre in 1768, wherein citizens took to the city streets in protest and were then violently repressed by British troops. When open against the British erupted, even though a majority of the military confrontations took place in rural battlefields, it was the cities of Boston, New York, Philadelphia, Newport, and Charleston that provided the *political* basis of resistance against British rule. As Gary Nash describes in his

²³ Bottomore, Tom. See above.

²⁴ Miller, Byron. “Spaces of Mobilization: Transnational Social Movements” in Barnett, C. and M. Low (eds). *Spaces of Democracy* London: Sage, 2004: 223

historiography of the American Revolution: revolutionary agitators and supporters of anti-royal activity were able to organize much more effectively in urban areas than in the rural hinterlands.²⁵ It is not coincidental that after the revolution had been won, the “town hall meeting” became pre-eminent symbol of American democracy in action.

Because the architects of both the American and French democracies knew full well the necessity of people coming together in public places, and taking to the city streets if necessary, rights protecting this behavior were built directly into their constitutions.

As stated earlier, the great historical leap away from democracies based upon the city-state, to those based upon the nation state, only served to *increase* cities’ importance to democracy, as it concentrated the political functions of the city. This transition to the nation-state also resulted in the introduction of ‘representative’ democracy, a shift which ‘extra-institutional’ action by the populace a necessary part of democracy. Therefore, this meant that cities were no longer just the sites of formal democracy (i.e. governmental institutions), but also the sites for mobilization and action by the people, meant to impact these institutions from the outside. In other words, representative democracies now required an additional layer of democracy - mobilization by civil society - and cities were the most likely sites for this activity to take place.

When the government has sought to formalize the role of this kind of activity in cities, the ancient Greek *agora* still provides a guiding example. The US Supreme Court has repeatedly held that sidewalks, streets, and parks are long-established First Amendment forums: “Wherever the title of streets and parks may rest, they have immemorially been held in trust for use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens.”

However, the contradictions that were present in ancient Greek democracy raises similar questions about the nature of our modern ‘spaces of democracy.’ Are US cities inclusive spaces of free and open political exchange as they were for the citizens of Athens? Or, rather, like the slave auctioning block that stood the center of the agora, are US cities fractured spaces, promoting the democratic rights of some, while actively denying them to others?

²⁵ Nash, Gary. *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution*. Cambridge: Harvard University Press, 1979.

Globalization: Cities as “Gateways of Democracy”

The relationship between cities, political rights and democracy remains a critical issue in the age of globalization. If the transfer from city-state to nation-state increased the city’s importance to democracy, then the emergence of global governance institutions has only further increased cities’ importance as a “strategic site”²⁶ for the maintenance of democracy. Globalization has meant the increasing interdependence of national markets and politics, with cities serving as the “hubs” for exchange of goods, services and ideas.²⁷ Meanwhile, new global institutions have emerged to manage this process, creating an additional layer of representative governance atop an already representative layer. This *meta-representative* layer includes institutions like the United Nations, The World Trade Organization, The G-8, The International Monetary Fund and The World Bank. While citizens of democracies (and non-democracies) across the globe are directly affected by the decisions made by these institutions, they are not able to vote upon their policies, nor are they even able to elect the ‘representatives’ who populate these institutions. These institutions are one step further removed from popular control. This further exacerbates the weaknesses that Rousseau warned were inherent in representative democracy: that without direct citizen participation, an isolated class of decision-makers would emerge that acts in its own interests.

Today, within this globalized context, cities are no longer merely the sites where local, state and federal governments assemble to craft national policy; they are the sites where global political and economic powers congregate to construct global policy. Cities are now decision-making epicenters for governing global trade, international debt and deciding upon international military intervention. Just within the United States, cities like Washington DC, New York, Seattle, San Francisco and Miami have all hosted high-profile meetings of such global governance institutions.

Despite the formation of this new layer of global governance, no new democratic mechanisms have emerged to oversee their operations. In the absence of citizens’ ability to impact their decisions directly, the traditional role for citizen action that occurs outside the formal institutional process

²⁶ Sassen, Saskia. "The Global City: Strategic Site/New Frontier" in Isin, Elgin (ed). *Democracy, Citizenship and the Global City*. London and New York: Routledge, 2000: 59

²⁷ Ibid.

has taken on new urgency. As such, major public protests have shadowed these global institutions in every city in which they have met.

Much has been made about the de-territorializing effects of globalization, including the growth of the information economy, the emergence of intergovernmental institutions, and even the use of 'virtual space' by transnational social movements to organize themselves. However, the practice of democracy is still very much bounded within specific places and times. Face to face meetings are still required by every key player involved in the political equation, be they multinational corporations, global institutions of governance or the social movements that seek to challenge them. Corporations must be able to locate specific sites favorable to production and marketing.²⁸ Global governance institutions must congregate and make decisions in 'global cities' (or lavish resort towns) that provide operational resources and bestow symbolic status upon new institutions seeking credibility. Similarly, social movements (even transnational ones) must still congregate in person to establish trust, define mutual goals, and undertake collective action. In almost all cases, cities are the focal points for these meetings to coordinate action. Moreover cities are the contact points where conflict between these two opposing groups takes place, the primary sites of political contestation and democratic dispute.

As such, cities have become the launching point for people in various countries to deliver contesting political ideas and demands into the global political arena. In the case of social movements, cities have literally become the 'gateways of democracy', the physical sites that people *march through* in order to be heard by the institutions of power. This has enlarged the original Athenian concept of the agora to encompass the entire city. Whereas the agora used to be a single space within the city, the city now plays the role of agora for the larger global arena. If globalization has indeed created one giant interconnected network of political debate, then cities have become the open public squares where the population assembles to make itself heard.

The metaphor of the ancient Greek *agora* still influences today's conception of urban space and rights. The US Supreme Court has repeatedly held that sidewalks, streets, and parks are long-established First Amendment forums: "Wherever the title of streets and parks may rest, they have immemorially been held in trust for use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions.

²⁸ Miller, Byron. "Spaces of Mobilization: Transnational Social Movements." in Barnett, C. and M. Low (eds). *Spaces of Democracy* London: Sage, 2004: 225

Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens.”²⁹

However, the contradictions that were present in ancient Greek democracy raise similar questions about the nature of our modern ‘spaces of democracy.’ Are US cities inclusive spaces of free and open political exchange as they were for the citizens of Athens? Or, rather, like the slave auctioning block that stood the center of the agora, are US cities fractured spaces, promoting the democratic rights of some, while actively denying them to others?

Democratic Rights as Urban Rights

As argued earlier, many of the rights guaranteed by liberal democracies are deeply urban in character. These rights, while universally applied throughout the nation, are rights that were abstracted from the urban environment. While they are relevant to a wide range of political behaviors, they took as their model forms of collective action that took place predominantly in cities.

There are two underlying factors that help explain the close interdependence between the democratic form and the urban form. First, cities are the most likely sites of political targets; second, cities are the places that provide the greatest potential for political mobilization.

Cities are the most likely sites for political targets because they are, in essence, a centralized, material manifestation of any society’s wealth and power. As such, they are the most likely sites where the institutions that preside over these resources reside. The most obvious case in point is the fact that political capitols are almost universally cited in cities. It follows that the democratic political rights intended to allow citizens to participate in and challenge the affairs of government, were structured to fit this same environment. For example, the right to petition government for a redress of grievances, using the freedoms of speech and freedom of assembly, were closely linked to the central gathering spaces of cities, such as the town hall, the marketplace or the public square.

²⁹ Roberts, Justice. *Hague V. Committee For Industrial Organization*, 307 U.S. 496, 515 (1939)

However, cities are not merely the place where the targets reside. They are the places where those doing the targeting are able to organize most effectively. The city is a place where individuals who desire social change “constitute themselves” as a social and political force.³⁰ The city is a space where information flows between people are denser, face-to-face interaction encourages relationship building, and collective resources can be amassed more easily. For aggrieved persons and groups, cities are a place where they can more easily meet with others to acknowledge common injustices, craft shared identities, and generate oppositional strategies.³¹

Stated simply, the possibility for collective political action increases with population density. This is supported by empirical investigations: “In densely populated polities, [there is] a significant increase in the number of protests, indicating most directly the importance having a number of people available to mount a collective action.”³²

Hence, as democracy emerged throughout history, many of its freedoms and guarantees were in essence, urban rights, tailored to fit political behaviors that were most likely to take place in the urban environment. This is natural considering these urban-based forms of contestation were what had created these democracies in the first place.

This observation does not dismiss the prevalence, or importance of rural struggles, nor the kinds of democratic practices that take place outside cities. However, cities remain the principal points of contact between aggrieved groups and governing powers, and the primary strategic launching pad for contesting ideas of globalization.

Even armed, rurally based social movements, such as the Zapatistas, once they chose to suspend armed struggle and challenge the government through primarily political means, staged a dramatic journey from their mountain hide-outs to the *zocalo* (central square) of the capital city of Mexico, an act which re-invigorated public support for their movement.

³⁰ Kohler, Bettina and Markus Wissen. “Glocalizing Protest: Urban Conflicts and Global Social Movements” in *International Journal of Urban and Regional Research*. December, 2003. 27 (4): 942

³¹ Isin, Elgin and Myer Siemiatycki. *Fate and Faith: Claiming Urban Citizenship In Immigrant Toronto*. Joint Centre of Excellence for Research on Immigration and Settlement (ERIS), 1999.

³² Camp Bayliss and M. Kaliner. *State-Directed Political Protest in US Capital Cities: 1998-2000*. The Hauser Center for Nonprofit Organizations. Harvard University, 2002.

This urban dimension of political rights is of course, not reflected in law itself. These rights are meant to be applied universally across all geographic regions, both urban and rural, and for good reason. However, the importance of illuminating the deeply urban character of political rights is this: If essential forms of democratic practice are most acute within cities, then the cities' inability to guarantee these rights critically impairs the functioning of the larger democracy. Hence, if these rights are most expressed when they are used in cities, then political repression does not need to be universally applied. Repression, to be effective, only needs to be selectively applied in those places and times where political dissent is most likely, and practiced most effectively. Hence, while repression may be far from ever-present across the entire country, it does not need to be in order to be effective. If only the cities themselves become inhospitable to political freedom, then the larger democracy would still be decisively undermined.

In other words, democratic action by the populace does not occur uniformly throughout the social and physical landscape, but rather, is more acute in specific places and times. Only certain parts of the population mobilize, and even then, they only do so at particular strategic moments, in places that best facilitate their actions. To use the gateway metaphor, cities can be viewed as the crucial conduits through which the people deliver contesting ideas into the global discourse. This gateway metaphor becomes vivid reality when social movements literally 'march through' urban spaces, in the hopes that their alternate perspectives will be heard by decision makers at the global level. However, if cities constrain population's ability to use urban space as this kind of political platform, thereby closing the 'gateway,' then a major avenue for redressing their grievances is no longer available to them. In short, an essential guarantee of liberal democracy has been eliminated: the right of citizens to have alternate recourse when they feel their representatives have failed to listen to them.

Global Cities and the Global Justice Movement

In the age of Globalization, cities have remained the epicenters of democratic practice. One of the most prominent social movements of the present time, the Global Justice Movement (sometimes referred to as the 'anti-globalization' movement), makes this point most succinctly. This global movement is symbolized by almost entirely by the names of cities - Seattle, Genoa, Prague.³³ In the Americas: Quebec, Miami, Cancun and Quito. Each of these cities has chosen to host high-profile

³³ Kohler, B. and M. Wissen. Globalizing Protest: Urban Conflicts and Global Social Movements. *International Journal of Urban and Regional Research*, 2003. 27(4): 942

meetings of global institutions like the WTO and G-8, only to find themselves hosting dramatic confrontations between these organizations and civil society. These city names, just by themselves, resonate strongly with protesters and politicians alike, as they mark milestones in the confrontation over the shape and politics of the global economy.

As cities continue in both size and number, they will likely intensify as epicenters of political practice and contestation. By 2007, for the first time in human history, more than half the world's population will live in cities.³⁴ Even within the United States, cities are increasingly the place where people reside as 80% of Americans now live in metropolitan areas.³⁵ The question is, if cities are indeed, the 'gateway of democracy,' then in the United States, are the gateways opening, or are they being closed? In other words, are the liberal institutions required to keep democracy functioning – autonomous associations, public assemblies, free speech – allowed to flourish in US cities, or are they being systematically repressed? The next chapter seeks to answer this through empirical investigation.

³⁴ United Nations Population Fund. *State Of World Population 2004: Migration And Urbanization*. 2004. (Accessed on July 10, 2005) <http://www.unfpa.org/swp/2004/english/ch1/>

³⁵ Khator, Renu. *Public Engagement and the American Metropolis*. Center for Local Autonomy, 2002.

Chapter II:

Descriptive Data

Methodology

Data was collected from 14 mass protests events between 1999 and 2005, using information about the two largest protest-based social movements in the nation, the Anti-War movement and The Global Democracy movement. These events were chosen because they had the most available data regarding media coverage, police after actions reports, and court documents. A standard definition of ‘repression’ was applied to these protest events to see if any patterns of repression could be found. Stockdill’s definition of repression is used as it captures both the general nature of repression as well as specific categories of repressive tactics. According to Stockdill, repression is defined by “any actions taken by government authorities to impede mobilization, intimidate activists, divide organizations, and physically assault, arrest, imprison, and/or kill movement participants,”³⁶ Six specific categories of repressive tactics are used to match this definition: (1) media tactics, (2) legal tactics, (3) use of force tactics, (4) intimidation tactics, (5) spatial tactics, and (6) intelligence tactics.

1. Media tactics: this category includes verifiable incidents in which misleading information about protesters is publicly disseminated through the media by government agencies in ways that undermine protesters ability to form effective coalitions, garner public support, mobilize in the streets or achieve other aims. This includes the demonization of non-violent protest groups by falsely associating them with terrorism and/or violence; the arranging or mischaracterization of physical evidence to imply protesters’ violent or criminal intent; the use of ‘embedded media’ by local law enforcement to frame events from a state/law enforcement perspective; and the targeting (using arrest or violence) of non-embedded media sources that provide independent perspectives.

2. Legal tactics: this category refers to the use of the law, or legal procedures (such as arrest) to restrict freedom of assembly and speech when it is being exercised in a non-violent, and/or non-criminal way. This includes the suspension of ordinary law just prior to protest events, such as pre-emptive declarations of ‘state of emergency’ or local ordinances, that provide a basis for unusual

³⁶ Stockdill, Brett C. *Multiple Oppressions And Their Influence On Collective Action: The Case Of The AIDS Movement* (Ph.D. Dissertation). Department of Sociology, Northwestern University, 1996 cited in Earl, Jennifer. *Taxes, Tanks and Teargas: Towards a Theory of Movement Repression*. Sociology Theory, 2003. 21 (3)

restrictions on speech and assembly; the delayed issuing of legal permits for public gatherings in ways that hamper the efforts of protest organizers to plan events effectively; the unjustified termination of permitted or otherwise legal protest event; the use of false arrests, mass arrests, or 'pre-emptive' arrests to clear streets of non-violent and/or non-criminal protesters; the arrest of bystanders and third party witnesses such as journalists, legal observers and street medics who are identified as such; the prolonged detention of those arrested; the use of excessive bail amounts or exorbitant charges against those arrested; and random search and seizure.

3. Use of force tactics: this category includes the excessive use of force against protesters or bystanders. This includes the use of so called "less-lethal" (re: "potentially lethal")³⁷ weapons against protesters and bystanders who were *not* engaged in violent and/or criminal activity. These weapons include chemical weapons (tear gas, pepper spray), projectile weapons (rubber bullets, pepper balls, wooden dowels), electroshock weapons (Tasers) and experimental weapons (Long Range Acoustic Device, Electro Magnetic Pulse Weaponry).

4. Spatial tactics: This category includes restrictions on the use of public space for political assemblies. This includes declaring large portions of the city as "No Protest Zones" or confining public assemblies to enclosed, fortified "Free Speech Zones"; the shutdown of business districts to all public access during protests; the use of heavy fortification or security perimeters to close off public areas; the hampering of protesters ability to access legally permitted protest areas by restricting pedestrian access or obstructing transportation services; the imposition of curfews; and the use of mobile metal barriers or flexible plastic netting to herd, push and/or arrest protesters.

5. Intimidation tactics: this category includes pre-emptive "shows of force" meant to publicly demonstrate the amount of force police they are willing to use, in an effort to affect dissenters behavior. This included dramatic law enforcement training drills conducted publicly just before protests; the prominent presentation of massive quantities of police weapons, vehicles and personnel onto the streets during the protest itself; the visible deployment of uniformed US Armed Forces personnel onto the streets; the stationing of Armored Personnel Carriers (APCs) in public places or the repeated flying of helicopters closely over protest and rallies. This also includes the

³⁷ Statement by Amnesty International Spokesman in "Controls urged on 'lethal' Tasers" *BBC News Online*. November 30, 2004. (Accessed on July 10, 2005) http://news.bbc.co.uk/1/hi/uk_politics/4053221.stm

conspicuous surveillance of organizers' homes, and the physical raiding of protesters meeting spaces.

6. Intelligence tactics: This category includes verified incidents where law enforcement agencies actively gathered information on groups or persons not engaged in criminal or violent activity; the direct infiltration of protest groups by law enforcement personnel; or the disruption of protests by undercover law enforcement posing as protesters.

In analyzing the data from these mass protest events, this study seeks to reveal if incidents or trends can be deduced that can be said to have reshaped the urban landscape as a venue for democratic practice, in essence, closing the 'Gateways of Democracy.'

This study does not separate the data from the two movements in question, as the Anti-War Movement and the Global Democracy Movement at times overlap and converge, particularly at national political conventions and presidential inaugurations. However, in the case of Global Justice protests (WTO, IMF/WB, WEF, FTAA) and national political conventions (DNC, RNC), the protests coincide in both time and place with a meeting of national or international significance. In contrast, in the case of Anti-War movement, most of the protests took place at sites that had symbolic significance, such as New York, and Washington DC, but in the absence of high-profile meetings were being held there at the time. In all cases, the protesters who lived in or traveled to these cities considered their message to be national or global in scope, meant to reach an audience at the locality of protest, as well as others around the nation or world. The cities and events included are the following:

<u>CITY</u>	<u>EVENT</u>	<u>DATE(S)</u>
Seattle, WA	World Trade Organization (WTO)	Nov 30 - Dec 3, 1999
Washington, DC	International Monetary Fund, World Bank	Apr. 16 -17, 2000
Philadelphia, PA	Republican National Convention (RNC)	Jul 25-29, 2000
Los Angeles, CA	Democratic National Convention (DNC)	Aug 14-17, 2000
Washington, DC	Presidential Inauguration	Jan 20, 2001
New York, NY	World Economic Forum (WEF)	Jan 31 - Feb 4, 2002
Washington, D.C.	International Monetary Fund, World Bank	Sep 22, 2002
Oakland, CA	Anti-War	Apr 7, 2003
New York, NY	Anti-War	Feb 15, 2003
Miami, FL	Free Trade Area of the Americas (FTAA)	Nov 20-21, 2003
Sea Island, GA	Group of 8 (G-8)	Jun 8-10, 2004
Boston, MA	Democratic National Convention (DNC)	Jul 25-29, 2004
New York, NY	Republican National Convention (RNC)	Aug 29-Sep 4, 2004
Washington D.C.	Presidential Inauguration	Jan 20, 2005

Data sources for these protest events include news articles, police “after action” reports, reports produced by government agencies such as Citizen Review Panels and Civilian Investigative Panels, reports compiled by national civil liberties organizations, and photo documentary evidence taken by independent media sources. (To see the complete data set, please see the attached document: Incidents of Repression at Mass Protest in US Cities (1999-2005); For a full and detailed account of each data point, please see Appendix: Data Citations).

The data is of two kinds. The first section is quantitative (see below) tracking numerical data about each protest event such as the number of protesters, police, and arrests. The second section is qualitative, using the six categories of repression. All six are categories of tactics that if deployed by police or other public officials, function to undermine the exercise of basic political rights of citizens and residents. These fields are tracked to see if there was, in fact, demonstrable evidence of repression being enacted during protests in the US.

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti- War 2003	IMF 2002	Anti- War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
# of Protesters	50,000	10,000	10,000	8,000	3,000		7,000	500	4,000	250,000	8,000	300	2,000	400,000	10,000
# of Law Enforcement	1,100	1400	7000	2,000	6800		4,000	165	3200	5,000	2,500	20,000	5,000	36,000	13,000
# of Law Enforcemt. Agencies:	28	na	na	30	16		na	na	25	na	40	136	40 ?	66	60+
Approx. Ratio Police to Protesters:	1 to 25	1 to 5	2 to 3	1 to 4	3:1		1 to 2	1 to 10	1 to 1	1 to 50	1 to 4	1 to 66	5 to 2	1 to 11	3 to 2
# of Arrests:	631	1300	420	170	9		201	31	649	257	283	15	5	1821	6
# of Convictions:	1-23	na	23	50	na		na	0	na	na	0	15	na	na	na
Rate of Convictions	1-3%	na	5%	29%	na		na	0%	na	na	0%	100%	na	9%	na
Total Security Expend.(in millions)	11.2	10	13.3	22	6		44	na	14	5	23.9	37	60	76	17.3*
Total Fed. Funding (in millions)	0	16	na	na	6		na	na	na	0	8.5	25	50	50	NA
Police Overtime (in millions of dollars)	6	na	na	11.6	3		44	na	5.7	5	10.5	9.6	32.5	59	9.2

Figure 1: Quantitative Data (Citations for each data point are provided in Appendix: Data Citations)

Descriptive Findings:

Media tactics:

The data set reveals a consistent pattern wherein law enforcement agencies and/or local politicians made statements to the media that falsely associated them with violence and/or terrorism. (For specific examples, see Appendix: Data Citations). Since 1999, statements by public officials and/or police that imply protesters are violent occurred in almost 100% of the cases. Since September 11, 2001 statements made by public officials and police that associated protesters with terrorism occurred almost 100% of the cases. A couple examples illustrate the kind of statements made: just days before the Miami/FTAA(2003) protests, Miami Police Chief John Timoney described protesters as “punks” and “outsiders” who were coming to “terrorize and vandalize our city.”³⁸ While no acts of terrorism and vandalism occurred on the part of protesters, what followed was a massive, violent crackdown by police on protesters who were by all accounts overwhelmingly law-abiding and peaceful.³⁹ Similarly, during the Republican National Convention (2004), New York City mayor Michael Bloomberg drew comparisons between protesters and the attacks of September 11, when he stated that some want to “to destroy our city.”⁴⁰ He condemned protesters’ heated verbal exchanges with convention delegates with the assertion that “that’s exactly what the terrorists did.”⁴¹ The Mayor’s statements were made in defense of the more than 1800 arrests that had occurred (only 9% of whom were found guilty on any charges).⁴²

Police routinely made dramatic claims about protesters plans to do violence, usually citing their own ‘inside sources’ or anonymous information found ‘on the internet’ that strangely, could not be found by anyone else. This type of trend is explored in greater detail in the study: *Getting Used: How the Mainstream Media Helps Create Climate of Fear and Repression During Political Protests.*⁴³

³⁸ Figueras, Tere. Big Police Presence; Few Clashes. *Miami Herald*. Nov. 21, 2003.

³⁹ Defede, Jim. He respected the badge, but not in Miami. *Miami Herald*. November 23, 2003. See also Goldberg, Michelle. This is not America. *Salon.com*, December 16, 2003; *Civilian Investigative Panel: A Developing CIP in the Aftermath of the Free Trade of the Americas Summit*. City of Miami, 2004: 133.

⁴⁰ Becker, Maki et al. Cops corral Prez protesters. *NY Daily News*. September 3, 2004.

⁴¹ Archibold, Randall C. Protesters Try to Get in Last Word Before Curtain Falls. *New York Times*. September 3, 2004.

⁴² In Dwyer, Jim. Videos Challenge Accounts of Convention Unrest. *NY Times*. April 12, 2005.

⁴³ Anderson, Christopher. *Getting Used: How the Mainstream Media Helps Create Climate of Fear and Repression During Political Protests*. Department of Communication, School of Journalism. New York: Columbia University, 2004. (Accessed on July 10, 2005 from *The Independent*) http://nyc.indymedia.org/usermedia/application/2/Getting_Used_-_Report.pdf

In many cases, physical evidence was mischaracterized or wholly invented in order to infer links between protesters and violence. During the World Bank/IMF (2000) summit police raided the activists' central organizing space, shutting it down just one day before protests were set to begin. Police justified the action by telling reporters they had found weapons-making materials in the warehouse such as Molotov cocktails and pepper-spray, implying the space was being used to arm protesters intent on doing violence. In fact, it was a puppet-making warehouse. Only after the protests were over did the public find out that the items in custody were only generic cooking equipment and food ingredients like pepper and onions.⁴⁴ During the Boston/DNC(2004) police widely publicized the claim that they had seized a Molotov cocktail from a protester in crowd. They continued to assert this for days after they had the 'object' in custody, a claim which was then widely circulated in the national media. It was later revealed that the object was in fact, merely a hollow plastic and papier-mache 'pirate hook' that was part of an protester's homemade costume.⁴⁵ During Miami/FTAA (2003), police held a dramatic and angry press conference claiming they had seized physical evidence that revealed how protesters had been constructing an arsenal of weapons.⁴⁶ Among the common household items they presented, they presented coconuts and bicycle tires side by side, insisting they were the rudiments of giant slingshots. One police spokesman declared: "What is normally a harmless coconut can actually become a deadly weapon."⁴⁷

⁴⁴ Ibid.

⁴⁵ Stidman, Pete. Three Arrested Over "Molotov Cocktail" (Translation: Empty Plastic Bottle). *Boston Independent Media Center*. July 29, 2004.

⁴⁶ George, Jim. The Miami Model: Observations on a Corporate and Government Alliance. *Baltimore Independent Media Center*. January 31, 2004. (Accessed July 10, 2005) <http://baltimore.indymedia.org/newswire/display/6159/index.php>

⁴⁷ *Associated Press*. Police Arrest Scores Of Miami Trade-Talk Protesters. NBC. November 20, 2003.

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
Demonization of protesters	X	X	X	X	X		X	X	X		X	X	X	X	X
Inferring link protesters/violence	X	X	X	X	X		X	X	X		X	X	X	X	X
Inferring link protesters/ terrorism							X	X	X		X	X	X	X	
Misrepresented evidence		X	X					X			X		X		
Embedded media; targeting of non-				X							X			X	

Figure 2: Media Tactics (Citations for each data point are provided in Appendix: Data Citations)

These ominous characterizations present an image of protesters as violent and dangerous to the public, providing a pre-text for extreme police actions in ‘response.’ They have been used to either create a pretext for pre-emptive police action absent any crime, or to justify excessive police actions after the fact. As one Miami observer said of the media coverage during the FTAA: “This strategy is about convincing the public of something that is not true, and then using this as a basis to enact public policy. Effectively, this gives the police a blank check to do whatever they want.”⁴⁸

On the eve of the Boston/DNC (2004) one protest organizer commented on how this undermines protesters’ relationship to the public while at the same time leaving them vulnerable: “They try to build a divide between the community and us because if we’re isolated, we’re segregated, they can do whatever they want, and they can use whatever tactic, whatever style they want, to try and suppress us.”⁴⁹

Typically, it was revealed days or even weeks after the protests had passed, that police claims made at the time of protests were exaggerated, if not totally false. By the time that this disinformation is revealed, however, the media spotlight had moved elsewhere and public perceptions remain uncorrected.⁵⁰ While the basis for the characterizations may ultimately be disproved, the disinformation has already served its purpose by sustaining about ‘violent and dangerous protesters’, thereby establishing a pretext for security operations at the next event.

⁴⁸ Statement by Max Rameau, Director of Miami Workers Center in personal conversation.

⁴⁹ Doderer, Camille. *Free Radicals*. *The Providence Phoenix*. August 13 - 19, 2004.

⁵⁰ Anderson, Christopher. *Getting Used: How the Mainstream Media Helps Create Climate of Fear and Repression During Political Protests*. Department of Communication, School of Journalism. New York: Columbia University, 2004. (Accessed on July 10, 2005 from *The Independent*) http://nyc.indymedia.org/usermedia/application/2/Getting_Used-_Report.pdf

In regards to media tactics, it is also important to note that immediately after repressive acts were carried out, police and public officials usually engaged in a series of well-publicized self-congratulations, complimenting officers for demonstrating enormous “restraint” and “professionalism” in the face of incredible danger.⁵¹ This final piece of public relations creates a self-justifying cycle; a circular argument that begins with a manufactured threat, followed by a repressive solution. Once it becomes clear to the public that contrary to police predictions, protesters did not in fact engage in violence, police can claim that it was in fact, their own repressive operations that actually prevented the violence from happening.⁵² What gets lost between these two contrived end endpoints are the actual facts of protesters’ non-violent intent and methods. The pre-packaged storyline about police stemming protester violence is often what consumes media coverage of protest events; effectively sidelining the political content of protesters’ message.

Legal tactics:

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
Ordinances, “State of Emergency” used to restrict assembly										X	X	X			
Delayed issuance of permits										X		X		X	
Improper termination of event				X							X				
False/mass/pre-emptive arrests	X		X	X			X		X		X				X
Arrest of journalists/legal obs./medics	X	X		X			X	X	X		X				X
Prolonged detention	X		X				X		X	X	X	X			X
Exorbitant bails	X		X	X											
Random detention or searches & seizure				X							X	X			

Figure 3: Legal Tactics (Citations for each data point are provided in Appendix: Data Citations)

⁵¹ NY Police chief praised his officers for showing: “great restraint in the face of relentless provocation. ” in Moore, Martha. Nearly 1,000 protesters arrested. *USA Today*. September 1, 2004.

⁵² Defede, Jim. Thanks to cops, the anarchists are the winners. *Miami Herald*. November 27, 2003; Also, the day after the FTAA the Miami Herald declared: “An unprecedented show of force by police...quelled the city of Miami’s worst fear -- widespread rioting.” in Nesmith, Susannah. Police praise selves on absence of chaos. *Miami Herald*. November 22, 2003.

Sudden changes to the law just prior to a protest were used in at least 3 of the protest events to create extraordinary restrictions on freedom of speech and assembly. For example, in Miami an 'anti-parade' ordinance was passed just days before the anti-FTAA protests,⁵³ leaving civil liberties organizations insufficient time for legal appeals. Among its many provisions, the ordinance outlawed all public assemblies of over 8 people at any time anywhere in the city.⁵⁴ It was successfully repealed on constitutional grounds, but only after the protests had ended and hundreds of arrests had been made. In Georgia, just prior to the G-8 (2004) summit protests, the governor declared a preemptive 'State of Emergency.'⁵⁵ This special emergency power is usually reserved for major natural disasters, yet it was declared in the absence of any actual emergency situation. Nonetheless, it fostered an environment of panic and fear among local residents and media, while granting police unlimited legal latitude to deal with protesters during the summit, including the right to break up 'any gathering.'⁵⁶

Another common tactic was the delayed issuing of protest permits. During the RNC (2004) United For Justice and Peace, a major national anti-war group, waited for over 1 year for a march permit to accommodate 250,000 people. The permit was granted only days before the event and included a changed route, throwing final plans into a tailspin. Late issuance makes protest planning nearly impossible and has the effect of undermining the ability of protest organizers to plan effectively.⁵⁷ Commented one NY city councilman: "Permits delayed are permits denied."⁵⁸

The use of mass, preemptive arrests occurred in 50% of the cases studied. Many of these operations included the indiscriminate arrest of more than a hundred persons at a time. During NY/RNC (2004) the police swept up a staggering 1821 people, mostly in mass arrest situations. The stunningly low rate of convictions among those arrested underscores the lack of 'probable cause' for the arrests, as only 9% were convicted of any charges.⁵⁹ The rate of conviction was actually 0%

⁵³ "We would be kidding ourselves if we said that without the [Free Trade Area of the Americas] this law would have been passed," quoted in Salazar, Carolyn. *Protest Law Headed Toward Repeal*. Miami Herald Feb. 27, 2004; See also, Hermes, Kris. *Federal court takes control of Miami's protest permit scheme*. Miami Activist Defense. March 3, 2004.

⁵⁴ Boghosian, Heidi. *The Assault on Free Speech, Public Assembly, and Dissent*. National Lawyers Guild. North River Press, 2004: 7

⁵⁵ The declaration of emergency is ordered in *Executive Order 05.07.04.01*, The State of Georgia. May 7, 2004. Downloaded June 10, 2005 from: http://www.gov.state.ga.us/ExOrders/05_07_04_01.pdf

⁵⁶ Ibid.

⁵⁷ Dangi, Benjamin. An Interview with Heidi Boghosian. *Upside Down World*. July 27, 2004.

⁵⁸ Robinson, Gail. Summer of Protest. *Gotham Gazette*. June 21, 2004. <http://www.gothamgazette.com/print/1012>

⁵⁹ Dwyer, Jim. Videos Challenge Accounts of Convention Unrest. *NY Times*. April 12, 2005

for both Miami/FTAA (2003)⁶⁰ the Oakland Port Protest (2004).⁶¹ In over 70% of the cases cited in this paper, clearly identified third party observers such as journalists, medics, and legal observers were arrested alongside protesters. In many of the situations, police conducted mass arrests without issuing any public warning or order to disperse (a legal requirement).⁶² In other cases, the dispersal orders were issued, but then police physically blocked protesters from leaving the site.⁶³

Prolonged detention occurred in over 57% of the cases studied, as arrestees were frequently held in jail longer than legal limits. During RNC (2004), the length of detention became so suspect that a judge actually fined the city \$1,000 for every protester held over the 24 hour time limit, pointing out that shoplifters and other petty criminals arrested at the same time had already been released.⁶⁴

These mass arrest tactics have two important outcomes: First, they act as a deterrent. Mass arrests generate extensive media coverage and send a message of intimidation to would-be protesters.⁶⁵ When it appears to interested parties that they have a high likelihood of being arrested (even for even for being a bystander) then the perceived costs of participation are raised, thereby decreasing people's willingness to get involved. Secondly, mass arrests serve as a form of 'preventative detention,' putting large numbers of protesters in jail absent any crimes, and physically detaining them for the duration of the protest event. Even though a majority of those arrested get absolved in court, invalidating the arrest, the mass arrests had already served its purpose as a form of preemptive crowd control.⁶⁶

⁶⁰ Solnit, David. *FTAA Scorecard: 283 Arrested / 0 Convictions*. Save Our Civil Liberties. May 3, 2004.

⁶¹ *The Dispatcher*. Charges Against ILWU BA, Protestors Dropped. International Longshoremen and Warehouse Union. June 9, 2004.

⁶² "In violation of department policy, police frequently failed to wear identifying badges, refused to give shield numbers, arrested peaceful protesters without a warning or an order to disperse." in Allen, Terry. *Breaking Law to Keep Order*. *In These Times*. May 29, 2000.

⁶³ Ross, Robert. Killmon, Bentley et. al vs. *City of Miami, United States District Court for the Southern District of Florida, Miami Division*. March, 25, 2004. : 5-12

⁶⁴ Dangel, Benjamin. "Arrestees, Lawyers, Medics Condemn Conditions of RNC Protest Detention." *The NewStandard*. September 3, 2004.

⁶⁵ Boghosian, Heidi. *The Assault on Free Speech, Public Assembly, and Dissent*. National Lawyers Guild. North River Press, 2004: 40

⁶⁶ Also sometimes referred to by attorneys as "Preventative Detention". NYC accused of creating 'Guantanamo on the Hudson'. *Associated Press*. November 23, 2004.; See also Kamanetz, Anya. Target: Dissent. *Village Voice*. September 28, 2004.

Use of force tactics

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
Excessive force vs. non-violent protesters	X	X		X				X	X	X	X				X
Chemical Weapons	X			X				X		X	X				X
Projectile Weapons	X			X				X			X				
Electroshock Weapons											X				
Experimental Weapons											X				
Injuries caused	X			X				X			X				
Critical Injuries	X							X			X				

Figure 4: Use of Force Tactics (Citations for each data point are provided in Appendix: Data Citations)

Excessive force was deployed in over 50% of the cases studied, and in many of these cases, the consequences for protesters and bystanders were severe in nature. During the Oakland port protest, although the police's own videotapes revealed protester did not provoke police,⁶⁷ OPD responded with a hail of projectile fire, hospitalizing both protesters and nearby dock workers alike.⁶⁸ During Miami/FTAA video footage showed that contrary to police claims, protesters did not precipitate police with acts of violence.⁶⁹ However, police deployed a massive barrage of projectile weapons into a crowds of unionists, teachers, retirees, and students. Dozens of protesters required hospitalization⁷⁰ including a youth who lost his eye as result of being shot in the face.⁷¹ Even non-protesters suffered severe injuries. A Miami journalist suffered permanent paralysis in his face after being shot while on the sidelines.⁷² Ironically, he was there to make a pro-FTAA film.⁷³

⁶⁷ Burt, Cicely. Video doesn't show rocks being thrown: *Oakland Tribune*. May 15, 2003.

