Blue Lines, Red Scares, and Black Power: American Police Militarization and the 2016 Republican National Convention

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Abstract

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This thesis examines police militarization in the United States through the lens of counterinsurgency and community policing. Rather than discussing police militarization solely in terms of the policies that enable it, this work builds upon a thorough history of law enforcement in the United States to demonstrate the porous boundaries between war-making and law enforcement. This thesis complicates the traditional analytical framework of policing as law enforcers and situates police in terms of Neocleous' (2013) concept of pacification. Pacification is the process of maintaining social order to ensure the continued expansion and entrenchment of capital and to preemptively disrupt contenders for social power. This thesis discusses how police militarization and community policing are part of a broader strategy of counterinsurgency which seeks to ensure the ongoing pacification of the United States. This thesis is based on fieldwork conducted at the 2016 Republican National Convention.

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Acronyms

American Civil Liberties Union (ACLU)
American Protective League (APL)
Cleveland Division of Police (CDP)
Democratic National Convention (DNC)
Department of Homeland Security (DHS)
Emergency Management Assistance Compact (EMAC)
Emergency Operations Command (EOC)
Federal Bureau of Investigation (FBI)
Federal Emergency Management Agency (FEMA)
Field Manual 3-24 (FM 3-24)
Freedom of Information Act (FOIA)
Industrial Workers of the World (IWW)
Ku Klux Klan (KKK)
Law Enforcement Support Office (LESO)
Long Range Acoustic Device (LRAD)
Military Intelligence (MI)
National Incident Management System (NIMS)
National Lawyers Guild (NLG)
National Rifle Association (NRA)
National Special Security Event (NSSE)
Office of Naval Intelligence (ONI)
Paramilitary Policing Unit (PPU)
Republican National Convention (RNC)
Revolutionary Communist Party (RCP)
Special Weapons and Tactics (SWAT)
Traditionalist Workers Party (TWP)
Urban Area Security Initiative (UASI)
United States Secret Service (USSS)
United States Department of Justice (DOJ)

Introduction

In 2014 the American Civil Liberties Union released a report entitled *The War Comes Home: The Excessive Militarization of American Policing* which thoroughly discusses the role that paramilitary SWAT teams have in law enforcement. One word in the title stood out: *Excessive,* which suggests that a certain level of police militarization is acceptable. Liberal and conservative critics frame police militarization as a surfeit of an otherwise functional system; that militarization is a step in the right direction for police but one that's been taken too far. However, Mark Neocleous argues that police and the military have throughout history been used by states to maintain power, discipline social classes, and defend capitalist interests. He argues that rather than law enforcement the police's role in society is one of pacification (2013). This approach is well understood by Marxists, anarchists, and anti-capitalists but is unsurprisingly absent from official discourse. Liberals and conservatives alike balk at the notion that their government is at war with its own citizens, but this research contests this claim and rather seeks to understand police militarization within a framework that critically challenges the role of police in American society.

The overall argument of this thesis is as follows: to understand police militarization one cannot separate the functions of the military or police from a wider framework of capital accumulation and social inequality. To understand police militarization, one should consider law enforcement within a framework of counterinsurgency. Counterinsurgency is a military strategy that seeks to win the hearts and minds of an occupied population. Counterinsurgency privileges social and political tools to re-engineer a society over traditional pitched battles and violence. Though thoroughly studied abroad the domestic applications of counterinsurgency remain undervalued. Counterinsurgency provides a framework to understand the current paradox of community policing, a strategy that prioritizes public outreach and yet exists parallel to police militarization. Three major claims emerge from this thesis. First is that the traditional separation of roles between police and the military is an inadequate framework. Catherine Lutz argues that militarization is an integral part of American culture which broadly speaking privileges a martial approach that turns to violence as a means of problem solving (2002). With this in mind, the traditional distinction between police as an inward force and the military as an outward force must be complicated. With this in mind the second claim is that while police militarization has accelerated at various points in history it should be viewed not as a consequence of any one

historical event, but rather a product of the social and material conditions of the times. That is to say it was not just the War on Drugs or the War on Terror that militarized police, but a steady stream of decisions and policies that enabled this process. Professional police do their duties diligently and will always use the best tools available to them to achieve their function. These tools Alfred McCoy argues were formed in the laboratory of American colonial occupations, first in the Philippines and most recently in Iraq and Afghanistan (2009). The third claim is that there is a reciprocal relationship between police and the military. Best practices, personnel, and materials have always been exchanged between the police and military, so militarization is not only a consequence of this intimate relationship, but as will be shown is often an explicit goal of police departments. After all, the American military is the most efficient fighting force in the world. Police militarization is not, as the ACLU argues, an excess use of an otherwise acceptable strategy nor is community-policing a new horizon for a more amicable police force. Instead when viewed within counterinsurgency, both violence and public relations are core functions of American law enforcement.

Such dynamics were observed at the 2016 Republican National Convention where police and other security officials were deployed en masse to stop potential disruptions to the convention proceedings. With Donald Trump, the controversial but presumptive nominee, media and security personnel alike expected massive protests. The protests never materialized, but that still provided a unique opportunity to study police militarization in action as nearly six thousand police officers and security personnel took to the streets of Cleveland.

Methodology

The 2016 Republican National Convention (RNC) took place over three days in Cleveland, Ohio. Initially, this thesis was intended to rely on two sets of data. The first set was data gained from participant observation during protests against the RNC. For three days protests took place against a variety of issues and, if the trend continued from past RNCs, it would undoubtedly be heavily policed. The following week would be the Democratic National Convention (DNC) in Philadelphia, but so much data came from the RNC that the decision was made to solely focus on what took place in Cleveland. Second, four interviews were conducted with other protesters who were at the RNC. There were issues with the interview process that will now be further expanded upon.

The initial plan was to solicit interviews with RNC protesters and conduct them while in Cleveland or over the phone at a later date. While the initial response to my presence as a researcher was unsurprisingly[1] met with suspicion a strong bond that persists to this day was quickly forged between myself and other protesters I met. Initially I had ten interviews scheduled but by the end of my research phase only four were conducted. Several practical problems emerged during the fieldwork. The first problem was securing participants. While I was never met with outright hostility most of the people I solicited were too busy to entertain an anthropologist with a deep philosophical discussion of law enforcement, no matter my attempts to demonstrate my research's practical applications. Others who were interested in participating had to drop out of the project for legal reasons. We had no way of knowing at the time that Donald Trump would become president of the United States, kicking off months of protests that began at Trump's inauguration. Some of my participants were forced to drop out because they were arrested at later demonstrations and could not risk having our conversations made public. Others still agreed and simply disappeared despite numerous attempts to reach out to them. The majority of the RNC protesters I met were from outside of Cleveland making it extremely difficult to arrange interviews once the three-day convention was over. So ultimately the interviews presented here were included to give some platform to those who risked arrest and assault in order to take part in demonstrations[2]. In effect, the inclusion of vignettes from protesters is meant to show how the targets of police violence at demonstrations are in fact human beings and not just anonymous youth spoiling for a fight.

A Brief Note on Political Bias

One concern that will undoubtedly come to the attention of readers is the potential political bias of this thesis. Throughout this work discussions revolve around police suppression of what can be construed as the political "far left", though such a sweeping label obfuscates the

[1] The suspicion was unsurprising because I was going to a protest against the RNC with the express intent of recording what was going on around. Some of the protesters I met thought I was a cop while others scoffed at the presence of a bourgeois academic performing a drive-by study. By the end of the three days I became fast friends with some of my participants, some of whom would later attend my wedding in Montreal.

[2] For a much more thorough study of protesters David Graeber's *Direct Action: an Ethnography* presents in rich detail the experiences of social movements and protests in North America.

complex nuances of the political identities focused on in this work. There is little to no discussion of the police's role in disrupting far-right movements and there are a few reasons for that.

The most important factor is that the data is simply not there. The vast majority of primary sources used in this thesis coming from the police exclusively discuss far left wing movements of communists, anarchists, socialists, and left-leaning liberals. There is an acknowledgement in some documents of the threat posed by what the police categorize as "identity extremists" who organize around white nationalism, fascism, Christian fundamentalism, sovereign-citizens, and the immense[3] albeit often contradictory network of anti-government patriot militias. However, these sections of police threat assessments are quite short and amount to a few paragraphs here and there that simply recognize that these groups exist. For example, in 2017 the DHS published a joint intelligence bulletin entitled "White Supremacist Extremists Pose Persistent Threats of Lethal Violence" that was seven pages detailing several murders and violent crimes linked to various "extremist" white supremacist groups. By comparison, the DHS released a 2016 joint intelligence bulletin comparing European and North American "anarchist extremists" that was thirty pages long. The level of analysis was much more intense despite not a single death being linked to the anarchists discussed save for in Greece where anarchist antifascists murdered two organizers for the Golden Dawn party in retaliation for the 2013 murder of antifascist rapper Pavlos Fyssas. In the past fifty years, there have been no known murders linked to anarchists in the United States. In their study on anarchist extremists over a five-year period the DHS links twenty-seven crimes to American anarchists, 96% of which were attacks against property that involved no injuries to human life (2016). The one incident of an attack on a person discussed in the report was a police officer who was stabbed by an anarchist during clashes at the 2012 NATO Summit in Chicago. By comparison, the DHS linked forty-nine murders to white supremacist extremists in the US (2017) that were a mix of mass casualty attacks and individual acts of violence. The DHS report on white supremacist extremists took data from a ten-year period, but by isolating that data set to the same timeframe as their report on anarchist extremists reveals twenty-seven murders took place during the five-

[3] The Southern Poverty Law Center has identified 276 active militia groups in the United States with an estimated membership exceeding 10,000, the vast majority of them are not linked to violence though of course there are notable exceptions.

year period that were linked to white supremacist extremists. These two reports shed some light on law enforcement's priorities at least in the perspective of their intelligence briefings. Despite being consistently more violent in terms of acts that cause grievous body harm, the far-right seems less of a priority than the far left who cause millions of dollars of damage to property but significantly less physical damage to other human beings.

This dynamic belies the second reason for this thesis's focus, given that far-right movements are tolerated to a much greater degree and have more freedom to organize in the United States. This is not to say that the police do not target white supremacists or far-right groups. For example, intelligence historian Rhodri Jeffrey-Jones proudly discusses the Bureau's disruption of the Ku Klux Klan in the 1920s. He even goes so far as to claim[4] that the FBI "Gave courage to the Civil Rights campaigners to push for change by suppressing the Klan and white terrorism" (2008, 10). While this work makes no such claims about the FBI being a positive force for the struggle of Civil Rights, it must be recognized that law enforcement does not exist solely to suppress the left, such a claim would be absurd. However, what this thesis does argue and what is discussed much more thoroughly later on, is that the police exist in part to counter the revolutionary potential of political movements. The revolutionary potential of the far-right in America is historically much less significant than the far left. This is in part due to the far-right's willingness to engage in electoral politics which is something that is generally anathema to the revolutionary left in the United States. Finally, given that part of the raison d'être of this work is to understand police militarization with the intent of informing social justice movements, giving space to the policing of white supremacists would simply take the focus away from what this thesis considers to be more important issues. It is of the opinion of the author that should the police wish to disrupt the organizing of the far-right then that's fine, in so far as the same tactics or laws are not then used against other movements. For a much more thorough discussion of the far-right in American politics and security consider Alexander Reed-Ross's *Against the Fascist Creep*; Umberto Eco's *Ur-Fascism;* or Chip Berlet and Matthew Lyon's *Right Wing Populism in the United States.*

[4] As a researcher of US intelligence history and law enforcement I am absolutely dumbfounded that this claim can be made by such a prestigious scholar considering, if nothing else, the role COINTELPRO played in disrupting Civil Rights struggles.

Methodological Considerations for Studying the Police

With that in mind this discussion will turn to the focus of the police. To find the "voice" of the police in this project proved difficult. Initially the project called for a series of interviews with law enforcement officials conducted during or after the RNC. From the beginning this was an ambitious idea that quickly collapsed due to the timing of the convention, the long process of ethics approval for this project, and its politically sensitive nature. Government institutions, particularly those that have special security privileges are not known for their transparency and this complicated the work of studying them. Information must be gathered from leaks, access to information requests, or troving through massive volumes of reports, emails, and letters generated by large events. There are thousands of pages of documents related in some way to the policing of the RNC, including an eighty-page printout of redacted email correspondence between police departments regarding the meals at the local cafeteria, special transportation needs, and reminders to submit proper forms and reports. Buried within this vast amount of information are more interesting documents on training, use of force policies, and mass arrest procedures.

There is something greater to be said on how democracies are able to conceal information not by restricting access to it but by doing the exact opposite and flooding an individual with hundreds of pages of banality. That said, there are a handful of organizations who exist solely to file access to information requests on various bodies and in the months that followed the convention, the 2016 RNC proved to be no exception. As a result, the "voice" of the police will come from a composite of internal communications, public reports, training manuals, interviews, and threat assessments.

On the use of leaked information in scholarly research, recent debates have highlighted issues of selection bias, accuracy, and the implications for individuals listed in documents. Sites such as Wikileaks have existed for several years and at this point I feel it safe to consider that data hosted by such websites are part of the public domain. Data leaks offer incomplete pictures of decision-making processes, but as shown in the Yale Law Review these concerns are not greater when considering other data sets: "Concerns about the data quality of leaked information are no more pressing than for most formally released information. Interview and archival research are fraught with potential data quality pitfalls, these challenges are not a reason to avoid using such research methods" (Michael 2015, 178). What is essential then is to not rely solely on

leaked data, but to use such information as one component of a broader methodological framework. Like any data, leaked information must be situated within its context and compared to other datasets to verify the authenticity of its scope as a representation of other social worlds.

This thesis considers leaked data as a point in a larger set in the Geertzian spirit of thick description: "It is not against a body of uninterpreted data, radically thinned descriptions, that we must measure the cogency of our explications, but against the power of the scientific imagination to bring us into touch with the lives of strangers" (Geertz 1973, 16). The scientific imagination that studies law enforcement encompasses decades of fieldwork, surveys, interviews, and official statements that should all be used to verify and compliment leaked data. Anthropological scholarship has been slow to act upon such datasets, reflecting the broader academic tendency to consider such sources as a contentious subject still in the midst of debate or relegated to investigative journalism.

While Wikileaks did not yet exist, *Studying Up* identifies the value of internal communications as part of a data set: "The use of personal documents, memoirs, may substitute for anthropological participation in some areas of culture that take long years of participation to really understand" (Nader 1972, 23). In light of this, studying closed institutions such as law enforcement, through fieldwork is a long-term project beyond the scope of this thesis. Worth noting too is that the data gained from participant observation among police are also open to selection bias and critique. Fassin's landmark study of policing in the Paris banlieue took several years of fieldwork embedded with anti-crime squads, but he is quite clear regarding some of the limitations of face to face interactions with police: "it is clear that, while its effects certainly diminished over time, my presence undoubtedly altered their [Parisian police officers'] attitude. Certain political symbols would disappear when I passed, some conversations would break off as I approached, some actions were not undertaken when there was a risk I might witness them" (2014, 26).

Anthropological cases in which leaked information has been employed tends to encompass diplomatic cables and military communications with a subjective focus on intelligence communities and geopolitical issues (see Price 2011; Gonzalez 2012; and Forte 2015). Forte's methodological construction of Wikileakism specifically highlights how using leaked data is useful when studying institutions with non-localized field sites. When studying state-based institutions, particularly those that are exceptionally difficult to access for conducting

traditional ethnographic observation, the field should be reconceptualized as multiple social and political spaces that at once are interlocked and distinct (Forte 2015). Studying policing necessitates such an approach because police are both nowhere and everywhere. That is to say not one group nor locale can encompass what policing is or is not which requires a similarly unbounded methodology and approach to field sites.

Each piece of the methodology contributes to a mosaic of policies, decisions, norms, and personnel that can be collectively considered the police. In the context of this project the policing of protests at the RNC will have been informed by past events, discussions, and policies which will be largely absent from or unobservable at the conventions themselves. The value then of leaked information in studying law enforcement is, when possible, showing how bureaucracies internally discuss and decide actions that are then enforced and performed publicly.

Structure of Thesis

This thesis is organized into five chapters that describe how police departments emerged and were then militarized in the United States and concludes with a case study on the 2016 RNC. This historical survey starts with early law enforcement in the wake of the American Revolution and concludes with the emergence of paramilitary SWAT and contemporary militarization. This history is thoroughly delved into because in order to understand why police militarization occurs one must consider the social conditions that led to the emergence of the police in the first place. As will be shown militarization was always inherent to American police departments and the current manifestations are just the most visible. Every innovation in policing has been in reaction to challenges from socially marginalized people. In effect the police exist in the way they do because of the challenges of keeping order in a social hierarchy defined by race, class, and gender. These factors were integral to the formation of American economic and military dominance as we know it today, but this dominance did not occur with the consent of the governed. On the contrary, the police at every turn of US history rose to discipline and administer social classes.

Chapter one begins by defining the terms used in this thesis. With more than ten thousand different law enforcement bodies in the United States it can be difficult to identify who the "police" are in a theoretical sense. By situating police within a nexus of social order, pacification, and power this thesis seeks to establish a base theoretical framework for policing.