⁶⁸ Photo Gallery: Protest at the Port of Oakland. *Oakland Tribune*: (Accessed June 10, 2005) <http://extras.insidebayarea.com/ot/gallery/index.asp?folder=news/protest60103>

⁶⁹ Footage from documentary: *The Miami Model*. A collaboration of the Independent Media Center. 2004

⁷⁰ Photos of protester shot in the back. *Miami Independent Media Center*. Downloaded June 10, 2005) <http://www.ftaaimc.org/en/2003/11/1997.shtml>

⁷¹ Information given to me in a personal conversation with victim's legal representative. Information withheld upon request of victim.

⁷² Transcript from broadcast: NOW, with Bill Moyers. *PBS*. February 27, 2004. (Accessed June 10, 2005) http://www.pbs.org/now/transcript/transcript309_full.html

⁷³ Pick Your Reality. *Miami New Times* (Photo series) <http://www.miaminewtimes.com/issues/2003-12-04/korten.html> <http://www.afsc.org/pwork/0407/040726.htm>



Seattle/WTO (1999): Police fire teargas and rubber bullets point blank into seated crowds of protesters practicing non-violent civil disobedience.



Miami/FTAA (2003): Police move in on a permitted rally firing rubber bullets, beanbags and tear gas into the crowd. Video by independent journalists subsequently showed the police use of force was not precipitated by protester violence.



Port of Oakland Anti-War protest (2003): Police lob concussion grenades and fire wooden dowels into crowd, hospitalizing several protesters and nearby dock workers. The police's own video disproved the officers' claims that protesters threw rocks and bottles before police acted.

Spatial tactics

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
'Free Speech' Zones/ 'No-Protest' Zones	X			X			X			X	X		X		
Restrict protester access to protest site	X			X	X		X			X	X	X		X	X
Maximum security perimeter/ fencing					X		X			X	X	X	X		
Mobile netting barriers to corral										X				X	
Shut down business areas of city	X			X							X	X			X

Figure 5: Spatial Tactics (Citations for each data point are provided in Appendix: Data Citations)

The physical closing off of public areas to assembly through various means occurred in over 70% of the cases. This figure was careful to exclude those cases where there were plausible concerns about security and fences and/or other barriers were used to protect the immediate vicinity of government buildings. In Seattle, the entire downtown area was declared a “No Protest Zone” and put under curfew. A Federal court determined that the police used the no-protest zone as a way to discriminate specifically against certain people with anti-WTO sentiments.⁷⁴ During Miami/FTAA nearly a half square mile of the downtown area was encircled by a security perimeter, eliminating all public access. During both Los Angeles and Boston Democratic National Conventions special “Free Speech Zones” were created to house protesters. In Boston (2004) this zone was fortified with concrete barricades, steel fencing, razor wire, covered by plastic netting, and was situated under an active construction site. It had a maximum capacity of 1000 people and was guarded outside by heavily armed police, with US Army soldiers stationed above it. A judge called the comparison to a concentration camp “an understatement.”⁷⁵

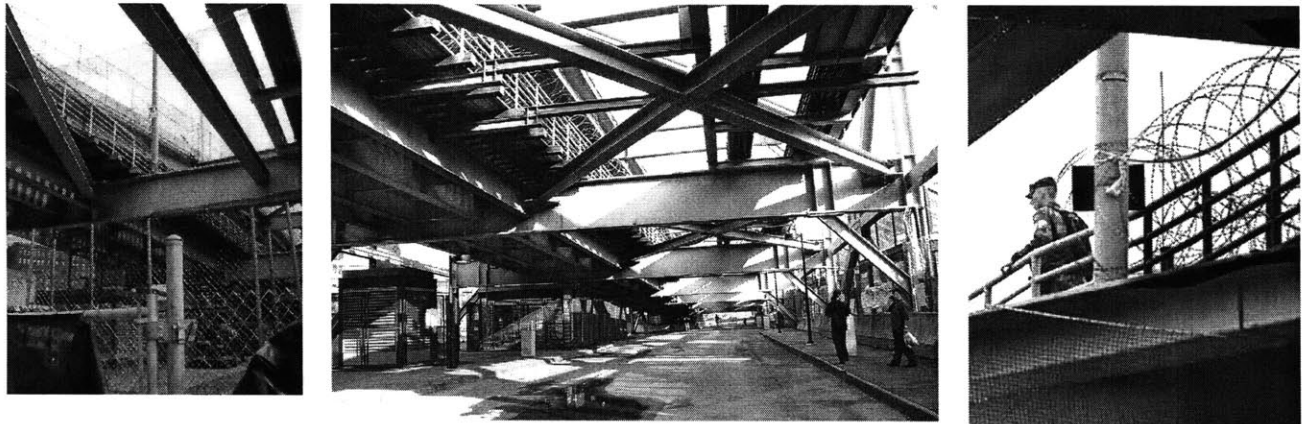
In many of the cases, large numbers of protesters were kept from reaching the permitted assembly area. During NY/Anti-war (2003) tens of thousands of protesters were barred from reaching the

⁷⁴ Federal Appeals Court: "In some instances police conduct may have gone too far and infringed on certain individual protesters' constitutional rights by making the content of their expressed views the test for their entry into the restricted zone," in Johnson, Gene. Court: Seattle Police Perhaps Erred in WTO Protest. *Associated Press*. June 3, 2005.

⁷⁵ Emery, Theo. Judge upholds 'free speech zone' but permits march on FleetCenter. *Associated Press*. July 22, 2004.

rally through the use of metal ‘protest pens.’⁷⁶ During Miami/FTAA(2003), despite a prior agreement with police, 13 busses carrying retired union workers who had traveled across the country were denied entry to the permitted protest area.

The Secret Service has been the driving force in stipulating restrictions on the use of space, under the reasonable theory that they are necessary to keep crowds of unknown people away from high-ranking government officials. However, in practice, the Secret Service has frequently allowed supporters of the president to get within close range of his person, while anti-administration demonstrators were forced to stay far away in free speech zones, sometimes miles away.⁷⁷ As one observer pointed out: “if someone wanted to kill the president, I would go with a sign saying ‘I love the president.’”⁷⁸ This double standard suggests that the ‘security’ concerns in question may have more to with protecting officials from public embarrassment, rather than the presence of any real security threat. Legally, this is unconstitutional as it is considered limiting free speech based upon on the content of ones message.



Boston/DNC (2004): Views from inside the heavily fortified “Free Speech Zone.” A judge called the comparison of the zone to a concentration camp ‘an understatement’. (Photo: David Meiren)

⁷⁶ Dunn, Christopher, et al. *Rights and Wrongs at the RNC: A Special Report about Police and Protest at the Republican National Convention*, ACLU, 2005: 17

⁷⁷ An ACLU complaint filed in U.S. District Court in Philadelphia lists eight instances in cities in which demonstrators protesting administration policies were allegedly forced into areas well away from where President Bush or Vice President Dick Cheney would be, while supporters with signs were allowed to be much closer.

⁷⁸ *Associated Press*. Florida protesters sue over free-speech zone arrests. August 7, 2003.

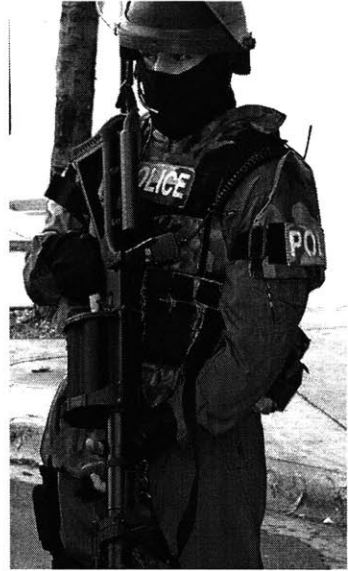
Intimidation tactics

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
Public training drills							X					X	X	X	
Media showcase of weapons, tactics				X			X					X	X	X	
Massive presentation of force on streets				X			X				X	X	X		X
US armed forces deployed on streets	X								X			X	X		
Helicopters or Armored Personnel Carriers	X			X			X				X	X	X		X
Activists' homes surveilled		X					X					X	X	X	
Activist meeting spaces raided		X	X	X							X				

Figure 6: Intimidation Tactics (Citations for each data point are provided in Appendix: Data Citations)

Pre-emptive forms of intimidation were used in 85% of the cases studied, occurring in the absence of any violent activity on the part of demonstrators. These included stationing of large numbers of heavily armed police inside permitted protest areas (42%), the prominent display of armored vehicles and weapons and/or the repeated flying of police helicopters and other aircraft over rallies and demonstrations (50%), and publicly staged ‘field force training drills’ or media displays of weapons to exhibit the amount of force on hand (50%). Technically labeled as ‘show of force’ operations by police, these preemptive displays are designed to use the threat of violence for psychological effect. In describing the police department’s use of this tactic during the FTAA, a high-ranking department spokesman stated: “Just about every alleyway or street you tried to go up you'd see a show of force. I think the psychological factor worked very well.”⁷⁹

⁷⁹ Williamson, Eric. Savannah police won't have Miami's muscle for G-8. *Savannah Morning News*. November 25, 2003.



Miami/FTAA (2003): The pre-emptive “show of force” on display (photo: www.ftaaimc.org)

Intelligence tactics

	WTO 1999	IMF 2000	RNC 2000	DNC 2000	Inaug 2001	9/11	WEF 2002	Anti-War 2003	IMF 2002	Anti-War 2003	FTAA 2003	G-8 2004	DNC 2004	RNC 2004	Inaug 2005
Surveillance (electronic)		X	X		X			X	X	X	X	X	X	X	
Infiltration of non- criminal groups;		X	X		X		X	X		X	X	X	X	X	
Use of agent provocateurs					X						X				
Surveillance (electronic)		X	X		X			X	X	X	X	X	X	X	

Figure 7: Intelligence Tactics. (Citations for each data point are provided in Appendix: Data Citations)

Revelations that police had infiltrated or surveilled non-criminal and/or non-violent protest groups were frequent (71%). (It can logically be assumed to be even more widespread than is presented in this dataset, which relies on public information, as such operations are by definition, secret). The common justification offered by police is that they are legally allowed to do this because the Justice Department has advised them that, like anyone else, they are free to attend any meetings open to members of the public.⁸⁰ However, this crosses over into legally and morally dubious territory as officers accomplish this by assuming false names, hiding the fact that they are on-duty officers (not just members of the ‘public’), and are entering private under false pretenses and without warrants.

Of greater concern, concrete evidence of *agent provocateur* tactics was found in more than one instance. Under intense legal pressure, the District of Columbia was forced to reveal that during the Presidential Inaugural (2000) two ‘anarchists’ dressed in black ski-masks who were videotaped shoving people and sprayed tear gas into the crowds were in fact, on-duty police officers.⁸¹ During Miami/FTAA (2003) there were numerous incidents where ‘protesters’ were witnessed and photographed being disruptive, and then walking through police lines and conversing casually with police. Undercover police officers were also photographed creating disruptions in the crowds by engaging in ‘snatch squads’ tactics wherein, dressed as protesters, they would surreptitiously

⁸⁰ Noah Leavitt. *John Ashcroft's Subpoena Blitz: Targeting Lawyers, Universities, Peaceful Demonstrators, Hospitals, and Patients, All With No Connection to Terrorism*. February 18, 2004.

⁸¹ Two men in street clothes -- one wearing a black ski mask -- were captured on amateur videotape roaming through the inauguration crowd. They shove bystanders and one pepper-sprays people seemingly at random. After two years of legal pressure, the District of Columbia acknowledged the men were on-duty police officers. in Montgomery, David. *Stirring a Cause*. *Washington Post*. Monday, May 12, 2003: C01; See also, D.C. Committee on the Judiciary. *Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia*, Council of the District of Columbia, March 11, 2004.

surround a particular protester suspected of criminal conduct and pounce on them, subduing them with tasers and by brute force, and then dragging them behind police lines for arrest.⁸² Media outlets were confused by this police tactic, mistakenly reporting the actions as evidence of protester violence.⁸³



DC/Inauguration(2000): Video still of on-duty police officer dressed up as 'anarchist.' Footage showed them shoving and spraying people in the crowd with pepper spray. (Photo: Partnership for Civil Justice)



Miami/FTAA (2003): A police 'snatch squad' dressed as protesters and armed with tasers, takes down a person in the crowd. One has "FTAA sucks" written on his backpack (Photo: www.ftaaimc.org)

⁸² Miami Independent Media Center Photo Series: "An undercover police snatch squad that infiltrated the crowd and nabbed a couple of people... They fired tasers into the crowd and then disappeared behind police lines, dragging the person they arrested with them." Stern, Andrew. N20: Photos Of Snatch Squad. *FTAA Independent Media Center*. November 22, 2003. (Downloaded June 10, 2005) <http://ftaaimc.org/pt/2003/11/1849.shtml>

⁸³ A TV news video showed a protester being subdued by an undercover snatch squad, but described the footage as protesters starting a fight. *Warner Brothers, Channel 39 news*, November 20, 2003.

Chapter IV:

Data Analysis

A New Model of Political Repression

The data shows a widespread and consistent pattern of political repression taking place within US cities. The ominous claim made by Miami officials after the FTAA (2003) summit that their heavy-handed operations culminated a new ‘model,’ appears to be supported by the evidence. While the exact operational details of the ‘Miami Model’ remain classified within police documents,⁸⁴ the basic characteristics of this model can be plausibly ‘reverse engineered’ by looking at the empirical data. Despite the many variations in urban contexts, the data reveals a fairly consistent set of general features. These include: the demonization of protesters in the media that serves as a justification for repressive acts; the manipulation of local laws in order to deny or restrict protesters basic rights to assembly and speech; mass, indiscriminate arrests absent probable cause; an increased reliance force via the use of “less-lethal” weapons; restrictions on the use of public space based upon the content of political speech; overt intimidation via the prominently stationing of military-grade weapons, personnel and vehicles on the streets; the use of undercover officers to infiltrate non-violent political groups; and the occasional (proven) use of agent provocateurs to stimulate violence.

This is a dramatic reversal of policing trends documented in the 1980’s and 1990s. In a landmark study, McPhail et. al discovered that in 1980’s and 1990’s protest policing in western democracies had become dramatically less repressive than in the 1960’s and 1970’s, increasingly relying on moderation, restraint, and the absence of the use of force.⁸⁵ One scholar summed up this transformation by stating: "avoidance of large clashes was evidence that police had successfully policed the protest."⁸⁶ This marked a distinct turn away from the repressive tactics that resulted in infamous episodes like the ‘police riot’ of Chicago’s Democratic National Convention in 1968 and the killing of 3 students at a demonstration at Kent State University in 1970.

⁸⁴ For example, the operations plan for the Miami/FTAA (2003) remains classified. “Miami police officials refused to hand over the document on the grounds that it contained security information that could jeopardize future operations nationwide. Authorities throughout the country have since adopted the plan.” Rodriguez, Ihosvani. Appeals court protects secrecy involving police strategy for Miami trade talks. *Miami Sun-Sentinel*, August 19, 2005.

⁸⁵ McPhail, Clark, et al. “Policing Protest in the United States: 1960-1995.” In Dontatell Della Porta and Herbert Reiter (eds). *Policing Protest: The Control of Mass Demonstrations in Western Democracies*. Minneapolis: University of Minnesota Press, 1998.

⁸⁶ John Noakes quoted in Shaffer, Gwen. Force Multiplier: Treating Protesters Like Terrorists. *The New Republic*. August 2, 2004.

The evidence in this paper strongly suggests a return to the previous era of police approaches that emphasize preemption and force. Moreover, the evidence suggests that this new model is not merely a relapse of old habits, but a modern re-invention. The new model takes full advantage of advancements in media and weapons technology that can enable repression to be more widespread, and yet harder to discern by the larger public.

According to Della Porta the main cause of the shift to less-repressive approaches was not simply good will on the part of police, but criticism by government commissions and intense public outcry.⁸⁷ However the new model is capable of circumventing these barriers to repression. The more adept use of mass media and public relations by public officials helps to obscure repression by criminalizing protesters, giving political repression the appearance of a normal, justified police response. A key component of this media strategy is the use of 'embedded media' that helps frames media stories from this kind of police perspective. 'Embedding' is a method adapted directly from military strategies in the War in Iraq,⁸⁸ The use of embedded media is often complemented by the selective arrest and assault of media who are not embedded with police.⁸⁹ Non-embedded media have been selectively targeted for arrest, and been the victims of police violence. As one journalism professor in Miami pointed out after the FTAA, embedding of the media encouraged reporters to buy into police spin that protesters are "the enemy."⁹⁰

Another factor has been the introduction of less lethal weapons as the primary tool of force. Despite their 'less-lethal' label, the use of these weapons actually *increases* police ability to use force against civilians, because it reduces the likelihood of fatalities.⁹¹ Simply put, since they are less likely to kill their targets, they can be used more without fear of generating public outcry. These weapons were developed for military use, specifically to aid in 'politically sensitive' environments abroad where civilians are the targets. With the use of these weapons, it is less likely that there will be another 'Kent State' in which the deaths of peaceful protesters shock a nation.

⁸⁷ Della Porta, Dontatella and Herbert Reiter (eds). *Policing Protest: The Control of Mass Demonstrations in Western Democracies*. Minneapolis: University of Minnesota Press, 1998.

⁸⁸ Pacenti, John. "Embedded Obstacles." *American Journalism Review*. February/March, 2004.

⁸⁹ During the mass arrests that occurred during the Miami FTAA, police asked media personnel if they were embedded. Those who were embedded were let go, those who were not were arrested. Source: Goldberg, Michelle. "This is not America." *Salon.com*. December 16, 2003.

⁹⁰ Pacenti, John. "Embedded Obstacles." *American Journalism Review*. February/March, 2004

⁹¹ The Stern Commission Report on Less Lethal Weapons (Commission Investigating the Death of Victoria Snelgrove), explains "the introduction of certain less lethal weapons can actually increase the severity and frequency and severity of injuries."

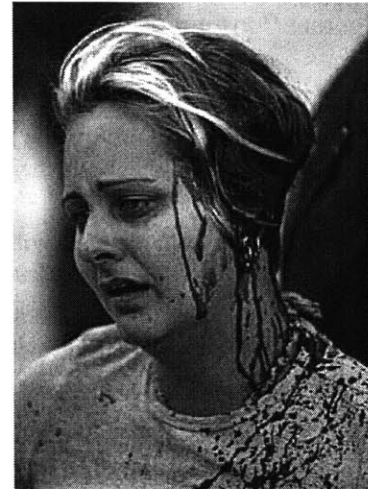
Instead, lethal incidents will be substituted by a greater number of lesser injuries, that while sometimes crippling, will draw less attention. Whether these weapons kill or not, however, the amount of force is sufficient to maim and injure, causing people to stay away from protest situations. While not as lethal, they are just as effective as normal firearms as a means of depriving people of their basic rights through the use of force.



Port of Oakland (2003): Protester shot by “less lethal” weapon during the. She suffered permanent nerve damage. (Photo: Paul Sakuma)



Miami/FTAA (2003): Journalist shot by police “beanbag” projectile which lodged itself in his temple. Half of his face remains paralyzed. (Photo: www.ftaaimc.org)



Miami/FTAA (2003): Protester shot by police while kneeling and praying on a grass field. (Photo: www.ftaaimc.org)

Transferring the Model

The evidence suggests that this new model of repressive tactics is being enacted on a broad, nationwide scale, being transferred from city to city, protest to protest, with many of its basic operational features intact. This was confirmed by the police whemselves when Miami Police admitted in court that the “Miami Model” of protest policing used during the FTAA protests is in fact being actively adopted by departments across the country. The department had refused to hand over the police ‘operations plan’ to the city’s own Civilian Investigative panel (even though the CIP is the official body charged with investigating police conduct) on the grounds “that it contained security information that could jeopardize future operations *nationwide* [because] *authorities throughout the country have since adopted the plan.*”⁹² (emphasis added).

⁹² Rodriguez, Ihosvan. Appeals court protects secrecy involving police strategy for Miami trade talks. *Sun-Sentinel*. August 19, 2005.

Compounding this evidence, the second most repressive event in the dataset, G-8(2004) has also been held up as a model by law enforcement officials across the country. In a massive operation whose main focus was crowd control, G-8 operations saw over 20,000 law enforcement and military personnel occupy an entire island and neighboring city, using miles of steel fencing and dozens of military vehicles on such a scale that while protesters decried the overt intimidation and non-protesting tourists comparing the operations to 'martial law'. An article from the Atlanta Journal Constitution quotes several law enforcement underscoring the operation's role as a model:

Officials say their success at squelching potential terrorism and violent protests has persuaded federal, state and local agencies across the country to make the Georgia experience a blueprint for 'national security special events.'

"Much of our planning will be helpful for the upcoming national political conventions. The information we gathered and the way we planned for this event is transferable."

"What we did here is absolutely exportable. The things we did here are going to become a model for future events of this magnitude."

"Lessons learned here will definitely be useful going forward."

The tactics already are being replicated for Boston, New York and other American cities scheduled to host major events, law enforcement officials said.⁹³

Looking at the publicly available data, the transference of these protest-policing models across the country can be tracked along three avenues of transmission. First, it is occurring through top-down (vertical) channels, as federal law authorities have had direct oversight of security operations in almost every single event in the data set. The FBI, Secret Service and (since September 11, 2001) the Department of Homeland Security, are now more intimately involved in the design and execution of local protest policing than ever before. As the highest-ranking officials present in these protest situations they are able to transfer lessons and plans from one protest situation to the next.

The second method by which the model is being transferred is horizontally. Public statements by police officials repeatedly describe an ongoing and vigorous practice of sending officials to observe police operations in protest events in other cities, in advance of protest events in their own city, in order to bring these tactics and strategies home for implementation. For example, observers from

⁹³ Hirschman, David. Security tactics set standard for events. *Atlanta Journal-Constitution*. June 10, 2004.

both New York and Boston police departments were present in Miami for the FTAA and in Georgia for the G-8.⁹⁴

The third avenue is via training by international specialists in crowd control, mostly coming from situations of military occupation in other countries.⁹⁵ For example, in advance of Boston/DNC (2004) BPD revealed they had received training from a range of international experts, including “Israeli suicide terrorism specialists and crowd-control tacticians in Northern Ireland.”⁹⁶

Taken together, public statements made by police, court arguments, and the empirical data suggests that the ‘Miami Model’ is being widely adopted by police departments across the country. This lends greater weight to the boastful claims made by Miami Police Chief John Timoney in the wake of the Miami/FTAA operations, calling them “the first big event for Homeland Security...the first real realistic run-through to see how it would work.”⁹⁷

Post 9/11 – A Quantitative, Not Qualitative Shift

While protesters bear the brunt of these operations, the overt nature of many of these new policing practices can easily offend the general non-protesting public, as they often require the prominent stationing of tanks, soldiers and weaponry on US city streets. This has increased the importance of public relations by police officials, as they have had to explain the necessity of these tactics. The ubiquitous explanation offered federal officials, politicians, and local police is ‘September 11’ i.e. the threat of terrorist attack. The data shows that almost without exception law enforcement officials offer the ‘War on Terror’ as the reason for the extreme security measures used to police protest events.

However, the data shows that while September 11 did mark a quantitative shift in scale of these operations, it did not mark a significant qualitative shift in the nature of repressive tactics used. Hence, it is difficult to credit the events of September 11 as the proximate cause for introduction of these new policies. The data reveals, supporting the claims made by the NLG and ACLU, that these new repressive tactics were established long before September 11, at least as far back as

⁹⁴ Ibid.

⁹⁵ Klein, Rick. Security overtime put at \$32.5m. *The Boston Globe*. June 25, 2004.

⁹⁶ Estes, Andrea. Police getting expert aid on DNC security. *Boston Globe*. May 9, 2004.

⁹⁷ NOW, with Bill Moyers http://www.pbs.org/now/transcript/transcript309_full.html

Seattle/WTO (1999).⁹⁸ This shift is also supported by police statements made subsequent to Seattle/WTO (1999) that claimed entirely new models of policing were required to address the increasingly sophisticated tactics of protesters.⁹⁹ This suggests that the precipitating event for the introduction of these new new tactics was not a violent act of terrorism, but rather, the success of protesters' tactics in Seattle, which were overwhelmingly non-violent.

That being said, the data does show important correlations with September 11. First, is strongly linked to the use of terrorism as a *public rationale* for the use of these new tactics. While these tactics were already in use prior to 9/11, there were few statements made in the media by politicians or law enforcement linking protest groups to terrorism. Since September 11 however, police and/or public officials have justified repressive policing tactics by inferring links between protests and terrorism in almost every instance.

Taken together, these two findings show that while the events of September 11 may not be the proximate cause for the introduction of repressive protest policing tactics, it has provided a popular rationale for their deployment.

There is a second correlation between the data and September 11. This date is linked to a dramatic increase in the *quantitative* scale of the repressive tactics used. In the quantitative data section, before and after September 11 comparisons between the number of agencies, police personnel, and amount of money devoted towards deploying these tactics all demonstrate dramatic quantitative increase. (See Charts 1 & 2, below).

Manufacturing Links Between Protesters and Terrorism

There is no evidence that any of the protest groups included in the dataset have any connection to terrorism, or for that matter, any policy of organized violence against people. That being said, a small section of the Global Justice movement has at times, made a grand display of engaging in acts of targeted vandalism and property destruction. The dramatic media images that this has produce - masked 'anarchists' clad in black, smashing Gap and Niketown storefront in Seattle - do

⁹⁸ Boghosian, Heidi. *The Assault on Free Speech, Public Assembly, and Dissent*. National Lawyers Guild. North River Press, 2004:17

⁹⁹ Nation Looks To Learn Lessons From Seattle's WTO Problems. *Seattle Post-Intelligencer*. February 29, 2000.

provide a factual basis for increased security concerns about property destruction. However, these dramatic and oft repeated images provide the only factual ‘kernel of truth’ that sits within a larger, factually unsupported characterization of these protesters as violent: dangerous to both people and local businesses.

A defining aspect to these groups’ behavior that has been largely ignored by the media, is that while they are associated closely with images of chaos, the most militant among the anarchist groups that attend mass protests behave according to a strict, explicitly-stated philosophy that rejects violence against people (in fact, against all living things, including animals). Even property destruction must be highly constrained according to their approach, as it is only considered politically and morally acceptable when directed at the property of large corporations who they see as engaged in exploitative practices and not small, locally owned businesses.¹⁰⁰ In fact, these militant groups routinely promote small, locally owned businesses during protest events as an antidote to what they see as a corporate domination of the local economy.¹⁰¹ While these definitions may seem arbitrary to many (as property destruction can certainly be described as ‘violent’) these guidelines have severely constrained the scope of even the most ‘hardcore’ groups to a very narrow set of practices. In contradiction to police characterizations, these guidelines show a great disinterest in undertaking orchestrated acts of violence against others.

Interestingly, in the course of this research project, in which hundreds of police reports, news articles, videos, and personal testimonials were examined, the author was unable to find any evidence of pattern of organized violence by protesters that fell outside these guidelines. There is clear evidence that several brand name stores did have their windows broken in Seattle. There is also evidence of countless instances of arguments and shoving matches between protesters and police that produced minor injuries on both sides. However, the oft-repeated claims that protesters have thrown Molotov cocktails, engaged in ‘widespread arson,’ or have launched concerted attacks on police are contradicted by the evidence (in some cases, even by the police departments’ own

¹⁰⁰ The militant protesters approach to property destruction was outlined in the *Anarchist N30 Black Bloc Communiqué*, a document publicly released on Dec. 12, 1999 immediately after Seattle/WTO: “ We contend that property destruction is not a violent activity unless it destroys lives or causes pain in the process. By this definition, private property--especially corporate private property--is itself infinitely more violent than any action taken against it. Private property should be distinguished from personal property.”

¹⁰¹ Anarchist protest groups often do door-to-door outreach to local businesses before and during protests, providing them with information about their goals and aims. During the Boston/DNC(2000) a self described ‘anarchist’ group called the Black Tea Society, printed hundreds of posters declaring their support for small, locally owned businesses, encouraging people to patronize their businesses and avoid corporate chain stores.

video footage).¹⁰² There have been no instances where protesters were found to carry bombs. There have been no instances of protesters launching violent attacks on members of the public or media (though heated exchanges are many). Even the New York Times had to retract its claims that there was any ‘widespread arson’ in Seattle after reviewing the evidence.¹⁰³ It is interesting that Seattle/WTO is the lynchpin in the narrative about protester violence and yet the Seattle Police Department’s own ‘After Action Report’ reveals that there were ‘no serious injuries’ during the event.¹⁰⁴ By their own admission, the less-than-serious injuries that police suffered were mostly a result of handling their own weapons.¹⁰⁵ As of yet, there is no compelling evidence that the image of protesters in the US as being dangerous to the larger public is anything more than an urban legend circulated by police and other officials, one which gains more ‘credibility’ with each retelling.

That being said however, there is ample empirical evidence of hundreds of lawful, peaceful protesters and non-protesting bystanders being seriously injured by police. While no protester fatalities have occurred in the US, many protesters have required emergency surgery or have suffered permanent, life changing injuries like partial paralysis or loss of an eye. In Seattle/WTO (1999) while police were not seriously injured, there were serious injuries *caused* by police. This sheds some light on the true nature of violence during protests, and suggests which parties may be the more likely cause of it. This is supported by earlier studies of riot situations, which concluded that police actions were often the precipitating cause of riots and other violent events.¹⁰⁶ Even if one accepts the argument that there is a small cadre of ‘hardcore’ protesters that seeks to do violence, this does not explain the widespread and indiscriminate use of repressive tactics that are chronicled in this paper. Even when there have been incidents that can arguably be stated to have been provoked by a few protesters, the deployment of massive crackdowns in their wake seem to imply

¹⁰² Burt, Cecily. Police Video Does Not Show Rocks Being Thrown. *Oakland Tribune*. May 15th, 2003.

¹⁰³ The NY Times issued a correction about its coverage of the Seattle WTO demonstrations stating “there were no reports of widespread arson.” Corrections. *NY Times*. October 30, 2004.

¹⁰⁴ Seattle Police Department. *Miami After Action Report*. City of Seattle. 2000. 3

¹⁰⁵ “Of the 56 officers who reported injuries, many were hurt by the crowd-control devices they were using to disperse demonstrators. Deafening concussion grenade explosions, stinging clouds of tear gas, and pain-inducing bursts of pepper spray were a major cause of injuries. Seventeen officers reported hearing loss, four listed exposure to chemical irritants, one was burned by a hot tear gas canister, and another claimed a snug-fitting gas mask broke his teeth. A dozen complained of strained backs, hurt hands and sprained knees from handling protesters.” Chasan, Daniel and Christine Walker. *Out of Control: Seattle's Flawed Response to Protests Against the World Trade Organization*. ACLU. July, 2000.

¹⁰⁶ See Kerner, Otto. *Report of the National Advisory Commission on Civil Disorders*. New York: Dutton, 1968; and Eisenhower, Milton. *Report of the National Commission on the Causes and Prevention of Violence*. Washington, DC: U.S. Government Printing Office, 1969.

that police used these acts by a few as a pretext for punishing the overwhelming majority, who had engaged in lawful and non-violent forms of dissent.

Nevertheless, the ominous specter of protester's extreme violence and terrorism is routinely used to justify massive security operations. When news reporters have raised questions about the plausibility of the connection between protest and terrorism, police officials have found ways to re-frame this connection by stating that the links are not actually direct. An exchange between a Fox News anchorman and Miami Police Chief John Timoney illustrates this:

FOX: Chief, the big question: could convention protesters actually leave us vulnerable to terrorism?

...

TIMONEY:: Oh, absolutely....

FOX: Now, do you believe that their intention is to provide a smoke screen, a cover, while real terrorists slip around in the background and blow up something big?

TIMONEY: I wouldn't say that that's their intention, but that could be the result of their actions.¹⁰⁷

According to this 'indirect' argument, it is not really the protesters themselves who present the terrorist threat (which there is simply no evidence for) but rather that protests could be used a *pretext* for a terrorists attack, making the heavy security operations necessary. Police officials have even gone as far as claiming that these operations on the street are not even directed at the protesters, but rather to *protect the protesters* from terrorist attack.

However, all these terror-based justifications for repressive crowd control measures break down when examined on the tactical level. From a tactical point of view, while there may be legitimate fears of terrorist attacks, the methods that are actually surround the protest events have no strategic relevance to addressing a potential terrorist attack. Riot police armed with 'less lethal' and 'non-lethal' projectiles, tear gas launchers, electronic riot shields, and high-tech sound weapons cannot help locate car bombs, deter people strapped with explosives, repel armed insurgents or stop airplanes from crashing into buildings. These weapons, strategies and tactics are designed and used for a singular purpose only, crowd control of civilian populations.

¹⁰⁷ John Gibson, Transcript of Interview With John Timoney. *Fox News*. July 15, 2004.

Big Threats Mean Big Money

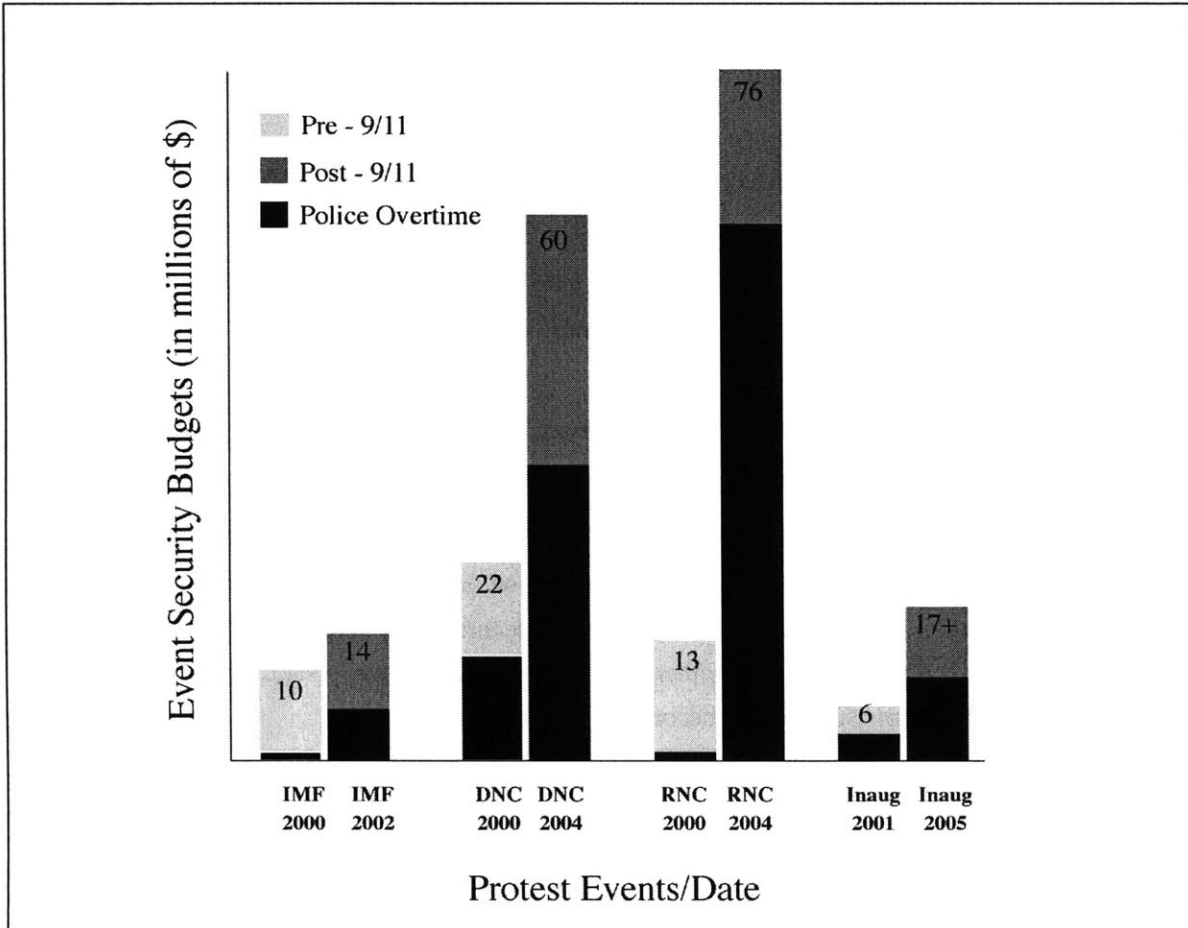
In the absence of any plausible link between protest and terrorism, it become imperative to ask why terror-based rationales are used so frequently to justify crowd control operations? The financial data suggests a plausible alternate explanation. Since September 11, 2001, protest policing operations present a massive financial windfall when protest policing can be justified in the name of 'combating terrorism'. As the executive director for the City of Miami's Independent Review Panel, noted after the FTAA protests: "Prior to 9/11, I'd never seen the federal government spend this kind of money to prepare local police departments for a demonstration."¹⁰⁸

This massive infusion of cash comes from Department of Homeland Security and can bring tens of millions of dollars in training, new equipment and police overtime pay for a single 2-3 day event - a dream come true for any law enforcement agency. For example, during the Boston/DNC (2004) (even though Homeland Security asserted that there they had no intelligence suggesting a threat) a whopping \$32.5 million went directly into individual policemen's pockets in the form of police overtime pay.¹⁰⁹ Millions more went to purchase new crowd control equipment and training for the Boston Police Department itself. During the Miami/FTAA (2003) tens of millions were spent at a trade summit where the implication that it was a serious target for terrorist threat approaches the absurd.