Afterwards this section discusses the earliest forms of law enforcement delineated by the unique ways police formed in the North and South of the United States. In the North volunteers and militia patrols enforced the will of colonial governors. These early agents of order did not wear uniforms nor were they paid wages for their service. Instead, the sheriffs and bondsmen of early America collected bounties or were paid by-the-piece for enforcing the orders of the government. Such an informal system was ripe territory for graft, selective enforcement, and patronage, and would prove adequate only with a sparse population. As immigration and industrialization drove urbanization a new system would be needed to keep order in Northern cities. Like the North, the South feared insurrection though mostly from the massive slave population. One of the greatest fears of the well-to-do Southerners was a united front between black slaves and poor whites and as a result heavily regulated social life to keep potential allies from ever meeting. Also like the North, Southern society relied on an informal network of militias to police towns and country. As populations grew and the conditions of life for slaves and the poor grew less tolerable, professional slave patrols would emerge to hunt down runaways and disrupt insurrection. Despite the Civil War, slave patrols would not disappear and instead become integrated heavily into newly formed police departments that emerged toward the end of the nineteenth century. By the start of the twentieth century the social order had been well defined in America and the role of the police was disciplining the new working class.

Chapter two discusses how industrialization and urbanization coupled with a steadily rising population from immigration turned the country into a powder-keg of social and political tensions. The conditions that made fortunes for Robber Barons and industrialists required an immense proletariat who in turn needed a new disciplinarian. During this period modern police departments as we know them today began to emerge in cities like New York, Boston, and Chicago. Police departments were formed as a direct response to simmering tensions between labour and the owners of capital as strikes, riots, and the emergence of radical political movements upset the stability desired by early capitalists. In 1899 the United States invaded the Philippines and started what would become one of the country's first counterinsurgency campaigns. This war would be characterized by the importance of police strategies applied by military services. Intelligence, surveillance, and political profiling marked one of the first instances of police-military exchange. Military intelligence experts would return from the Philippines and bring with them new ways of pacification readily welcomed by the nation's

police departments and the precursor to the Federal Bureau of Investigation (FBI). In 1901, President William McKinley was assassinated by foreign-born anarchist Leon Czolgosz which put radicalism in the spotlight of American law enforcement. The response of police and intelligence officials would only be surpassed a century later in the wake of 9/11. The ensuing decade would see the creation of America's first domestic intelligence agencies and see a concentrated campaign to stomp out labour radicalism, communism, and anarchism from the United States. To do so, police would use a formula of surveillance, preemption, infiltration, and violence to disrupt even lawful forms of political organizing. Anti-radicalism would drive every innovation in policing henceforth through two Red Scares, a World War, and into the Great Depression. This mission would prove quite successful and police would take the strategies used first against guerillas in the Philippines and use them at home in the coalfields of Appalachia and the stockyards of Chicago.

Chapter three discusses how new forms of social control emerged in the 1960s in response to increasing public expectations of justice, professionalism, and accountability. Powerful social movements emerged in the United States in a broader global context of anti-colonialism. Armed struggle was an increasingly popular option for black Americans subjected to the violence of Jim Crow and once again cities were filled with riots. The emergence of the New Left and the Black Panther Party were radical manifestations of much larger movements pushing against the status quo. Police strategies were not working; violent crackdowns on protests served only to radicalize demonstrators and more and more urban communities were becoming out-of-reach from the police. A new way was needed. Federal inquiries into policing developed a solution. The emergence of community policing during this period emphasized the role of police officers as part of improving the lives of communities and keeping peace by being embedded in the neighbourhoods in which they serve. Despite this seemingly benevolent tone community policing sought to reengineer communities and integrate dissidence into the structures of state power. In effect, community policing sought to pacify neighborhoods by winning the hearts and minds of the residents rather than addressing the structural foundations of their oppression. The same police departments that enforced Jim Crow now sought to win the support of the neighborhood through community barbecues and youth sports programs. Parallel to community policing has been police militarization, because in the event hearts cannot be won and minds cannot be changed, the police rely on unprecedented levels of violence to demonstrate

to the neighborhood the cost of deviance. This strategy emerged particularly in the wake of the attacks on 9/11 and the ensuing Global War on Terror. Then this section considers community policing through the lens of counterinsurgency which seeks to build legitimacy for the status quo and construct a predictable spectrum of political engagement. This is done because as this thesis argues the function of the police is to ensure social stability for the ongoing accumulation and expansion of capital.

Chapter four analyzes the 2016 Republican National Convention in Cleveland, Ohio. Political conventions are contentious by nature and the RNC has routinely been met with heavy protests. This thesis focuses on the 2016 RNC in part because of the fortuitous timing of the project but also because such conventions serve as case studies of police strategies and tactics. The promised mass-protests against Donald Trump's candidacy for the Republican Party did not materialize. Instead over three days Cleveland was turned into a sprawling security state with thousands of uniformed police and federal officials. This process was enabled by a complex series of emergency management policies that had not before been applied in such a context. Policies created to aid local governments during natural disasters were mobilized to preemptively secure a political convention from protests. In essence, the 2016 RNC empowered cities to mobilize a vast array of resources normally reserved for disaster response. The RNC was a case study of police militarization and many of the dynamics discussed in all the previous sections were on display. This section contains two key components of ethnographic data. First, police training materials, security briefings, and internal communications specific to the 2016 RNC were analyzed to explore how the police were able to secure the convention. Second, throughout this chapter are vignettes discussing what the experience of the protesters who did show up. The focus of this thesis is on the police, not on the protests, but this data will help personify what could otherwise be a detached discussion of policy documents. The conclusion of this section argues that community policing and police militarization should be understood through the lens of counterinsurgency. The blurring of traditional boundaries between the military and police occur because of the importance defining and defending the legitimacy of the political and economic structures of capitalism.

Chapter five discusses this thesis's fieldwork conducted at the 2016 RNC. The events are organized on the themes of different dynamics that took place. The chapter discusses field observations at different rallies, protests, and time spent in the special security Zone around the

convention proceedings. Four interviews with demonstrators at the RNC are also included to help understand what the subjective experiences of demonstrators are like in consideration of the security preparations.

Literature Review and Wider Relevance

The wider relevance of this research is neatly summarized by President Donald Trump when he spoke at a meeting of the Major Cities Chiefs Association, a professional order of American and Canadian police departments. The President said before a packed auditorium of police chiefs:

> You're great people, great people. Great men and women. And we have to allow you to do your job. And we have to give you the weapons that you need. And this is a weapon that you need. And they're trying to take it away from you, maybe because of politics or maybe because of political views. We can't let that happen" [Trump 2017].

Trump's speech was in part a confirmation that he would fulfill his campaign promise restoring "law and order" to a country beset with social tensions. At a time of increased national focus on law enforcement as a result of several highly publicized killings of unarmed civilians, police militarization has been discussed at the highest levels of American political power. Towards the end of his tenure Barack Obama passed an executive order in an effort to limit police access to military hardware, quoted in Britain's Guardian Newspaper as saying, "We're going to prohibit some equipment made for the battlefield that is not appropriate for local police departments" (Gambino 2015). One of the first acts of Trump's presidency was to rescind Obama's order and bring back key programs that created a channel for local police departments to acquire military surplus equipment. Critics argued militarization resulted in officers overreacting or using excessive force when dealing with civilians, while proponents highlighted how in an age of weekly mass shootings and potential terrorist attacks police needed every tool they could get their hands on in order to keep us safe and enforce the law. That said, neither president in their discussion of militarization ever questioned the function of police in American society.

David Graeber writes "Almost every sociological study of the police in a modern world has to begin by carefully disabusing the reader of the idea that the police exist primarily to fight crime" (2009, 446) which then begs the question, what *do* they do? This contradicts the commonly accepted function of police as enforcers of the law and fighters of crime. Graeber

argues that the police exist to maintain social order (2009). Social order is distinguished from law enforcement in that legal activities can destabilize the conditions of by which social elites maintain their power requiring police intervention. This idea is explored more thoroughly in the historical discussions of ensuing chapters, however to briefly unpack this idea consider how police have monitored political groups that did not break any laws in their activities or where a police intervention such as a mass arrest also arrested people in the vicinity who may not have been part of the demonstration or participants who have broken no laws. Similarly, consider the ways in which drug crimes and financial "white collar" crimes are policed. Police in the United States routinely use SWAT teams to aggressively enforce even low-level drug offences, but for financial crimes that can cause millions of dollars in losses SWAT teams are rarely, if ever, deployed. What is critical to consider here is that laws are not enforced equally and that is what distinguishes law enforcement from social order. Political privileges, access to wealth, and other forms of social capital colour the priorities of policing. Fassin highlights this distinction in his study of Parisian police who regularly enforced drug laws more aggressively towards poorer residents of housing projects while allowing nearby university students to escape the same crimes of drug possession without any kind of criminal charge (2014). The law itself is part of this social ordering, but the law is secondary to maintaining a set of social relations that ultimately benefit and reinforce the powerful. In Fassin's study he shows how marijuana laws account for 90% of France's drug crime arrests, but that the majority of those arrests were of working-class youth who because they lived in overcrowded housing projects would smoke outside (2014). This was opposed to wealthier middle-class youth who would smoke in their homes or in their backyards on private property. So even for banal drug use the law is structured in a way that the social conditions of the individual predisposes them to police enforcement. In effect the social order is the disciplining of the working class and poor populations.