¹⁰⁸ Shaffer, Gwen. Force Multiplier: Treating Protesters Like Terrorists. *The New Republic*. August 2, 2004.

¹⁰⁹ Caywood, Thomas. Armed with DNC leftovers: Taxpayers foot bill for stockpile of firepower. *Boston Herald*. August 24, 2004: 7

Chart 1: Comparisons Of Pre- And Post- September 11 Security Budgets For Same Event



This is not to say that a significant portion of these funds is not directed towards legitimate security operations at these events, as there is at least some warranted concern over terrorism for some of the events. The publicly available funding figures for ‘security operations’ for these events have not been broken down into smaller categories, so it is impossible to determine how much went towards counter-terrorism tactics, and how much towards crowd control. However, even in cases where the events held no plausible interest for terrorists - but protesters were *sure* to show – the terrorism rationale was used.

For example, Al Qaeda’s condemnations of the US and Europe have never touched upon barriers to trade, farm subsidies, and trade liberalization. Hence, it is implausible that the wrath of Islamic terrorists would be directed at an obscure regional trade summit, much less one that focused primarily on Latin America, and had nothing to do with the Middle East. The only real security

concerns during the FTAA (2003) were the protesters who had haunted every previous FTAA meeting. To be sure, the security arrangements were a crowd control operation, not a counter-terrorism operation. Nonetheless, references to terrorism were made¹¹⁰ and \$24 million dollars were devoted to security operations,¹¹¹ including \$8 million from the federal Iraq War budget.¹¹²

A significant threat must be posed to justify spending tens of millions of dollars for a 2-3 day event. The threat of college students, school teachers, retirees and trade unionists, speckled with a handful of 'militants' that at worst, break windows, is simply not a compelling enough threat to justify these exorbitant budget requests. Clearly, a more ominous threat is needed.

In other words, it would be naive to ignore the influence that the availability of these massive funds may have in promoting a 'terror' rationale for police operations that are, in practice, crowd control exercises aimed at overwhelmingly peaceful protesters. As the Washington Post observed about the 'unprecedented' security for the 2005 inaugural: "In the end, massive anti-terrorism preparations for what federal authorities promised would be the most secure inauguration in U.S. history turned into an exercise in crowd control."¹¹³ Whether by design or circumstance, when terrorists fail to show, these massive security operations become directed at protesters.

Transference to every day policing

For some readers, this evidence of increasing police repression raises a practical question: "If I myself am not a protester, then why should this concern me?" What this line of inquiry fails to understand is that mass protest events serve as a kind of 'emergency moment' wherein extraordinary security procedures are introduced into police agencies that don't just disappear afterwards. These new protest policing tactics become absorbed into daily policing efforts and in turn, affect the well-being of the general public.

¹¹⁰ Miami Police chief referred to protesters as outsiders coming to "terrorize" the city quoted in Figueras, Tere. "Big Police Presence; Few Clashes." *Miami Herald*. November 21, 2003.

¹¹¹ Nesmith, Susannah A. Summit security costs public millions. *Miami Herald*. Feb. 22, 2004.; See also Diana Marrero. Security at Miami's free trade meeting cost taxpayers \$23.9 million. *South Florida Sun Sentinel*. February 24, 2004.

¹¹² The money -- \$8.5 million -- was tacked onto an \$87 billion spending bill for Iraq. Driscoll, Amy. Probe of police action urged. *Miami Herald*. November 25, 2003.

¹¹³ Hsu, Spencer S. et. al. Crowd Control, Not Terror, Causes Tense Moments. *Washington Post*. January 21, 2005: A32

After Boston/DNC (2004), a massive surveillance camera system was installed throughout the downtown area that allowed Boston police department to monitor protest activity. After the event was over, BPD officials were excited that the massive surveillance camera network they purchased to monitor protests would remain in place after the convention. “We own them now,’ said a BPD official. “We’re certainly not going to put them in a closet.”¹¹⁴ After Miami/FTAA (2003) the infamous “anti-parade” ordinance that was used to effectively outlaw protests in the city, remained in place (though in a modified form).¹¹⁵

More worrisome, the militarized nature of these new policing approaches can increase the potential of violent police responses to smaller, local demonstrations, or even to non-political gatherings. Boston provides perhaps the clearest, and most tragic example. For DNC security operations the Boston police used part of the \$60 million security budget to purchase new FN-303 ‘pepperball’ rifles, a cutting edge “less-lethal” weapon. The FN-303 is a crowd control weapon that fires round plastic bullets filled with a chemical toxin that is released on impact. Officers were seen carrying these new weapons ubiquitously throughout the DNC, but they were never actually used as protesters failed to live up to their characterizations as violent and disruptive. Afterwards, the media accused the department of “sitting on an arsenal of weapons acquired in anticipation of violence that never materialized.”¹¹⁶ However, rather than decommission these weapons, the department underscored their potential for use in other situations. A BPD spokesperson assured reporters, “they are not going to sit on the shelf and expire.”¹¹⁷ 3 months later, when a gathering of Red Sox fans became rowdy while celebrating the city’s historic win over the New York Yankees, BPD officers used these weapons to deal with the disorderly crowd. They fired on the crowd, and least 3 students were injured. One of them, a 21-year old student who did not engaged in any disruptive behavior, was hit in the eye by an FN-303 round. She was killed.

¹¹⁴ “The additional cameras...represent another chapter in Boston. Boston police say the 30 or so cameras installed for the convention will be used throughout the city once the event is over.” Ranalli, Ralph and R. Klein. Surveillance targeted to convention. *The Boston Globe*. July 18, 2004.

¹¹⁵ Conversation with Miami Atty. Rob Ross, who has been intimately involved in legal proceedings concerning the ordinance.

¹¹⁶ Caywood, Thomas. Weapons Of Mass. Destruction: Hub Cops Sitting On DNC Arsenal. *The Boston Herald*. August 24, 2004.

¹¹⁷ Ibid.



A photo taken during the DNC: BPD officers with newly purchased FN-303 'pepper ball' rifles positioned outside Free Speech Zone (Photo: Boston Independent Media Center)



A photo taken on 3 months later: BPD officer aims an FN-303 into crowd of Red Sox fans at a post-game celebration, minutes before a 21-year-old student was killed by an identical weapon. (Photo: Associated Press)

Chapter IV:

Institutional Contexts & Underlying Trends

The data shows a broad, documentable pattern of repression taking place during multiple meetings. But the data outlined above only describes how this trend is manifesting in the public eye. Rational consideration of these findings begs deeper investigation: how is this repression able to happen? If similar tactics are appearing at multiple places and times, what underlying institutional processes connect them? What factors may be facilitating this large-scale trend?

The Federalization of Local Police

One of the major trends in protest policing has been the increasing “federalization” of local police operations, accomplished through the exercise of “joint operations” between federal, local and state agencies during major events. During the event, new chains of command replace normal local police structures, and put local agencies under the authority of federal law enforcement agencies like the Federal Bureau of Investigation (FBI), the Secret Service (SS), and since 2001, the Department of Homeland Security (DHS). During high profile summits when large numbers of protesters are expected, massive amounts of local police personnel become integrated into these federal command structures. The data is dramatic, showing that up to 136 different agencies have participated in a single event (G-8, 2004). The new institutional relationships that form don’t simply disappear afterwards. As federal officials described after the Presidential Inaugural (2004):

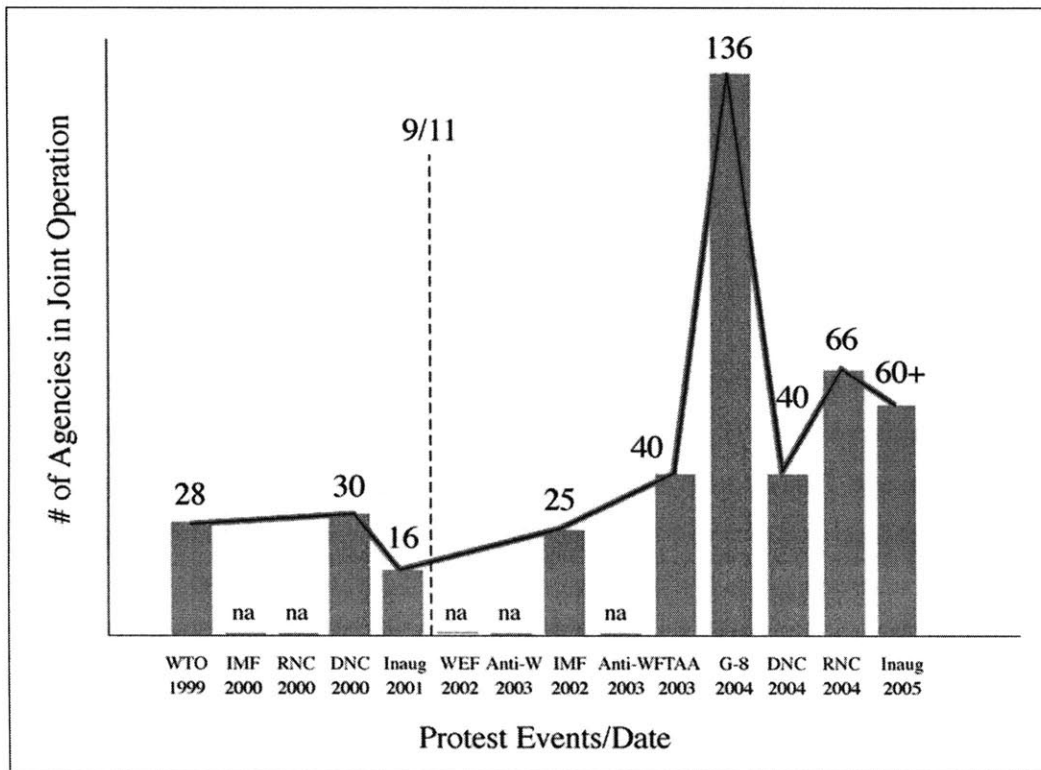
“A host of other benefits will outlast the event...such gains include...forging critical relationships among military and security decision-makers....A key benefit of the extensive security planning was that the expertise and relationships developed this month will survive.....[Tom] Ridge said the cooperation of more than 70 federal, state and local agencies for the inauguration was a model for what his department is trying to do nationally. Department officials said the inauguration was the first event run under a national emergency incident management system, which streamlines chains of command under a principal federal officer and field office.”¹¹⁸

In short, mass protest events assist in centralizing local police operations under federal authorities.

¹¹⁸ Horwitz, Sari and Spencer S. Hsu Experts Weigh Costs, Benefits of Inauguration Security. *Washington Post*. January 30, 2005: C01

This trend runs counter to the United States' distinct history of radically decentralized policing institutions, which have made local police departments primarily accountable municipal governments.

Chart 2: Increase In # of Agencies Involved In 'Joint Operations' For Each Event



According to scholarship on policing, decentralization is considered a 'basic tenet' of democratic policing¹¹⁹ and is said to improve "respect for human rights."¹²⁰ A cross-national comparative study conducted by Can that concluded that decentralization is positive correlated with democracy¹²¹ and that decentralized police organizations were more likely to promote democratic values than

¹¹⁹ Das, K. D., & Marenin, O. "Challenges of Policing Democracies: A World Perspective. Amsterdam" cited in Can, Salih Hakan. "A Comparative Model of Democracy, Respect For Human Rights, And the Rise of Democratic Policing Reforms" in Fields, Charles B. and Richter H. Moore, Jr *Comparative and International Criminal Justice Traditional and Nontraditional Systems of Law and Control*, Second Edition. Prospect Hieghts, IL: Waveland Press, 1996: 77

¹²⁰ Can, Salih Hakan. "A Comparative Model of Democracy, Respect For Human Rights, And the Rise of Democratic Policing Reforms" in Fields, Charles B. and Richter H. Moore, Jr *Comparative and International Criminal Justice Traditional and Nontraditional Systems of Law and Control*, Second Edition. Prospect Hieghts, IL: Waveland Press, 1996: 78

¹²¹ Ibid. p. 87

centralized ones.¹²²

Conversely, *centralized* policing has often tends to be associated with authoritarian, repressive and totalitarian regimes.¹²³ There are of course exceptions to this rule, where greater centralization under national authorities has provided more accountability and democratization such as in France, Hungary and Sweden. However, this has been attributed to centralization's ability to give the public even greater, stricter control over the police¹²⁴ when bolstered mechanisms of transparency and accountability. Unfortunately, these important mechanisms seem largely absent from the new model of policing in the US, as local, state and federal law-enforcement operations are increasingly shrouded behind deeper and deeper layers of secrecy in the name of 'national security' and fighting the 'War on Terror.'

In fact, many post-authoritarian nations in the midst of democratic transition list decentralized policing as a major goal.¹²⁵ It is more than ironic that as other countries move towards democracy (often looking towards the US as a model) the US may indeed be traveling in the other direction.

A note on the data: One may ask whether a direct connection between the 'joint operations' data and the presence of mass protests can be made. It could be argue that the presence of these agencies and mass protest are merely coincidental, as they are both present in regards to a third party - powerful leaders attending international summits - and not because of each other. It follows that these agencies (particularly military and federal agencies) are solely on hand to protect these people and institutions, as well as the rest of the citizenry, from potential terrorism. They are not there as a means of crowd control, despite what protesters imagine. There is some plausibility to this line of reasoning, as it is logical assume that a significant portion of these security operations are fact devoted to legitimate counter-terrorism efforts. However, even in the most extreme examples, for instance, the US National Guard, which is supposed to play no role in domestic policing, there is clear evidence that a great deal of these agencies' efforts are in fact directed at protesters, and not

¹²² Ibid. p. 92

¹²³ Bayley, D. H. *Patterns of Policing: A Comparative International Analysis*. New Brunswick, NJ: Rutgers University Press, 1985.

¹²⁴ Berkley, G. E. *The Democratic Policeman*. Boston, MA: Beacon Press, 1969.

¹²⁵ Caparini, Marina and Otwin Mareni. Crime, Insecurity and Police Reform in Post-Socialist Central and Eastern Europe. *The Journal of Power Institutions in Post-Soviet Societies*. Pipss.org : Issue 2 – 2005: See also Shaw, Mark. Crime Police and public in transitional societies. *Transformation*. (49): 3,8,13

terrorism. A rather candid article by a National Guardsman appeared in an *Guard* journal right after the DNC (2004), and clearly states the true focus of their 'military' operations:

Working alongside the Boston Police Department, Secret Service and 25 other local and national agencies, the 211th Military Police Battalion, along with the 101st and 181st Engineer battalions and the 1st Battalion, 182nd Infantry took part in securing one of the nation's most prominent events... Soldiers trained for a week with state police to prepare for the DNC, learning civil disturbance techniques.... "Our biggest concern going into the convention was the number of protesters estimated,"... the two engineer battalions focused on riots... They started from the ground up, training first on basic moves with the police baton and riot shields, then building to full formations... The state police showed them how to handle protesters handcuffed together ... Now the systems and techniques used in Massachusetts will be shared with the New York National Guard in preparation for the Republican National Convention.¹²⁶

The FBI Joint Terrorism Task Force

One central mechanism for the unification of local and federal operations has been through the introduction of the FBI's Joint Terrorism Task Forces (JTTF) into cities across the United States. The FBI describes the JTTF's as "teams of state and local law enforcement officers, FBI Agents, and other federal agents and personnel who work shoulder-to-shoulder to investigate and prevent acts of terrorism"¹²⁷. This is not an equal partnership, however. The JTTF remains a division of the FBI, and deputizes local police officers who participate as federal 'US Marshalls.'¹²⁸ . Once federalized, these local police officers gain higher security clearance than their own police chief or the city's mayor. This has led to complaints by elected city officials in some cities that they are losing authority over their own officers.¹²⁹

Prior to September 11, the FBI already created 34 task forces throughout major US cities. Immediately after September 11, Attorney General John Ashcroft ordered that JTTFs be created for all of the 56 FBI field offices. Currently, JTTF's exist in over "100 cities nationwide."¹³⁰

¹²⁶ Claffe, David J. Massachusetts National Guard backs up Democratic Convention. *On Guard*. US Army and Air National Guard. September 2, 2005. 23 (9)

¹²⁷ Federal Bureau of Investigation website: <http://www.fbi.gov/terrorinfo/counterrorism/partnership.htm>

¹²⁸ FBI "memorandum of understanding" the template to guide relationships with local police departments, p. 8, released by the Freedom of Information Act on March 18, 2004. Obtained by Alasdair Roberts, Syracuse University.

¹²⁹ William McCall, "City debates withdrawal from FBI's joint terrorism task force", *Associated Press*, January 28, 2005

¹³⁰ *Protecting America Against Terrorist Attack - A Closer Look at the FBI's Joint Terrorism Task Forces. A report by Joint Task Force Civil Support*. US Northern Command. (Accessed on June 10, 2005) <http://www.jtfc.northcom.mil/pages/news20041206.html>

Information is centralized, channeled to a main office in Washington where the National JTTF (NJTTF) provides daily reports to both the CIA and the Department of Defense, which are not law enforcement agencies, but intelligence and military institutions.¹³¹

While the partnership is meant to provide mutual accountability between local and federal officials, the Memoranda of Understanding (MOU) that the local police departments are required to sign shows otherwise. The MOU's reveal that the FBI maintains near total control over information collected by local law enforcement agencies¹³². First, it requires that all files generated by participating local and state police officers be housed exclusively in FBI offices, with no copies for the local and state police departments. Second, once deputized, local officers are no longer able to reveal information about their investigations to elected officials, the media, or any other avenue of public accountability without the FBI's consent. Even high-ranking public officials, such as state senators who sit on the Senate Intelligence Committee, do not have access to JTTF files of their own state.¹³³ This FBI policy on file ownership is also in conflict with common local and state laws that require files on non-criminal activity to be regularly purged.¹³⁴

In short, while they directly enlist local police departments' resources, personnel, and informants, JTTF investigations are not subject to any form of municipal oversight. Rather than describing them as an 'equal partnership' between local, state and federal police agencies, it is more accurate to say that JTTFs extend the reach of the FBI into local policing by incorporating state and local officials into the FBI's existing structure¹³⁵. This clashes with public accountability and transparency, and undermines the ability of local citizens to use whatever existing mechanisms there are for democratic control over their own law enforcement resources.

This has provoked public outcry in many cities as citizen groups, recalling the COINTELPRO fiascos of the 1960's and 70's, have actively petitioned their local government to limit JTTF influence. This has ranged from modest reform, such as demanding that elected officials be granted the security clearance to review JTTF investigations, to outright rejection, such as totally severing

¹³¹ *US Department Of Justice Fact Sheet: Overview Of Information Sharing Initiatives In The War On Terrorism.* www.usdoj.gov. September 19, 2002.

¹³² US Federal Bureau of Investigation. *Memoranda of Understanding template for local police departments.* March 18, 2004.

¹³³ Redden, Jim, Terrorism Task force files off limits to Congress. *Portland Tribune.* September 24, 2002

¹³⁴ Bures, Frank. City's split: fear for safety vs. fear for rights. *Christian Science Monitor.* October 17, 2001.

¹³⁵ Roberts, Alasdair S. ORCON Creep: Networked Governance, Information Sharing, And The Threat To Government Accountability. *Government Information Quarterly.* July 2004: 21 (3) 249-267

ties between their city and the JTTF. In February of 2005, the City of Portland was the first to end its relationship with the local JTTF office, ordering their municipal police officers to cease joint operations. This was passed by the city council amidst much public outcry. The Mayor backed the plan when the JTTF refused to raise his security clearance to a level that would allow him “to provide full oversight of city officers on the task force and ensure they do not overstep their authority under state law while acting as federal agents.”¹³⁶

The JTTF’s ability to ‘federalize’ local law enforcement functions would not raise so many objections if it were not for the growing number of incidents in which it has clearly violated its counter-terrorism mandate. Reminiscent of COINTELPRO fiascos of the 1960’s and 70’s, the JTTF has been caught several times the last few years gathering intelligence on citizens who have no relationship to terrorism, and are merely engaged in lawful, non-violent forms of political dissent.

In November, 2003 the New York Times was leaked a classified FBI memo that revealed that the FBI, relying on its JTTFs, was conducting a “coordinated, nationwide effort” to collect information on antiwar demonstrators.¹³⁷ The memo had been disseminated to local police departments across the country just before major anti-war demonstrations were set to begin in Washington, DC and San Francisco on February 15, 2003. The FBI memo advised local police to track protesters’ activities and relate this intelligence back to their local JTTFs.¹³⁸

While the document is entitled “Terror Alert” it does not cite a single act of terrorism, nor does it offer any specific intelligence regarding unlawful or violent activity planned by demonstrators.¹³⁹ However, it does advise police to keep track of a detailed list of peaceful, lawful protest tactics and strategies. Police are advised to track activities such activities as the use of “the internet to recruit, raise funds, and coordinate their activities prior to demonstrations”; the use of “media equipment” for “documenting potential cases of police brutality”; and “fund-raising in support of the legal defense of accused protesters.” It goes so far as to label the videotaping of police behavior as a

¹³⁶ McCall, William. City Council approves Portland's withdrawal from the JTTF. *Associated Press*. April 28, 2005.

¹³⁷ Lichtblau, Eric. F.B.I. Scrutinizes Antiwar Rallies. *NY Times*, November 23, 2003.

¹³⁸ “Intelligence Bulletin No. 89”, Classified FBI intelligence memorandum – available at: <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=14452&c=207>

¹³⁹ ACLU Slams Classified FBI Memorandum Directing Law Enforcement to Engage in Protest Suppression Tactics. *Press Release*. November 23, 2003

form of ‘intimidation.’ It warns police “even *peaceful* techniques can create a climate of disorder,” advising them to “report any *potentially* illegal acts. ” (Emphases added). According to the ACLU, “this bulletin confirms that the federal government is targeting innocent Americans engaged in nothing more than lawful protest and dissent.”

Just before the Democratic and Republican National Convention in the summer of 2004, other JTTF investigations against protesters came to light, as JTTF agents paid personal visits to an estimated 40-50 anti-war activists across the country in their homes and places of work.¹⁴⁰ News of the visits spread quickly through the media and national activist websites. Many activists claimed it was meant as a form of intimidation to cause a “chilling effect” to dissuade people from attending the events. The FBI simply claimed that the visits were “part of a broader, nationwide effort ... at a time of heightened concern about a possible terrorist attack.”¹⁴¹ However, most of the JTTF interviews did not inquire about acts of terrorism, but rather asked if the interviewee planned to attend and knew of any attempts at direct action and disruption. This suggests the concern was not over terrorism, but the plans of protesters. Despite the combined attendance of over 500,000 protesters at the political conventions, no incidents of violence occurred beside minor scuffles between protesters and police.

The JTTF was also discovered to be collecting intelligence on political protesters in Denver Colorado in 2002, when under legal pressure from the ACLU, the Denver JTTF revealed it had created a “Violent Gang and Terrorist Organization File” for which they gathered intelligence on thousands of the city’s residents. Police documents revealed that majority of the residents in the file had no criminal records. Many were labeled as “criminal extremist” and yet were included for merely attending peaceful rallies, sending e-mails about upcoming events, or making a documentary film critical of the FBI. In all, some 208 local organizations were profiled, including a Quaker organization, a ‘fair trade’ coffee retailer, and a local police accountability group. Some of the groups in this ‘violent’ file, actually had “unconditional non-violence” as part of their core mission statement.¹⁴² A rough tally of the numbers reveals that as much as 1% of the entire city’s population may have been included in the terrorism related files.¹⁴³

¹⁴⁰ Eric Lichtblau. F.B.I. Goes Knocking for Political Troublemakers. New York Times, August 16, 2004

¹⁴¹ *ibid.*

¹⁴² ACLU of Colorado. *Denver Police Spy Files.* (accessed on July 10, 2005) <http://www.aclu-co.org/spyfiles/samplefiles.htm>

¹⁴³ One report states that over 7,000 local residents were in the spy files. For Denver, a city of 550, 000, this could mean as many as 1.25% of the population was included.

The evidence suggests that local and state police operations conducted by the JTTF step far beyond the counter-terrorism mandate granted to them by the public. Moreover, the secrecy afforded by their classified status has had an enabling effect in allowing them to enlist local police officers in activities that may be detrimental to their constituency. Police, unlike federal law enforcement officials, are accountable to their city and local communities. This type of “federalization” of local authorities has had the effect of undermining local autonomy, by allowing police activities to take place within cities that escape oversight from local forms of accountability. These joint operations undermine important mechanisms of local democracy, such as public review of law enforcement, and oversight by elected public officials.

Electronic Federalization

In the wake of the COINTELPRO, federal agencies, in particular those that are not domestic law enforcement agencies such as the Department of Defense (DoD) and Central Intelligence Agency (CIA), were legally prevented from information sharing with local law enforcement agencies. The revelations surrounding COINTELPRO made it clear that local police, the FBI and DoD had gathered and shared intelligence about peaceful civil rights and anti-war activists for political reasons, including Martin Luther King and the League of Women Voters. As a result, legal safeguards were instituted to prevent further collaboration between federal and local law enforcement, and between domestic law enforcement agencies and defense or intelligence agencies.

However, these safeguards are being rapidly dismantled in a post-September 11 political environment, and non-violent protesters appear to be a major target of this change. Aside from JTTF's another means of integrating the operations of local and federal authorities has been through the rapid spread of “electronic information sharing” initiatives. Because these relationships are ‘virtual’ in character, they can bypass the legal safeguards written in the 1970's. The case of the Joint Regional Information Exchange System (JRIES) of the Homeland Security Information Network (HSIN) is a case in point. Like the JTTF's this new system was founded on an anti-terrorism mandate but has overstepped these boundaries to gather intelligence on non-violent protesters.

The JRIES system is a ‘counter-terrorism communications initiative’ that creates a single, unified information-sharing platform for law enforcement agencies across the country. By summer of 2003, it had grown to include 5,000 authorized users in 300 police agencies covering all US states, and 50 major urban areas. It creates new inter-agency exchanges vertically, between local state and federal agencies; and horizontally, across all regions of the United States. According to the Washington Post, “the system [can] flash information from a police officer on the street to [the Homeland Security chief’s] office, to across the country in minutes.”¹⁴⁴ Among the list of JRIES users are the CIA and Pentagon, which are not law enforcement agencies and are restricted from gathering intelligence on US citizens.

However, since it operates under the authority of the Department of Homeland Security, it’s investigations remain classified, and it does not allow access to independent or elected authorities. According to statements by it’s own founders JRIES has no formal vetting process to ensure the information shared is relevant to anti-terrorism efforts.¹⁴⁵ As a result, no safeguards exist to ensure that JRIES acts within its counter-terrorism mandate.

The CIA and the DoD had been prevented from engaging in intelligence gathering since 1974. After the scope of COINTELPRO abuses became apparent, the privacy act of 1974 barred these agencies from receiving files from civil law enforcement. However, JRIES uses electronic file-sharing, and not physical files, which allows the Pentagon and CIA to circumvent laws that prohibit them from gathering information on US citizens. According to a report in Congressional Quarterly, JRIES “was designed to avoid a briar patch of intelligence collection prohibitions and privacy laws.”¹⁴⁶ However, the evidence suggests that JTTFs are not simply investigating terrorism, but political dissent.

When the director of JRIES was asked if the system has been used to monitor political protesters, it’s director responded, “As far as political protesters — I can’t honestly say that there’s been absolutely none.”¹⁴⁷ Meanwhile, two police departments that sit on the 10 member JRIES executive

¹⁴⁴ Hsu, Spencer. Anti-Terrorism Network Launched. *Washington Post*, February 25, 2004: B01

¹⁴⁵ Rood, Justin. Pentagon Has Access To Local Police Department Intelligence Through Office in Homeland Security. *Congressional Quarterly*. July 6, 2004.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

board, Washington DC and New York City, have both been caught collecting databases on the political views of protesters.

This has a direct effect on protest activity. The Port of Oakland (2003) protest reveals how this information sharing arrangement, in practice, can have highly repressive impacts on legitimate political protest. In April of 2003, an anti-war organization named Direct Action to Stop the War (DASW) announced plans to picket the vehicle entrance to the Port of Oakland. The organization targeted the location in order to draw attention to the issue of “war profiteers,” corporations who they believe gained lucrative contracts in the War in Iraq and were clients of the Port of Oakland. Underscoring the lawful and non-violent intent of their planned protest, their announcement stated, “This is not a civil disobedience action...our goal is to maintain the picket line, not to get arrested.”¹⁴⁸

However, days before the event the local police department in Oakland was alerted about the protest through a “terrorism advisory” from the California Anti Terror Information Center (CATIC), a founding member of the JRIES network. Based upon this terrorist advisory, the Oakland Police Department arrived at the protest with in an aggressive, militarized posture. Though the protest picket was peaceful as planned, without provocation¹⁴⁹ local police unleashed a hail of projectile fire on the protesters, including wooden bullets, and concussion grenades. Both protesters and nearby port workers were injured. Many were hospitalized with serious injuries.¹⁵⁰ The use of force was so excessive, that the United Nations stepped in to investigate and actually cited this as one the worst incidents of government repression against activists anywhere in the world during 2003.¹⁵¹

When questioned why a terrorism alert was issued for a peaceful protest, a CATIC spokesman offered a revealing justification for the warning. He stated that that in fact, peaceful protest could be considered a kind of terrorism: "You can make an easy kind of a link that, if you have a protest group protesting a war where the cause that's being fought against is international terrorism, you

¹⁴⁸ Hoffman, Ian et al. State monitored war protesters: Intelligence agency does not distinguish between terrorism and peace activism, *Oakland Tribune*. May 18, 2003.

¹⁴⁹ Burt. Cecily. Police Video Does Not Show Rocks Being Thrown. *Oakland Tribune*. May 15th, 2003.

¹⁵⁰ Photos from the Protest at the Port of Oakland (Accessed on July 10, 2005). <http://extras.insidebayarea.com/ot/gallery/index.asp?folder=news/protest60103>

¹⁵¹ Oakland Cops Under U.N.'s Watchful Eye, *Oakland Tribune*; See also, Jilani, Hini *Promotion And Protection Of Human Rights: Human Rights Defenders*. U.N. Commission On Human Rights. March 23, 2004.

might have terrorism at that [protest]. You can almost argue that a protest against that is a terrorist act.” He followed this up with his definition of terrorism: “Anything that is violent or has an *economic impact*... terrorism isn't just bombs going off and killing people.”¹⁵² (emphasis added) This vastly inclusive definition of terrorism, not restricted to harming innocent people, would include the civil disobedience practiced by Gandhi and Martin Luther King.

The JRIES system has been used to coordinate local, state and federal law agencies during other protest events as well. The number of agencies involved in policing high profile political meetings has steadily increased over time (from 28 agencies during the Seattle/WTO(1999) to 136 for G-8 (2004)). This has created an increased desire for interagency information sharing. The JRIES system was used to police protests during the massive G-8 security operations which included over 20,000 police officers. It was also used to coordinate operations during the Democratic and Republican National Conventions in 2004, and the presidential inauguration in 2005. The inauguration, whose security cost remains undisclosed because “because it would be too controversial” was the apex of such unified electronic command structures. Homeland officials said the inauguration was the first event run under a national emergency incident management system, which “streamlines chains of command under a principal federal officer and field office.”

The increasing amount of joint operations is not just coordinating local and federal agencies to fight terrorism, but creating new command structures where local police must act upon the information given to them by secretive, and unaccountable intelligence agencies at the state and federal level. These agencies, apparently, harbor many dubious attitudes towards lawful protest groups. As with the JTTF's, local police departments are once again the ‘lesser partners’ in these joint operations. Even though local police tend to have more actual knowledge of local groups within their own community, information coming from Federal and State authorities is given greater authority. As a result, local police serve as the ‘blunt end of the baton’, the personnel who do the dirty work of federal agencies, often acting against residents in the community’s which they are sworn to protect.

The Militarization of urban protest policing

¹⁵² Hoffman, Ian et al. State monitored war protesters: Intelligence agency does not distinguish between terrorism and peace activism, *Oakland Tribune*. May 18, 2003.

The dramatic and aggressive security arrangements that confronted peaceful protesters at the Miami FTAA (2003) ministerial woke many up to a trend that was long in formation: the militarization of protest policing. Not just demonstrators, but local residents, journalists, and indeed, judges, were shocked by the massive level of force and disregard for the law that was used against peaceful protesters. Miami Circuit Judge Richard Margolis said he saw "no less than 20 felonies committed by police officers." "Pretty disgraceful what I saw with my own eyes. And I have always supported the police during my entire career. This was a real eye-opener."¹⁵³ The City of Miami's Independent Review Panel stated that the city had appeared as if it had been put under "martial law."¹⁵⁴

Armored Personnel Carriers roamed the streets, 6 helicopters directed operations from the sky, and thousands of police officers clad in futuristic looking riot gear indiscriminately fired an arsenal of "less lethal" weapons into crowds of peaceful demonstrators. A frequent description of the police actions was of a "paramilitary force" or "invasion."

These tactics simply made one more community of Americans – protesters - aware of a trend that had advanced in other arenas: across the United States, local police departments have increasingly adopted the tactics, strategies, weapons, and disposition of the US armed forces. Complementing this, during mass protest scenarios military and law enforcement officials often directly participate in operations themselves. Like the 'federalization' trends of JTTF and JRIES, these military style operations use counter-terrorism as their justification, but in practice have been directed at forms of peaceful dissent by the population.

As soon as the tear gas cleared after the FTAA meeting concluded, mayor Manny Diaz proudly named the police operation the "Miami Model." In other words, these operations were not just an isolated incident, but an example for other cities to follow. This was backed up by Miami police chief John Timoney's statement that the operations were "the first big test for Homeland Security."

The trend towards militarization of protest policing began after the urban riots of the 1960's when hundreds of riots occurred throughout American cities. Contrary to public opinion, this trend did not reverse once the riots subsided, they simply faded from public view as protests became less

¹⁵³ Driscoll, Amy. Judge: I saw police commit felonies. *Miami Herald*. December 20, 2003.

¹⁵⁴ Independent Review Panel. *FTAA Inquiry Report*. City of Miami. September 20, 2004.

prominent. However, since the late 60's there has been a steady, massive and ongoing transfer of training, planning strategies, doctrine, personnel, intelligence, and weapons from the military sector to the civil law enforcement sector.

The government appointed Kerner Commission, which studied the riots that occurred in 1968, acknowledged that the principle causes of unrest were social factors like white racism, poverty, and unemployment.¹⁵⁵ However, aside from the initiation of social programs that fell far short of commission recommendations, the major government response was increasing military involvement in urban policing in order to better handle "civil disturbances." Within weeks of Martin Luther King's assassination and the widespread urban unrest that followed, the Pentagon initiated the Directorate of Civil Disturbance Planning and Operations. This was a domestic operation led by the military. Dubbed the "domestic war room" it was a massive intelligence gathering operation put in place to deal address the potential for unrest within the United States, with "thousands of troops and riot police at the ready."¹⁵⁶

As one consultant to the Kerner Commission presciently pointed out, "it would be far cheaper to repress future large scale urban violence through police and military action than to pay for effective programs against poverty."¹⁵⁷

In 1968, the US military drafted a comprehensive operational plan for military involvement in domestic policing in a foundational document entitled "*OPERATION GARDEN PLOT: Department of Defense Civil Disturbance Plan 55-2.*" GARDENPLOT is a 200-page plan for "disturbance suppression" within US borders. It remains classified, but its mission, known via citations in other public military documents, is to "conduct civil disturbance operations throughout the United States" and provides guidelines for dispersing " unauthorized assemblages" in the US by providing "wide latitude to a commander to use federal forces to assist civil law enforcement in 'restoring' law and order."¹⁵⁸ Despite it's 1960's origin, GARDENPLOT continues to be a touchstone for contemporary domestic operations. In today's military doctrine, it is still referred to as "an appropriate guide for developing civil disturbance plans and operations."¹⁵⁹

¹⁵⁵ Kerner, Otto et al. *Report of the National Advisory Commission on Civil Disorders*. New York: Bantam Books, 1968.

¹⁵⁶ Ridenhour, Ron with Arthur Lubow. Bringing the War Home. *New Times*. November 28, 1975. 5(11):18, 20-24

¹⁵⁷ Downs, Anthony. *Opening Up the Suburbs: An Urban Strategy for American*. Yale University Press, 1973.

¹⁵⁸ Center For Law And Military Operations, *Domestic Operational Law (DOPLAW) Handbook For Judge Advocates*. 2001: 66

¹⁵⁹ Departments Of The Army And The Air Force. *Military Support to Civilian Authorities (MSCA)*. Washington D.C., 1996.

At about the time GARDEN PLOT was originally drafted, military planners were also disseminating information packets to local, county and state police forces: “Contingency plans, called planning packets, were prepared for every city in country that had a potential for student, minority, or labor unrest.”¹⁶⁰

In 1985, an additional military document was drafted to guide military involvement in domestic “civil disturbances.” Army Field Manual 19-15: Civil Disturbances, states: “During a civil disturbance, it may be advisable to prevent people from assembling...Prohibitions on assembly may forbid gatherings at any place and time.”

The master document, GARDEN PLOT, was not merely a theoretical plan that remained on the dusty shelves of old military manuals. GARDENPLOT was officially deployed in Los Angeles, during the “Rodney King riots” in 1992,¹⁶¹ when thousands of people angrily took to the streets in response to an incident of police brutality, in which four white police officers who were videotaped brutally assaulting a black motorist were acquitted by an all white jury. Hundreds of fires were set throughout the city and policemen became the targets of gunfire by the population. In response, GARDENPLOT was used to deploy over 10,000 California National Guard troops, 2000 active component soldiers, and 1500 Marines onto the city streets.¹⁶²

Other military doctrines have become increasingly evident in this new style of protest policing, and may be having an influence on the formation of the ‘Miami Model’ approach. Among these official military doctrines are Military Operations in Urban Terrain (MOUT), Operations Other Than War (OOTW), Military Support to Law Enforcement Agencies (MSLEA) and Military Support to Civilian Authorities (MSCA).¹⁶³ These doctrines are official guidelines for military operations and describe approaches that are evident in the practice of the kinds of repressive tactics now used routinely at mass protest events.

¹⁶⁰ Ridenhour, Ron with Arthur Lubow. Bringing the War Home. *New Times*. November 28, 1975. 5(11):18, 20-24

¹⁶¹ US ARMY, “Chapter 6: Operations Other Than War” Army Field Manual 71-100-2, Infantry Division Operations, Tactics, Techniques, And Procedures. This document confirms the use of Operation Garden Plot in Los Angeles, May 1992 .

¹⁶² Christopher M. Schnaubelt, Lessons in Command and Control from the Los Angeles Riots, *Parameters*, 1997: 88-109

¹⁶³ Frank Morales, “Militarization of The Police” in Burghart, Tom. *Police State America: US military Civil Disturbance Planning*, 2002: 46

Military Operations on Urban Terrain (MOUT) is a rapidly expanding area of military theory and practice, which refers to cities as “the urban battle space.” In 1998, at the same time that urban geographers were writing that cities are places where identities form, social capital is built, and new forms of collective action emerge the US Marine Corp. explained the phenomenon a bit differently: “cities historically are the places where radical ideas ferment, dissenters find allies and discontented groups find media attention” thereby making cities “a likely source of conflict in the future.”¹⁶⁴

Military Operations Other Than War (MOOTW) is an emerging military doctrine that outlines operations just “short of war” that are conducted in order to be “more sensitive to political considerations.” This is military parlance for the deployment of military operations in a civilian context. MOOTW provides guidelines for “the restoration of law and order in the aftermath of riots”¹⁶⁵ and provides recommendations for the “proper” use of military force against civilians, chief among them, the use of “less-lethal” weapons. Less-lethal weapons were weapons originally designed for military use abroad, particularly in situations of occupation, but have not found themselves increasingly in the hands of local police departments. Less-lethal weapons have become a regular feature of protest policing. Since 2001, they have been present at nearly 100% of all mass protest events.

Military involvement in protest policing has been increasingly direct. During Seattle WTO, once the level of widespread disorder became apparent, national guardsmen and Special Forces units were deployed onto the streets alongside Seattle police in order to enforce the curfew and establish a “no-protest zone” throughout the downtown area. However, since September 11, there has been a distinct shift away from the policy of “restoring” law and order after-the-fact. The data table compiled for this paper shows that military personnel were present on the streets at subsequent events such as the G-8, both National Conventions in 2004, and the Presidential Inauguration of 2005. They were not simply there for counter-terrorism efforts, but also for crowd control operations.¹⁶⁶ None of these situations experienced civil disturbances, so there was no need to

¹⁶⁴ Marine Corp Working Paper, 3-35.3, Military Operations in Urbanized Terrain, in Morales, Frank (see above): 79

¹⁶⁵ US Joint Chiefs of Staff. *Joint Doctrine for Military Operations Other Than War- Joint Chiefs of Staff Publication 3-07*. June 16, 1995.

¹⁶⁶ “Soldiers trained for a week with state police...learning civil disturbance techniques... training first on basic moves with the police baton and riot shields, then building to full formations... police showed them how to handle protesters handcuffed together.” Claffe, David J. Massachusetts National Guard backs up Democratic Convention. *On Guard*. US Army and Air National Guard. September 2, 2005. 23 (9)

“restore” order. This reveals a shift from response to emergency situations to preemptive troop deployment in civil operations.¹⁶⁷

The real militarizing effect on protest policing however, may be indirect, practiced not by actual military personnel, but via the adoption of military tactics and strategies into local law enforcement agencies. The War on Drugs of the 1980s and 1990’s provided the major conduit for this transfer. Though it failed to significantly stem the flow of illicit drugs into the United States¹⁶⁸, it was successful in introducing police departments across the country to paramilitary-style training and action. To facilitate the War on Drugs, the Department of Defense created 6 ‘joint task forces’ in 1989 to coordinate joint operations between military and police agencies. This transfer intensified in 1994, when the Department of Defense and the Department of Justice signed a memorandum of understanding enabling the military to transfer technology to state and local police departments.¹⁶⁹ The results of these exchanges were dramatic. One national study of local police departments revealed that between 1980 and 1995, there was an over 500% increase in the introduction of special operations units modeled on and trained in US military principles into civil police departments. Nearly 90% of the police departments sampled had them by 1995.¹⁷⁰ This was accompanied by the introduction of military style weaponry and vehicles into local police departments, including semi-automatic weapons, armored personnel carriers, helicopters fleets, and more recently, a broad array of so-called ‘less-lethal’ weapons.

Once embedded in police departments, these militarized tactics, tools and procedures became commonplace in protest policing, but now fully administered by local police, not the military units. A comparison between “civil disturbance suppression” strategies proscribed in US Army field manuals and current police practice during protests reveals a striking degree of similarity. The 1985 document, US Army Field Manual 19-15, Civil Disturbances outlines a whole host of strategies for “civil disturbance suppression” that are evident in protest policing today.

Dispersal And Blockading:

¹⁶⁷ Boghosian, Heidi. *The Assault on Free Speech, Public Assembly, and Dissent*. National Lawyers Guild. North River Press, 2004.

¹⁶⁸ Boaz, David and Timothy Lynch. *Cato Handbook for Congress: Drug War*. Washington DC: Cato Institute, 2002: 172

¹⁶⁹ “Posse Comitatus” in *Library Notes*. Newport, RI: Naval War College. February, 2002. 30 (4)

¹⁷⁰ Kraska, Peter and Victor Kappeler. Militarizing American Police: The Rise and Normalization of Paramilitary Units. *Social Problems*. February, 1997. 44(1): 1-16.

Army Field Manual 19-15 advises army officials that "crowd control formations may be employed to disperse, contain, or block a crowd. When employed to disperse a crowd, they are particularly effective in urban areas because they enable the control force to split a crowd into smaller segments." and "if the crowd refuses to move, the control force may have to employ other techniques, such as riot control agents or apprehension." During Seattle WTO (1999) police used tear gas and pepper spray to disperse crowds that had sat down in the streets. Once they were fleeing, the 'splitting' technique was used to continually divide the crowd down into smaller and smaller units, often with the use of riot police, tear gas, rubber bullets, or armored personnel carriers. On November 20, 2003 the first day of the Miami FTAA protests, the entire financial district was cleared of protesters by riot police and police cars that were driven into agglomerations of people in order to get them to split up and move. During the second day, a peaceful "jail solidarity" vigil was completely surrounded by police in crowd control formation and then prevented from dispersing, at which point they were all swept up in a mass arrest. During the February 15 Antiwar Demonstration in NY, steel barricades and riot police were stationed at every single intersection in order to keep the crowd from unifying into one mass.

Mass Detention Facilities:

Army Field Manual 19-15 states "the army must be prepared to detain and process large numbers of people swept up in mass arrests." It describes the creation and operation of "temporary facilities" meant handle a large volume of arrestees.

During the Philadelphia/RNC (2000), the operational plan for the protest included the use of a Navy-administered "detainee processing center" in case of mass arrests. In the case of Miami/FTAA (2003), nearly 300 peaceful protesters who were gassed, arrested and in some cases physically beaten, were taken to a "temporary facility" built for mass arrestees. A multi-story concrete parking structure had been converted into holding cells so that each individual parking space had become its own chain link cage, transforming the facility into what appeared to be a giant complex of dog kennels. Protesters had their clothes stripped from them with shears, were decontaminated by fire hose, and then placed into the cages for processing. Police stated the temporary mass detention facility had room for 10,000 people. During the New York/RNC(2004), over 1800 people (not all of them protesters) were swept off the streets in mass arrests by police,

and taken to a gigantic temporary detention facility constructed on the Hudson River. Like in Miami, the protesters were housed in chain link cages.

Transfer Of Materiel:

Authority for additional support to law enforcement officials is contained in DOD Directive 5525.5, “DOD Cooperation with Civilian Law Enforcement Officials,” and permits such support as loan of equipment, use of facilities, training, and transfer of information. Military doctrine also provides for the “The loan of weapons, combat tactical vehicles, vessels and aircraft”¹⁷¹ to local law civilian law enforcement authorities. Perhaps the most compelling evidence is demonstrated simply by photographs.



Miami/FTAA (2003): Military grade vehicles being used by police.

¹⁷¹ Us Departments Of The Army And The Air Force. *Military Support to Civilian Authorities (MSCA)*. Washington, DC: February 1, 1996: Chapter 3-1 (c): 5

Embedded Media

A more recent military strategy adopted into protest policing is the use of 'embedded media', a strategy relied on heavily in the Iraq War. Much like its military counterpart, domestic embedding serves to portray events from the perspective of those the reporters are embedded with, thereby eliminating journalistic objectivity. A statement from a Miami Police Department spokesman describes the benefits of embedding this way:

"I believe that every reporter I have spoken to that was embedded said that they were able to see things from our point of view...I think during the event, and you go back and look at coverage--particularly television coverage--you will find it very positive and pro-police."

He goes on to say the operation was taken straight from the U.S. Military's media plan for Iraq. "We just adapted it to the situation," Schwartz says. "We kept it pretty close to their form."¹⁷²

Conclusion

The militarization of protest policing has increased, facilitated by both the adoption of military tactics by police, and the direct involvement of the military in protest security efforts. This is a concern to the maintenance of political rights within cities, because militarized approaches directly negate the concept of political rights. Theoretically, the aim of police is to ensure public safety, uphold the law, and protect the rights of citizens. Conversely, the aim of military force is not to uphold the law or ensure safety, but to eliminate all opposition. Unlike civil operations, military approaches are not structured around the idea of "the citizen," but instead, "the enemy". The critical distinction between the two approaches is the idea of rights. Citizens have rights. Enemies do not. The increasing adoption of military style approaches into civil policing effectively transforms protesters from citizens into enemies, a trend which has become increasingly evident in police behavior.

Currently, there is only one law in the United States which limits the unrestrained use of military troops for policing, the Posse Comitatus Act of 1878. Posse Comitatus bars the US armed forces from "enforcing the laws" of the nation, and has been considered by many military officials as a

¹⁷² Pacenti, John. *Embedded Obstacles*. *American Journalism Review*. February/March, 2004.

clear barrier to their participation in domestic, civil or police matters. However, military legal analysts are increasingly celebrating erosion of the act, particularly through “the increasingly common use of military forces as security for essentially civilian events.” Protests are of course, prime among these civilian events. For example, the G8 summit saw 4,800 military personnel put on active duty which one National Guard spokesman described by stating “In military circles, that’s pretty revolutionary.”¹⁷³ According to advocates of this increasing militarization, “successful” violations of the Posse Comitatus such as these are cause to celebrate, making Posse Comitatus in reality more of a “myth” than actual law.¹⁷⁴ These encroachments are complimented by simultaneous efforts in the legal arena, as since September 11, Bush administrations officials have been mounting a concerted legal campaign for a repeal of the Posse Comitatus act altogether.¹⁷⁵

In other words, military legal scholars have inferred that “civilian events” such as large protest events have set precedents that make it easier for the introduction of armed forces into civil policing. Breaking the barrier from the opposite direction, the direct adoption of military strategies by civil police departments, particularly during protest events, is eroding what meaningful distinctions between the two institutions remain.

¹⁷³ Hirschman, David. Security tactics set standard for events. *Atlanta Journal-Constitution*. June 10, 2004.

¹⁷⁴ Trebilcock, Major Craig. *The Myth of Posse Comitatus*. U.S. Army Reserve. October, 2000. (accessed on July 10, 2005) <http://www.homelandsecurity.org/journal/articles/Trebilcock.htm>

¹⁷⁵ Morales, Frank. *War Games at the Peace Rally*, (unpublished) December, 2003.

Chapter V:

Democratic Planning: Some Assembly Required

Introduction

Is protest a planning issue? Today, the urban planning literature is curiously silent on the issue of protest, leaving the distinct impression that protest (and the increasing repression of protest) may not be of any specific concern to urban planners. However, the history of urban planning asserts that contestational forms of civic engagement such as protest, civil disobedience and direct action, have long played a crucial role in democratizing planning outcomes. In a field where democracy is supposedly a defining concern, it is long overdue that protest is incorporated as a key planning issue.

Since the 1960's, the concept of 'democracy' has been a central concern for urban planning theory, giving rise to the 'democratic planning' approaches that currently dominate the discipline. At present, democratic planning practice relies almost exclusively on theory drawn from deliberation, conflict resolution, and multi-stakeholder processes. However, when compared to actual history of democratic planning, the definition of 'democracy' implied by these approaches appears to be deficient, neglecting (even rejecting) crucial aspects of the democratic process. In response, this chapter argues that the current democratic planning paradigm is fundamentally impaired; creating critical blind spots that must be overcome.

A more complete vision of democratic planning is required, one that acknowledges the ongoing and vital role that democratic action such as protest, civil disobedience, and direct action play in democratizing the urban planning process, a role that must be both celebrated and vigorously defended if planning is to make good on its promise of fostering inclusion and equity. In light of the current escalation of protest repression in cities detailed in this paper, it is now incumbent on urban planners to become active participants in defending basic political rights in cities.

A brief history of planning and protest

Before delving into theory, a few case examples will help to ground the discussion on the role that protest plays in the planning process. The following planning events show ample historical support for the argument that civil disobedience and direct action have long been important and irreplaceable tools for powerless groups seeking inclusion into undemocratic decision-making processes, or struggling to re-direct inequitable plans already underway. To illustrate the ubiquity of these practices, the following cases are drawn from across the planning spectrum, including highways, waste disposal, housing, urban renewal, public transit, and international development.

Public Infrastructure

When building major urban roadways in densely crowded cities, "There was no way that highway planners could avoid stepping on an extraordinary number of toes."¹⁷⁶ The question is: *whose* toes get stepped on, and is the process and the outcome democratic in nature? In 1961, New York City's über-powerful planning commissioner Robert Moses proposed a bold plan for a 10-lane Lower Manhattan Expressway that would have leveled fourteen city blocks, destroyed thousands of historic structures, and displaced nearly 10,000 residents and workers. The community was predominantly working class, with a significant number of Italian and Chinese immigrants. At the time, Moses was considered to be 'arguably the most powerful person in NY politics' and had the singular ability to make planning decisions that dramatically altered New York's landscape. His authoritarian approach led critics to accuse him of running an 'autonomous government' without any of the usual checks and balances in a democracy.¹⁷⁷ The expressway plan passed through all official channels without resistance (earning millions of dollars of federal funding) until residents from the affected area, upon learning of the plan, initiated a protest campaign, holding rallies, staging demonstrations and jamming hearings to block the expressway at every step of the process.¹⁷⁸ Standing out among the protesters was Jane Jacobs, a writer with no formal planning training. She articulated the demands of local residents in scathing articles about the plan in the local press, and launched vicious attacks on what she viewed as the undemocratic, unaccountable

¹⁷⁶ Comment by Alan Altshuler, former Massachusetts Secretary of Transportation quoted in Solof, Mark. *The History of Metropolitan Planning Organizations*. *NJTPA Quarterly*. October, 1997.

¹⁷⁷ Cort, David. *Robert Moses: King of Babylon*. *The Nation*. March 31, 1956.

¹⁷⁸ *Wikipedia*. "Lower Manhattan Expressway." downloaded on July 10, 2005: http://en.wikipedia.org/wiki/Lower_Manhattan_Expressway

exercise of power.¹⁷⁹ In one instance, she was part of a direct action protest that marched demonstrators into a planning hearing and caused massive disruption. She was arrested on charges of ‘inciting a riot (which ironically, brought even more publicity to the protests).¹⁸⁰ The conflict between the protesters (personified by Jacobs) and the planning commission (personified by Moses) consumed city headlines. The protesters won. However, they not only succeeded in stopping the expressway project in 1969, but the campaign is considered to be a contributing factor in Robert Moses’ fall from power. It is also recognized as having transformed the urban planning discourse as a whole, by discrediting widely adopted planning practices such as slum clearance and high-rise housing projects. Congress even responded to this event, in concert with growing chorus of public discontent, by enacting laws that placed new hurdles in the way of highway projects.¹⁸¹

Urban Renewal

In 1968, the planning commission of Boston initiated an ‘urban renewal’ plan in the South End neighborhood to make way for a new shopping mall and an adjacent 7 story parking lot. As a first step, they demolished hundreds of existing units of low-income housing, mostly of African American residents. Unwilling to go quietly, the displaced South End residents responded with protest marches and a direct action campaign in which they camped out at the site, physically blocking the city from moving ahead with the development, and refusing to leave until the mayor agreed to build mixed income housing instead, with preference given to former residents. The ‘tent city’ campaign generated massive media attention, and not only halted the individual projects, but also stopped the displacement trend of urban renewal taking place across the city. The site eventually became an affordable housing development of nearly 300 units, many of which went to the original displaced residents. To this day, the complex is officially named “tent city” in commemoration of the direct action that gave birth to it. The victory went beyond the individual project to change public policy towards greater equity. As one sustainable development organization states: “Tent City helped to change Boston’s policies toward housing from that of

¹⁷⁹ Klemek, Christopher. *Urbanism As Reform: Modernist Planning And The Crisis Of Urban Liberalism In Europe And North America, 1945-1975 (Dissertation)*. Department of History. University of Pennsylvania, 2004: 145-182

¹⁸⁰ *NY Times*. Mrs. Jacobs’s Protest Results in Riot Charge. April 18, 1968.

¹⁸¹ Solof, Mark. The History of Metropolitan Planning Organizations. *NJTPA Quarterly*. October, 1997.

developing luxury housing towards an integrated approach to housing provision, with emphasis on retaining affordable mixed-income housing in inner city areas.”¹⁸²

Housing

The above examples date from the 1960's, when protest was a common phenomenon, but what about since that time? In the arena of housing, several prominent advocacy organizations still rely on protest tactics in their campaigns to push for more affordable housing, to reduce displacement of poor communities, and to increase home loans to low-income families. A primary example is National People's Action (NPA) which for the last 30 years has fought against the practice of "redlining" by banks and insurance companies. Redlining is phenomenon of 'systematic disinvestment'¹⁸³ whereby home loans are unfairly denied to people on the basis of racial, income, or location. ("The term 'redlining' is derived from the actual practice of drawing a red line around neighborhoods in which credit is to be denied.) While it is a grassroots organization, the NPA is credited with having played pivotal role in passage of a number of federal policies, such as the Home Mortgage Disclosure Act of 1975, the Community Reinvestment Act (CRA) of 1977, and the National Affordable Housing Act of 1990. By itself, the CRA is responsible for \$117 billion annually in home, small business, and community development lending and investing,¹⁸⁴

Combating discrimination in the commercial housing arena often requires government action, and the NPA find that lobbying is often not enough to compel political leaders into taking action on behalf of marginalized communities. The strategy they find produces best results is to pursue politics both inside and outside formal political channels simultaneously, turning to tactics of protest and direct action when lobbying and negotiation fail. Making their confrontational side clear up front, the organization introduces itself with the curt slogan: "We're not nice!" Their primary strategy: "Direct action is a way to be heard...When someone in a position of power refuses to meet with NPA leaders, NPA responds with an action...[that means] dozens of busloads

¹⁸² *Building and Social Housing Foundation*. "Tent City, Boston." (Accessed on July 10, 2005) <http://www.bshf.org/en/about/whowards/projects.php?piD=00027>

¹⁸³ Dreier, Peter. *Community Empowerment Strategies: The Limits and Potential of Community Organizing in Urban Neighborhoods*. *Cityscape*. 1996. 2(2):121-59

¹⁸⁴ Figure stated by Federal Reserve Board Governor Edward Gramlich, reported in *Disclosure*. NPA Celebrates 25 Years Of CRA: Highlights Millions Invested Into Communities. April, 2003. (Accessed on July 10, 2005) <http://www.disclosure-us.org/disc-april2003/craaniversary.html>

of neighborhood people showing up at someone's office or front lawn with a bullhorn." An example: when the head of Housing and Urban Development (HUD) refused to meet with NPA, they bussed in a reported 1000 people to conduct a loud and raucous protest on the front lawn of his private home. He responded with a face-to-face meeting within a day, and a formal partnership between HUD and NPA within 2 months¹⁸⁵ wherein HUD has agreed to several of NPA's recommendations.¹⁸⁶ Explained one NPA member: "We don't let anybody off the hook until we get what we want."¹⁸⁷

Waste Disposal

Cities and industry generate massive waste, which is usually disposed of by incineration or landfill. Both of these methods present potential health hazards to nearby communities. The Environmental Justice movement has grown in the United States in response to the inequitable distribution of waste sites and the undemocratic process by which these sites are decided upon. Just by itself, the Environmental Justice arena provides an abundance of planning examples where politically and economically disenfranchised communities utilized protest and direct action tactics to address a lack of democracy and equity they encountered in the planning process.

The Environmental Justice movement has been defined as "an effort by local residents to gain some control over the many attempts now underway to site hazardous and solid waste management facilities in low-income and working-class communities, very often communities of color."¹⁸⁸ The inequitable siting of polluting facilities has been described as a process where "waste tends to flow towards communities with weak response capacity"¹⁸⁹ meaning, into communities with the least political and economic power to prevent it. Many studies have been conducted to determine the cause of this persistent imbalance, and most cite patterns of exclusion from the planning process as a primary factor, even when 'community input' meetings and other 'participatory' methods have

¹⁸⁵ Sichelman, Lew. Martinez Finally Meets With NPA. *Realty Times*. June 11, 2003. (Accessed on July 10, 2005)

https://realtytimes.com/rctpages/20030611_martinez.htm

¹⁸⁶ National Peoples Action. NPA Wins Demands that HUD Work with Community Groups to Address Housing Crisis. *NPA Press Release*. March 30, 2004. (accessed on July 10, 2005) <http://www.npa-us.org/npawinsdemands.htm>

¹⁸⁷ *Disclosure*. "HUD Pledges to Clean up FHA With NPA." May, 2001. (Accessed on July 10, 2005) <http://www.disclosure-us.org/disc-may2001/housing-hud-pledges-to-clean.htm>

¹⁸⁸ Heiman, Michael K. Race, Waste, and Class: New Perspectives on Environmental Justice. *Antipode*, 1996. 28 (2)

¹⁸⁹ *Ibid*.

been used.^{190 191 192} Bullard concludes, "many of the at-risk communities are victims of land-use decision making that mirrors the power arrangements of the dominant society." When the formal structures inclusion in the planning process failed, protest and direct action became essential to widening the scope of interests and increasing the power of marginalized groups.

The birth of Environmental Justice movement starts with a direct action protest in 1982. In Warren County, North Carolina, upon learning that 6,000 truckloads of toxic laden soil were going to be dumped near their community, hundreds of African American residents staged a demonstration. Taking a cue directly from the Civil Rights era, they used their bodies to physically block the trucks on their way to the dumpsite, forcing the police to arrest 523 protesters before the trucks could pass. While the direct action did not stop the dump, it generated significant publicity, and residents did exact guarantees that gained them immunity from additional dumping and that close monitoring of the existing facility. On a larger scale, the Warren County protests introduced 'environmental racism' into to the public discourse, placing issues of power, racism, and public health at the center of the environmental debate for the first time. The actions in Warren County residents inspired hundreds of other similar protests across the country in the decades that followed. Warren County is also credited with having spurred several groundbreaking studies by government and other institutions. The US Environmental Protection Agency affirms this on its website stating that it was "Vigorous protests led to an investigation by the General Accounting Office."¹⁹³

Protest and direct action tactics have remained central to Environmental Justice disputes in the United States.¹⁹⁴ Successful cases abound: The closing of a yeast production plant in West Oakland¹⁹⁵ and a separate commercial incineration plant in East Oakland both occurred after

¹⁹⁰ Lazarus, R. J. *Pursuing 'Environmental Justice': The distributional Effects of Environmental Protection*. Northwestern University School of Law, 1993: 87, 787-857

¹⁹¹ Vamos, Jaap et al. Blaming the Victim: The Role of Decision-Makers in the Occurrence of Environmental Injustice. *International Journal for Public Administration*. New York: Marcel Dekker, 2002. 25 (2,3): 143- 168

¹⁹² Bullard, Robert D. *Confronting Environmental Racism; Voices from the Grassroots*. Boston, Massachusetts: *South End Press*, 1993.

¹⁹³ US Environmental Protection Agency. *History of the Environmental Justice Movement*. 2003. (Accessed on July 10, 2005) <http://www.epa.gov/envjustice/>

¹⁹⁴ Cites a long list of environmental justice struggles that employed protest tactics. Weintraub , Irwin. *Fighting Enviromental Racism: A Selected Annotated Bibliography*. *Electronic Green Journal*, 1994. (1): (Accessed on July 10, 2005) <http://www.mapcruzin.com/El/ejgc.html>

¹⁹⁵ DeFao, Janine. Yeast Plant in Oakland will close. *SF Chronicle*. April 2, 2003.

growing public protests by the communities' predominantly African American residents¹⁹⁶ In Richmond, California, a Chevron Oil Refinery belched smoke daily into a poverty stricken, predominantly African-American neighborhood. After Chevron Corporation refused to negotiate, citizens staged repeated protests at the plant, earning substantial media attention, the support of the city council, and sympathetic lawyers and scientists as allies. The combined pressure forced the company into negotiation, and an agreement was reached to reduce emissions, increase plant safety, and invest \$5 million on community-based organizations as compensation.¹⁹⁷ In Detroit, Michigan, protest rallies were used to solidify community support in a campaign which successfully shutdown the Henry Ford Medical Waste Incineration plant. The Vice President of the facility cited 'community mobilization' and 'negative news coverage' as key reasons to shutting down the facility.¹⁹⁸ Other cases of projects being stopped include the Select Steel Plant in Genessee, Michigan in 1998¹⁹⁹ and a Shintech's plastics plant near the town of Convent, Louisiana. Cumulatively, efforts such as these elicited a federal response: Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" issued by President Bill Clinton in 1994, required that all federal agencies evaluate whether and to what extent actions that they are considering may disproportionately adversely affect low income and minority populations.

While protests against already-existing toxic facilities did not usually succeed in shutting them down, health and safety requirements were frequently won by neighboring communities as well as monetary compensation to affected residents. Meanwhile, many planned projects were scrapped or moved. While this is difficult to measure, the greatest effect of the Environmental Justice movement may have been preventative, as both the laws and industry practice have been changed. As one Waste industry magazine cautioned: "environmental justice has been recognized fully by legislators, administrative agencies and the courts. Ignorance of environmental justice policies can

¹⁹⁶ Fischer, D. Controversial Medical Waste Incinerator Shuts Down Monday. *Oakland Tribune*. December 8, 2001.

¹⁹⁷ Sherman, S. "Environmental Justice Case Study: West County Toxics Coalition and the Chevron Refinery." *Environmental Justice: Domestic and International*. University of Michigan, 2002. (Accessed on July 10, 2005) <http://www.umich.edu/~7Esnre492/sherman.html#solutions>

¹⁹⁸ Lott, L. "Health Care With Harm: A Study of the Initiative To Shut Down Henry Ford Hospital's Medical Waste Incinerator in Detroit, Michigan." *Environmental Justice: Domestic and International*. University of Michigan, 2004. (Accessed on July 10, 2005) <http://www.umich.edu/~snre492/Jones/henryford.htm>

¹⁹⁹ Heddle, Gemma Aymonne. *Sociopolitical Challenges to Siting Facilities with Perceived Environmental Risks (Masters Thesis)*, Department of Civil and Environmental Engineering. Massachusetts Institute of Technology, 2003.

result in substantial legal fees and government investigations, and can destroy small operators.”²⁰⁰ Environmental Justice has also become standard course material in urban planning departments and law schools across the country.²⁰¹

Public Transit

The challenge of providing adequate transit to the city Los Angeles is not trivial: it is populated by over 10 million people and spreads out over 4,000 square miles. To address this, the LA Metropolitan Transit Authority (MTA) began construction on an underground light rail system in the early 1990’s to connect the outlying suburbs regions to the downtown financial area at a projected cost of tens of billions of dollars²⁰². Once the plan become public, however, inner city residents began to speak out, arguing that the light rail plan diverted transportation funds *away* from the majority of transit users: minorities who lived in the inner city that relied primarily on diesel buses. The facts supported their case; 10 times more people relied on buses than on rail. Meanwhile, 80% of bus users were minorities, whereas rail users were mostly white and suburban (and owned their own cars). At the same time, the city had all but stopped purchasing new buses, and the existing buses were deteriorating. Inner city residents saw this as another case where “minorities and the poor bear greater burdens and enjoy fewer benefits from development decisions made by government and industry.”²⁰³ Inner city residents founded an organization in 1992, named the Bus Riders Union/ Sindicato de Pasajero (BSU) and demanded that instead of ‘second class transit’ LA’s working class and minority residents deserved a “clean fuel, first-class, state-of-the-art bus system.”²⁰⁴

The MTA planning authorities remained indifferent to their case, so the BSU filed a Title VI civil rights lawsuit in 1994 with the support of the NAACP. At the same time, the BSU remained skeptical of a lawsuit’s ability to produce change by itself, so they began an intensive organizing

²⁰⁰ Gross, Michael C. Is Justice Served? *Waste Age*. Primedia. May 1, 1999.

²⁰¹ Calder, Wynn and Richard M. Clugston. “U.S. Progress Toward Sustainability in Higher Education” in John C. Dermach. (ed.) *Stumbling Toward Sustainability*. Environmental Law Institute, 2002.

²⁰² Davis, Mike. L.A.’s Transit Apartheid: Runaway Train Crushes Buses. *The Nation*, Sept. 18, 1995.

²⁰³ McQuaid, John. Rebalancing the wheels of justice in L.A. *The Times-Picayune*. May 22, 2000.

²⁰⁴ Mann, Eric. *Radical Social Movements And The Responsibility Of Progressive Intellectuals*. Loyola of Los Angeles Law Review. 1999. 12 (3): 777

campaign at the local level.²⁰⁵ The suit resulted in a consent decree which stipulating the MTA purchase new buses, reduce fares, address overcrowding, and improve service to underserved areas. Almost immediately the MTA began to actively avoid compliance with the court order.²⁰⁶ As one BRU strategist stated: “We had no illusions that the MTA would comply with the consent decree without an escalation of mass pressure.”²⁰⁷ So, having spent the previous two years preparing through grassroots community organizing, the BRU was able to unleash a militant campaign that used protest and public mobilization as its primary means of enforcement.

The BRU began holding public rallies and teach ins, and disrupted public MTA public meetings with raucous demonstrations²⁰⁸, often being dragged away in handcuffs²⁰⁹, and even engaged in direct shouting matches with Los Angeles Mayor Richard Riordan.²¹⁰ Using direct action tactics reminiscent of the Montgomery bus boycotts, they initiated a campaign of weekly ‘fare strikes’ where as many as 40,000 riders refused to pay for inadequate service. Meanwhile, they boarded buses and conducted hundreds of ‘teach-ins’ as commuters were riding, creating a base of support among everyday riders, attracting as many as 1,200 dues paying members. Organizers recount that they “put teams of organizers on the buses daily, made presentations to community groups, churches, synagogues, and unions, launched a major radio and print media campaign, and held dozens of demonstrations at MTA meetings as well...mass marches to City Hall.”²¹¹ One of their more memorable chants bears repeating:

A thousand more buses, to get to work and classes,

Mass transportation belongs to the masses.

We're the BRU, and this is our fight,

Mass transportation is a human right.

²⁰⁵ Mann, Eric and Chris Mathis. “Civil Rights Consent Decree? Legal Tactics for Left Strategy.” *Ahoranow*. Labor Community Strategy Center, 2002:(4)

²⁰⁶ Ibid.

²⁰⁷ Shuit, Douglas. MTA Seeks To Void Pact With Bus Riders, Law. *Los Angeles Times*. May 22, 2001.

²⁰⁸ *Los Angeles Times*. Riders Disrupt Panel’s Meeting. May 29, 1997.

²⁰⁹ Simon, Ricard. Bus Riders Protest MTA Cuts, Transit: Six Are Dragged From Board Meeting In Handcuffs. *Los Angeles Times*. December 19, 1997.

²¹⁰ *Los Angeles Times*. Protesters disrupt Pasadena Light Rail Meeting. February 25, 1999.

²¹¹ Mann, Eric and C. Mathis. Civil Rights Consent Decree? Legal Tactics for Left Strategy. *Ahoranow*. Labor Community Strategy Center, 2002: (4)

The BSU's creative and confrontational tactics garnered considerable press attention within LA, and in national news sources. According to the Los Angeles times, the MTA's non-compliance strategy began to crumble in 2000 as a result of public opposition.²¹² Caving under the prolonged onslaught of aggressive protest tactics (and media coverage that favored the BSU) the MTA finally began complying with the demands of the consent decree. In a cascade of concessions, the MTA began reducing fares, buying new busses, addressing overcrowding, and providing new service lines to major centers of employment, education and health care centers throughout LA County. They agreed to purchase nearly 800 brand new, compressed natural gas buses at a cost of over \$250 million.

By engaging in protracted conflict with planning authorities, the BSU altered the course of transit history in Los Angeles to include the interests of the cities least powerful residents. Reflecting on the confrontational approach of the BSU, an official MTA spokesman stated: "They have totally hijacked the debate on this. They're David and we're Goliath with bad breath ... They were right in that we allowed the bus system to go to pot. The BRU gave us a push." To which he added: "The problem is they are still kicking us." ²¹³ The success of the BRU in Los Angeles has inspired the creation of other Bus Riders' Unions in Tucson, St. Louis, Pittsburg, Boston, San Francisco, and Vancouver. The original LA BRU maintains a political presence at the time of this writing. They have already held raucous, noisy protests during their meetings with the new mayor of Los Angeles, Antonio Villaraigosa.²¹⁴

For the purposes of this paper, it is worth noting, the BRU had direct experience with repressive anti-protest measures described in the Protest Repression Data. When it held a march during the 2000 Democratic National Convention in Los Angeles, BSU members were among those attacked by tear gas and rubber bullets when police eventually cleared all downtown streets through force. Shortly after the DNC, they received similar treatment at smaller, joint protest they held against police brutality at LAPD headquarters, in which a dozen people were injured²¹⁵

²¹² Rabin, Jeffrey L. In Reversal, MTA Votes To Buy Clean Fuel Buses. *Los Angeles Times*. May 26, 2000.

²¹³ McQuaid, J. Rebalancing the wheels of justice in L.A. *The Times-Picayune*. May 22, 2000.

²¹⁴ Fausset, Richard. Mayor Smooths Transit Path With Bus Riders Union. *Los Angeles Times*. July 29, 2005.

²¹⁵ Ehrenreich, B. And J. Seeley. Keeping The Peace: LAPD Really Knows How To Sock It To 'Em. *LA Weekly*. Oct.27 – Nov. 2, 2000.

International Development and Regional Planning

The effective use of protest and direct action within the arena of International Development and Regional Planning is perhaps even more stark than in the United States. Without going into as much detail, a quick review of just the last few years demonstrates its prevalence.

In 2001, Mexico's newly elected president Vicente Fox sought to anoint the capital city as 'a global city' by constructing a 'world class' airport, in the belief that this would attract more foreign corporations looking to invest. However, the impoverished farmers who owned the land in question were not consulted, and were being forced to leave. To make matters worse, they were not offered new homes or significant compensation in exchange for the loss of their land, so they responded with militant protests and dramatic direct action. They marched into the city riding tractors and horses and waving their machetes. A firestorm of national and international media coverage resulted from their dramatic protests, and under increased public scrutiny, the project was cancelled and they were able to keep their land.

In 2000 in Bolivia, the government granted control over the capital city's water to Bechtel Corporation, as part of a 40-year lease to privatize the water supply on the advice of the World Bank. Immediately, the company raised prices, effectively doubling and tripling water rates for an urban population that on average makes only 2\$ a day. Interpreting the privatization scheme as a plan that benefited the wealthy at the expense of the poor, the city's overwhelmingly poor population responded with mass demonstrations and blockaded the streets, bringing the city to a standstill. The deal with Bechtel was eventually cancelled. One of the protesters reflected: 'Since the 'Water War' in 2000, people have realized that the only weapon we have is blockades... When we have used other kinds of mobilizations, the government has never listened.' When the government signed a deal to let foreign corporations invest in Bolivia's natural gas industry (and only return 18% of the profits to Bolivia), protests erupted again, and the government was toppled.