In *Imagining the State*, Neocleous, invoking Foucault, similarly argues that police first emerged through the medicalization of society and social problems. When the ruling class imagined society as a body it could frame political questions as issues of public health. Then by mobilizing the organs of the state, namely the police, to redress these problems the ruling class could:

> Depoliticize the working class in the name of national hygiene and well-being, turning the question of reform into the question of sanitary improvement and

> thereby pre-empting any real working-class incursion into the arenas of political and social power. [Neocleous 2003, 33]

What the ruling class seeks to preserve is two-fold. First, is that self-interest inherent to liberalism whereby power is used to maintain one's capacity to realize their own desires. Second, is to manage the ruling classes' legitimacy as rulers which in turn gives them a vehicle to realizing their self-interest. At the core of this process is the state and at the core of the state is legitimate violence.

Charles Tilly outlines how state-making is in part the process of dismantling other groups' capacity to wield legitimate violence (1985). Within this framework legitimacy itself is defined by the state's capacity to mobilize a greater violence than its competitors. Tilly affirms that "Legitimacy is the probability that other authorities will act to confirm the decisions of a given authority" (1985, 172). Tilly traces this process from early bands to organized states with professional armies, the next natural phase being the emergence of police. In terms of the legitimacy of power there is a shift from conquest to maintenance, that is to say that once the territory has been secured and the borders delineated an internal pivot occurs. To paraphrase Tilly war-making eliminates rivals outside of a territory, and state-making eliminates rivals within the territory: what then ensues is the protection of subjects and the extraction of resources from those subjects to pay for the whole process (1985, 181). As this occurs social and economic powers petition the state to ensure their privileges relative to the previous order. If the state proves too weak to protect its subjects a new contender will undoubtedly emerge. This client-patron relationship between powerful interests and the structures of the state mean that the function of the state becomes one of protecting the rights of the powerful. If wealth cannot be made rents and taxes cannot be collected, which leads to the weakening of the overall system of the state. In the United States this means that police protect the capacity of property owners and corporations to make profits since those are the institutions that give the state legitimacy and are its source of revenue (Tilly 1985). The police do so not by enforcing laws but by maintaining social order, which then offers the possibility of the ruling classes' realization of their self-interests. There is of course a major caveat in that the majority of people do not benefit from this so-called social order: the contradictions of liberalism are tempered by meritocratic myths that help contribute to the pacification of the majority. Within the discussion of liberalism and security the contradictions bear further unpacking and revolve around the "classic" political conundrum of liberty (or freedom) and security.

Liberals, Neocleous argues, see security as a synonym for liberty because security in liberalism is the capacity to realize one's self-interests, which is also at the core of liberal philosophy (2008). To put this another way, freedom is the capacity to realize one's desires and security is the maintenance of that freedom. These terms are synonymous because without liberty one has nothing to guard and without security liberty cannot exist. He argues that "the commitment to security leaves liberalism with virtually no defense against authoritarian or absolutist encroachments on liberty, so long as these are conducted in the name of security" (2008, 32). Paradoxically, the law is what both defines liberty, and allows for its encroachment. For Astrada, "Law is particularly relevant when one considers that U.S. power is premised upon the notion that international society should be subject to an objective rule of law" (2010, 57). Astrada's ensuing discussing of the the PATRIOT Act illustrates how the legitimacy of the law was mobilized to blur the boundaries between foreign and domestic fronts of the War on Terror. Security, Astrada argues, is both the ends and means of itself (2010). The centrality of 9/11 to creating this dynamic is something that this thesis contests. That is not to say 9/11 did not have a catalyzing effect on the ways in which security was defined and performed in the United States, but to underscore a point raised by Astrada in an early chapter of his book America did not change, it simply became more itself (2010). Nowhere was that truer than domestically where the immense expansion and militarization of the police reached a frenzied pace. What's problematic is to see these dynamics as recent phenomena.

If we take Tilly's assertions on the role of violence in building the state's legitimacy then one can assume the state will mobilize the most advanced forms of violence. If not, contenders who mobilize violence more effectively would win the contest for legitimacy. So one can then read the expansion of the post-9/11 security state as an intensification of the already ongoing process, but it is hardly new territory. Indeed considering the relationship that the United States has had with those who contest its legitimacy seems to demonstrate as much.

The battle for legitimacy is further compounded by perpetuating an understanding that the authority of the securitization of life rests upon the shoulders of leaders who were chosen "by the people, for the people". A notion that could be reduced to a simple paradox: the state is legitimate because it exists and it exists because it is legitimate.

The importance of this dynamic is that it shapes how states view contestations to their power and legitimacy. Legitimacy is particularly salient in the current era characterized by an

immense expansion of the US national security state and the erosion of personal liberties. Contestations to state power outside the terms dictated by state power represent a kind of existential threat to the status quo. That is to say certain contestations to state power are allowed because they are not dangerous and increase the legitimacy of the state. While this is not a strict model one can see these tendencies on display throughout American history. First the benevolence of the US allows for its citizenry to challenge its legitimacy through freedom of speech. Second the US allows for challengers to assemble and organize within the legal framework established by the state. Finally, a number of things could occur. The contestation of power can fizzle out and achieve no meaningful gains. Or the contestation reaches a critical mass and there are concessions to minor reforms which weakens the state in the short term, but in the long term proves the legitimacy of the democracy. The final option is that a critical mass is reached and becomes a viable contender to the state at which point the armed forces and police are mobilized to crush the rebellion before it can become civil war.

For this work the idea of warfare is not defined by a conflict between nation-states, the mobilization of force is instead directed internally. Foucault writes that

> War is no longer a condition of existence for society and political relations, but the precondition for its survival in its political relations. At this point, we see the emergence of the idea of an internal war that defends society against threats born of and in its own body. The idea of social war makes, if you like, a great retreat from the historical to the biological, from the constituent to the medical. [2003, 216]

Social war establishes class conflict, racism, gender inequality, and other various forms of oppression. Chomsky argues the goal of state power is to frustrate the early stages of social mobilization before more advanced forms of "revolutionary radicalism" emerge (1999). Radicalism is anything that upsets the established order or challenges it on a systemic basis. Resistance to the social conditions protected by the state puts the indignant into direct confrontation with the state. Violence is not the only tool and is often supposed to be the last resort to social peace, but the threat of violence is always there. As Graeber writes "Police are bureaucrats with guns. They are the active face of the state monopoly of the use of violence" (2009, 446). Even innocuous contestations of state power are met by the presence of police in case things "get out of hand" and physical force becomes necessary to control the situation. In addition to physical force police regulate social life through tickets, citations, official warnings, and dispersal orders. These forms of coercion are far less spectacular than militarization yet no

less disruptive or potentially dangerous. Indeed such intense bureaucratic regulation is part of militarization as even minor transgressions are severely punished in the soldier's barracks.

The purpose of the police is not to punish lawbreakers or even protect individuals, but instead to protect the rights of capital. Chomsky writes "American liberalism and the corporate media will defend themselves against attack. But their spirited acts of self-defense are not to be construed as a commitment to civil liberties or democratic principle, despite noble and self-serving rhetoric. Quite the contrary. They demonstrate a commitment to the principle that power must not be threatened or injured" (1999A, 305). Police actions occur to defend liberal, social and economic institutions that would be threatened by potential revolutionary upheaval. By conflating the health of the economy with the well-being of the majority of the people politicians and the media alike are able to frame attacks against the status quo as attacks against an imagined popular majority (Graeber 2009). Liberalism at home is supposed to be defended by the police, abroad it is the role of the military to ensure access to markets and to stabilize regions for capital investment. More specifically, the goal of military interventions abroad, particularly those of the last thirty years, has been to invade countries with the intent of reengineering a society into one accessible to international trade, market stability, and capital investment.

Social order is defended by police through many tactics, including but not limited to violence. The question of police militarization is more complicated than equating police killings with their access to military assault weapons. Obama's executive order would not have had the impact of reducing the number of people killed by police because it does not address why police are killing people in the first place. Nor did it call for the demilitarization of police by requiring police departments to return or dispose of the equipment they already purchased. Similarly, Trump's rescinding of the Obama-era order did not restart militarization because the process never really stopped. The problem with these analytical approaches is that they treat militarization as a binary: police are militarized, or they are not. They do not situate police militarization within the wider context of American history which is characterized most unequivocally by imperialism. This work seeks to complicate these understandings by studying the historical context of policing and how that history has led to the police militarization seen today. By defining the complicated intersections of law enforcement and the military through history this thesis arrives at the conclusion that police militarization is endemic to the institution of policing itself. While rhetorically speaking the functions have been clear in that the police

enforce the law and the military wages war, in practice jurisdictional boundaries that separate the police and the military's actions domestically have always been cloudy.

This paradigm is discussed by Beatrice Jauregui through the colours symbolic of the respective institutions and their roles in society and is worth quoting at length to understand how these distinctions become blurred:

> The globally hegemonic paradigm that all roads *must* lead eventually to a government with civil means of coercion, even while order is being secured by a military body, is here represented under the analytical rubric of the Blue in Green. The Blue-a hue which often colors purposely visible police uniforms, as well as the United Nations flag and peacekeeper helmets- symbolizes the ideal pacific order of civil-legal security, upheld by its claim to transparency and accountability to the people. The Green represents the necessary evil of martial force required during war or state of emergency. Importantly, Blue and Green are not merely ideal-juridical categories but also practiced concepts, manifest in social institutions. According to the Blue *in* Green paradigm of security and statecraft, the Green ought to be always already permeated by, and ultimately reducible to, the Blue. Advocates of democracy naturalized discrete spheres of Blue and Green and lend a moral supremacy and everyday legitimacy to institutions of coercion falling under the former category. [Jauregui 2010, 18]

Imperialism starts as a military campaign but is maintained through policing actions. An occupation is secured when the fighting between conventional forces ceases. Then begins the long road of disciplining a society to acquiesce to a new social order. This process has been discussed at length in the context of US imperialism abroad (Chomsky 1999; Neocleous 2008) but less consideration is given to this dynamic as it has played out domestically in American history. The American West colonized through Manifest Destiny in 1800s was the site of an intense military campaign against indigenous people. Once the territory was cleared by force, law enforcement officials were tasked with defending the legitimacy of civic institutions of the state in lieu of the military. This is because as the territory became less of a frontier and instead part of the United States the land became a civic rather than military responsibility. This history is of course much more nuanced than presented here, but this example is meant to illustrate how Jauregui's paradigm is applicable as much to the past as it is to today's "humanitarian interventions" or other pseudonyms for foreign occupations. This theoretical framework demonstrates that the intent of military action is to create a new foundation on which police

actions can then occur. In doing so the military dismantles a people or territory's capacity to resist the introduction of new civil and economic institutions characteristic to liberalism.

The military has always informed policing practices and strategies in the United States. To understand police militarization in the contemporary context one must study military's guiding strategy of counterinsurgency. Counterinsurgency bridges war-making and law enforcement in a way that has been studied thoroughly when applied to foreign interventions. However this framework is rarely applied to domestic security in the United States. This thesis claims that police actions in the United States are best understood as exercises of counterinsurgency and that the broader implication of this is that the rights and protections afforded to citizens are quite malleable. In effect, America has always been at war with its citizenry.

Chapter One: Police in America

Lieutenant Colonel Dave Grossman is one of America's most preeminent police trainers. He is a private contractor who has trained police officers in every state, authored several books on combat training and the psychology of violence, and co-wrote a children's book entitled *Sheepdogs - Meet Our Nation's Warriors*. On the website of his organization, the Killology Research Group, he has a detailed anecdote on the role of police officers in contemporary society.

> I mean nothing negative by calling [US citizens] sheep. To me it is like the pretty, blue robin's egg. Inside it is soft and gooey but someday it will grow into something wonderful. But the egg cannot survive without its hard blue shell. Police officers, soldiers and other warriors are like that shell, and someday the civilization they protect will grow into something wonderful. For now, though, they need warriors to protect them from the predators. [Grossman 2004]

Grossman's metaphor paints a bleak picture of the modern world: one plagued by incessant violence in which the police officer is the blue shell meant to nurture the yolk of civilization. A not-so-subtle take on the metaphor that the police are the Thin Blue Line between order and chaos. His talks continue to be well received by police departments and he has sold hundreds of thousands of his books on combat psychology. His work exists at a complex time period for police in the United States and in many ways symbolizes key criticisms of contemporary law enforcement. Police militarization and police conduct have come under renewed public focus since the 2014 riots in Ferguson Missouri. The trigger was a common occurrence in the United States: an unarmed suspect was shot dead by a police officer. The suspect, black youth Michael Brown was shot to death by white police officer Darren Wilson. Long standing tensions between residents of Ferguson and the police erupted into days of sustained rioting that was quelled by a heavily militarized police force.

I watched much of the protests live: streamed onto the Internet by participants from their phones, recorded by independent media, and with aerial footage from mainstream press. The images of phalanxes of police officers in camouflage, gas masks, and body armour led *Time* to try and answer the question on many people's minds: Why Ferguson Looks Like so Much Like Iraq (Thompson 2014). The images were stunning and in the ensuing months similar stories tragically repeated themselves in cities across the United States. However shocking the violence displayed in riots —burned businesses, looted stores with protesters gassed, beaten, arrested, and

shot—the cycle of violence on display in Ferguson was not new. While perhaps a more visible manifestation of violence between police and their subjects was made all the more accessible by advances in telecommunications and broadcasting technologies, the story of police militarization, rioting, protest, and violence extends far back into American history— to even before police existed.

To understand policing one must delve into the history of social relations in early America because the creation and development of policing is intimately tied to shifting social tensions that begin to emerge as a result of three key historical processes: emancipation, urbanization, and industrialization. In essence, policing in America exists to maintain social order. That order is not static and neither are the forms and functions of American law enforcement, but there is a consistent rhythm to police history. The impetus for innovation among American police has been the consolidation of social power among the country's political, industrial, and much later financial elite in response to challengers who would contest the status quo. Freed slaves, the urban poor, and proletarian labour have each in their own ways contested the political power of America's governing bodies. At each historical junction the police officer has stood between these masses and been shaped by the challenges of the wretched of the earth. The following sections of this literature review will discuss nearly two hundred years of law enforcement history from the antecedent of police departments in the 1700s, to the formation of early-modern policing in the mid 1800s, and finally the emergence of contemporary police departments at the turn of century. The importance behind this study is to later understand the formation of militarized police agencies and their response to contemporary social challengers.

Who are the Police in the United States

For the purposes of this work police, police departments, and police agencies are used interchangeably and are meant to describe non-federal law enforcement from approximately the 1860s to present day in the United States. Federal agencies with police functions, such as the FBI, DHS, or Secret Service are not considered under this banner, but will be discussed. This label is based on the following characteristics of police that emerge in the literature review, but for clarity's sake the definition is here. What defines police includes: 1. police are a salaried profession unlike bounty hunters and departing from earlier forms of militia; 2. police enforce

law formed by a central public authority, they do not serve at the whim of an individual patron or lord nor are they vigilantes; 3. police have a uniform or a badge of some kind that identifies them as functionaries of the law, even in the case of undercover or secret police; and, 4. police are civilians that serve a public body of the government, they are not soldiers nor are they part of a military chain of command. There are some exceptions such as military police, but the focus in this thesis is on civilian law enforcement officers.

There are some complications to this definition. First, police have never operated entirely separate from other agencies in the US. Police have access to federal agencies for resources and support and sometimes federal agencies take over a local police investigation. Second, is the role that private business and individuals play. Security contractors, threat assessment services, and private detective agencies all have worked intimately with police departments throughout history and at the RNC there were both security contractors and citizens groups interested in preserving a specific kind of order. Third, are the collaborative relationships among police and federal agencies, first tacitly in the early twentieth-century and then as a matter of specific policy in the post-9/11 world, in which intelligence gathering and operation planning were increasingly involving multiple agencies and actors. This third point is perhaps the most contentious given the fieldwork. The RNC was declared a National Special Security Event (NSSE) which, in short, means that the United States Secret Service (USSS), a federal agency, was the lead agency in charge of planning and implementing security for the event. While planned federally 6,000 police officers from 13 states were brought to Ohio to support the Cleveland Division of Police for on the ground security. Supporting local police would be federal agents from the DHS, FBI, FEMA, USSS, among numerous other agencies providing intelligence, logistical support, and officers on the ground. In the field local police, out of state police, and federal officers all worked collectively and for protesters there was ostensibly no difference because despite their various institutional differences they all looked and acted like cops.