In South Africa in 2001, the post-apartheid regime began to visibly retreat from its "people-driven development" platform and embarked on a path of privatization municipal services, under pressure from western governments and economic advisors. In order to make these utilities more attractive to foreign investors, the energy sector had to increase profit margins so the government implemented a strict cost recovery regime which entailed shutting off the power to the poorest urban communities. In Soweto, the largest working class black township in the nation, households

were being cut off at a rate of nearly 20,000 households every month. In response, a grassroots organization arose calling itself the Soweto Electricity Crisis Committee and began leading mass demonstrations, as well as “Operation Khunyasa” a direct action campaign that taught people how to reconnect their own power. This campaign soon rendered the shutoff tactics of the government inoperable.²¹⁶ Similar widespread direct action campaigns have occurred in surrounding water privatization, and forced evictions.

The case studies reveal that across the planning spectrum, the tactics of protest, civil disobedience and direct action have provided irreplaceable tools for marginalized groups to address inequity and lack of democracy in the planning process. To be clear, this is not the same as claiming that protest is the *only* means by which marginalized communities achieve gains. Community organizers are often the first to make this point.²¹⁷ The meaningful conclusion is that protest *cannot be left out* of any conception of a democratic planning process. When imbalances in power exist, even within deliberative settings, there are crucial moments where protest and direct action can accomplish things for marginalized groups that nothing else can. Any democratic planning strategy (and any planning education for that matter) should incorporate these lessons.

Protest and Planning Theory

By omission, contemporary urban planning appears to dismiss the importance of these kinds of political action and by extension, the repression of protest in cities has not presented a particular concern for planning theory. Democratic planning theory, at present, does not acknowledge the types of democratic actions used in the cases above. However, new critiques emerging among political theorists offer a basis to inject a more complete notion of democracy into the planning discussion, one that views protest, civil disobedience and direct action as an inherent part of democratic process. This more complete view brings the issue of protecting dissent to the foreground.

²¹⁶ Turner, Walter. Soweto Resists ANC Privatization Moves” *Corpwatch*. August 18th, 2004. (Accessed on July 10) <http://www.corpwatch.org/article.php?id=11501>

²¹⁷ Axel-Lute, Miriam. Direct Action for Housing: Protest tactics still get results. *Shelterforce*. National Housing Institute. July/August 2002: (124)

Many political theorists make distinctions between two contrasting realms of democratic action. I will use the rather simple terms of 'inside' versus 'outside', as most authors' labels roughly conform to this dichotomy (see table). To make the differences clear, this paper will use the 'inside' category to describe political actions that seek to produce democratic change by working within given decision-making institutions, relying on non-conflictual forms of engagement such as dialogue, cooperation, negotiation and social learning. Within the planning arena, deliberation and multi-stakeholder process are the key actions taken as part of 'inside' category, as they are techniques actively promoted and facilitated by mainstream institutions.

In contrast, "outside" forms of democratic action loosely encompass those political activities which seek to produce social change by working outside of mainstream political institutions, often employing forms of contestation and purposeful conflict that seek to alter the very construction of the decision-making structure itself. Broadly defined, this is the arena of public participation that is commonly associated with autonomous civil society, outside both the market and the state, where collective mobilization by the public is the primary structure. Protest, direct action and civil disobedience are tactics that fall within this arena.

Both of these types of actions must also rely on particular kinds of spaces and places. Inside action tends to take place literally, inside: inside legislative halls, courtrooms, and planning offices. Primarily, these are 'representative spaces,' the places and spaces where elected and appointed representatives meet to make decisions. Secondly, these are 'invited spaces,' the places where power holders solicit the opinions and input of the general public, through participatory settings. In contrast, outsider action tends to take places, quite literally, outside: in the streets, in public plazas, in parks, at development sites. These are spaces which are claimed and invented, where members of the general public has the right to construct and reconstruct the space temporarily for their social purpose. These are not merely physical spaces, but social spaces as well, each of which facilitates particular kinds of political action.

Recent political theory and newly emerging critiques of deliberation and multi-stakeholder process assert that both inside and outside forms of action are essential to producing democratic outcomes. However, the notion that 'insider' forms of politics like deliberation are by themselves synonymous

with democracy is so accepted these days as to have become 'commonplace'²¹⁸ Meanwhile, the exclusive reliance on these approaches has framed any political action that marginalized groups undertake outside the given framework as as both illegitimate and undemocratic.

This has translated into a disregard for the spaces, places and legal rights that outside politics requires. While planners are quick to point out the aesthetic and entertainment needs for public space, there is relatively little emphasis on the political function of public spaces. These emerging critiques reveal how the current democratic planning paradigm is impaired, using a fundamentally incomplete notion of democracy.

In order to set the stage for this comparison, the differences between the insider and outsider forms of democratic actions are outlined below:

Two aspects of Democratic Action:

	<u>Inside</u>	<u>Outside</u>
Labels	Traditional Politics Formal Politics Ordinary Politics Elite politics	Non-traditional politics (Morris) ²¹⁹ Informal Politics (Giddens, ²²⁰ Cherry ²²¹) Extra-ordinary Politics (Euchner) Non-elite politics (Lee ²²²)
Actions	Deliberation Multi-stakeholder forums Lawsuits and Mediation	Public Protest Civil Disobedience Direct Action
Process	Consensus Conflict Resolution & Negotiation Observance of Official Process	Contestation Purposeful Conflict Transgression & Disruption of Process
Assumptions	Outside action is illegitimate Everyone is equal partner	Outside action is necessary Inequality permeates all institutions
Participation	Specific parties invited on the basis of having a perceived 'stake'	Public Open to everyone
Location	Community Input Meetings Mediation settings Courtrooms	Public Spaces in the city (Plazas, Parks sidewalks, and Streets) Development Sites

²¹⁸ Michael Walzer, "Deliberation, and What Else?" in Macedo, Stephen (ed). *Deliberative Politics: Essays on Democracy and Disagreement*. New York: Oxford University Press, 1999: 91

²¹⁹ Morris, Aldon D. *The Origins of the Civil Rights Movement: Black Communities Organizing for Change*. New York: Free Press, 1984. p. 288

²²⁰ Giddens, Anthony. "Beyond Left And Right, The Future Of Radical Politics" in Birte Siim. *Globalisation, Democracy And The Politics Of Everyday Life: Gendered Challenges*. Denmark: Aalborg University. August, 2002.

²²¹ Janet Cherry. *Kwazakele: The Politics Of Transition In South Africa: An Eastern Cape Case Study (Doctoral Thesis)* South Africa: Rhodes University, 2000.

²²² Lee, Taeku. 2002. *Mobilizing Public Opinion: Black Insurgency and Racial Attitudes in the Civil Rights Era*. Chicago: University of Chicago Press, 2002.

The current planning paradigm is composed of two main types of action, multi-stakeholder forums and deliberation. The multi-stakeholder approach seeks to find those people or groups perceived as ‘major stakeholders’ and invite them into a decision-making process, with the goal of reaching agreement through dialogue and consensus. Complimenting this, the deliberative approach proposes that all participants in the decision-making process are considered to be equals and decisions are made on who has the better rational argument. Taken together, these approaches can be summed up as pursuing democracy by (a) working within the system, and (b) by avoiding or resolving conflict. However, the planning case studies outlined above show that these approaches can be insufficient by themselves in their ability to produce democratic outcomes. In all of those cases, political action that was both (a) outside the given system and (b) purposefully conflictual was necessary.

Several political theorists have stated how ‘working within the system’ runs counter to the most important episodes of democratic change in the US. Aldon Morris writes:

“In a loud and clear voice the civil rights movement demonstrated to those groups that organized *nontraditional* politics was a viable method of social change, capable of bringing about the desired results far faster than *traditional* methods... Indeed, the modern women's movement, student movement, farm worker's movement, and others of the period were triggered by the unprecedented scale of nontraditional politics in the civil rights movement. Following the civil rights movement *it has become commonplace for groups traditionally excluded from power to pursue their interests through demonstrations and protest.*”²²³
(emphasis added)

Charles Euchner, writing in the mid 1990's, brings this same argument further into the present.

“*Some of the most important public dialogue in recent years has occurred as a result of outsider politics.* The civil rights movement -- which changed the nation's basic attitudes about acceptable racial arrangements, and also rearranged the alignment of party politics throughout the nation -- is the obvious case in point. The feminist movements represent another example of outsider politics altering the basic patterns of life in society and politics. Other movements to assert basic human rights -- the gay rights, gray rights, handicapped rights, consumer rights, student rights, children's rights, and even international human rights movements -- all were framed in important ways by people *who*

²²³ Morris, Aldon D. *The Origins of the Civil Rights Movement: Black Communities Organizing for Change*. New York: Free Press, 1984: 288

took to the streets and demonstrated or attempted to obstruct the normal procedures of politics". (emphasis added)

Taeku Lee, also citing the civil rights movement, points out that historical narratives about social change often mistakenly attribute change to elite actors, such as presidents, Supreme Court judges, and political parties. However, these versions of history overlook the preceding periods of mass protest "outside conventional political channels" that propelled these issues onto the legislative and electoral agenda in the first place.²²⁴ In other words, it is outside forms of action undertaken by marginalized groups that create the pre-conditions within which elite reformers then implemented change from the inside.

Francis Fox Piven and Cloward, argue that rather than working within the system it was "acts of mass defiance" that produce results for the poor. According to their findings, participation by marginalized groups in formal structures only served to "blunt militancy and therefore lessen movement impact." The tactics of protest and direct action are effective precisely because they are 'outside of normal politics' and 'against normal politics' in the sense that people 'break the rules defining permissible modes of political action'.²²⁵

John Dryzek, in examining the role of Non-Governmental Organizations in the environmental movement, asserts the importance of oppositional movements of civil society that remain outside the state. In addition to their professionalized modes of work, NGO's are effective because they support and participate in demonstrations and protest activity. In order to be successful, social movements must stand apart from the state and become their own agents in independent action.

These theorists argue for the 'outside' aspect, but what about the conflictual aspect? Isn't change made by less powerful groups of people getting more powerful groups of people to agree with them, and isn't this best achieved by rational argumentation, respectful dialogue and cooperation? In the last several years, a growing number of scholars have been questioning the non-conflictual nature of the deliberative and multi-stakeholder approaches.

²²⁴ Lee, Taeku. *Working Papers: Black Insurgency and the Dynamics of Racial Attitudes in the United States, 1956-1964*. Kennedy School of Government, Harvard University, 1998.

²²⁵ Piven, Francis Fox and Richard A. Cloward. *Poor People's Movements: Why They Succeed, How They Fail*. New York: Pantheon Books, 1977 and Piven, Francis Fox and Richard A. Cloward. *Normalizing collective protest*. 1992. cited in Fisher, Dana R. 2004. "Civil Society Protest and Participation: Civic Engagement Within the Multilateral Governance Regime." In Norichika Kanie and Peter M. Haas, ed., *Emerging Forces in Environmental Governance*. United Nations University Press, 2003.

Archon Fung, an advocate of deliberation, cites lessons learned from his observation of the successful 'living wage' campaign at Harvard University. He recounts how serious deliberation over the issue of Harvard's employment practices only became possible once the protesters, dismissed by the university administration, undertook forms of civil disobedience. Fung concludes that when decision-making is highly entrenched and bureaucratized, or the inequality of power is so great—then there can be no feasible path to advance deliberation. When this occurs, people are "at liberty to engage with them using the full array of bargaining, negotiating, purchasing, protesting, and more militant confrontational tactics that are regulated by the ordinary non-deliberative political ethics of pluralist regimes."²²⁶

Chantal Mouffe argues that in a democracy with diverse interests and groups it becomes necessary to engage in conflict, what she calls 'agonistic pluralism' where opposing interests parties are 'constructively adversarial'. Mouffe states that "far from jeopardizing democracy, agonistic confrontation is in fact its very condition of its possibility. To be sure, pluralist democracy...calls for the expression of dissent and the institutions through which conflicts can be manifested."²²⁷

John Ploger, connects the concept of agonism directly to the practice of planning, stating that "Conflict is immanent to planning, and perhaps particularly to practice within a pluralistic, multicultural society."²²⁸

Pieterse, applying Mouffe's theoretical formulation to his experience of urban planning in post-apartheid South Africa, concludes that "formal liberal democratic norms and institutional proceduresare wholly inadequate."²²⁹ There is great need for "agonistic engagement" and "transgressive urban politics" to achieve democracy in urban government. As an antidote, truly democratic planning requires "direct action or mobilization against state policies or to advance specific political demands." He does not reject multi-stakeholder forums, but citing a number of planning examples claims they function best when marginalized groups also maintain their autonomy from them and actively pursue political strategies that "unfold in spheres of engagement outside of the chambers of stakeholder forums." He argues that power any power that marginalized

²²⁶ Fung, Archon. *Deliberation Before The Revolution, Toward An Ethics Of Deliberative Democracy In An Unjust World. Political Theory*, 2005. 33(3): 411

²²⁷ Mouffe, C. *Deliberative Democracy or Agonistic Pluralism. Social Research* 66(3): 745-758

²²⁸ Pieterse, Edgar. "At the Limits of Possibility: Working Notes on a Relational Model of Urban Politics." *Dark Roast Occasional Paper Series*. Cape Town, South Africa: Islandia Institute, 2003. (14)

²²⁹ Ibid.

stakeholders have inside these forums is determined by power built in the larger public sphere through "direct action to shape agendas and lay claims to constitutionally defined rights and entitlements" as well as the "grassroots organizational capacity to enforce accountability, and incessantly compel powerful actors."²³⁰

Iris Marion Young concludes that despite their best intentions, deliberative arenas can still uphold many of the larger patterns of inequality and exclusion of the larger society. Activists may choose to confront given decision-making structures, rather than join them, because they are often more attenuated to these power imbalances than the deliberators who facilitate them, and confrontation allows them to address the inequalities, rather than confer legitimacy upon these forums by participating in them.²³¹

Robert Fisher, in evaluating the history of neighborhood struggles in the United States makes a similar assessment. He concludes that the history of neighborhood organizing makes clear that "conflict -- ideological and direct action challenges -- is essential to push the context, policies, and programs towards meeting basic human needs and implementing more democratic processes."²³²

Because protest is both 'outside' the formal process, and conflictual, it has often been dismissed by powerholders and planners alike as an irrational activity, in contrast to the rationality and civility of the deliberative process.²³³ But many authors point out that protest is a rational form of political participation that can make strategic sense for marginalized groups seeking to address their grievances.²³⁴ ²³⁵Young, who is familiar with activist operations, points out that protesters do not reject official structures based on impulse, but usually arrive at the approach after previous experience of trying to working with mainstream institutions. Furthermore, considerable internal deliberation usually takes place, only within the activist organizations themselves, as well as a strategic assessment of possible options within the given political context.²³⁶

²³⁰ Ibid.

²³¹ Young, Iris. *Activist Challenges to Deliberative Democracy*. *Political Theory*. 2003. 29(5): 670-90.

²³² Fisher, Robert. "Neighborhood Organizing: The Importance of Historical Context." In Keating, W. et al. *Revitalizing Urban Neighborhoods*. Kansas: University Press of Kansas, 1996.

²³³ Michael Walzer, "Deliberation, and What Else?" in Macedo, Stephen (ed). *Deliberative Politics: Essays on Democracy and Disagreement*. New York: Oxford University Press, 1999: 91

²³⁴ Oberschall, Anthony. *Social Conflict and Social Movements*. Englewood Cliffs: Prentice-Hall, 1973: 118

²³⁵ Downs, Anthony. *An Economic Theory of Democracy*. New York: Harper, 1957.

²³⁶ Young, Iris. *Activist Challenges to Deliberative Democracy*. *Political Theory*. 2003. 29(5): 670-90

To gain a cleared understanding of the reasons that marginalized groups undertake protest, the following lists provide a summary of scholarly insights into the reasoning:

I. Marginalized groups may choose to undertake political action <i>outside</i> the system (as opposed to engaging in deliberative and multi-stakeholder planning forums) because...	
Lack of power	...they discover that the available forums are not much more than ‘rituals’ that give participants no real power over decision making. (Young, 2003)
Autonomous Power	...they seek to construct autonomous levers of power that are not conditioned by the official planning process – power which can then be used as leverage within or against the official process. (Piven and Cloward 1977; Young 2003)
Structural change	...they seek to avoid the trap of working towards cosmetic ‘band-aid’ fixes that are often promoted as good negotiated compromise by planning institutions, but can ironically prolong the life of unjust institutions, or make bad plans just palatable enough to get built.
Avoid Cooptation	...their non-complicity leaves them available raise more fundamental questions about the status quo, whereas once they choose to participate they confer legitimacy on existing institutions and plans, undermining their ability to make more potent forms of criticism. ²³⁷
Question the process	...they may experience ‘inclusive’ and ‘participatory’ forums as still imbued with patterns of economic, racial, and gender privilege and disenfranchisement
Efficiency	...they decide to conserve limited resources and devote them towards other forms of democratic action that may produce better results.
Inclusion	...the public nature of street protests (as they literally take place ‘outside’) are non-elitist, Anyone can join, contrasting the often exclusionary and non-transparent nature of many decision-making bodies.(ACORN) ²³⁸
Courage	...protests are a means of strengthening the internal resolve of groups that may doubt their own ability to make change (Collins, Randall, 2001) ²³⁹

²³⁷ Ibid.

²³⁸ As one ACORN organizer states: “Virtually any other public forum is stacked against our members, for reasons of class, culture, or race...Direct action is a forum in which vast numbers can participate” (Accessed on July 19, 2005) <http://www.nhi.org/online/issues/124/directaction.html>

²³⁹ Collins, Randall. “Social Movements and the Focus of Emotional Attention” in Goodwin, J. et al (eds.), *Passionate Politics: Emotions and Social Movements*. Chicago and London: University of Chicago Press, 2001: 27-44

II. Marginalized groups may choose to undertake <i>conflictual</i> political action (as opposed to engaging in deliberation and conflict resolution) because...	
Demonstrate power	...protest offers marginalized groups real power in the form of 'negative inducements' against powerholders if they pursue an unwanted plan. ²⁴⁰
Actions speak louder than opinion polls	...protest reveals not just how many people disagree with a plan (which could be achieved by polls), but the number of people committed to taking action against it. ²⁴¹
Naming and Shaming	...protest using the power of 'shame and exposure' can damage the valuable public image of gov't agencies or private developers
Blockage and disruption	...direct action, which can physically block a plan, or disrupt an operational routine, imposes actual material costs upon the opponent, or it can make the public to 'wake up' the severity of a crisis.
Widen Agendas	... protest can be used to pressure deliberators to include more stakeholders, or widen their agenda, or to redefine the problem (Tarrow; ACORN ²⁴²)
Public Attention	...conflict tends to capture more public attention than accord or acquiescence, bringing increased attention to a previously ignored message or group
Enlists Allies	... increased attention can enlist public support; recruit new members; or enlist allies with specialized skills (pro-bono lawyers, scientists, etc.) (Lipsky, 1968) ²⁴³
Question Normalcy	... disruption encourages people to re-consider what they may have found normal and acceptable, undermining the advantages that powerholders accrue due to habituated patterns of thought and behaviour (Young, 2003)
Reveal Crisis	...when protesters risk their own safety their level of commitment illustrates to others the severity of the injustice they face (Biggs, 2003) ²⁴⁴

This is not to disregard the practice of deliberation and use of multi-stakeholder forums, but to illustrate their incompleteness, a fact that necessitates other forms of democratic action. Walzer, an advocate of deliberation concludes "it is not easy to imagine a democratic politics to which popular mobilization has become superfluous." He warns that exclusive reliance on deliberation is not enough, and there are larger contexts and necessary compliments to which deliberation must "fit into" in order to create a truly democratic process, or for that matter, for deliberation itself to work. Walzer points out the tendency of all hierarchies to consolidate wealth and power over time,

²⁴⁰ Wilson, James Q. *The Strategy of Protest: Problems of Negro Civic Action. Conflict Resolution*. 1961. (5):292

²⁴¹ Biggs, Michael. "When Costs are Beneficial: Protest as Communicative Suffering." *Sociology Working Papers*. Department of Sociology, University of Oxford. 2003 (04)

²⁴² As one ACORN spokesman commented on direct action: "All the people you want to meet with, they don't listen without direct action. [Negotiation only] works once you get an audience that will listen. It's hard to get that audience." (Accessed on July 10, 2005) <http://www.nhi.org/online/issues/124/directaction.html>

²⁴³ Lipsky, Michael. Protest as a Political Resource. *American Political Science Review*, 1968. 62(4): 1144-58

²⁴⁴ See Biggs, above.

creating perpetual cycles of inequality in society. This requires "endlessly renewed struggle" to create democratic egalitarianism, and "non-deliberative" popular organization and mass mobilization are the best ways to do this.²⁴⁵ Young concludes that while deliberation has its place in democracy, "the best democratic theory and practice will affirm [both activism and deliberation] while recognizing the tension between them."²⁴⁶

While this paper asserts the importance of outside forms of action, it is important that the 'inside vs. outside' framework not be viewed as an either/or scenario, but as two contrasting approaches that can mutually reinforce each other.²⁴⁷ These two realms could be visualized as a kind of mobius strip (∞) where two loops feed into each other.²⁴⁸ As the strategic demands and opportunities of the political situation change, marginalized groups continually traverse back and forth between these two arenas, accumulating important resources on one side that give them greater power in the other. If groups are able travel fluidly within and between these two arenas, this creates a kind of virtuous cycle. A narrow interpretation of democracy, one that disallows conflict and direct action, undermines this cycle, and hence can weaken marginalized groups even when they choose to engage in inside forms of action. Similarly, when political repression prevents a marginalized group from utilizing the outside arena of action, the virtuous cycle is broken as well. When the spaces and places that outsider action depends upon are constrained, through repressive laws against public protest or through direct coercion by police, then marginalized groups are seriously damaged in their ability to participate in democracy.

Police Repression and Democratic Planning

In terms of professional planning practice, a few planners are actively working to synthesize both inside and outside tactics into a cohesive theoretical approach. A noteworthy example is Kenneth Reardon's 'Empowerment Planning' approach to the East St. Louis Redevelopment Project: "an approach to urban problem solving that integrates the key principles and methods of participatory

²⁴⁵ Michael Walzer, "Deliberation, and What Else?" in Macedo, Stephen (ed). *Deliberative Politics: Essays on Democracy and Disagreement*. New York: Oxford University Press, 1999: 91-94, 104

²⁴⁶ Young, Iris. Activist Challenges to Deliberative Democracy. *Political Theory*. 2003. 29(5): 670-90

²⁴⁷ Banaszak, Lee Ann. *Inside and Outside the State: Movement Insider Status, Tactics and Public Policy Achievements*. Paper presented at the Workshop on Social Movements and Public Policy, January 11-13, 2002, Laguna Beach, California. 2002.

²⁴⁸ This could also be described as an infinity sign, called a *lemniscate* in precise mathematical terms.

action research, direct action organizing, and popular education into an effective method of social change.”²⁴⁹ Time will be needed to evaluate this formula; meanwhile, there remains a vast, fertile, realm of uncharted territory for future planners.

However, whether or not professional planners choose to undertake outside forms of action themselves is a secondary issue. What is at stake is the ability of *others* to be able to undertake political action outside the official system, and this is something that should concern all planners, regardless of their position. Even when planners are working to improve the system from the inside, the case studies make clear that the success of insiders is often dependent upon the ability of marginalized groups to act outside of it.

In light of this, the state of basic political rights in cities becomes a critical planning issue. Basic political rights preserve the space that allows marginalized groups to participate in the full range of democratic action. The freedoms of speech and assembly, and the freedom to engage in non-violent political action without fear of violent reprisal are what allow groups to occupy both sides of the political spectrum. In contrast, police repression of protest significantly narrows political opportunities for groups seeking social change.²⁵⁰ When cities become antagonistic to public protest, marginalized groups find it more difficult to get their message heard, increase public support, or enlist skilled allies to their cause. In short, repressive policing eradicates one of the few avenues of democratic action available to marginalized groups.

Fortunately, planners need not sit idly on the sidelines. Even those who choose not to participate in protest themselves can still play an important role in protecting it. Social movements scholars assert that third party observers play a crucial role in reversing the effects of repression: “the relationship between repression and dissent is an indirect, *mediated* one in which public discourse and the mass media play a crucial role....Third parties who watch, comment on, and intervene are crucial [to the effect that repression has].” When police receive criticism from the public for repressive acts, they must restrain their actions, which re-opens political space for protesting

²⁴⁹ Reardon, Kenneth. Combating Racism through Planning Education: Reflections on the East St. Louis Action Research Project. *Planning Research and Practice*. 1998. 13 (4): 421-432

²⁵⁰ Della Porta, Donatella quoted in Schweingruber, David. "Mob Sociology and Escalated Force: Sociology's Contribution to Repressive Police Tactics." *The Sociological Quarterly* . 2000. 41(3):371-389.

groups to address their grievances²⁵¹. Interestingly, the intervention of third parties can even turn repression into a positive opportunity for marginalized groups. When an act of repression is witnessed and then widely perceived as illegitimate in the public sphere, it becomes a catalyst for further protest often giving the message of protesting groups further legitimacy.²⁵²

The Origin of Rights

Rights are the preconditions for democracy and democratic planning, and these rights cannot be assumed to exist, they must be fought for and protected jealously. It is all too easy to remain passive in defending these rights, even in the face of escalating repression, when one is under the belief that because rights are 'guaranteed' by law, they exist in practice. History does not support this view. Rights are not fixed, invincible things, that are applied universally to all, but are strengthened or weakened depending on the degree to which people work maintaining them. Recent literature examining the 'origins of rights' concludes that despite the high-minded justifications of the constitution, political rights are in fact, neither natural, nor divinely granted.²⁵³ Even though all people certainly *deserve* these rights on the basis of their humanity, deserving them did not transform them into a practical reality. Rights were invented by the population as a product of social struggle, and it required continued struggle to make sure they applied to everyone. It is only when people mobilized collectively and transformed their practical demands into rights that these protections become enshrined into law.²⁵⁴ Furthermore, once rights were achieved, it has only been *ongoing* mobilization by the public that sustains them.

Said simply, if rights are created when people actively struggle for them, then they can be taken away when people cease to be active. More to the point, rights can be taken away selectively for certain powerless groups even while they are maintained for the rest of the population, creating contained spaces of disenfranchisement and repression that the rest of the population may not even be fully aware of. Unsurprisingly, it is marginalized groups that tend to inhabit those spaces where

²⁵¹ Brockett, Charles D. 1995. "A Protest-Cycle Resolution of the Repression/Popular-Protest Paradox" in: M. Traugott, M. (ed.) *Repertoires and Cycles of Contention*. Durham: Duke University Press, 1995.

²⁵² Biggs, Michael. "When Costs are Beneficial: Protest as Communicative Suffering." *Sociology Working Papers*. Department of Sociology, University of Oxford. 2003 (04)

²⁵³ Dershowitz, Alan M. 2004 *Rights From Wrongs: A Secular Theory Of The Origins Of Rights*, New York: Basic Books

²⁵⁴ Foweraker, J. and Landman, T. *Citizenship Rights And Social Movements: A Comparative And Statistical Analysis*. Oxford: Oxford University Press, 1997.

rights are most easily stripped away. To be serious about the practice of democratic urban planning means being active in the preservation of basic political rights for all who inhabit the city.

Summary and Conclusions

The history of urban planning shows that protest is a rational and effective means for marginalized groups to democratize the planning process and address grievances, employing both outside and confrontational forms of civic engagement. Protest enables marginalized groups to build independent sources of power that can force a process, plan or institution to become more inclusive and equitable. Protest is also a means of generating public outcry and enlisting the support of allies with specialized skills in order to enhance their effectiveness in legal, scientific or academic arenas. The current democratic planning paradigm relies almost exclusively on deliberation and multi-stakeholder forums, effectively depriving marginalized groups of these important and often necessary forms of democratic action. The democratic planning paradigm must be widened to include these forms of action. Planners should not only encourage and celebrate these approaches as part of any democratic planning formulation; they also must actively ensure that political space remains available in cities for marginalized groups to practice them.

Chapter VI

Conclusions

The data shows that within US cities, there is considerable erosion of political rights within US cities. The increased militarization of protest policing, coupled with the increasing integration between of federal and local law enforcement agencies, has facilitated this process. As a result, cities as ‘Gateways of Democracy’ in the US are in the process of being systematically

Towards a Political Right to the City

The federalization and militarization of local police departments acts contrary to civil liberties, and has undermined local autonomy. The response by many critics, however, has been to empower local governments by demanding greater local autonomy and isolation from the federal government.²⁵⁵ This critique mistakenly conflates autonomy with democracy.

Structure vs. Content: Local Autonomy vs. Local Democracy:

Local autonomy and local democracy are not the same thing. Drawing on the work of Pratchett, an important distinction can be made between the two. Local autonomy refers to local institutions’ independence from the central government. Local democracy refers to the rights of inhabitants determine the just application of law and resources of their city. While they are closely associated, they are not necessarily connected. In some cases, greater degrees of local autonomy can actually undermine local democracy.

Local governments can be just as oppressive as national ones, and granting them greater autonomy can compound this. During the Civil Rights era, it was local governments and law enforcement agencies who were asserting their autonomy, in order to uphold racist segregation laws. It was the federal government, far more democratic (in comparison), that intervened to dismantle these anti-democratic local systems.

²⁵⁵ Kayyem, Juliette. A Waste of Time. *The Boston Review*, Dec/Jan, 2005; See also, Corey, Robin. History’s Shadow. *The Boston Review*, Dec/Jan, 2005.

Without the existence of such rights of inclusion and participation, local autonomy can actually reinforce existing local structures of oppression. In the case of the rights of immigrants, a frequently marginalized population, one study showed that increased local autonomy merely assisted regressive white suburbanites to practice NIMBY-ism against immigrant populations.²⁵⁶

A more direct corollary from the law enforcement arena would be the ___ riots in 1968. When the urban African-American community rose up in rebellion against the racist policies of local police, many welcomed the presence of federal troops to the area, as they were seen as less racist in comparison (Fogelson)²⁵⁷. This has much to do with local character and history of oppression. Stockdill argues that police forces with a greater history of police brutality will be more likely to repress social movements and protest events.

This is not to say that local autonomy can serve to enhance local democracy. There is ample literature that states how the more control that local populations have over the local institutions of government, the more responsive and accountable those local institutions are.²⁵⁸ The important point here is that local autonomy only enhances local democracy when the local government is actually more democratic than that of the federal level. The structural aspect of government (local vs. federal) is not wholly determinant of its character.

This is essentially an argument of content vs. structure. The existence of local democracy does not simply depend upon the structure of government (local vs. Federal), but upon the degree of inclusion of different interests at each of those levels, guided by a commitment to democratic values. A structure by itself does not dictate the content that resides within it.

Henri Lefebvre's "Right to the City" offers a way forward. It is exactly this kind of rights based notion which fills the gap in the local autonomy vs. democracy debate. By stating that control over a city's resources and spaces belong to all those who inhabit it, by prioritizing the use value of space over its exchange value and the unequal power relations which result, The Right to the City directly challenges local undemocratic structures.

²⁵⁶ Julie-Anne Boudreau. Questioning the use of 'local democracy' as a discursive strategy for political mobilization in Los Angeles, Montreal and Toronto. *International Journal of Urban and Regional Research*. December, 2003. 27(4): 793

²⁵⁷ Personal conversation with Robert Fogelson.

Lefebvre's Right to the City is both "a cry and a demand" to make the cities epicenters of social and economic justice. It is the notion that all of those who live within a city have an equal right to its spaces, its resources, and the many social benefits it produces.²⁵⁹ This is a radically democratic notion, one that is being taken seriously by social movements such as the World Social Forum, and intergovernmental agencies such as the United Nations.

Re-envisioning Lefebvre's "Right of the Inhabitant"

While the Right to the City offers an inspiring way forward, it is not necessarily sufficient in its original formulation. It was not an approach that Lefebvre had fully theorized, and so, to be practicable, it requires additional theorization by others.²⁶⁰ The notion presenting in this paper, that cities are the Gateways of Democracy, presents a significant democratic challenge to The Right to the City as it is written. In Lefebvre's conception, The Right to the City is a place-based 'right of the inhabitant': a right owned by all those who inhabit the city, regardless of class, race, gender or any other social or economic distinction.²⁶¹ While this equalizes rights within the city, this does not adequately address the rights of those outside the city. If Cities are Gateways of Democracy, how are those who do not inhabit the city use it to exercise their democratic rights?

If cities are indeed Gateways of Democracy, it is because urban space has become the avenue through which the entire population, not merely urban inhabitants, addresses regional, national, and global institutions of power. The city plays an important political role for everyone. Therefore, for the right to the city to be truly democratic, it must be a right that all people, whether they are inhabitants of a city or not, have equal entitlement to. The groundwork for expanding Lefebvre's notion is already present in his writing, however. Lefebvre posited that the function of the city was its 'social centrality,' that the city was "the pre-eminent site of social interaction and exchange" for the entire society. In other words, cities play a central role in the functioning of the entire society, not merely their inhabitants, an idea that foreshadows the political notion I propose.

²⁵⁹ Henri Lefebvre, "The Right to the City" in *Writings on Cities* (London: Blackwell Publishing, 1996) pp.147-160

²⁶⁰ Purcell, Mark. *Excavating Lefebvre: The right to the city and its urban politics of the inhabitant.* *GeoJournal* NetherlandKluwer Academic Publishers, 2003: (58)

²⁶¹ *Ibid.*

In the global era, cities do not only play a central role in neo-liberal restructuring²⁶² they are also the key sites where “counter-hegemonic projects” are built or aimed.²⁶³ Cities are the staging grounds for contestation over the organization of the global economy. In other words, Lefebvre’s notion of ‘social centrality’ should not be limited to economic, cultural and social exchange, but to forms of political exchange as well. The Right to The City, is not a privilege of the urban inhabitant.

If the city is to fulfill its political function in a democracy, then the doors of the “gateway” must be open to all. Scaling up a level from the function the agora played for the Greek city-state, the city itself has now become the agora for the entire nation-state, and like Greek *isegoria*, all voices must be considered equal inside of it.

This is particularly relevant in situations where urban protests are aimed at impacting national or global institutions. These protests provide critical times and spaces when massive numbers of constituencies from “outside” enter the city, and use it as a physical stage to launch their messages into the global sphere. The protests are typically composed of farmers, rural workers, and urban inhabitants from other less politically central cities. In fact, it is often people from these hinterlands that often have the most to lose from global trade agreements.

However, while the red carpet is rolled out for the visiting trade delegates, city officials deny protesters equal rights to participation in city life by branding them as the ones who are “outsiders.” In the most egregious cases, protesters are regarded as violent invaders by city officials, or “outsiders who have come to terrorize and vandalize the city.”²⁶⁴ At best, they are designated as “guests” who must “behave” if they want to the chance to exercise their political rights.²⁶⁵ In other words, they are told they are welcome, as long as they do not do anything to interrupt the status quo social and economic workings of the city, such as marching in the streets and obstructing traffic, or interrupting trade meetings, which the city has entered into a financial contract to host and protect.

²⁶² Keil and Brenner, Mayer, in Kohler, Bettina and Markus Wissen, Glocalizing Protest: Urban Conflicts and Global Social Movements”, *International Journal of Urban and Regional Research*. December, 2003.27 (4): 942

²⁶³ *ibid.*

²⁶⁴ Miami Police Chief John Timoney referred to protesters as “outsiders coming to terrorize and vandalize our city.” In Figueras, Tere. Big Police Presence; Few Clashes. *Miami Herald*. Nov. 21, 2003.

²⁶⁵ New York Mike Bloomberg was firm about the police attitude to protesters without permits: 'If you disrupt traffic, if you behave in a way that is against the law, the NYPD will enforce the law. Period.' In Harris, Paul. New York ready to unleash fury on Republicans. *The Observer*. August 15, 2004

This strategy of “othering” protesters implies that their right to use the urban landscape as a political forum is less important than the trade representatives’ right. For that matter, protesters’ political rights are less important than local residents’ ‘right’ to engage in their normal, mundane activities, such as driving a car without traffic interruption. In this formulation, while the gates of the city are open to residents with an economic purpose, and visiting trade delegates, they are closed to visiting protesters. These days, when visiting protesters enter the city, their movements become highly constrained by repressive restrictions, couched in a bureaucratic language of traffic laws and ‘parade’ ordinances. Intimidated and openly surveilled, these visitors are shadowed by an everpresent threat of state violence. These constraints on the use of urban space effectively deny them their fundamental right as citizens to launch demands directly at their regional, national, or global representatives. For these reasons, Lefebvre’s Right to the City must not merely be understood as a right of the urban inhabitant, but a right of all those who inhabit a democratic society and who depend on the city as a political resource.

Implementing the Right to the City

Lefebvre offered little guidance on how his vision might be carried into existence. However, there is increasing momentum in social movement networks globally to bolster The Right to the City with a more precise articulation followed by real political action. One example, the World Charter of the Right to the City, is a platform of urban rights being articulated and promoted by the World Social Forum (WSF) network. This is not an effort that can be easily dismissed, as the WSF (with its many regional sub-fora) is the largest single meeting of civil society actors in the world. In their formulation of The Right to the City, they have been careful to include the political aspects of urban life. The charter states: “the democratic right to organize and engage in forms dissent is seen as fundamental to [The Right of the City]” and it expressly asserts “The Right Of Association, Assembly, The Expression And The Democratic Use Of Urban Public Space.”²⁶⁶ As cities become the predominant place where the world’s population lives, these grassroots movements are demanding that cities reassert the national and international rights already conferred by their democratic constitutions and the International Declaration on Human Rights.

²⁶⁶ *World Charter on the Right to the City*. Elaborated at the Social Forum of the Americas (Quito, Ecuador: 2004) & the World Urban Forum (Barcelona, Spain : 2004; World Social Forum, Porte Alegre, Brazil: 2005.

However, in terms of moving from demanding these rights, to crafting what these rights would look like in terms of institutional practice, there is much work that remains to be done. In regards to the question of upholding cities function as “gateways of democracy” one important avenue of future research would be to outline the kinds of institutions and laws that would be needed to uphold and sustain the political rights of all those who seek to use the city as an epicenter of democratic practice.

Appendix: Data Citations

World Trade Organization (WTO) Seattle, WA. Nov 30 - Dec 3, 1999

Generic Data (Quantitative):

# of protesters present (est.)	50,000	Protests overshadow WTO talks. BBC News. November 30, 1999.
# of police deployed:	1,100	De Armond, Paul. "Netwar In The Emerald City:WTO Protest Strategy And Tactics" in Arquilla, John and David Ronfeldt (eds). Networks And Netwars: The Future Of Terror, Crime, And Militancy. Rand Corporation, 2001.
# of law enforcement:	28	After Action Report, World Trade Organization Ministerial Conference Seattle, Washington November 29 – December 3, 1999. Seattle Police Department. April 4, 2000.
Ratio of police to protesters:	1:25	
# of arrests:	631	Ibid.
# of convictions:	1-20	There were 613 misdemeanors and 23 felony vandalism charges. Only the misdemeanor records were available: 93% of the cases were dropped, 7% took deals. Only six cases went to trial. Five were acquitted or dismissed. Only 1 person was convicted in trial and given community service. - Komisaruk, Katya, Examples of Solidarity Tactics in Mass Civil Disobedience Actions. Just Cause Law Collective, 2003. The 1-20 figure account for the possibility of felony convictions.
Convictions (as % of arrest):	1-3%	
Security expend. (in millions of \$):	11.2	WTO Accountability Review Committee. "Lost Opportunities: The Budget for the Seattle Meeting of the World Trade Organization" in Report of the Citizens' Advisory Panel on WTO Invitation, Part Two. September 14, 2000.
Federal funding (in millions of \$):	0	Murakami, Kery. Seattle Saddled With Millions In WTO Bills: City Turned Down 1998 Federal Offer To Pay Expenses. Seattle Post-Intelligencer. June 15, 2000.
Police overtime (in millions of \$):	6	The Battle In Seattle. Time (Europe). December 6, 1999. 154 (23)

Tactics Data (Qualitative):

Media	<u>Demonization of protesters</u>		
	Inferring protesters/violence link:	X	Despite widespread media and police reports of 'violence', the most militant protest actions were directed at property, not persons. Few police and no bystanders were injured as a result of protester actions. Police did experience some 'minor' injuries, mostly due to fatigue and the handling their own weapons. - ACLU. "Improper Arrests And Prosecutions" in Out Of Control: Seattle's Flawed Response To Protests Against The World Trade Organization. July, 2000.; In contrast, over 100 protesters, bystanders and press were injured by police actions, some seriously. - Prattle in Seattle. Fairness and Accuracy in Reporting. December 10, 1999; see also Marx, Gary T. "Complexity & Irony in Policing and Protesting: The World Trade Organization in Seattle" n Social Justice, 2000. 27 (2): 212-236
	Inferring protesters/terrorism link:		
	Planted/arranged/ misrep. evidence		
	Media: embedded/targeting non-embedded:		
Legal	<u>Laws used to restrict assembly</u>		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:	X	"Police made hundreds of improper arrests, detaining for days people who would never stand trial. Then, after the demonstrations were over, charges were dropped. The City Attorney doggedly pursued other charges that later were dismissed." - ACLU. "Improper Arrests And Prosecutions" in Out Of Control: Seattle's Flawed Response To Protests Against The World Trade Organization. July, 2000.
	Arrest: journalists/legal obs./medics	X	St. Clair, Jeffrey. Seattle Diary. Counterpunch. December 16, 1999.

	Prolonged detention of arrestees:	X	ACLU. "Improper Arrests And Prosecutions" in Out Of Control: Seattle's Flawed Response To Protests Against The World Trade Organization. July, 2000.;
	Malicious pros./exorbitant bails:	X	Ibid.
	Random detention and searches:		
Use of Force	Excessive force:	X	See below.
	Chemical Weapons:	X	Seattle City Council. TheWTO Accountability Review Committee Final Report. September 14th, 2000; See also, Out Of Control: Seattle's Flawed Response To Protests Against The World Trade Organization. July, 2000.
	Projectile Weapons:	X	Ibid.
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:	X	Ibid; See also Fairness and Accuracy in Reporting. Prattle in Seattle. December 10, 1999.
	Critical Injuries:	X	Ibid.
Space	'Free Speech'/'No-Protest' Zones:	X	Associated Press. Court: Seattle Police Perhaps Erred in WTO Protest. June 3, 2005.
	Restrict access to protest site:	X	Associated Press. Court: Seattle Police Perhaps Erred in WTO Protest. June 3, 2005.
	Max. Security Perimeter/ Fencing:		
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City	X	After the mayor declared a civil emergency, a 25 square block 'no protest zone' was created in downtown Seattle protected by police lines, making any form of assembly an arrestable act. However, the city is currently being sued on constitutional grounds for enforcing the zone selectively, discriminating on the basis of political affiliation. See: ACLU. Appeals Court Finds Government May Have Violated Rights of WTO Protesters in Seattle. June 1, 2005.
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		
	US armed forces on streets	X	400 National Guardsmen were called in after the civil emergency was declared.
	Deployment of Helicopters or APCs	X	ACLU. Out Of Control: Seattle's Flawed Response To Protests Against The World Trade Organization. July, 2000.
	Activist Homes Surveilled		
	Activist meeting spaces raided		
Intelli-gence	Surveillance (electronic)	X	According the Seattle Weekly, police and 30 other local, state, and federal agencies have been aggressively gathering intelligence on violent and nonviolent protest groups since early summer (FBI agents even paid personal visits to some activists' homes to inquire about their plans)." Redden, Jim. "Police State Targets the Left" in Snitch Culture: How Citizens are Turned into the Eyes and Ears of the State. Feral House, 2000.
	Infiltration of non-criminal groups;	X	See above.
	Agent provocateurs		

International Monetary Fund/World Bank, Washington, D.C., April 16-17, 2000

Generic Data (Quantitative):

# of protesters present (est.)	10,000	CNN.com, "Prize-winning journalist arrested" in <i>Washington police use force to control World Bank, IMF protests</i> . April 16, 2000
# of police deployed:	1400	<i>Geov Parrish, Lessons From D.C.</i>
# of law enforcement agencies:	na	
Ratio of police to protesters:	1 to 5	
# of arrests:	1300	
# of convictions:	ns	
Convictions (as % of arrest):		
Security expend. (in millions of \$):	10	<i>Protest Groups To Sue DC Police</i> , WJLA-TV, Monday August 13, 2001.
Federal funding (in millions of \$):	16	
Police overtime (in millions of \$):		

Tactics Data (Qualitative):

Media	Demonization of protesters	X	"MPD officials provided erroneous and misleading information to the public concerning what was found and confiscated at the convergence center, in a manner that suggests an attempt to characterize demonstrators as prone to violence." Committee on the Judiciary. <i>Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia</i> , City Council of the District of Columbia. March 11, 2004.
	Inferring protesters/violence link:	X	Just prior to the protests, the Police Chief announced: "Whatever takes place, we are going to keep control of these streets. Washington, D.C., is not going to burn."
	Inferring protesters/terrorism link:		
Legal	Planted/arranged/ misrep. evidence	X	Police raided an activist artspace, confiscated signs, and claimed that they found materials for making Molotov cocktails, a laboratory for mass production of pepper spray and bomb-making materials. This, in part, justified arrests that ran to near 1200 people for the week. In a later retraction, police admitted that the Molotov cocktail supplies were plastic containers and rags that smelled of solvents. The pepper spray factory was nothing more than a kitchen, and bombmaking materials were limited to simple plastic water pipe. All of these materials are consistent with activities related to the convergence and art projects. See Ream, Tim. "False Police Reports are part of Police Strategy" in <i>Waging War On Dissent: A Report by the Seattle National Lawyers Guild WTO Legal Group</i> , August 10, 2000. See also, CNN.com, <i>Washington police use force to control World Bank, IMF protests</i> . April 16, 2000; See also, "Charges Dismissed in 2 IMF Cases." <i>Washington Post</i> . June 9, 2000; Page B04
	Media: embedded/targeting non-embedded:		
	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics	X	CNN.com, "Prize-winning journalist arrested" in <i>Washington police use force to control World Bank, IMF protests</i> . April 16, 2000
	Prolonged detention of arrestees:		
	Malicious pros./exorbitant bails:		
	Random detention and searches:	X	First person account posted on DC Indymedia: Chameides, Michael. <i>Police Harrass Activists; Confiscate Literature</i> , April 12, 2000. http://dc.indymedia.org/newswire/display_any/519
Use of Force	Excessive force:	X	One nonviolent protester had his ribs broken while arrested.. Another protester was beaten in the face and then loaded into a 'patrol wagon,... US Marshals slam people's faces into a wall. <i>Primary sources: Abuse Of Protesters In Dc, April 2000</i> . April 19, 2000. (Accessed July 10, 2005.) http://prorev.com/psa16.htm
	Chemical Weapons:		
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		

	<u>Injuries:</u>		
	Critical Injuries:		
Space	<u>'Free Speech'/'No-Protest' Zones:</u>		
	Restrict access to protest site:		
	Max. Security Perimeter/ Fencing:		
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City	X Large sections of downtown were blocked off by police. Estimates are as high as 60-90 blocks. Starhawk, <i>Police Lessons</i> , 2000. Available at: http://www.starhawk.org/activism/activism-writings/policelessons.html	
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		
	US armed forces on streets		
		Deployment of Helicopters or APCs	X Jones, Jack. "Knuckleheads with nightsticks." <i>Urban 75</i> . April 17, 2000
		Activist Homes Surveilled	
	Activist meeting spaces raided	X Police and fire department officials shut down that activists main meeting space a day before the protest. It was characterized as a 'pre-emptive show of force'. "Police Move Against Trade Demonstrators". <i>New York Times</i> April 16, 2000. : see also, Committee on the Judiciary. <i>Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia</i> , Council of the District of Columbia, March 11, 2004. Police Chief Ramsey was quoted as saying, ""It was to our delight that it did discombobulate a bit the protesters, and to the extent it threw them off balance, that was helpful too."	
Intelligence	Surveillance (electronic)	X Vest, Jason. "The DC Cop Crackdown". <i>Alternet</i> , April 1, 2000.	
	Infiltration of non-criminal groups;	X Meetings were infiltrated.	
	Agent provocateurs		

Republican National Convention (RNC) Philadelphia, PA Jul 31 - Aug 1, 2000

Generic Data (Quantitative):

# of protesters present (est.)	10,000?	
# of police deployed:	7000	
# of law enforcement:		<i>Democratic National Convention Preliminary Briefing Paper. Los Angeles Police Department. August 22, 2000.</i>
Ratio of police to protesters:		
# of arrests:	420	The R2K Legal Collective (Philadelphia), <i>RNC Legal Statistics, 2004.</i>
# of convictions:	23	The R2K Legal Collective (Philadelphia), <i>RNC Legal Statistics, 2004.</i> ; Out of 420 arrestees, and 43 felony charges "not a single defendant was sentenced to jail time, and most had their cases dismissed or reduced to misdemeanors." Steven Stycos, Boston Phoenix, May 31, 2004.
Convictions (as % of arrest):	5%	
Security expend. (in millions of \$):	13.3	<i>Public Financing Of Presidential Candidates And Nominating Conventions, Campaign Finance Institute, 2003.</i>
Federal funding (in millions of \$):		
Police overtime (in millions of \$):		

Tactics Data (Qualitative):

Media	Demonization of protesters	X	See below
	Inferring protesters/violence link:	X	Police evidence of protesters intent to do violence were later proved false.
	Inferring protesters/terrorism link:		
	Planted/arranged/ misrep. evidence	X	After raiding the activist main meeting space police made a range of claims to the media about finding evidence of activists' violent intent, including C4 explosives and acid-filled balloons for throwing at police. Police also stopped a truck containing 'poisonous animals' claiming they were to be used to attack delegates. Later it was revealed that no C4 was found, nor any weapons or acid. The truck belonged to a pet shop owner. See Ream, Tim. "False Police Reports are part of Police Strategy" in <i>Waging War On Dissent: A Report by the Seattle National Lawyers Guild WTO Legal Group</i> , August 10, 2000.
Media: embedded/targeting non-embedded:			
Legal	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:	X	"when it came time to prove the allegations, the city could not make the cases. Many charges were dropped for lack of evidence; others failed to impress judges or juries (a minuscule number of protesters were found guilty of anything). But by the time the prosecutions fell apart, the spotlight had moved elsewhere. Very convenient -and very disturbing to anyone who thinks the 4th, 5th, 8th and 14th amendments to the Constitution ought to mean something in the city where it was written." -- <i>Philadelphia Daily News</i> , July 30, 2001
	Arrest: journalists/legal obs./medics		
	Prolonged detention of arrestees:	X	A majority of the arrestees were kept in detention past legal limits until the demonstrations were over. The <i>Philadelphia Inquirer</i> , January 14, 2001
Malicious pros./exorbitant bails:	X	Bail was commonly set at \$10,000 for minor offenses. One protest organizer charged with sewing "violence and mayhem," had bail set at \$1 million for a misdemeanor, based on charges that were later dismissed.	
Random detention and searches:			
Use of Force	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:		
Critical Injuries:			

Space	'Free Speech'/'No-Protest' Zones:		
	Restrict access to protest site:		
	Max. Security Perimeter/ Fencing:		
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City		
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		
	US armed forces on streets		
	Deployment of Helicopters or APCs		
	Activist Homes Surveilled		
	Activist meeting spaces raided	X	Based upon information of illegal activity that later proved to be false, police conducted a raid on an activists' puppet-making arts space, arresting over 70 people. They confiscated and destroyed a majority of the banners, signs and giant puppets that activists had made for the event.
Intelli-gence	Surveillance	X	Morgan, David. "Philadelphia Police Admit Surveillance Of Protesters." <i>Reuters</i> , July 21, 2000.
	Infiltration of non-criminal groups;	X	Despite the fact that Philadelphia police are specifically barred from engaging in infiltration as a result of a 1987 mayoral order police documents unsealed in court revealed that four undercover Pennsylvania state troopers, posing as union carpenters had infiltrated the activists' meeting space. Lombardi, Kristen. "Rough justice." <i>The Boston Phoenix</i> . Oct. 26-Nov.2. 2001.; Six undercover officers were arrested while posing as protesters. Associated Press, "Undercover troopers among those arrested during GOP convention." <i>CNN.com</i> , November 16, 2000.
	Agent provocateurs		

Democratic National Convention (DNC) Los Angeles, CA Aug 14, 2000

Generic Data (Quantitative):

# of protesters present (est.)	8,000	
# of police deployed:	2,000	Pelisek, Christine. "Just the Facts, Ma'am: Everything you wanted to know about the LAPD", <i>LA Weekly</i> , September 6 - 12, 2002
# of law enforcement agencies:	30	Included the FBI, U.S. Secret Service, CHP, Los Angeles County Sheriff's Department, Los Angeles Department of Transportation, Los Angeles City Attorney's Office, Los Angeles Fire Department, and numerous others. During the planning process, the Department closely monitored the events of civil unrest in Seattle, Washington; Washington, DC; and Philadelphia. in Democratic National Convention Planning Group, <i>Democratic National Convention Preliminary Briefing Paper</i> . Los Angeles Police Department. August 22, 2000.
Ratio of police to protesters:	1 to 4	
# of arrests:	170	Komisaruk, Katya, <i>Examples of Solidarity Tactics in Mass Civil Disobedience Actions</i> , Just Cause Law Collective, 2003.
# of convictions:	50	120 had their cases dismissed. About 50 remaining cases had their charges reduced to an infraction. Komisaruk, Katya, <i>Examples of Solidarity Tactics in Mass Civil Disobedience Actions</i> , Just Cause Law Collective, 2003.
Convictions (as % of arrest):	29%	
Security expend. (in millions of \$):	22	Abraham, Yvonne and Milligan, Susan. "City seeks \$25m for DNC Added funding needed to cover security expenses." <i>The Boston Globe</i> . October 9, 2003.
Federal funding (in millions of \$):		
Police overtime (in millions of \$):	11.6	Abraham, Yvonne. DNC has price tags, details galore for '04, <i>The Boston Globe</i> , December 17, 2002.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	
	Inferring protesters/violence link:	X	Lt. Horace Frank, an LAPD spokesman stated about the protesters: "I think it is reasonable to believe that there are individuals out there whose sole mission is to perpetrate violence against businesses, individuals and against police officers... Some of these individuals are getting more and more violent towards innocent people in the community. That's a very big concern to us." Quoted in CNN.com. <i>Schools, businesses prepare for Democratic Convention protests</i> , August 11, 2000.
	Inferring protesters/terrorism link:		
	Planted/arranged/ misrep. evidence		
Legal	Media: embedded/targeting non-embedded:	X	"LAPD had to pay \$60,00 to seven journalists who were clubbed with batons and shot with rubber bullets" in Pelisek, Christine. Just the Facts, Ma'am: Everything you wanted to know about the LAPD", <i>LA Weekly</i> , September 6 - 12, 2002; See also, Seeley, John. "Shoot the Messenger. ACLU lawsuit says LAPD targeted reporters." <i>LA Weekly</i> , August 25-31, 2000.
	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event	X	'Tippit, Sarah <i>LA Police Sued Over Democratic Convention Protests</i> , Reuters, August 9, 2001
	Arrests: False/ mass/ pre-emptive:	X	Ibid.
	Arrest: journalists/legal obs./medics	X	Ibid.
	Prolonged detention of arrestees:		
Use of Force	Malicious pros./exorbitant bails:	X	Ibid.
	Random detention and searches:	X	Henry Weinstein and Ted Rohrlich, Judge Bars LAPD From Preempting Protest Activities, <i>Los Angeles Times</i> , August 12, 2000; Incidents at the protesters' headquarters have included police arrests of people for jaywalking...and pushing people against the wall. "LA police issued restraining order from headquarters of DNC protests." <i>CNN.com</i> . August 11, 2000.
	Excessive force:	X	Mayor Richard Riordan promised to use rubber bullets if protesters any nonviolent civil disobedience. 'Tippit, Sarah <i>LA Police Sued Over Democratic Convention Protests</i> , Reuters, August 9, 2001
	Chemical Weapons:	X	

	Projectile Weapons:	X	
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:	X	As one journalist stated: "I was in Kosovo last year, you know, and I didn't get shot there. I got shot in Los Angeles."
	Critical Injuries:	X	
	Mistreatment of arrestees:		
Space	'Free Speech'/'No-Protest' Zones:	X	"To facilitate the lawful exercise of the first amendment, a public demonstration area was identified and set aside from the beginning" Democratic National Convention Preliminary Briefing Paper, LAPD, Tuesday, August 22, 2000
	Restrict access to protest site:	X	'Tippit, Sarah <i>LA Police Sued Over Democratic Convention Protests, Reuters, August 9, 2001</i>
	Max. Security Perimeter/ Fencing:		
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City	X	Police
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics	X	
	Prominent display of force capabilities	X	
	US armed forces on streets		
	Deployment of Helicopters or APCs	X	Tippit, Sarah <i>LA Police Sued Over Democratic Convention Protests, Reuters, August 9, 2001</i>
	Activist Homes Surveilled		
	Activist meeting spaces raided	X	
Intelligence	Surveillance (electronic)	X	LA police issued restraining order from headquarters of DNC protests
	Infiltration of non-criminal groups;		
	Agent provocateurs		

Presidential Inauguration Washington, DC Jan 20, 2001

Generic Data (Quantitative):

# of protesters present (est.)	3000	There was no agreement yesterday on just how many had braved the weather to protest, but it was without question the biggest anti-inaugural demonstration since 1973, when 20,000 turned out to rain on Richard Nixon's parade and protest against the Vietnam war. Borger, Julian and Martin Kettle. "Bush Faces Jeers, Not Cheers." <i>Guardian Unlimited</i> . January 22, 2001.
# of police deployed:	6800	<i>Washington Post</i> , January 13, 2001.
# of law enforcement:	16	<i>Washington Post</i> , January 13, 2001.
Ratio of police to protesters:	3:1	
# of arrests:	9	Lindsey, Daryl. "Thousands protest Bush's Inauguration." <i>Salon.com</i> , January 20, 2001.
# of convictions:		
Convictions (as % of arrest):		
Security expend. (in millions of \$):	6	US Senate committee on appropriations, <i>Subcommittee on the District of Columbia Hearing on the Local FY05 Budget for D.C.: Testimony of Linda W. Cropp, Chair, City Council of the District of Columbia</i> , May 19, 2004.
Federal funding (in millions of \$):	6	Historically the District has been directly reimbursed for the costs associated with the Presidential Inauguration. <i>Ibid</i> .
Police overtime (in millions of \$):	3	Statements made by D.C. Police Chief Charles Ramsey. Quoted in Democracy In Action Project, George Washington University. Downloaded July 10, 2005 from: http://www.gwu.edu/~action/chrminau.html

Tactics Data (Qualitative):

Media	Demonization of protesters		
	Inferring protesters/violence link:		
	Inferring protesters/terrorism link:		
	Planted/arranged/ misrep. evidence		
	Media: embedded/targeting non-embedded:		
Legal	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics		
	Prolonged detention of arrestees:		
	Malicious pros./exorbitant bails:		
Random detention and searches:			
Use of Force	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:		
Space	Critical Injuries:		
	'Free Speech'/'No-Protest' Zones:		
	Restrict access to protest site:	X	The "parade areas" which encompass a substantial portion of downtown D.C. were for the first time in inauguration history, encircled in five miles of steel, six-foot high fences--with only 10 checkpoints for entry. Despite requests, police issued no guidelines, leaving the basis for entry entirely up to the discretion of the police. Beghosian, Heidi. <i>The Assault on Free Speech, Public Assembly, and Dissent</i> , National Lawyers Guild, p. 43- 44
	Max. Security Perimeter/ Fencing:	X	"Protesters line inaugural parade route." <i>CNN.com</i> . January 20, 2001
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City		
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		

US armed forces on streets			
Deployment of Helicopters or APCs			
Activist Homes Surveilled			
Activist meeting spaces raided			
Intelli-gence	Surveillance (electronic)	X	DC police officials admitted to that plainclothes officers were sent to protesters' organizational meetings without identifying themselves, but would not discuss the operation further "Open intelligence is pretty fair game, whether it's the Internet, reading the newspaper, watching TV or going to the meetings." Santana, Arthur. Washington Post. December 28, 2000; Page B01
	Infiltration of non-criminal groups;	X	Testifying in court, police officials admitted that that D.C. officers infiltrated local protest groups, for which a city lawyer stated <i>is not because of suspected criminal activity</i> . Montgomery, David. Stirring a Cause , Washington Post. Monday, May 12, 2003; Page C01.; See also: Gossett, Sherrie . D.C. Undercover Operations Blown?: Police Appeal Order To Turn Over Identities Of Cops To Anti-Bush Group, WorldNetDaily, October 15, 2003.
	Agent provocateurs	X	"Two men in street clothes -- one wearing a black ski mask -- were captured on amateur videotape roaming through the inauguration crowd. They shove bystanders and one pepper-sprays people seemingly at random. After two years of legal pressure, the District acknowledged the men were on-duty police officers." quoted in Montgomery, David. Stirring a Cause , Washington Post. Monday, May 12, 2003; Page C01; See also, Committee on the Judiciary. Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia, Council of the District of Columbia, March 11, 2004.

World Economic Forum (WEF) New York, NY Jan 31 – Feb 4, 2002

Generic Data (Quantitative):

# of protesters present (est.)	7,000	Barry, Dan. "Forum In New York: Protests" <i>New York Times</i> . February 3, 2002.
# of police deployed:	4,000	Fine, Larry and Soo Youn. "Thousands Rally Outside World Economic Forum." <i>Reuters</i> . Feb 2, 2002.
# of law enforcement:		
Ratio of police to protesters:	1:2	
# of arrests:	201	Kaplan, Esther. "Spies in Blue: Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13, 2002.
# of convictions:		
Convictions (as % of arrest):		
Security expend. (in millions of \$):	44	This is an estimate based upon the police overtime costs. See Below.
Federal funding (in millions of \$):	na	
Police overtime (in millions of \$):	44	"In 2002... overtime jumped to its highest level over the five-year interval as a result of the \$44 million police overtime cost associated with the January 2002 World Economic Forum." in New York City Independent Budget Office. "Police Overtime: Tracking the Big Growth in Spending." <i>Fiscal Brief</i> . April 2004. p 5.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	See Below.
	Inferring protesters/violence link:	X	Media quotes from NY daily news: "legions of agitators," "crazies," "parasites" and "kooks" In "Confab Welcome, Crazies Not." <i>New York Daily News</i> . Jan 13, 2002. p. 42; When no violence occurred, CBS played a clip of a masked man breaking a Starbucks window -- in Genoa, from a year before. Flanders, Laura. "Question Authority." <i>Working For Change</i> . Feb 5, 2004.
	Inferring protesters/terrorism link:	X	"There are some very serious bad guys out there," Timoney told the Post, "and I am not talking about Osama bin Laden. We are talking about pretty sophisticated bad guys." Dunleavy, Steve. "Econ Summit Brings Own Terror Threat." <i>New York Post</i> . January 18, 2002.; These protesters are "less known for their deep thinking than for their willingness to trash cities"... "some would say that New York needs this [protest] about as much as it needs another airplane attack." Haberman., Clyde. <i>New York Times</i> . January 19, 2002.
	Planted/arranged/ misrep. evidence		
Legal	Media: embedded/targeting non-embedded:		
	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:	X	While police stated the arrests were for blocking traffic, 50 protesters were arrested who were marching exclusively on the sidewalk, not even blocking pedestrians. Kaplan, Esther. "Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13th, 2002.
	Arrest: journalists/legal obs./medics	X	50 protesters arrested who were marching exclusively on the sidewalk, not even blocking pedestrians.. Kaplan, Esther. "Spies in Blue: Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13th, 2002.
Use of Force	Prolonged detention of arrestees:	X	"Spies in Blue: Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13th, 2002.
	Malicious pros./exorbitant bails:		
	Random detention and searches:		
	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		
Electroshock Weapons:			
Experimental Weapons:			
Injuries:			
Critical Injuries:			

Space	'Free Speech'/'No-Protest' Zones:	X	A separate 'pen' was created to allow the anti-globalisation group to play music and recite diatribes against the IMF and World Bank. Behind them the majority of the protesters were kept in a larger cordoned-off area. Ravilious, Emmeline. "Anti-WEF protest passes off peacefully." <i>Financial Times</i> . February 2, 2003.
	Restrict access to protest site:	X	Metal 'protest pens' around the demonstration area kept many protesters from reaching the permitted demonstration site. Flanders, Laura. "Question Authority." <i>Working For Change</i> . Feb 5, 2004.
	Max. Security Perimeter/ Fencing:	X	concrete barriers and sanitation trucks filled with sand closed off some 10 blocks around the hotel. Anderson, Kevin. "Protesters slam New York police tactics." <i>BBC.com</i> . January 31, 2002.
	Mobile Netting/ Barriers: Shut Down of Business Areas of City		
Intimidation	Public Training Drills	X	NYPD practiced many well publicized crowd control operations in front of the media, and in Shea Stadium. Esposito, Richard. Law of the Fist: "New York Cops Vow to Crush Violent Protest at World Economic Forum." <i>Village Voice</i> . January 22, 2002.
	Media Showcase of weapons, tactics	X	Local newspapers carried continual, multiple visual images "often on the front page" of police officers wearing defensive body armor (riot gear) and carrying automatic weapons. NLG Report, p. 22.
	Prominent display of force capabilities	X	Police security was tight, with demonstrators preceded by nine lines of police in riot gear, and parade organisers verbally tussled with their NYPD counterparts, calling for more road space in which to march. Demonstrators were also flanked by police on motorbikes, horses and bicycles. Ravilious, Emmeline. "Anti-WEF protest passes off peacefully." <i>Financial Times</i> . February 2, 2003.
	US armed forces on streets		
	Deployment of Helicopters or APCs	X	NLG Report, p. 85
	Activist Homes Surveilled	X	Undercover police were posted outside the apartment of Eric Laursen for two days; at one point, four of his houseguests were tailed for blocks after they headed out. Kaplan, Esther. "Spies in Blue: Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13th, 2002.
	Activist meeting spaces raided		
Intelligence	Surveillance (electronic)		
	Infiltration of non-criminal groups;	X	The independent media center was infiltrated by police. Kaplan, Esther. "Spies in Blue: Cops Pushed Legal Limits in WEF Protests." <i>The Village Voice</i> . February 13th, 2002.
	Agent provocateurs		

Anti-War (Port Protest) Oakland, CA Apr 7, 2003

Generic Data (Quantitative):

# of protesters present (est.)	500	Garofoli, Joe et al. "Oakland cops fire dummy bullets at protesters," <i>San Francisco Chronicle</i> , April 8, 2003.
# of police deployed:	40	Ibid.
# of law enforcement agencies:	1	
Ratio of police to protesters:	1:10	
# of arrests:	31	Garofoli, Joe et al. "Oakland cops fire dummy bullets at protesters," <i>San Francisco Chronicle</i> , April 8, 2003.
# of convictions:	0	"Charges Against ILWU BA, Protestors Dropped." <i>The Dispatcher</i> , International Longshoremen and Warehouse Union. June 9, 2004.
Convictions (as % of arrest):	0%	
Security expend. (in millions of \$):	na	
Federal funding (in millions of \$):	na	
Police overtime (in millions of \$):	na	

Tactics Data (Qualitative):

Media	Demonization of protesters	X	See below
	(In)fering protesters/violence link:	X	Law enforcement agencies "blended solid facts, innuendo and inaccurate information about anti-war protesters expected at the port. Taken together, this information painted a monolithic portrait of violent activists." Hoffman, Ian. "Intelligence Agency Does Not Distinguish Between Terrorism and Peace Activism." <i>The Oakland Tribune</i> . May 18, 2003. the <i>Oakland Tribune</i> (5/13/03) reported that Contrary to police claims the police video "doesn't show objects being thrown at police, or any other type of physical attack against officers." The <i>Los Angeles Times</i> (6/8/03) reported "Police officials have said they have videotapes that show protesters throwing objects at officers. The <i>Times</i> reviewed the tapes and compact discs of the protest and saw no instances of demonstrators throwing objects."
	(In)fering protesters/terrorism link:	X	Police responded with force in part because they were issued a terror warning about the protesters from state anti-terrorism officials. It was later discovered that this connection was made-up by a CATIC enforcement official. Hoffman, Ian. "Intelligence Agency Does Not Distinguish Between Terrorism and Peace Activism." <i>The Oakland Tribune</i> . May 18, 2003.
	Planted/arranged/ misrep. evidence	X	Police justified their actions by claiming that protesters attacked them by throwing rocks and bottles, which their own video later showed to be false. Burt, Cecily. "Video doesn't show rocks being thrown: No attacks against police appear in a film shot by an internal affairs investigator," <i>Oakland Tribune</i> . May 15th, 2003.
Media: embedded/targeting non-embedded:			
Legal	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics	X	Legal observers were among those arrested. NLG Report. p. 52
	Prolonged detention of arrestees:		
Use of Force	Malicious pros./exorbitant bails:		
	Random detention and searches:		
	Excessive force:	X	The UN actually listed this as one of the worst incidents of government repression against activists anywhere in the world during 2003. Jilani, Hini. <i>Promotion And Protection Of Human Rights: Human Rights Defenders</i> , U.N. Commission On Human Rights, 23 March 2004. P. 151: 476. Available At: http://Www.Unhchr.Ch/Pdf/Chr60/94add3av.Pdf ; See also, Garofoli, Joe et al. "Oakland cops fire dummy bullets at protesters," <i>San Francisco Chronicle</i> , April 8, 2003.
	Chemical Weapons:	X	Ibid.
	Projectile Weapons:	X	Ibid.
Electroshock Weapons:			

Experimental Weapons:		
Injuries:	X	Garofoli, Joe et al. "Oakland cops fire dummy bullets at protesters," <i>San Francisco Chronicle</i> , April 8, 2003.
Critical Injuries:	X	Injuries from police weapons included a woman shot in face, a woman shot in the leg who required surgery to replace a lost area of tissue, and a man whose thumb was broken as a result of being hit by a wooden bullet. Stallone, Steve. "Charges, Lawsuits and Investigations: April 7 Reverberates Through Oakland." <i>ILWU Dispatcher</i> , July 2003.
Space	'Free Speech'/'No-Protest' Zones:	
	Restrict access to protest site:	
	Max. Security Perimeter/ Fencing:	
	Mobile Netting/ Barriers:	
	Shut Down of Business Areas of City	
Intimidation	Public Training Drills	
	Media Showcase of weapons, tactics	
	Prominent display of force capabilities	
	US armed forces on streets	
	Deployment of Helicopters or APCs	
	Activist Homes Surveilled	
Intelligence	Activist meeting spaces raided	
	Surveillance (electronic)	
	Infiltration of non-criminal groups;	
	Agent provocateurs	

International Monetary Fund, World Bank Washington, D.C., Sep 22, 2002

Generic Data (Quantitative):

# of protesters present (est.)	4000	Reel, Monte and Manny Fernandez. "Anti-Globalization Protests in Washington Smaller Than Anticipated." <i>Washington Post</i> . September 28, 2002.
# of police deployed:	3200	<i>Mass Arrests At Anti-IMF Demo In Washington</i> , EmergencyNet NEWS Service. September 28, 2002-Vol. 6, NO. 271
# of law enforcement:	25	Vanden Brook, Tom. World Bank Protesters Vow To Disrupt D.C., USA Today.
Ratio of police to protesters:	1:1	
# of arrests:	649	Bob Franken, Shirley Hung and Mike Ahlers. "Hundreds arrested at IMF protests." <i>CNN</i> . September 27, 2002.
# of convictions:		
Convictions (as % of arrest):		
Security expend. (in millions of \$):	14.8	<i>Report to Congressional Requesters: Structural Imbalance and Management Issues</i> . United States General Accounting Office. May 2003. p. 67
Federal funding (in millions of \$):	NA	
Police overtime (in millions of \$):	4.7	<i>Report to Congressional Requesters: Structural Imbalance and Management Issues</i> . United States General Accounting Office. May 2003. p. 67

Tactics Data (Qualitative):

Media	Demonization of protesters	X	See below.
	Inferring protesters/violence link:	X	"There has been a persistent effort by MPD leadership to exaggerate the numbers of and threat posed by anti-globalization demonstrators." Committee on the Judiciary. <i>Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia</i> , Council of the District of Columbia, March 11, 2004.
	Inferring protesters/terrorism link:	X	Police Chief Charles Ramsey said: "We have concern that a large protest like this could become the cover to conduct terrorist-related or some other criminal activities." The police chief claimed police presence was not against protesters, but to "protect" protesters from a possible terrorist attack. Quoted in Isaacs, Jerry. Police threats against Washington anti-war protesters, World Socialist Website, April 20, 2002. (http://www.wsws.org/articles/2002/apr2002/demo-a20.shtml)
	Planted/arranged/ misrep. evidence		
	Media: embedded/targeting non-embedded:		
Legal	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:	X	D.C. police arrested 647 protesters, bystanders, journalists and medics in one day, 400 at one event in Pershing Park, charging them with "failure to obey a police order." All charges were ultimately dropped. An internal review by the department revealed that the arrests were 'unsound' made without proper cause and absent any warning. In Metropolitan Police Office Of Professional Responsibility Civil Rights & Force, <i>Final report by Force Investigation Team (Confidential Memorandum To Chief Of Police)</i> , Wash D.C. undated. The Chairperson of the City Council's Judiciary Committee stated: "Not only were arrests preemptive and wrongful, not only was the detention inhumane, but officers in the field were directed to sign arrest forms that were inaccurate on their face," <i>Patterson Criticizes Mayor for Inaction on Rights Violations</i> , Press Release, Wash. D.C. Feb. 26, 2003. See also, <i>Leonnig, Carol D.</i> "IMF Arrests Improper, Police Found." <i>Washington Post</i> . September 13, 2003; Page B02; the arrested activists won \$425,000 from police. "D.C. Settles With Mass Arrest Victims," <i>Washington Post</i> , January 25, 2005; Page A01.
	Arrest: journalists/legal obs./medics	X	"17 journalists were arrested during the September 2002 mass arrests" Committee on the Judiciary. <i>Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia</i> , Council of the District of Columbia, March 11, 2004.
Prolonged detention of arrestees:	X	Many were detained in excess of 24 hours, with wrists bound to ankles so they could not straighten up. <i>Patterson Criticizes Mayor for Inaction on Rights Violations</i> , Press Release, Wash. D.C. Feb. 26, 2003	
Malicious pros./exorbitant bails:			

	Random detention and searches:		
Use of Force	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:		
	Critical Injuries:		
Space	'Free Speech'/'No-Protest' Zones:		
	Restrict access to protest site:		
	Max. Security Perimeter/ Fencing:	"When finance ministers arrive they will find themselves besieged behind a two-mile fence ... around a 220-acre zone enclosing the White House, the US State Department, and the World Bank and IMF buildings." IMF, World Bank Count Cost of Protest <i>World Bank Development News</i> September 4, 2001.	
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City		
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		
	US armed forces on streets	X	"In a possible <i>Posse Comitatus</i> violation, the U.S. military was providing security and surveillance at the anti-IMF demonstrations.... These are normally duties performed by law enforcement officers" dc.Indymedia.org
	Deployment of Helicopters or APCs		
	Activist Homes Surveilled		
Intelli-gence	Activist meeting spaces raided		
	Surveillance (electronic)	X	"MPD assigned undercover officers to conduct surveillance of political organizations and activists in the absence of criminal activity." Committee on the Judiciary. <i>Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia</i> , Council of the District of Columbia, March 11, 2004
	Infiltration of non-criminal groups;	X	Ibid.
	Agent provocateurs		

Anti-War (Global Day of Action) New York, NY. 15 February, 2003

Generic Data (Quantitative):

# of protesters present (est.)	250,000	
# of police deployed:	5,000	Kadison, Dan And Larry Celona. "NYPD Estimated Saturday's Anti-War Rally Cost The City Approximately \$5 Million," <i>The New York Post</i> . February 17, 2000.
# of law enforcement agencies:		
Ratio of police to protesters:		
# of arrests:	257	Kadison, Dan And Larry Celona. "NYPD Estimated Saturday's Anti-War Rally Cost The City Approximately \$5 Million," <i>The New York Post</i> . February 17, 2000.
# of convictions:		
Convictions (as % of arrest):		
Security expend. (in millions of \$):	5	See Below.
Federal funding (in millions of \$):	0	
Police overtime (in millions of \$):	5	Commissioner Kelly reported that \$5 million was spent on February 15 to pay for the use of thousands of officers. This is in sharp contrast to reports in the New York Times that expenses for policing the 1996 Yankees celebration parade of between 2 and 4 million people cost approximately \$1 million. In Dunn, Christopher, et al. <i>Arresting Protest</i> , New York Civil Liberties Union, April, 2003 ; See also, Kadison, Dan And Larry Celona. "NYPD Estimated Saturday's Anti-War Rally Cost The City Approximately \$5 Million," <i>The New York Post</i> . February 17, 2000.