It should come as no surprise that police agencies have changed over time, but it is also worth mentioning that police did not always exist. Scholars that studied American policing on behalf of the US Department of Justice have found it useful to break up these periods into three eras, with the first beginning barely before the outbreak of the US Civil War:

> The political era, so named because of the close ties between police and politics, dated from the introduction of police into municipalities during the 1840's, continued through the Progressive period, and ended during the

> early 1900's. The reform era developed in reaction to the political. It took hold during the 1930's, thrived during the 1950's and 1960's, began to erode during the late 1970's. The reform era now seems to be giving way to an era emphasizing community problem solving. [Kelling and Moore 1988, 2]

These three periods have their own conceptual baggage, but provide a useful chronology to delineate key innovations in the form and function of law enforcement. It should be noted that this analysis begins in the 1840s, but didn't police always exist? President Kennedy in his proclamation of National Peace Officer Memorial day and Police Week invoked such an idea when he said:

> From the beginning of this Nation, law enforcement officers have played an important role in safeguarding the rights and freedoms which are guaranteed by the Constitution and in protecting the lives and property of our citizens [1963].

Of course there have been various instances of armed agents of the state or whatever political power charged with social control happened to exist but the idea of a police officer is relatively new. The notion that police have always existed is somewhat flawed, but is a myth nonetheless perpetuated at several levels of society. The power behind such a myth lies in its ability to create an aura of inevitability that acts as a barrier to fundamental change as opposed to redressing minor reforms. It is a common argument when discussing police reform, or in more radical circles, police abolition. Sure some things should change, but we can't abolish the police because they have always existed. So how have we arrived at this current point?

Bruce Smith, an early criminologist and pioneer of police administration and reform wrote in the introduction of his *Police Systems in the United States* (1940): "Our police systems have grown up with the country. Since that growth was one of extraordinary rapidity, police service in the United States has never really enjoyed an opportunity for orderly and consistent development" (Smith 1940, 1). Due to the vast array of police agencies at the village, municipal, county, state, and federal level, Smith identified that at the time "There is therefore no such thing in the United States as a police system, nor even a set of systems" (Smith 1940, 21). Lacking the centralization of European policing agencies, American police departments developed in regional clusters[5]. Police as Smith notes did indeed develop in response to changes in American

[5] New York City, Chicago, Charleston, and Los Angeles each led their surrounding geographical areas through innovative strategies to maintain social order, enforce laws, and protect property. These cities tended to draw on European models for inspiration notably the London Metropolitan Police Service and their "Bobbies" in 1829 and the Paris Prefecture of Police "*sergents de ville"*

lifestyle and key developments in policing will appear in response to urbanization, social upheaval, and changing political pressures. Later on in the chronology of this review federal efforts at reorganizing law enforcement at all levels will be discussed, but it is important to keep in mind that until 1967 the vast majority of police innovation was at the initiative of the police agencies themselves or by municipal or state governments.

Even a brief analysis of the historical formation of police shows recurring themes that speak to the police's form and function. Integral to the mission of policing are notions of security and social order.

Mark Neocleous within his philosophy of "critical security" introduces the idea of pacification to policing and police militarization: "Pacification is intended to capture the way in which war and police are always already together, the way they operate conjointly under the sign of security, and the way in which this operation is entwined with the process of accumulation" (Neocleous 2013, 11). For Neocleous, pacification is an important step in Marx's and Engels' notion of primitive accumulation which he expands upon. Rather than being a step in the development of capitalism, Neocleous argues primitive accumulation is an *ongoing* process in which workers are constantly divorced from their capacity to realize the value of their own labour. Neocleous is explicit in connecting the development of capitalism with the formation of police: "Thus we might say that the invention of capitalism saw the invention of the police dream of society" (Neocleous 2013, 18). That dream he argues is one in which labour has been pacified into accepting the supremacy of capital, "A dream of workers available for work, present and correct, their papers in order, their minds and bodies docile, and a dream of accumulation thereby secure from resistance, rebellion or revolt" (18). To extend this framework, pacification allows for both violent repression and the recuperation of resistance. The end goal of the police dream of society is not necessarily that all rebels have been eliminated, but rather that there be a general docility and that challengers to that order can be quickly identified and preempted. Pacification then presupposes resistance to capitalist consolidation and the necessity of intervention to those challenges form the state and private security forces. This explains why, throughout this historical review, there seem to be recurring clashes between labour (whether enslaved,

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also in 1829; the two cities both claim to be first uniformed "police" in the world. Who had the first police in America seems to be a point of civic pride but several competing cities claim they are first, but then again it depends on how one defines 'police': Philadelphia in 1751, Boston in 1838, and New York City in 1845.

proletarized, or neoliberal) and an order that would make labour subservient. This theme appears throughout police operational history and explains why police seem to be fighting similar battles. Pacification also helps explain the multiple fronts police act upon and why there is so much collaboration between policing bodies. To vulgarize this slightly, pacification helps explain how techniques used against Filipino nationalists during an imperial occupation reemerged to fight anarchists in Chicago, black communities in the South, and industrial workers across the country. Pacification addresses the porous separations traditionally placed between police and the military. Within the framework of pacification any technique used to secure order is acceptable within a spectrum constantly influenced by the social and material conditions of the time. It explains why largely black protesters in Ferguson were met with the National Guard while largely white Occupy Wall Street encampments were cleared by police; which is to say still violently but on a different level.

Daniel Goldstein counters the notion of a "security moment" which is "a new phase of global history characterized by increased surveillance of potential security threats, expansive government powers to investigate security breaches, armed intervention in places abroad that supposedly fostered terrorism, and restrictions on individual freedoms in the name of protecting personal and national security" (Goldstein 2010, 487). Goldstein suggests that anthropologists engaging in ethnography must factor in how security discourses shape their subject's lives and the anthropologists themselves. With that in mind he outlines security perspectives from political philosophy and demonstrates how fear was a strong drive for the creation of states to protect citizens. The security moment that occurred in the wake of 9/11 is largely seen as a collective failure of the United States' security apparatus. Ostensibly, the world realized a collective vulnerability to violence which in turn drove a massive expansion of the military-police apparatus in a drive to maintain security. The post-9/11 security world is different but not drastically so and in this view, this work exposes some of the weaknesses of linking concepts like police militarization as solely a response to terrorism. While key legislation like the PATRIOT Act facilitated police militarization through urban defense initiatives and new funding schemes this was not a reinvention of the wheel. Rather, entry into the Global War on Terror accelerated already ongoing processes. Militarization did not start after 9/11 it was already occurring and informed the state's response. A new frontier for pacification emerged and the hunt was on.

Terrorism became the new justification projected onto an already exponentially growing security machine. With the techno-economic infrastructure in place since the Second World War and the frightening prospect of no major conflict on the horizon in the 21st Century any threat would become "The Threat" against which the United States would now stand against. The political class of American society has been locked in a primordial struggle against the forces of disorder however they manifest. First the United States pacified the continent in wars against indigenous peoples, then the region through early efforts of colonization and the Monroe Doctrine, then the global seat of power in Europe through interventions during the World Wars, defended half the globe against communism. Then at the precipice of world power, the United States was attacked by an enemy that can lurk anywhere and so must be confronted everywhere. This is less of a final form for the United States rather than the current iteration of a dynamic present among various Great Powers throughout history, but that is not an attempt to obfuscate the intense material consequences for people who must live through this process.

As Catherine Lutz notes:

> Forces within the state claimed to require new monies and powers to combat this novel risk. Regardless of the name used, the state was to engage in much business as usual, which is to say purchases of expensive weapon systems such as battleships and nuclear weapons designed for earlier modes of warfare... ...While their expensive weaponry and surveillance equipment were completely irrelevant, as we saw, to the box cutters of September 11, military industrial corporations like General Dynamics, Raytheon, and Lockheed Martin experienced a sharp rise in their stock prices in the immediate wake of the September 11 attacks." [2002, 732].

This continuation of "business as usual" speaks to Neocleous' pacification in which the military-police functions are to stabilize conditions for the accumulation of capital. Lutz is also arguing that security has itself become a commodity through militarization. A militarized society promotes a militarized sense of security which privileges force, and in the current climate is also distinctly neoliberal, i.e., security means armed guards and cameras rather than full employment and healthcare.

The importance of studying policing through a historical lens is to demonstrate why police militarization has occurred and to show that the form and function of American law enforcement draws upon a strategic history that cannot be disconnected from the periods that created and supported it. That is to say while current policing strategies are "new" they represent

innovations in a consistent institutional and social mandate rather than a total departure into a fundamentally different realm of organization and official functions.

From the Early Order to Policing in the Political Era

This section will trace policing from its origins in early America to the formation of modern police departments following the industrialization and urbanization in the North. A discussion of how policing developed in the South will follow. The geographic distinction of these two sections is important because policing, as stated by Smith already, grew up with the country and that growth developed in different ways in the North and the South before converging into a more uniform function after the Civil War.