Tactics Data (Qualitative):

Media	Demonization of protesters			
	Inferring protesters/violence link:			
	Inferring protesters/terrorism link:			
	Planted/arranged/ misrep. evidence			
	Media: embedded/targeting non-embedded:			
Legal	Laws used to restrict assembly	X	See below.	
	Delayed issuance of permits:	X	The city denied a permit for a protest march "for the first time in Modern History", despite the fact that these permits had been granted to other huge marches and parades in the past. Police also confused organizers by offering an alternate route and then denying it days later. Barrett, Wayne. "Why Mike Banned the March." <i>The Village Voice</i> , February 19 - 25, 2003.; Saulny, Susan. "Court Bans Peace March In Manhattan." <i>New York Times</i> . February 11, 2003.	
	Improper termination of event			
	Arrests: False/ mass/ pre-emptive:			
	Arrest: journalists/legal obs./medics			
	Prolonged detention of arrestees:	X	Police delayed the release of 215 arrested demonstrators and held arrestees for up to ten hours on buses with no heat in temperatures below freezing. NLG Report. p. 50: ACLU complaint details of arrestees held in the back of police vans without access to food, water or bathroom facilities. In <i>Jeremy Conrad V. The City Of New York</i> ; <i>Raymond W. Kelly, Commissioner of the New York City Police Department</i> ; New York, N.Y. November 19, 2003.	
	Malicious pros./exorbitant bails:			
	Random detention and searches:			
	Use of Force	Excessive force:	X	There were numerous reports of police using horses to charge into dense crowds, and unnecessarily rough treatment of arrestees. Dunn, Christopher, et al. <i>Arresting Protest</i> . New York Civil Liberties Union, April, 2003

	Chemical Weapons:	X	“Police squirted pepper spray into the eyes of penned-in protesters and backed kicking horses into crowds of people, according to video footage... ‘That makes you feel good, doesn’t it?’ one officer yelled.” <i>Lefkowitz Melanie</i> . Protesters: NYPD Used Violence, <i>NY Newsday</i> . See also: <i>Video From F15 Press Conference on Police Misconduct</i> , New York Independent Media Center, February, 2003. Available at: http://f15.nycimc.org/video/quicktimes/PressTape.mov
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:		
	Critical Injuries:		
Space	‘Free Speech’/‘No-Protest’ Zones:	X	While not labeled as such, the police created a de-facto ‘free speech zone’ by denying protesters the right to conduct march anywhere in the city, and restricting a permitted stationary assembly to tightly controlled, heavily barricaded area. See Below.
	Restrict access to protest site:	X	Thousands of protesters were prevented from reaching the permitted rally site by police use of 4 sided metal barricades called ‘pens’ placed at scores of downtown intersections which “unreasonably restricting access to and participation in [the] demonstration.” <i>New York Civil Liberties Union vs. The City of New York</i> . 03 Civ. 9162 (RWS) p. 79; See also, “Let us through,” <i>Video From F15 Press Conference on Police Misconduct</i> , New York Independent Media Center, February 2003. Available at: http://f15.nycimc.org/video/quicktimes/w005_3rdave_52st_block.mov
	Max. Security Perimeter/ Fencing:	X	See above.
	Mobile Netting/ Barriers:	X	Police used metal barricades as mobile barriers. Indymedia video shows police lifting them up and rushing at crowds, using them to push people backwards. <i>Video From F15 Press Conference on Police Misconduct</i> , New York Independent Media Center, February, 2003. Available at: http://f15.nycimc.org/video/quicktimes/PressTape.mov
	Shut Down of Business Areas of City		
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		
	Prominent display of force capabilities		
	US armed forces on streets		
	Deployment of Helicopters or APCs		
	Activist Homes Surveilled		
Intelli-gence	Surveillance (electronic)	X	NYPD used a “Democratic National Convention Preliminary Briefing Paper Tuesday, August 22, 2000” to interrogate people arrested at the February 15, 2003, antiwar rally about their political activities and associations and was using the information to build a database. McCool, Grant. “NY Police Admit Keeping Anti-War Protest Database.” <i>Reuters</i> . April 10, 2003.
	Infiltration of non-criminal groups;		
	Agent provocateurs		

Free Trade Area of the Americas (FTAA) Miami, FL Nov 20-21, 2003

Generic Data (Quantitative):

# of protesters present (est.)	8,000	"Police Arrest Scores Of Miami Trade-Talk Protesters." <i>NBC6</i> . November 21, 2003.
# of police deployed:	2,500	Nesmith, Susannah A. "Security Boosted For FTAA Talks." <i>Miami Herald</i> . Nov. 10, 2003.
# of law enforcement agencies:	40	Ibid.
Ratio of police to protesters:	1:4	
# of arrests:	283	Solnit, David. <i>FTAA Scorecard: 283 Arrested / 0 Convictions</i> . Save Our Civil Liberties. May 3, 2004.
# of convictions:	0	Ibid.
Convictions (as % of arrest):	0.00%	
Security expend. (in millions of \$):	23.9	Nesmith, Susannah A. "Summit security costs public millions." <i>Miami Herald</i> . Feb. 22, 2004.
Federal funding (in millions of \$):	8.5	Ibid. Part of \$87 Billion Iraq Reconstruction Bill.
Police overtime (in millions of \$):	10.5	Ibid.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	See below.
	Inferring protesters/violence link:	X	Miami Police chief referred to protesters as "outsiders coming to terrorize and vandalize our city." Figueras, Tere. "Big Police Presence; Few Clashes." <i>Miami Herald</i> . Nov. 21, 2003.
	Inferring protesters/terrorism link:	X	See above;
	Planted/arranged/ misrep. evidence	X	Police Chief Timoney stated that police officers did not fire tear gas, but in fact it was the protesters who did. However, extensive video and photography show police firing tear gas into crowds.
	Media: embedded/targeting non-embedded:	X	Said one police spokesman: "I believe that every reporter I have spoken to that was embedded said that they were able to see things from our point of view. I think during the event, and you go back and look at coverage--particularly television coverage--you will find it very positive and pro-police." the FTAA embedding plan was adopted almost word-for-word from the U.S. military's media plan for Iraq. "We just adapted it to the situation." In Pacenti, John. "Embedded Obstacles." <i>American Journalism Review</i> . February/March, 2004; Reporter appeared on camera wearing police riot helmets and flack jackets, and one stated without evidence, "She took a rubber bullet in the stomach, she must have done something. You wanna play, you gotta pay." Quoted in Tom Hayden, <i>Miami Vice</i> , AlterNet. November 20, 2003.; Meanwhile, reporters who were not-embedded were arrested and had their equipment confiscated by police. Scahill, Jeremy. "The Miami Model," <i>Democracy Now!</i> November 24, 2003.
Legal	Laws used to restrict assembly	X	At the request of police chief John Timoney, city officials passed an ordinance that prohibited protesters from carrying props such as balloons and bottles and required a permit for public gatherings of seven or more people if gatherings lasted more than 30 minutes. The ordinance was used during the protests as a pretext to unlawfully arrest demonstrators. It was passed into law just before the event, leaving insufficient time to repeal it. It was repealed on constitutional grounds, after the event had occurred. NLG, p. 37: See also, O'Neill, Ann W. and Diana Marrero. "Judge says Miami anti-protest law has 'serious constitutional problems.'" <i>South Florida Sun Sentinel</i> . February 6, 2004.
	Delayed issuance of permits:		
	Improper termination of event	X	"Insufficient time to disperse was given to some demonstrators arrested . . . on Friday afternoon." Independent Review Panel. <i>FTAA Inquiry Report</i> . City of Miami. September 20, 2004; See also, Hayden, Tom. "Arresting The Future." <i>AlterNet</i> . November 21, 2003.
	Arrests: False/ mass/ pre-emptive:	X	"baseless arrests were made" in Police overreaction, <i>St. Petersburg Times</i> , December 2, 2003.
Arrest: journalists/legal obs./medics	X	Blumner, Robyn E. "Miami crowd control would do tyrant proud," <i>St. Petersburg Times</i> , November 30, 2003. ;See also, Scahill, Jeremy. "The Miami Model," <i>Democracy Now!</i> November 24, 2003. Hayden, Tom. "Arresting The Future." <i>AlterNet</i> . November 21, 2003.	

	Prolonged detention of arrestees:	X	The police themselves admit: "The courts assisted by staggering bond hearings and releases so that arrestees were not able to quickly return to the conference site." Miami Dade Police Department, <i>MDPD After Action Report Summary</i> , City of Miami, p. 6
	Malicious pros./exorbitant bails:		
	Random detention and searches:	X	"Protesters claim that without being arrested they are being stopped, questioned and searched by police officers with no apparent cause. ... [in the days before the protests] three were arrested for loitering and resisting arrest without violence, five for obstructing a sidewalk." in Ellman, Steve. FTAA protesters bristling at low-level police efforts." <i>Daily Business Review</i> . November 18, 2003; see also Hayden, Tom. "Miami Vice." <i>AlterNet</i> . November 20, 2003.
Use of Force	Excessive force:	X	"The members of the Independent Review Panel strenuously condemn and deplore the unrestrained and disproportionate use of ... For a brief period in time, Miami lived under martial law. Civil rights were trampled and the sociopolitical values we hold most dear were undermined." Independent Review Panel. <i>FTAA Inquiry Report</i> . City of Miami. September 20, 2004.; According to Amnesty International, police used a level of force that "does not appear to have been at all justified." Amnesty International, <i>USA: Allegations of excessive use of force and ill-treatment of protestors in Miami</i> , November 26, 2003.
	Chemical Weapons:	X	Dozens of peaceful protesters and reporters were hit with tear gas (CS) and pepper sprayed (OC). Many arrestees reported being sprayed in the face at point blank range after they had already been handcuffed.
	Projectile Weapons:	X	Dozens were injured by "less lethal" projectile rounds, requiring hospitalization. One reporter had a bean bag embedded in his skull. Another youth lost an eye.
	Electroshock Weapons:	X	Photo Series of police chasing fleeing protesters and tasing them.: <i>FTAA Independent Media Center</i> : http://ftaaimc.org/en/2003/11/2531.shtml
	Experimental Weapons:	X	A photo shows the long-range acoustic device (LRAD) prominently stationed just behind police lines. <i>FTAA Independent Media Center</i> : http://ftaaimc.org/images/2003/11/1717.jpg
	Injuries:	X	See Below.
	Critical Injuries:	X	"12 demonstrators were treated at hospitals, and at least 125 demonstrators were treated by medics affiliated with protest organizations." Pacenti, John. "Miami Trade Summit Security Both Hailed And Reviled." <i>Palm Beach Post</i> . November 22, 2003.
	Space	'Free Speech'/'No-Protest' Zones:	X
Restrict access to protest site:		X	Breaking a promise they had made to retired union workers, Miami police prevented 13 busloads of retirees from reaching the site of the FTAA demonstrations. Driscoll, Amy. "Union: Police Broke Protest Promise," <i>Miami Herald</i> . November 26, 2003.
Max. Security Perimeter/ Fencing:		X	Miami Dade Police. "Security Zones." <i>FTAA After Action Report</i> . ; "Security fences cut uptown like a jigsaw puzzle, with numerous checkpoints." Pacenti, John. "Miami Trade Summit Security Both Hailed And Reviled." <i>Palm Beach Post</i> . November 22, 2003.
Mobile Netting/ Barriers:			
	Shut Down of Business Areas of City	X	"Police turned normally vibrant downtown Miami into a ghost town. As a result... marching citizens, tremendously communicative of their concerns, were seen by only a handful of Miami residents." in Barclay, Elizabeth. "Protesters Face Intimidation by Police." <i>Seattle Post-Intelligencer</i> . November 28, 2003; See also Cannon, Angie. "Miami prepares for the latest protest." <i>U.S. News and World Report</i> . November 24, 2003;
Intimidation	Public Training Drills		
	Media Showcase of weapons, tactics		

	Prominent display of force capabilities	X	Defede, Jim. "Police using intimidation as a weapon." <i>Miami Herald</i> . November 20, 2003.; Lt Bill Schwartz: "Just about every alleyway or street you tried to go up you'd see a show of force. I think the psychological factor worked very well." Williamson, Eric. "Savannah police won't have Miami's muscle for G-8." <i>Savannah Morning News</i> . November 25, 2003.
	US armed forces on streets		
	Deployment of Helicopters or APCs	X	"The first day of the Free Trade Area of the Americas convention was relatively quiet, but there was still a large police presence in downtown Miami... The city even rolled out its fleet of armored personnel carriers." in "Armored Vehicles Patrol Quiet, Empty Streets." <i>WPLG</i> . Nov. 21, 2003
	Activist Homes Surveilled		
	Activist meeting spaces raided	X	The convergence space was not entered, but groups of police vehicles 'rushed' the site several times in an apparent attempt to scare protesters.
Intelli-gence	Surveillance (electronic)	X	Costello, Andrea. "Letter Issued to Miami City Attorney Meant to Stem Preemptive Action and Possible Raid of Anti-FTAA Activist Welcome Center." <i>Miami Activist Defense</i> . November 18, 2003.
	Infiltration of non-criminal groups;	X	Police officials admitted to having officers planted within a number of protest groups.
	Agent provocateurs	X	Protestors seemed to skirmish with heavily armored Miami police outside the Riande Hotel Thursday morning, but...these "anarchists" were undercover police officers whose mission was to provoke a confrontation. Hayden, Tom. "Miami Vice." <i>AlterNet</i> . November 20, 2003.; See also. see also, Scahill, Jeremy. "The Miami Model," <i>Democracy Now!</i> November 24, 2003'

Group of 8 Summit (G-8) Sea Island, GA Jun 8-10, 2004

Generic Data (Quantitative):

# of protesters present (est.)	300	Bynum, Russ. "Many G-8 Protesters Were Undercover Cops," <i>Associated Press</i> . July 27, 2004.
# of police deployed:	20,000	Ibid.
# of law enforcement agencies involved:	136	Although the federal government did not disclose the number of officers it sent to the G-8 summit, Hitchens claimed that 136 state and local agencies deployed some 11,056 police and security forces, including 4,800 National Guard troops and a small number of state police from Florida and South Carolina.
Ratio of police to protesters:	66:1	
# of arrests:	15	Davis, Jingle. "15 Indicted Over G-8 Protest." <i>The Atlanta Journal-Constitution</i> . June 23, 2004.
# of convictions:	15	Ibid.
Convictions (as % of arrest):	100%	All 15 arrestees were indicted by a judge on misdemeanor charges of obstructing a public passageway. "They were told they would be arrested if they crossed the police line. They never crossed that line. They were told they were blocking the road and [yet] the road was already shut down." "14 protesters arrested on St. Simons Island." <i>Morris News Service</i> . June 11, 2004.
Security expend. (in millions of \$):	37	Kirton, John. <i>Energizing Global Sustainable Development: Promising Prospects for the Gleneagles G8</i> . G8 Research Group, University of Toronto. 2, 2005. p. 23 To pay for the agents and equipment, Georgia received \$25 million as part of the \$87 billion Congress allocated for Iraq. The Pentagon chipped in another \$10 million for the National Guard troops.
Federal funding (in millions of \$):	25	Haddix, Dar. "Georgia has high hopes for the G8 Summit" <i>United Press International</i> . February 23, 2004.
Police overtime (in millions of \$):	9.6	Bell, Bret. G-8 protesters mobilize "Savannah Morning News." December 16, 2003.

Tactics Data (Qualitative):

	Demonization of protesters	X	See below.
	Inferring protesters/violence link:	X	In the state of emergency declared by the governor it reads: "potential danger from unlawful assemblages, threats of violence and otherwise." in <i>Executive Order 05.07.04.01</i> . The State of Georgia. May 7, 2004.; "As many as 100,000 protesters – some with the potential for extreme violence – are expected to swarm coastal Georgia during the G-8 Summit in June" in Basinger, Brian. "Protesters expected en masse for G-8, security expert says" <i>Savannah Morning News</i> . January 29, 2004.; Coast Guard officials estimate the potential for as many as 1,000 'violent' protesters. In Fabey Michael. "Coast Guard prepares for terrorist threat" <i>Savannah Morning News</i> . May 11, 2004.
Media	Inferring protesters/terrorism link:	X	Threats of violent protest and international terrorism were 'largely undifferentiated.' "G8: Lockdown on Sea Island." <i>London Independent</i> . June 8, 2004. As an example, see In Fabey Michael. "Coast Guard prepares for terrorist threat" <i>Savannah Morning News</i> . May 11, 2004. . Even as they covered an expert on international meetings predicted 'close to zero' chance of violence, the press inferred that protests could be 'hijacked' by Al-Qaida and possibly, neo-nazis. In Peterson, Lanie Lippincott. "Expert: 'close to zero' chance of violence." <i>Savannah Morning News</i> . April 23, 2004. No actual terrorism took place, except for several false bomb scares that turned out to be triggered by a hearing aid, a smoke detector, and bomb sniffing canine in heat. "Martz, Ron. A few quirky entries on police blotter." <i>The Atlanta Journal-Constitution</i> . June 10, 2004.
	Planted/arranged/ misrep. evidence		
	Media: embedded/targeting non-embedded:		

Legal	Laws used to restrict assembly	X	The governor declared a state of emergency in <i>Executive Order 05.07.04.01</i> , The State of Georgia. May 7, 2004. The state of emergency allowed the deployment of the national guard, gives police the right to break up any gathering. It was complimented by a local ordinance that limited public assembly to a maximum 6 people and 2.5 hours without a state-issued permit and required a deposit to cover all police and cleanup costs. Miriam Haskell, "Glynn to Review G-8 Law," <i>Brunswick News</i> , 6 May 2004 in NLG Report, p. 38;
	Delayed issuance of permits:	X	Smith, Janel and Montana Burnett. "Report on Civil Society Presence at 2004 G8 Summit." 2004 G8 On-line. June 10, 2004.
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics		
	Prolonged detention of arrestees:		
Malicious pros./exorbitant bails:			
Random detention and searches:	X	Protesters were randomly stopped and had their persons, possessions and cars searched.	
Use of Force	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
	Injuries:		
Critical Injuries:			
Space	'Free Speech'/'No-Protest' Zones:		
	Restrict access to protest site:	X	The entirety of Sea Island, Georgia was restricted to 'unauthorized personnel' for the duration of the G-8, forcing protesters to remain on the nearest mainland city, New Brunswick.
	Max. Security Perimeter/ Fencing:	X	The same 8 foot foot high fencing used in Miami FTA was used to create 3-mile 'exclusion zone' around the meeting site. "G8: Lockdown on Sea Island." <i>London Independent</i> . June 8, 2004.;
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City	X	The entirety of Sea Island was completely closed to protesters. In addition, many downtown businesses and public services in neighboring Savannah were closed. "G-8 Openings and Closings: <i>Businesses and services closed, or with changed hours, of operation, June 6-13</i> " <i>Savannah Morning News, June 6-13</i> : As one non-protester stated: "It looks like the whole town's under military occupation. This is unreal." Wyatt, Doug. "On Your Mark...Get Set...Snore." <i>Savannah Morning News</i> , June 7, 2004.
Intimidation	Public Training Drills	X	Williamson, Eric. "Police demonstration previews G-8 crowd control training." <i>Savannah Morning News</i> . February 12, 2004. Felty, Dana Clark. "Police Drills Mean More Delays, Sirens." <i>Savannah Morning News</i> . May 5, 2004.
	Media Showcase of weapons, tactics	X	Ibid.
	Prominent display of force capabilities	X	"Protesters, encountered military Humvees on virtually every corner and around-the-clock surveillance by police in cruisers and on motorcycles, bicycles, horses and foot. 'We're surrounded by guys with guns' stated one protester." In Kaplan, Paul. Outdone, outwitted and outside looking in. <i>Atlanta Journal-Constitution</i> . June 12, 2004.; A US BICE spokesman justified the massive show of force by stating: "I think a visible presence is important to deter aggression." "On Downtown Streets A Show of Force," <i>Savannah Morning News</i> , June 8, 2004.
	US armed forces on streets	X	4,800 National Gaurdsmen were deployed for the G-8. Bynum, Russ. "Many G-8 Protesters Were Undercover Cops," <i>Associated Press</i> . July 27, 2004.; See also, Schoettler, Jim. "A show of force on Savannah streets." <i>Morris News Service</i> . June 7, 2004.; "Thousands of police and military officials were expected in Savannah and Brunswick to guard against possible violent protest". Schoettler, Jim. "A show of force on Savannah streets." <i>Morris News Service</i> . July 7, 2004.

	Deployment of Helicopters or APCs	X	“Helicopters and military jets fly overhead practically non-stop.” in “Anxiety runs high at G-8 summit site.” <i>The Detroit News</i> . June 7, 2004. To deal with a protest presentation of a total of 10 people, an Army helicopter was deployed, “drowning out” the presentation. Dickson, Terry. “So far, law enforcement outnumbered activists.” <i>Georgia Times-Union</i> . June 7, 2004.
	Activist Homes Surveilled	X	A local reverend and peace activist who signed applications for protest permits had military vehicles and personnel stationed outside his home. “G8 Meeting Means Repression for Protest Organizers.” <i>San Francisco Bay Area Independent Media Center</i> . May 3, 2004.
	Activist meeting spaces raided		
Intelli-gence	Surveillance (electronic)	X	“The legal team and activists were constantly being filmed by uniformed police, soldiers in fatigues, and men who were clearly undercover... when we were simply walking down the street”. In Beghosian, Heidi. <i>The Assault on Free Speech, Public Assembly, and Dissent</i> , National Lawyers Guild. 2004. p. 33; Undercover cops had access to a comprehensive database of digital photos of ‘everyone in the country’ who was labeled as having an association with a ‘potentially violent’ group. .in Bynum, Russ. “Many G-8 Protesters Were Undercover Cops,” <i>Associated Press</i> , July 27, 2004.; See also, ACLU. <i>Documents Obtained by ACLU Expose FBI and Police Targeting of Political Groups</i> , May 18, 2005.
	Infiltration of non-criminal groups;	X	As many as 40 undercover police officers infiltrated protests who took classes before the summit on how to dress and blend in with the crowds. Bynum, Russ. “Many G-8 Protesters Were Undercover Cops,” <i>Associated Press</i> , July 27, 2004.; Undercover infiltration was done by Strategic Tactical Anti-terrorism Response (STAR) teams who gathered intelligence on “terrorism indicators and protestor tactics.” <i>Annual Report: Edward Byrne Memorial State and Local Law Enforcement Assistance Drug Control and System Improvement Formula Grant: July 1, 2003-June 30, 2004</i> . State of Georgia, 2004. p. 22
	Agent provocateurs		

Democratic National Convention (DNC) Boston, MA Jul 25-29, 2004

Generic Data (Quantitative):

# of protesters present (est.)	2,000	
# of police deployed:	5,000	Bombardieri, Marcella and Jonathan Saltzman. "Activists Appear To Save Anger For NYC." <i>Boston Globe</i> . July 29, 2004.
# of law enforcement:	40	<i>Meeting Minutes, Combined RRT/RISC Meeting</i> , US National Coast Guard, May 11-12, 2004. Available at: http://www.uscg.mil/d1/staff/m/rrt/meetings_reports/0511meetingminutes.htm
Ratio of police to protesters:	5 to 2	
# of arrests:	5	Finer, Jonathan. Few Arrests Among Diverse Protesters. "Washington Post." July 30, 2004; Page A22. One accepted a plea deal for geographic reasons, as they would be unable to return to Boston for further proceedings. Of the local residents arrested, including one charged for a highly publicized charge of 'felony assault on a police officer,' were fully acquitted. (Information from Ben Evans, National Lawyers Guild, August 7, 2005).
# of convictions:	1	Plea deal.
Convictions (as % of arrest):	20%	
Security expend. (in millions of \$):	60	Long, Bryan. "Boston rolls out \$60 million security plan." <i>CNN</i> . July 25, 2004.
Federal funding (in millions of \$):	50	Ibid.
Police overtime (in millions of \$):	32.5	Klein, Rick. "Security overtime put at \$32.5m." <i>Boston Globe</i> . June 25, 2004.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	One report
	Inferring protesters/violence link:	X	"It looks like the FBI's Boston field office faked a threat of domestic terrorism just before the start of the Democratic National Convention by leaking 'unconfirmed' reports of white supremacist groups readying an attack against media vehicles in Boston....The effect...was to make the press even more suspicious of anti-war demonstrators than it already is—to even view them as possible terrorists, and if not actual terrorists, then a crowd within which terrorists could operate. "James Ridgeway, "Terror' Against the Press." <i>The Village Voice</i> . July 29, 2004. The fact that these intelligence reports referenced groups from the radical right wing, while the protesters were overwhelmingly from the left, was totally omitted in most news reports which simply labeled the threat as coming from 'protesters' and/or 'radical domestic groups'. McQuarrie, Brian and Bryan Bender. 8 Fighter Jets Added to Security. <i>Boston Globe</i> . July 24, 2004.
	Inferring protesters/terrorism link:	X	"There are huge security precautions that were never, never even thought of prior to 9/11," said Lt. Kevin Foley, a Boston Police Department spokesman. "From terrorists to a biological attack to demonstrators to anarchists, you try to plan for everything." Goldstein, David. Boston security forces taking no chances for convention, Knight Ridder Newspapers. July, 2004.
	Planted/arranged/ misrep. evidence	X	The only altercation of the convention came when police 'moved in' to the crowd to subdue a man they said had a Molotov cocktail near the convention center. Once in custody, they continued reporting finding this dangerous device. However, this later proved to be a papier mached 'hook' that was part of a protesters home made pirate costume. Said Police Superintendent ""There was no necessity to have any item like this that could be mistaken for a molotov cocktail unless you were trying to provoke an incident"
	Media: embedded/targeting non-embedded:		
Legal	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics		
	Prolonged detention of arrestees:		
	Malicious pros./exorbitant bails:		
	Random detention and searches:		
Use of Force	Excessive force:		
	Chemical Weapons:		
	Projectile Weapons:		

		Electroshock Weapons:	
		Experimental Weapons:	
		Injuries:	
		Critical Injuries:	
Space	'Free Speech'/'No-Protest' Zones:	X	Surrounded by concrete barriers, steel fencing, razor wire, overhead netting, and situated beneath a construction site, a judge deemed the "Free Speech Zone" site an "affront to free expression" and its comparison to a concentration camp "an understatement". Despite this, the judge allowed the site to persist, based purely upon unknown intelligence delivered to him by the Secret Service in private. Theo Emery, "Judge upholds 'free speech zone' but permits march on FleetCenter." <i>Associated Press</i> . July 22, 2004.
	Restrict access to protest site:		
	Max. Security Perimeter/ Fencing:		
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City		
Intimidation	Public Training Drills	X	
	Media Showcase of weapons, tactics	X	Police put their gear on display for the media: "These are hand-held grenades, these are finger balls with no gas, these are finger balls with OC ... and we do have CS gas...This is a pepper ball gun." in "State Police Ready For DNC." <i>The Boston Channel</i> . July 22, 2004.
	Prominent display of force capabilities	X	
	US armed forces on streets	X	"Military police...watched the crowd of protesters... Soldiers trained for a week with state police to prepare for the DNC, learning civil disturbance techniques" Claffey, Spc. David J. "Massachusetts National Guard backs up Democratic Convention." <i>On Guard</i> . Army and Air National Guard. September 2, 2004. Vol. 32, Issue 9.
	Deployment of Helicopters or APCs	X	During the rally on Boston Common: all afternoon, one police helicopter kept buzzing by like a mammoth mechanized mosquito, often drowning out the sound system. Doderio, Camille. "A Big 'Fuck You.'" <i>Boston Phoenix</i> . July 27, 2004.
	Activist Homes Surveilled	X	Activists in Colorado, Kansas, Missouri, New York and other states were visited by JTF (FBI) agents at their homes just prior to the national political conventions. Somewhere tracked by FBI cars for days. Some were required to attend grand jury hearings on the days of the conventions, causing them to miss the events. Yet, none were arrested and no charges were filed against any of them. "FBI keeping tabs on potential GOP protesters." <i>Associated Press</i> . August 17, 2004.; see also <i>Associated Press</i> . "Grand-jury subpoena forces activists to miss convention protest." July 30, 2004.
			Activist meeting spaces raided
Intelligence	Surveillance (electronic)	X	"Video surveillance has become a common tool for police and private security personnel, Boston police and federal officials concede that the additional cameras and new technology represent another chapter in Boston. And it's here to stay: Boston police say the 30 or so cameras installed for the convention will be used throughout the city once the event is over." "We own them now," said police Superintendent Robert Dunford. "We're certainly not going to put them in a closet." in Ranalli, Ralph and Rick Klein "Surveillance targeted to convention." <i>The Boston Globe</i> . July 18, 2004.
	Infiltration of non-criminal groups;	X	members of the NYPD/FBI Joint Terrorism Task Force visited the home of a New York activist who was alleged to be on a Boston police list of potential trouble-makers
	Agent provocateurs		

Republican National Convention (RNC) New York, NY Aug 29-Sep 4, 2004

Generic Data (Quantitative):

# of protesters present (est.)	400,000	Mishra Raja and Tatsha Robertson. "Crowds Protest As GOP Gathers: Hundreds Of Thousands March Against Bush, War." <i>The BostonGlobe</i> . August 30, 2004. Note: estimates varied from 300,000 to over 500,000.
# of police deployed:	36,000	NY City Councilman called the force assembled for the convention: "perhaps the world's tenth-largest standing army." In Goldberg, Michelle. "New York Lockdown." <i>Guardian/UK</i> . August 11, 2004.
# of law enforcement:	66	Powel, I Michael and Michelle Garcia. "Waking Up to Security That Never Sleeps." <i>Washington Post</i> . August 28, 2004; Page A05.
Ratio of police to protesters:	1:11	
# of arrests:	1821	Dwyer, Jim. "Videos Challenge Accounts of Convention Unrest." <i>NY Times</i> . April 12, 2005.
# of convictions:		
Convictions (as % of arrest):	9%	"91 percent ended with the charges dismissed or with a verdict of not guilty after trial." In Dwyer, Jim. "Videos Challenge Accounts of Convention Unrest." <i>NY Times</i> . April 12, 2005. Many of those who plead guilty to minor infractions cited financial reasons, being unable to afford the multiple return trips to NY for legal proceedings.
Security expend. (in millions of \$):	76	<i>The Impact of the Republican National Convention on the New York City Economy</i> , Beacon Hill Institute, June 2004.; see also, Pickert, Kate. An RNC Index: The convention by the numbers, <i>New York Magazine</i> , September 6, 2004.
Federal funding (in millions of \$):	50	Pickert, Kate. An RNC Index: The convention by the numbers, <i>New York Magazine</i> , September 6, 2004.
Police overtime (in millions of \$):	59	Williams, Timothy. "New York GOP Convention Security Estimate at \$76M." <i>Associated Press</i> . May 11th, 2004.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	Claims by police and media about protesters included the presence of 50 "hard-core extremists" who were plotting to disrupt the convention by hurling Molotov cocktails at military recruiting centers; protesters coating themselves in gunpowder to trigger bomb-sniffing dogs in order to force a shutdown of Penn Station; and that members of the Weather Underground "recently released from prison" and "trained in kidnapping techniques, bomb-making and building improvised munitions," were orchestrating operations. A police training manual advises cops to brace for possible attacks with nail-studded potatoes, hockey pucks, and even flaming "frisbee-like" devices. These reports are summed up in: Ferguson, Sarah. "Dispatch from New York: Whose Streets?" <i>Mother Jones</i> . August 27, 2004; See also, Dunn, Christopher, et al. <i>Rights and Wrongs at the RNC: A Special Report about Police and Protest at the Republican National Convention</i> , ACLU. P. 18.p. 18; It is important to note that the police reports plans by anarchists to enact violence were found "on the internet" could not be found by any third party sources. "Did the Daily News Lie About The 'Anarchist Threat'?" <i>RNC Watch</i> , July 19, 2004.
	Inferring protesters/violence link:	X	"These hard-core groups are looking to take us on. ... They have increased their level of sophistication and violence." Stated Police Commissioner Raymond Kelly. Patrice O'shaughnessy, "Fury At Anarchist Convention Threat." <i>NY Daily News</i> . July 11, 2004.
	Inferring protesters/terrorism link:	X	NY Mayor Bloomberg described protesters who argued with convention delegates as "a handful of people have tried to destroy our city by going up and yelling at visitors... That's exactly what the terrorists did." Archibold, Randal C. "Protesters Try To Get In Last Word Before Curtain Falls." <i>NY Times</i> . September 3, 2004.
	Planted/arranged/ misrep. evidence		
	Media: embedded/targeting non-embedded:	X	Jim Wilkinson, director of strategic communications at U.S. Central Command in Iraq, was in charge of media operations for the RNC. "We're looking at embedding reporters," he said of his plans to use some of the Iraq tricks during the convention. Klein, Naomi. "America's Enemy Within" <i>The Guardian</i> . November 26, 2003.

Legal	<u>Laws used to restrict assembly</u>		
	Delayed issuance of permits:	X	Even though hundreds of thousands of protesters were expected, the city denied a permit to hold a rally in central park, citing possibly impacts on 'the grass'. Furthermore, march permits that had been applied for nearly a year in advance, were delayed approval until just days before the event, leaving organizers scrambling to accommodate changes to the route.
	<u>Improper termination of event</u>		
	Arrests: False/ mass/ pre-emptive:	X	Of the 1821 arrests, most charges "were dropped without any finding of wrongdoing, but also without any serious inquiry into the circumstances of the arrests." In Dwyer, Jim. "Videos Challenge Accounts of Convention Unrest." <i>NY Times</i> . April 12, 2005.... Videotape of one mass arrest indicating that many of those jailed that day had not actually participated in civil disobedience. The tape showed police officials arresting more than 100 people who were peacefully walking near ground zero, heeding police orders." In Robbins, Tom. "Convention Detention: For Bloomberg, A Looming Showdown Over Civil Liberties And The Right To Protest," <i>The Village Voice</i> , September 21st, 2004; See also Powell, Michael and Michelle Garcia. "Arrests at GOP Convention Are Criticized Many in N.Y. Released Without Facing Charges" <i>Washington Post</i> . Monday, September 20, 2004; Page A01.
	Arrest: journalists/legal obs./medics	X	<i>Convention Ends With Numerous And Lengthy Journalist Detainments</i> , Reporters Committee for Freedom of the Press, Sep. 3, 2004. (http://www.rcfp.org/news/2004/0903rncarr.html); see also Cardwell, Diane. "Lawyers' Group Sues City Over Arrests of Protesters," <i>New York Times</i> . October 8, 2004.
Prolonged detention of arrestees:	X	"Despite official police department claims that no one is being held at the facility for more than eight hours, many of the arrestees have been incarcerated there for over 40 hours, up to 24 hours of that at Pier 57, in conditions lawyers and medics have described as 'unhealthy' and 'inhuman.'" In Dangl, Benjamin. "Arrestees, Lawyers, Medics Condemn Conditions of RNC Protest Detention." <i>The NewStandard</i> . September 3, 2004.	
<u>Malicious pros./exorbitant bails:</u>			
<u>Random detention and searches:</u>			
Use of Force	<u>Excessive force:</u>		
	<u>Chemical Weapons:</u>		
	<u>Projectile Weapons:</u>		
	<u>Electroshock Weapons:</u>		
	<u>Experimental Weapons:</u>		
	<u>Injuries:</u>		
<u>Critical Injuries:</u>			
Space	<u>'Free Speech'/'No-Protest' Zones:</u>		
	Restrict access to protest site:	X	Dunn, Christopher, et al. <i>Rights and Wrongs at the RNC: A Special Report about Police and Protest at the Republican National Convention</i> , ACLU. p 17.
	<u>Max. Security Perimeter/ Fencing:</u>		
	Mobile Netting/ Barriers:	X	Police used orange plastic mesh, often while riding on scooters, to shift and corral protest routes, and to enclose large numbers of people on streets and sidewalks as a prelude to mass arrests.
<u>Shut Down of Business Areas of City</u>			
Intimidation	Public Training Drills	X	"Memo to protesters ...the NYPD is ready for you...the department displayed its techniques for keeping the peace during the convention." Messing, Philip. "Cops Drill To Rein In Rally Rowdies" <i>New York Post</i> . Aug 20, 2004. Pg. 8; NYPD conducted of a series of training drills on August 19 at Floyd Bennett Field with the press present... The clear suggestion was that confrontational protests were expected and that the Department was prepared to use overwhelming numbers of officers to control any type of protest activity. Dunn, Christopher, et al. <i>Rights and Wrongs at the RNC: A Special Report about Police and Protest at the Republican National Convention</i> , ACLU. P. 18.

	Media Showcase of weapons, tactics	X	The NYPD showed off to reporters last week some of the latest hardware it has developed to use against protesters. Devices include an Italian-made helicopter with a "night sun" floodlight, small handsaws that can cut through chains linking protesters, and a new 45-pound mega-megaphone that can be heard by demonstrators several blocks away.
	Prominent display of force capabilities		
	US armed forces on streets		
	Deployment of Helicopters or APCs		
	Activist Homes Surveilled	X	Activists in Colorado, Kansas, Missouri, New York and other states were visited by JTTF (FBI) agents at their homes just prior to the national political conventions. Some were tracked by FBI cars for days. Some were required to attend grand jury hearings on the days of the conventions, causing them to miss the events. Yet, no charges were filed against any of them. Associated Press, "FBI keeping tabs on potential GOP protesters." August 17, 2004.; see also Associated Press. "Grand-jury subpoena forces activists to miss convention protest." July 30, 2004.
	Activist meeting spaces raided		
Intelli-gence	Surveillance (electronic)	X	NYPD has dispatched hundreds of cops around the country to put some 56 people under 24-hour surveillance in advance of the Republican National Convention (RNC). One of those interviewed stated: "The message I took from it was that they were trying to intimidate us into not going to any protests and to let us know that, 'hey, we're watching you.'" Lichtblau, Eric. "F.B.I. Goes Knocking for Political Troublemakers." <i>NY Times</i> . August 16, 2004.; at convention the police videotaped lawful protests with hand-held, pole mounted, and even blimp mounted videos.
	Infiltration of non-criminal groups;	X	Another group of 20 police officers have been masquerading as anarchist protesters as part of a deep undercover operation. They "have been meeting with, traveling with, and secretly reporting on the activists' plans" for nearly two years. In Solis, Marcus. "NYPD to Shadow 56 Protesters Believed Most Dangerous." <i>WABC</i> . New York, August 18, 2004.
	Agent provocateurs		

Presidential Inauguration Washington, DC Jan 20, 2005

Generic Data (Quantitative):

# of protesters present (est.)	10,000	
# of police deployed:	13,000	Hsu, Spencer S. et. Al., "Crowd Control, Not Terror, Causes Tense Moments." <i>Washington Post</i> . January 21, 2005.; 6,000 police officers from across the country and 7,000 military troops." Yang, John. "Unprecedented Security Planned for Inauguration." ABC news. Jan. 15, 2005.
# of law enforcement:	60+	Hsu, Spencer S. et. Al., "Inauguration Shutdown Of Downtown Extensive." <i>Washington Post</i> . January 12, 2005; Page B01; One report stated that 85 agencies were involved.
Ratio of police to protesters:	3 to 2	
# of arrests:	6	Gainer, Terrance W. 2005 <i>Presidential Inauguration</i> . United States Capitol Police Public Information Office, January 2005.
# of convictions:		
Convictions (as % of arrest):		
Security expend. (in millions of \$):	17.3=fed*	"The \$17.3 million doesn't count what federal agencies spent for the inauguration.... One federal security official doubted the federal inaugural cost would ever be released because it would be too controversial." In Horwitz, Sari and Spencer S. Hsu, "Experts Weigh Costs, Benefits of Inauguration Security." <i>Washington Post</i> . Sunday, January 30, 2005, p. C01.
Federal funding (in millions of \$):	NA	
Police overtime (in millions of \$):	9.2	Horwitz, Sari and Spencer S. Hsu, "Experts Weigh Costs, Benefits of Inauguration Security." <i>Washington Post</i> . Sunday, January 30, 2005, p. C01.

Tactics Data (Qualitative):

Media	Demonization of protesters	X	
	Inferring protesters/violence link:	X	"Since September 11, 2001, [the inauguration] has met intense, unbelievable security and an angry nation. The protesters are set up in various spots. One of the authorized ones is right in back of me. ... The police forces are probably going to outnumber the demonstrators. They are part of a security effort -- most of which we're seeing, highly visible, some of which we're not -- which is designed to allow this to be a national security event that becomes a celebration, as opposed to something that would be unthinkable." A quote from national correspondent Bob Franken, during CNN coverage of the inaugural on January 20, 2005. Available at: http://mediamatters.org/items/200501210007
	Inferring protesters/terrorism link:		
	Planted/arranged/ misrep. evidence		
Legal	Media: embedded/targeting non-embedded:		
	Laws used to restrict assembly		
	Delayed issuance of permits:		
	Improper termination of event		
	Arrests: False/ mass/ pre-emptive:		
	Arrest: journalists/legal obs./medics		
	Prolonged detention of arrestees:		
Use of Force	Malicious pros./exorbitant bails:		
	Random detention and searches:		
	Excessive force:	X	See below
	Chemical Weapons:	X	The first blast of pepper spray, directed at Shenk's face and upper torso by a Washington police officer in full riot gear, rendered him temporarily blind. "He did nothing to provoke." Rhodes, Robert. "Student's Protest Met with Pepper Spray." <i>Mennonite Weekly Review</i> . January 26, 2005.
	Projectile Weapons:		
	Electroshock Weapons:		
	Experimental Weapons:		
Injuries:			
Critical Injuries:			
SP ac	'Free Speech'/'No-Protest' Zones:		

	Restrict access to protest site:	X	The parade route was lined with bleachers, where seats were reserved for supporters or the president. Protest areas were stationed behind the bleachers. Thousands of people who came to protest were turned away at security checkpoints. <i>ANSWER Coalition, et al. v. Gale Norton, Secretary of the Interior, et al.</i> U.S. District Court for the District of Columbia.; The inaugural committee blocked the public from getting tickets to the inaugural parade route and has allowed only selected donors and supporters to purchase seats... who have received an invitation and special identification number from the committee. <i>Leonnig, Carol.</i> "Lawsuit Filed Over Availability Of Tickets. Washington Post." <i>January 15, 2005.</i>
	Max. Security Perimeter/ Fencing:	X	The Judge commented on how it seemed difficult for protestors to ever challenge the system, since it would be instituted shortly before the Inauguration without adequate time for judicial review. <i>ANSWER Coalition, et al. v. Gale Norton, Secretary of the Interior, et al.</i> U.S. District Court for the District of Columbia.
	Mobile Netting/ Barriers:		
	Shut Down of Business Areas of City	X	A hundred block area was shut down
	Public Training Drills		
	Media Showcase of weapons, tactics		
Intimidation	Prominent display of force capabilities	X	the cops that encircled the protesters, countless numbers of them, surrounding the rather innocuous demonstration like a fortified wall. Blinking cruisers were parked in at every angle in the intersection. Helicopters were hovering above, search-lights visually frisking the crowd. Lombardi, Kristen. "Scenes from a Coronation." <i>The Village Voice.</i> January 20, 2005.
	US armed forces on streets		
	Deployment of Helicopters or APCs	X	Lombardi, Kristen. "Scenes from a Coronation." <i>The Village Voice.</i> January 20, 2005.
	Activist Homes Surveilled		
	Activist meeting spaces raided		
Intelligence	Surveillance (electronic)		
	Infiltration of non-criminal groups;		
	Agent provocateurs		

Bibliography

- ACLU. ACLU Slams Classified FBI Memorandum Directing Law Enforcement to Engage in Protest Suppression Tactics. *Press Release*. November 23, 2003.
- ACLU of Colorado. *Denver Police Spy Files*. (Accessed on July 10, 2005) <http://www.aclu-co.org/spyfiles/samplefiles.htm>
- Anderson, Christopher. *Getting Used: How the Mainstream Media Helps Create Climate of Fear and Repression During Political Protests*. Department of Communication, School of Journalism. New York: Columbia University, 2004. (Accessed on July 10, 2005) [http://nyc.indymedia.org/usermedia/application/2/Getting_Used- Report.pdf](http://nyc.indymedia.org/usermedia/application/2/Getting_Used-_Report.pdf)
- Associated Press*. Florida protesters sue over free-speech zone arrests. August 7, 2003.
- Axel-Lute, Miriam. Direct Action for Housing: Protest tactics still get results. *Shelterforce*. National Housing Institute. July/August 2002. (124)
- Banaszak, Lee Ann. *Inside and Outside the State: Movement Insider Status, Tactics and Public Policy Achievements*. Paper presented at the Workshop on Social Movements and Public Policy. Laguna Beach, California. January 11-13, 2002.
- Bayley, D. H. *Patterns of Policing: A Comparative International Analysis*. New Brunswick, NJ: Rutgers University Press, 1985.
- Biggs, Michael. When Costs are Beneficial: Protest as Communicative Suffering. *Sociology Working Papers*. Department of Sociology, University of Oxford, 2003: (04)
- Boghossian, Heidi. *The Assault on Free Speech, Public Assembly, and Dissent*. National Lawyers Guild. North River Press, 2004.
- Boaz, David and Timothy Lynch. *Cato Handbook for Congress: Drug War*. Washington DC: Cato Institute, 2002.
- Berkley, G. E. *The Democratic Policeman*. Boston, MA: Beacon Press, 1969.
- Berry, G. and P. Broussard. *Why First Amendment Rights Are Essential to the Functioning of a Free Society: Individual Rights and Collective Benefits*. Howard University School of Law. November 1, 2001.
- Boudreau, Julie-Anne. Questioning the use of 'local democracy' as a discursive strategy for political mobilization in Los Angeles, Montreal and Toronto. *International Journal of Urban and Regional Research*. December, 2003. 27(4)
- Bork, Robert. Civil Liberties After 9/11, Alarmism Puts Americans' Safety At Risk. *Wall Street Journal*. August 25, 2003.
- Bottomore, Tom. *Political Sociology: A Classic Study Of Modern Politics*. Johannesburg: Ravan Press, 1993 in Cherry, Janet. *KWAZAKELE: The Politics of Transition in South Africa (Doctoral Thesis)*. Rhodes University, 2000.
- Brockett, Charles D. 1995. "A Protest-Cycle Resolution of the Repression/Popular-Protest Paradox" in: M. Traugott, M. (ed.) *Repertoires and Cycles of Contention*. Durham: Duke University Press, 1995.

- Building and Social Housing Foundation*. "Tent City, Boston." (Accessed on July 10, 2005)
<http://www.bshf.org/en/about/whawards/projects.php?pID=00027>
- Bullard, Robert D. *Confronting Environmental Racism; Voices from the Grassroots*. Boston. Massachusetts: South End Press, 1993.
- Bures, Frank. City's Split: Fear For Safety Vs. Fear For Rights. *Christian Science Monitor*. October 17, 2001.
- Burt, Cicely. Video Doesn't Show Rocks Being Thrown: No Attacks Against Police Appear in a Film Shot by an Internal Affairs Investigator. *Oakland Tribune*. May 15, 2003.
- Calder, Wynn and Richard M. Clugston. "U.S. Progress Toward Sustainability in Higher Education" in John C. Dernbach. (ed.) *Stumbling Toward Sustainability*. Environmental Law Institute, 2002.
- Camp, Bayliss and M. Kaliner. *State-Directed Political Protest in US Capital Cities: 1998-2000*. The Hauser Center for Nonprofit Organizations. Harvard University, 2002.
- Caparini, Marina and Otwin Mareni. Crime, Insecurity and Police Reform in Post-Socialist Central and Eastern Europe. *The Journal of Power Institutions in Post-Soviet Societies*. Pipss.org : Issue 2 – 2005: See also Shaw, Mark. Crime Police and public in transitional societies. *Transformation*. (49): 3,8,13
- Can, Salih Hakan. "A Comparative Model of Democracy, Respect For Human Rights, And the Rise of Democratic Policing Reforms" in Fields, Charles B. and Richter H. Moore, Jr *Comparative and International Criminal Justice Traditional and Nontraditional Systems of Law and Control*, Second Edition. Prospect Heights, IL: Waveland Press, 1996: 77-90
- Caywood, Thomas. Armed with DNC leftovers: Taxpayers foot bill for stockpile of firepower. *Boston Herald*. August 24, 2004.
- Center For Law And Military Operations, *Domestic Operational Law (DOPLAW) Handbook For Judge Advocates*. 2001.
- Cincotta, Howard (ed). *What is Democracy?* U.S. Department of State's Bureau of International Information Programs, 1998.
- Claffe, David J. Massachusetts National Guard backs up Democratic Convention. *On Guard*. US Army and Air National Guard. September 2, 2005. 23 (9)
- Collins, Randall. "Social Movements and the Focus of Emotional Attention" in Goodwin, J. et al (eds.), *Passionate Politics: Emotions and Social Movements*. Chicago and London: University of Chicago Press, 2001: 27-44
- Corey, Robin. History's Shadow. *The Boston Review*, Dec/Jan, 2005
- Cort, David. Robert Moses: King of Babylon. *The Nation*. March 31, 1956.
- Dahl , Robert A. *On Democracy*. Yale University Press, 1998.
- Dahl, Robert, "The City in the Future of Democracy" in John Arthur. *Democracy: Theory and Practice*. Belmont, California: Wadsworth, 1992..
- Das, K. D., & Marenin, O. "Challenges of Policing Democracies: A World Perspective. Amsterdam" cited in Can, Salih Hakan. "A Comparative Model of Democracy, Respect For Human Rights, And the Rise of Democratic Policing Reforms" in Fields, Charles B. and Richter H. Moore, Jr. (eds). *Comparative and International Criminal Justice Traditional and Nontraditional Systems of Law and Control*, Second Edition. Prospect Hieghts, IL: Waveland Press, 1996.

- Davis, Mike. L.A.'s Transit Apartheid: Runaway Train Crushes Buses. *The Nation*. Sept. 18, 1995.
- Dahl, Robert A.. *Democracy and Its Critiques*. New Haven: Yale University Press, 1989. p. 30
- Dangl, Benjamin. An Interview with Heidi Boghosian. *Upside Down World*. July 27, 2004.
- D.C. Committee on the Judiciary. *Report on Investigation of the Metropolitan Police Department's Policy and Practice in Handling Demonstrations in the District of Columbia*. Council of the District of Columbia, March 11, 2004.
- DeFao, Janine. Yeast Plant in Oakland will close. *San Francisco Chronicle*. April 2, 2003.
- Defede, Jim. Thanks to cops, the anarchists are the winners. *Miami Herald*. November 27, 2003.
- Della Porta, Donatella quoted in Schweingruber, David. "Mob Sociology and Escalated Force: Sociology's Contribution to Repressive Police Tactics." *The Sociological Quarterly* . 2000. 41(3):371-389.
- Dershowitz, Alan M. *Rights From Wrongs: A Secular Theory Of The Origins Of Rights*, New York: Basic Books, 2004
- Disclosure*. NPA Celebrates 25 Years Of CRA: Highlights Millions Invested Into Communities. April, 2003. (accessed on July 10, 2005) <http://www.disclosure-us.org/disc-april2003/craanniversary.html>
- Disclosure*. HUD Pledges to Clean up FHA With NPA. May, 2001. (Accessed on July 10, 2005) <http://www.disclosure-us.org/disc-may2001/housing-hud-pledges-to-clean.htm>
- Dreier, Peter. Community Empowerment Strategies: The Limits and Potential of Community Organizing in Urban Neighborhoods. *Cityscape*. 1996. 2(2):121-59
- Driscoll, Amy. Judge: I saw police commit felonies. *Miami Herald*. Dec. 20, 2003.
- Downs, Anthony. *An Economic Theory of Democracy*.. New York: Harper, 1957.
- Downs, Anthony. *Opening Up the Suburbs: An Urban Strategy for American*. Yale University Press, 1973
- Ehrenreich, B. And J. Seeley. Keeping The Peace, LAPD Really Knows How To Sock It To 'Em. *LA Weekly*. October 27 - November 2, 2000.
- Fausset, Richard. Mayor Smooths Transit Path With Bus Riders Union. *Los Angeles Times*. July 29, 2005.
- Federal Bureau of Investigation. *JTTF Memorandum of understanding*. Released by the Freedom of Information Act on March 18, 2004. Obtained by Alasdair Roberts, Syracuse University.
- Federal Bureau of Investigation. *Intelligence Bulletin No. 89*. available at: <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=14452&c=207>
- Figueras, Tere. Big Police Presence; Few Clashes. *Miami Herald*. November 21, 2003
- Fischer, D. Controversial Medical Waste Incinerator Shuts Down Monday. *Oakland Tribune*. December 8, 2001
- Fisher, Robert. "Neighborhood Organizing: The Importance of Historical Context." In Keating, W. et al. *Revitalizing Urban Neighborhoods*. Kansas: University Press of Kansas, 1996.
- Foweraker, J. and Landman, T. *Citizenship Rights And Social Movements: A Comparative And Statistical Analysis*. Oxford: Oxford University Press, 1997.

- Fung, Archon. Deliberation Before The Revolution, Toward An Ethics Of Deliberative Democracy In An Unjust World. *Political Theory* . 2005. 33(3): 411
- Gibson, John. Transcript of Interview With John Timoney. *Fox News*. July 15, 2004.
- Giddens, Anthony. "Beyond Left And Right, The Future Of Radical Politics" cited in Birte Siim, *Globalisation, Democracy And The Politics Of Everyday Life: Gendered Challenges*. Denmark: Aalborg University. August, 2002.
- Goldberg, Michelle. "This is not America." *Salon.com*, Dec. 16, 2003
- Gross, Michael C. Is Justice Served? *Waste Age*. Primedia. May 1, 1999.
- Harris, Paul. New York ready to unleash fury on Republicans. *The Observer*. August 15, 2004
- Heddle, Gemma Aymonne. *Sociopolitical Challenges to Siting Facilities with Perceived Environmental Risks (Masters Thesis)*, Department of Civil and Environmental Engineering. Massachusetts Institute of Technology, 2003.
- Heiman, Michael K. Race, Waste, and Class: New Perspectives on Environmental Justice. *Antipode*, 1996. 28 (2)
- Held, David. *Models of Democracy*. Stanford: Stanford University Press, 1996. p. 119
- Hirschman, David. Security tactics set standard for events. *Atlanta Journal-Constitution*. June 10, 2004.
- Hsu, Spencer. Anti-Terrorism Network Launched. *Washington Post* , February 25, 2004; Page B01
- Hoffman, Ian et al. State monitored war protesters: Intelligence agency does not distinguish between terrorism and peace activism, *Oakland Tribune*. May 18, 2003
- Ingersoll, Richard. "The Uses of Decorum" in *Cities in History*. Rice University. (Accessed on April 10, 2005) <http://www.owl.net.rice.edu/~arch343/lecture10.html>
- Insin, Elgin and Myer Siemiatycki. *Fate and Faith: Claiming Urban Citizenship In Immigrant Toronto*. Joint Centre of Excellence for Research on Immigration and Settlement (ERIS), 1999.
- Janet Cherry. KWAZAKELE: *The Politics Of Transition In South Africa: An Eastern Cape Case Study (Doctoral Thesis)*. South Africa: Rhodes University, 2000.
- Jilani, Hini *Promotion And Protection Of Human Rights: Human Rights Defenders*. U.N. Commission On Human Rights. March 23, 2004.
- Joint Task Force Civil Support, . *Protecting America Against Terrorist Attack - A Closer Look at the FBI's Joint Terrorism Task Forces*. (accessed on July 10, 2005) <http://www.jtfc.northcom.mil/pages/news20041206.html>
- Kayyem, Juliette. A Waste of Time. *The Boston Review*, Dec/Jan, 2005.
- Kerner, Otto et al. *Report of the National Advisory Commission on Civil Disorders*. New York: Bantam Books, 1968.
- Khator, Renu. *Public Engagement and the American Metropolis*. Center for Local Autonomy, 2002.
- Klein, Rick. Security overtime put at \$32.5m. *The Boston Globe*. June 25, 2004/
- Klemek, Christopher. *Urbanism As Reform: Modernist Planning And The Crisis Of Urban Liberalism In Europe And North America, 1945-1975 (Dissertation)*. Department of History. University of Pennsylvania, 2004: 145-182

- Knox, E.L. S. *History of Western Civilization: Medieval Society*. Boise State University, 2004. (Accessed on April 10, 2005) <http://history.boisestate.edu/westciv/medsoc/22.shtml>
- Kohler, Bettina and Markus Wissen. Globalizing Protest: Urban Conflicts and Global Social Movements. *International Journal of Urban and Regional Research*. December, 2003. 27 (4): 942
- Kraska, Peter and Victor Kappeler. Militarizing American Police: The Rise and Normalization of Paramilitary Units. *Social Problems*. February, 1997. 44(1): 1-16.
- Lazarus, R. J. Pursuing 'Environmental Justice': The distributional Effects of Environmental Protection. Northwestern University School of Law, 1993: 87, 787-857
- Lee, Taeku. 2002. *Mobilizing Public Opinion: Black Insurgency and Racial Attitudes in the Civil Rights Era*. Chicago: University of Chicago Press, 2002.
- Lee, Taeku. *Working Papers: Black Insurgency and the Dynamics of Racial Attitudes in the United States, 1956-1964*. Kennedy School of Government, Harvard University, 1998.
- Lefebvre, Henri. "The Right to the City" in *Writings on Cities* (London: Blackwell Publishing, 1996) pp.147-160
- Library notes*. "Posse Comitatus" Naval War College. February, 2002. 30 (4)
- Lichtblau, Eric. F.B.I. Scrutinizes Antiwar Rallies. *New York Times*. November 23, 2003.
- Lichtblau, Eric. F.B.I. Goes Knocking for Political Troublemakers. *New York Times*. August 16, 2004.
- Lipsky, Michal. Protest as a Political Resource. *American Political Science Review*. 1968. 62(4): 1144-58
- Los Angeles Times*. Protesters disrupt Pasadena Light Rail Meeting. February 25, 1999.
- Los Angeles Times*. Riders Disrupt Panel's Meeting. May 29, 1997.
- Lott, L. Health Care With Harm: A Study of the Initiative To Shut Down Henry Ford Hospital's Medical Waste Incinerator in Detroit, Michigan. Environmental Justice: Domestic and International. University of Michigan, 2004. (Accessed on July 10, 2005) <http://www.umich.edu/~snre492/Jones/henryford.htm>
- Mann, Eric. Radical Social Movements And The Responsibility Of Progressive Intellectuals. *Loyola of Los Angeles Law Review*. 1999. 12 (3): 777
- Mann, Eric and Chris Mathis. "Civil Rights Consent Decree? Legal Tactics for Left Strategy." *Ahoranow*. Labor Community Strategy Center, 2002: Issue 4.
- Mansbridge Jane J. "The Limits of Friendship" in John Arthur. *Democracy: Theory and Practice*. Belmont, California: Wadsworth, 1992.
- McCall, William. City debates withdrawal from FBI's joint terrorism task force. *Associated Press*, January 28, 2005.
- Mccall, William. City Council approves Portland's withdrawal from the JTTF. *Associated Press*. April 28, 2005.
- McQuaid, John. Rebalancing the wheels of justice in L.A. *The Times-Picayune*. May 22, 2000.
- Miami Independent Review Panel. *FTAA Inquiry Report*. City of Miami. September 20, 2004.
- Miami Indymedia Center. Photos of protester shot in the back. Downloaded June 10, 2005) <http://www.ftaaimc.org/en/2003/11/1997.shtml>

- Miami New Times*. Pick Your Reality. (Photos) <http://www.miaminewtimes.com/issues/2003-12-04/korten.html> <http://www.afsc.org/pwork/0407/040726.htm>
- Montgomery, David. Stirring a Cause. *Washington Post*. Monday, May 12, 2003; Page C01
- Miller, Byron. "Spaces of Mobilization: Transnational Social Movements" in Barnett, C. and M. Low (eds). *Spaces of Democracy Geographical Perspectives on Citizenship, Participation and Representation*. London: Sage, 2004.
- Morales, Frank. "Militarization of The Police" in Burghart, Tom (ed) *Police State America: US military Civil Disturbance Planning* (2002)
- Morales, Frank. *War Games at the Peace Rally*, (unpublished) December, 2003.
- Morris, Aldon D. *The Origins of the Civil Rights Movement: Black Communities Organizing for Change*. New York: Free Press, 1984. p. 288
- Mouffe, C. Deliberative Democracy or Agonistic Pluralism. *Social Research* 66(3): 745-758
- Mumford, L. *The City in History: Its Origins, Its Transformations, and Its Prospects*. New York: Harcourt, Brace and World, 1961.
- Nash, Gary. *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution*. Cambridge: Harvard University Press, 1979.
- National PeoplesAction. NPA Wins Demands that HUD Work with Community Groups to Address Housing Crisis. *NPA Press Release*. March 30, 2004. (accessed on July 10, 2005) <http://www.npa-us.org/npawinsdemands.htm>
- Nesmith, Susannah. Police praise selves on absence of chaos. *Miami Herald*. November 22, 2003.
- New York Times* . Corrections.. October 30, 2004.
- New York Times*. Mrs. Jacobs's Protest Results in Riot Charge. April 18, 1968.
- Oakland Tribune*: Photo Series: Protest at the Port of Oakland. (Downloaded June 10, 2005) <http://extras.insidebayarea.com/ot/gallery/index.asp?folder=news/protest60103>
- Oberschall, Anthony. *Social Conflict and Social Movements*. Englewood Cliffs: Prentice-Hall, 1973.
- Pacenti, John. Embedded Obstacles. *American Journalism Review*. February/March, 2004.
- Public Broadcasting Service (PBS). *Transcript of 'NOW, with Bill Moyers.'* February 27, 2004. (Accessed June 10, 2005) http://www.pbs.org/now/transcript/transcript309_full.html
- Pieterse, Edgar. At the Limits of Possibility: Working Notes on a Relational Model of Urban Politics. *Dark Roast Occasional Paper Series*. Cape Town, South Africa: Islandia Institute, 2003. (14)
- Piven, Francis Fox and Richard A. Cloward. *Poor People's Movements: Why They Succeed, How They Fail*. New York: Pantheon Books, 1977
- Piven, Francis Fox and Richard A. Cloward. *Normalizing collective protest*. 1992. cited in Fisher, Dana R. 2004. "Civil Society Protest and Participation: Civic Engagement Within the Multilateral Governance Regime." In Norichika Kanie and Peter M. Haas, (ed), *Emerging Forces in Environmental Governance*. United Nations University Press, 2003.
- Patterson J. and S. Allsford, *Medieval English Towns, A Glossary*. (Accessed on April 10, 2005) <http://www.trytel.com/~tristan/towns/glossary.html>

- Purcell, Mark. Excavating Lefebvre: The right to the city and its urban politics of the inhabitant. *GeoJournal* Netherland: Kluwer Academic Publishers, 2003: (58)
- Rabin, Jeffrey L. In Reversal, MTA Votes To Buy Clean Fuel Buses. *Los Angeles Times*. May 26, 2000.
- Ranalli, Ralph and R. Klein. Surveillance targeted to convention. *The Boston Globe*. July 18, 2004.
- Redden, Jim, Terrorism Task force files off limits to Congress. *Portland Tribune*. September 24, 2002
- Reardon, Kenneth. Combating Racism through Planning Education: Reflections on the East St. Louis Action Research Project. *Planning Research and Practice*. 1998. 13 (4): 421-432
- Ridenhour, Ron with Arthur Lubow. Bringing the War Home. *New Times*. November 28, 1975. 5(11)
- Roberts, Alasdair S. ORCON Creep: Networked Governance, Information Sharing, And The Threat To Government Accountability. *Government Information Quarterly*. July 2004: 21 (3) 249-267
- Rood, Justin. Pentagon Has Access To Local Police Department Intelligence Through Office in Homeland Security. *Congressional Quarterly*. July 6, 2004.
- Rodriguez, Ihosvani. Appeals court protects secrecy involving police strategy for Miami trade talks. *Miami Sun-Sentinel*, August 19 2005.
- Rousseau, J. "The Social Contract" in H. G. Leigh, Oliver (ed.). *Ideal Empires and Republics*. Washington, D.C. p. 59
- Sassen, Saskia. "The Global City: Strategic Site/New Frontier" in Isin, Engin (ed) *Democracy, Citizenship and the Global City*. London and New York: Routledge, 2000: 59
- Seattle Post-Intelligencer*, Nation Looks To Learn Lessons From Seattle's WTO Problems, February 29, 2000.
- Schnaubelt, Christopher M. Lessons in Command and Control from the Los Angeles Riots. *Parameters*. Summer Edition (1997) pp. 88-109.
- Sennett, R. *The Spaces of Democracy: The 1998 Raoul Wallenberg Lecture*. Ann Arbor: Goetzcraft Printers, 1998.
- Shaffer, Gwen. Force Multiplier: Treating Protesters Like Terrorists. *The New Republic*. August 2, 2004.
- Sherman, S. Environmental Justice Case Study: *West County Toxics Coalition and the Chevron Refiner*. Environmental Justice: Domestic and International. University of Michigan, 2002. (Accessed on July 10, 2005) <http://www.umich.edu/%7Eesnre492/sherman.html#solutions>
- Shuit, Douglas. MTA Seeks To Void Pact With Bus Riders, Law. *Los Angeles Times*. May 22, 2001.
- Sichelman, Lew . Martinez Finally Meets With NPA. *Realty Times*. June 11, 2003. (Accessed on July 10, 2005) https://realtytimes.com/rtpages/20030611_martinez.htm
- Simon, J. Parrhesiastic Accountability: Investigatory Commissions and Executive Power in an Age of Terror, *On Democratic Ground*. Yale Law School, November 11, 2004.
- Simon, Ricard. Bus Riders Protest MTA Cuts, Transit: Six Are Dragged From Board Meeting In Handcuffs. *Los Angeles Times*. December 19, 1997.

- Stern, Andrew. N20: Photos Of Snatch Squad. *FTAA Independent Media Center*. November 22, 2003. (Downloaded June 10, 2005) <http://ftaaimc.org/pt/2003/11/1849.shtml>
- Stern, Donald K. *Commission investigating the death of Victoria Snelgrove : appointed by Boston Police Commissioner Kathleen M. O'Toole*. Los Angeles : Police Assessment Resource Center, 2005.
- The State of Georgia. *Executive Order 05.07.04.01.*, May 7, 2004. Downloaded June 10, 2005 from: http://www.gov.state.ga.us/ExOrders/05_07_04_01.pdf
- Solof , Mark. The History of Metropolitan Planning Organizations. *NJTPA Quarterly*. October, 1997.
- Stockdill, Brett C. "Multiple Oppressions And Their Influence On Collective Action: The Case Of The AIDS Movement (Ph.D. Dissertation)". Department of Sociology, Northwestern University, 1996 cited in Earl, Jennifer. Taxes, Tanks and Teargas: Towards a Theory of Movement Repression. *Sociology Theory*. 2003. 21 (3)
- Trebilcock, Major Craig. The Myth of Posse Comitatus. U.S. Army Reserve. October, 2000. (accessed on July 10, 2005) <http://www.homelandsecurity.org/journal/articles/Trebilcock.htm>
- Turner, Walter. Soweto Resists ANC Privatization Moves" *Corpwatch*. August 18th, 2004. (Accessed on July 10) <http://www.corpwatch.org/article.php?id=11501>
- United Nations Population Fund. State Of World Population 2004: Migration And Urbanization., 2004. (Accessed on July 10, 2005) <http://www.unfpa.org/swp/2004/english/ch1/>
- US ARMY, "Chapter 6: Operations Other Than War" Army Field Manual 71-100-2, Infantry Division Operations, Tactics, Techniques, And Procedures. This document confirms the use of Operation Garden Plot in Los Angeles, May 1992
- US States Senate. Atty. General John Ashcroft. Testimony Before The Senate Judiciary Committee. December, 2001.
- US Department Of Justice Fact Sheet: Overview Of Information Sharing Initiatives In The War On Terrorism, Thursday, September 19, 2002.
- US Departments Of The Army And The Air Force. *Military Support to Civilian Authorities (MSCA)*. Washington D.C., 1996.
- US Environmental Protection Agency. History of the Environmental Justice Movement. 2003. (Accessed on July 10, 2005) <http://www.epa.gov/envjustice/>
- US Joint Chiefs of Staff, Joint Doctrine for Military Operations Other Than War *Joint Chiefs of Staff Publication 3-07*, 16 June 1995
- US Marine Corp. *US Marine Corp. Working Paper, 3-35.3, Military Operations in Urbanized Terrain (MOUT)*.
- Vamos, Jaap et al. Blaming the Victim: The Role of Decision-Makers in the Occurrence of Environmental Injustice. *International Journal for Public Administration*. New York: Marcel Dekker. 2002. 25 (2,3): 143- 168
- Walters, Frank D. Isocrates and the Epistemic Return: Individual and Community in Classical and Modern Rhetoric. *JAC Journal*, 1993. vol. 13
- Walzer, Michael. "Deliberation, and What Else?" in Macedo, Stephen (ed). *Deliberative Politics: Essays on Democracy and Disagreement*. New York: Oxford University Press, 1999: 91

- Warner Brothers Channel 39 news. Evening News Broadcast. November 20, 2003.
- Weintraub , Irwin. Fighting Enviromental Racism: A Selected Annotated Bibliography. *Electronic Green Journal*, 1994. Issue 1. (Accessed on July 10, 2005)
<http://www.mapcruzin.com/EI/ejigc.html>
- Wikipedia. "Lower Manhattan Expressway." downloaded on July 10, 2005:
http://en.wikipedia.org/wiki/Lower_Manhattan_Expressway
- Williamson, Eric. Savannah police won't have Miami's muscle for G-8. *Savannah Morning News*. November 25, 2003.
- Wilson, James Q. *The Strategy of Protest: Problems of Negro Civic Action. Conflict Resolution*. 1961. (5):292
- Wiltshire, Susan. *Greece, Rome and the Bill of Rights*. University of Oklahoma Press, 1992.
- Wiltshire, Susan. *Greece, Rome, and the Bill of Rights: interview transcript*. 'Speaking Freely' Radio Program (Recorded May 24, 2000 in Nashville, Tennessee)
- World Charter on the Right to the City*. Elaborated at the Social Forum of the Americas (Quito, Ecuador: 2004), the World Urban Forum (Barcelona, Spain : 2004), & the World Social Forum, Porte Alegre, Brazil: 2005).
- Young, Iris. Activist Challenges to Deliberative Democracy. *Political Theory*. 2003. 29(5): 670-90