In the American colonies the maintenance of social order was generally the responsibility of colonial governors, military forces, or was a reflection of the European bodies that colonized them. An early example was the use of elected sheriffs and constables which traces its roots to an even earlier medieval era (Smith 1940; Williams 2015) . These bodies were both imports from British forms of law enforcement and were responsible for enforcing the will of their respective king or governor. Smith notes how while the integration of the sheriff was seamless into early America due to its shared culture with England the appointment process by a central authority did not survive and was quickly replaced by a system in which both sheriffs and constables were elected by their constituents (Smith 1940)[6]. Neither position were full-time jobs and both agents usually had other jobs if they could not live off of the commission gained from collecting taxes and enforcing other legal duties, the fees for which were provided by the public purse or by wealthy benefactors. Justice was not their primary function and Smith highlights how across colonial America the sheriff was more interested in collecting taxes than pursuing criminals not only because it made them more money, but also because they generally lacked any professional training and were not required to have any skills to stop crime. Constables were similar to sheriffs in that they were an English import of an office that was elected, part-time, and similarly had few skill requirements. Constables served warrants, court summons, and transported

[6] Of interest but beyond the scope of this work are the precursors to the sheriff which were that of the medieval Frankpledge a compulsory shared responsibility among villages to come to one another's aid in the event of a crime against members; in accordance with the notion that an injury to one is an injury to all.

detainees to and from jails, but the office did not generally survive urbanization[7]. There were some growing pains to say the least.

American historian James F. Richardson notes that like their rural counterparts constables in New York City in the 1830s were unsalaried and paid for carrying out municipal functions or rewarded for returning stolen property (Richardson 1974). These agents were roundly criticized in newspapers in 1841 for refusing to investigate a murder because they had not been promised any kind of a reward. Political reforms in city governance included the creation of what can be considered one of the first modern police departments in the United States: the New York City Police Department in 1845. However the Boston Police Department claims to be the first uniformed police agency in America having been founded in 1838. Williams highlights that the NYPD established key qualities associated with what is now known as "police": a single permanent organization, with a 24/7 responsibility to enforce the law, made up of uniformed and salaried employees of the city (Williams 2015). The professionalization of policing was in part in response to a surge of intense riots based on ethnic, religious, and racial lines which Richardson connects to shifting economic standing, alienation, and an intensification of social stratification (1974).

Important to note as well that the requirements to be constable were based on gender, race, and residency meaning the growing number of immigrants, free African Americans, and women were immediately disqualified from serving. This is important because police agencies were structured to reflect the social hierarchies of the time which in turn were charged with preserving social order. This theme continues into the present but the foundation of such a dynamic was built into the structure of police departments. Unlike their European[8] counterparts, most early police agencies in the US had a residency requirement meaning that an officer had to live in the city they worked in with some exceptions in less dense urban environments (Richardson 1974). Despite this residency requirement the police officer tended to be something of a social pariah due to the nature of their work: long shifts kept them apart from other workers,

[7] There are still some constables in the United States, but their functions vary greatly on a state by state basis. They tend to be agents of municipal or county courts, but some do have police powers of arrest. The office was regarded as archaic in the 1940s but still survives to this day.
[8]Early European police agencies, notably England and France, wanted officers to be outsiders in the communities they worked in for fear that too much familiarity would lead to leniency and corruption; this trend would later be adopted by American policing agencies.

and made others fear reprisal for carousing and involvement with vice. In addition, the police's role in strike-breaking made them intensely disliked by industrial labourers. This tendency described by Richardson seems to contradict Williams's claim that "American police were expected to be part of the communities they served" (2015, 72). Expectations aside, in reality police tended to be alienated from their constituents.

It was also during these formative years that the idea of a police brotherhood began to emerge[9]. Richardson notes how the NYPD in the mid-nineteenth century spent seven hours on reserve at station houses in addition to their nine-hour shifts, and it was here where older officers set the expectations for rookies, passed along praises and prejudices, and established an institutional culture of mutual aid and loyalty (Richardson 1974). NYPD officers were not unionized but instead formed their own advocacy organization in the 1890s which they called The Patrolmen's Benevolent Association of the City of New York which achieved its early goals through direct political lobbying rather than traditional labour action. Similar precursors to police unions would emerge in other cities based on the New York model in the ensuing years. The NYPD and police agencies in general had a more direct communication route to municipal officials due to the nature of early recruitment methodologies. Police quickly became part of the political machines of their respective municipalities with notable instances of patronage in New York City (Williams 2015), Baltimore (Lewis 1966), Philadelphia (Sprogle 1887), and Charleston (Wade 1964). Williams discusses how entire cohorts of NYPD officers would change with a new city administration as politicians would reward loyal followers with police appointments only to be changed once again when the rival party was elected in turn (Williams 2015). The standardization of policing was ironically part of what made it a useful reward for political loyalty as the jobs had a paid salary that no longer relied on a system of rewards and fees. Smith similarly identifies the political nature of police appointments at the time: "the whole police question simply churned about in the public mind and eventually became identified with the corruption and degradation of the city politics and local governments of the period" (Smith 1940, 106).

An important connection to make is the ways in which police were shaped in the mid-nineteenth century by street fighting and rioting. The reorganization of police departments in

[9] Not in a labour union sense of "brotherhood" as police unions did not emerge until the early 1900s.

major cities into municipal agencies with officers hired and appointed by city officials meant police often bent to the political winds of the times. Ironically in many cases elections were heavily influenced by poll riots and the civil unrest the police were expected to respond to. Poll riots were commonplace across the United States throughout the nineteenth century. New York City's first popular election for mayor in 1834 saw a riot in which hundreds of supporters of either the Whigs or the Democrats fought in the street to block access to each other's polls (Gilje 1996). Baltimore elections of 1856, 1857, and 1858 were disrupted by intense rioting by Nativist American party supporters also known as the Know-Nothings. Know-Nothings grew out of a conservative anti-immigrant and anti-Catholic movement and a Know-Nothing mayor oversaw the reorganization of Baltimore's police department in 1853. In ensuing elections Know-Nothing supporters would violently attack voters who supported other political parties and would disrupt polling stations with the support of police. Police officers sympathetic to the Nativist party would detain voters and hand them over to Know-Nothing gangs. This process known at the time as "cooping" among other intimidation tactics ensured the political domination of the Know-Nothing party (Lewis 1966). This dynamic was blocked only when the entirety of the Baltimore police department was put under State control in 1860 by anti-Know-Nothing reformers. Within a year however the American Civil War had begun, and the city of Baltimore was put under martial law (Gilje 1996). In 1861 the new reformed Baltimore police were tested immediately by days of rioting by Confederate supporters opposing the passage of Northern militia troops through the city. These tensions and criticisms about policing Northern cities would continue until municipalities began adopting various reforms towards the end of the nineteenth century.

What should emerge from this history is that police agencies became standardized within their own cities as a direct response from municipal elites to growing anxiety over civil unrest. There was the need to discipline newly arrived immigrants, labourers moving to growing industrial work in cities, and obstinately suppress the conflict that coincided with industrialization. "Obstinately" because the police did not always suppress riots during the period of the 1830s to 1860 so much as redirect violence towards politically vulnerable groups. The targets of these groups shifted with political winds as well as geographic context. Anti-Catholic riots persisted along the East Coast up until and after the Civil War, riots targeting free African Americans persisted in Free-States and territories, Nativists attacked immigrant neighbourhoods and immigrants responded in kind, and abolitionists fought slavery supporters

throughout the US. Police agencies in these violent situations had a wide array of responses, but what should be clear is that the police's role was the overall protection of the social system rather than the pursuit of individual acts of crime. Responding to political violence through suppression, redirection, and in many cases participation in rather than the prevention or punishment of crime was the impetus for creating police departments.

Slave Patrols and the Origins of Police in the South in the Political Era

While the discussion so far has addressed American policing in Northeastern cities police practices are also rooted directly in the history of slavery. Southern colonies had a similar system of sheriffs, militias, and constables put in place to maintain order, provide common defense, and enforce the will of colonial governors. Sally Hadden writing for the *Harvard Historical Studies* discusses at length the details, duties, and local perspective on slave patrols in Virginia and the Carolinas up until 1865. She describes the slave patrol as evolving from a system of informal, individual responsibility of members of the White community to a part-time profession paid through a mix of fees and rewards to a full-time salaried profession. Similar to police in the North slave patrols in different regions would innovate, experiment, and develop independent of each other but were inspired by best practices coming from both Northern and local cities, and were open to change. Slave patrols also varied in form whether they were in an urban or rural environment. The patrols were rooted in the history of the aforementioned system of constables, sheriffs, and local militias, but slave patrols were specifically tasked with enforcing the racial hierarchy and disrupting the gatherings, communications, and socializing of enslaved people. The patrols have their roots in the European history of frankpledge and *posse comitatus* in that the maintenance of the social hierarchy was a popular responsibility (Hadden 2001). Similar to the North, a wide array of rules regulated these processes and varied by county, city, and state. Also similar to Northern watch systems the efficacy of the Slave Patrols were extremely mixed, but as Hadden notes despite questionable results the payments made by Whites to slave patrols provided a piece of mind and sense of security (Hadden 2001). That theme, which is the payment by middle and upper class Whites to armed men for maintenance of social order bears striking similarities to the birth of urban police agencies in the North. Williams also identifies that the role of Slave Patrols was to provide a sense of political stability and maintain the social order

rather than solely the economic matter of returning escapees to their owners, a notion echoed by Hadden:

> Whether slave revolts ended with a massacre or mass flight mattered little to white Southerners: any bloodless getaway could eventually weaken slavery by providing fugitives with a successful example. All rebellions had to be crushed at their inception, every troublemaker recaptured and executed. Colonial and antebellum American slaves dreamed about running away and escaping from White society altogether (Hadden 2001, 141).

That dream was itself an existential threat to the continuity of the society because of how it would upset the social order. Regardless of the material cost of enforcement slavery, it had to be maintained. Effectively peace of mind for the landed wealthy was worth the pieces of silver.

The professionalization of slave patrols in the South emerged out of similar anxieties as the professionalization of police in the North. There were concerns about the efficacy and efficiency that the informal system practiced throughout the colonies and later the early States. The responsibility of maintaining the slave system had been the social responsibility of every white member of the community, but informal and localized systems of militias proved inadequate to suppress the growing frequency and intensity of revolt. Resistance by African American slaves occurred at many levels from work stoppages to armed insurrection. Coupled with rebellion among poor whites, indentured servants, and bonded labourers, landowners realized that a permanent armed force was needed to protect their property and maintain the stratification their society depended upon. Collaboration among the oppressed groups was perhaps one of the greater fears held by the wealthy of the colonial and antebellum periods, and these reservations were reflected in the law. This fear was valid given the ferocity with which rebellions of poor white workers and black slaves raged. In 1663 a conspiracy was unearthed by colonial authorities in Gloucester County, Virginia whereby white indentured servants, African slaves, and Indians of the Poropotank River and Purtan Bay intended to overthrow the governor (Wish 1937). One spectacular manifestation of this was Bacon's Rebellion of 1676 in which an insurrection of poor whites and black slaves raged against wealthy white landowners and burned the capital of Virginia to the ground[10]. This in turn led to the formation of Slave Codes that banned contact and communications between poor whites and enslaved Africans (Hadden 2001).

[10] Bacon's Rebellion was also due to anger over the refusal of the colonial governor to further dispossess Indigenous peoples' land so this should not be framed as a rebellion of "good against evil". Like any upheaval a complicated set of material and social relations were involved.

Similarly, communities of whites, escaped slaves, and Seminole Indians flourished in the dense swamps of Florida and the Carolinas. The few examples of successful rebellions metastasized paranoia in the social body of early America. American historian Ferenc Szasz discusses an alleged conspiracy between slaves and whites unearthed in New York in 1741. Szasz highlights how the fear surrounding collaborative insurrection was so great that many of the alleged conspirators were executed on lesser charges of theft or receiving stolen goods, and one of the key white suspects, a Latin teacher named John Ury, was allegedly a secret Catholic priest offering absolution for slaves who slaughtered English protestants (Szasz 1967)[11].

This fear among American elites continued post-American Revolution. Laws were passed barring poor white workers from speaking with African slaves; even cases in which they were working together on the same projects for the enrichment of the American aristocracy. One Southern debutante wrote in her journal of the Irish working on a canal in Georgia:

> With a sufficient dose of American atmospheric air in their lungs, properly mixed with a right proportion of ardent spirits, there is no saying but what they might actually take to sympathy with the slaves, and I leave you to judge of the possible consequences. You perceive, I am sure, that they can by no means be allowed to work together on the Brunswick Canal. [Zinn 1994, 172].

Those landed noble united black and white indentured servants through ire in early America, but the introduction of a more formalized system of race-based slavery divided settlers. Workers, given a modicum of power over black slaves by virtue of their whiteness, quickly fell into line within a racialized hierarchy. This in spite of being exploited, albeit in different ways, by the same system that supported the slave trade. Alexander in her seminal work on mass-incarceration in the US succinctly sums up this historical dynamic calling it a “racial bribe” given to poor whites (Alexander 2010, 24). The bribe consisted of giving poor whites privileged access to land stolen from Indigenous people, in the creation of laws that prevented competition from free workers and slaves, and in the creation of the law enforcement bodies used to repress slaves (Alexander 2010). Even in Northern states the political and economic rights of free African Americans were severely curtailed. Cities and towns had registration systems and required free African Americans to carry identification papers, restricted their ability to vote, and in some

[11] One can consider Szasz’s historical re-examination as showing an example of how courts, juries, and law enforcement act on cultural, religious, and racial prejudices to wrongly convict and execute accused suspects. A process that still provokes great social outrage today.

cases blocked access to property ownership, refused to allow testimony in court cases, and banned them from participating in juries (Williams and Murphy 1990). What should be clear is that social stratification in early America was in effect a carefully balanced set of hierarchies based on race, class, and ethnicity. These tensions in part led to the forced restructuring of American society through the failed attempt at secession by Southern social elites.

Even the way in which slavery was abolished in the United States speaks to the anxieties of white elites about the potential for widespread slave rebellion. Worth noting is that the Haitian revolution and Haiti's subsequent victory over European forces was barely a generation old by the time of the American Civil War. As Zinn acutely observes, abolition did not call into question the legitimacy of the US government to dictate who was afforded the liberties professed in the American Revolution: "it was Abraham Lincoln who freed the slaves, not John Brown. In 1859, John Brown was hanged, with federal complicity, for attempting to do by small-scale violence what Lincoln would do by large-scale violence several years later—end slavery" (1994, 167). Liberation had to come from the top: the dangers of self-emancipation or emancipation in conjunction with increasingly radical white abolitionists were too great of a political concern for the America envisioned by Northern elites.

It is important to note that the dissolution of Southern slave society was a gradual process. Even after the military defeat of the Confederacy and the South's occupation by Union soldiers key aspects of the social order remained. While many ranking members of the Confederacy were barred from participating in politics they still remained active in the social and economic life of the post-war era. The slave patrols continued throughout the South in various capacities prior to and immediately following the Emancipation Proclamation. Hadden notes how reaction among white Southerners was mixed; some accepted the abolishment of slavery while others tried to maintain their control over freed slaves, but there was a universal fear of retaliation from newly freed people (Hadden 2001). She writes "Ironically, these former masters pleaded for Union troops to safeguard them from the 'insurrectionary' freedmen who surrounded them" (2001, 189). There was a seamless transition from slave patrols into newly reformed police departments, particularly in cities to which a great number of freed people travelled. Richmond, Virginia saw a massive surge of newly freed people: 12,000 slaves resided in the city in 1860 and by 1865 there were 30,000 freed men. In Hadden's work one man's experience is

worth quoting at length to illustrate the experiences of African Americans in the South immediately following the Civil War:

> Albert Brooks, a free Richmond stable keeper before the war, experienced firsthand how little things had changed under the new regime. He was arrested at his place of business by a Richmond policeman, who told him that 'all niggers that did not have a paper from their master, showing that they were employees, must be taken to jail and hired out for 5 dollars per month.' At that point the policeman, acknowledging the ostensible authority of the occupying forces, handed Brooks over to a federal cavalry soldier who took him to the city jail where he was locked up by the Richmond jailer, 'the same one who has kept the jail for many years.' After Brooks was released and given a pass from a Union officer, Brooks discovered that he would be required to show it several times a day. [Hadden 2001, 193]

This lack of change in the lived experiences of freed African Americans would persist for years as the States and the Federal government grappled with how new freedoms should be manifested and regulated. The most important aspect, at least evident by the ensuing legislation and political reforms, was to ensure the racial supremacy of whites. This racial order would be enforced by police.

Alexander writes "As African Americans obtained political power and began the long march toward greater social and economic equality, whites reacted with panic and outrage." (2010, 22). Southern whites feared the loss of their social standing, they feared freed people would take revenge on their former masters, and they feared the loss of their sovereignty due to both Union occupation and African American participation in economic and political life. As a result several responses occurred. First was the passage of law restricting African American public life in the form of the Black Codes and Jim Crow legislation; second was the institutionalization of racism within police occupational culture through the inclusion of former slave patrol officers into reformed police departments; and third was the formation of extrajudicial and paramilitary groups such as the White League and the Ku Klux Klan. This was not an organized conspiracy by Southern whites, but the concerted efforts of a society unwilling to give up its privileges in the social hierarchy. Newly freed people conveniently provided a local scapegoat for Southern indignation at Union occupation as well as giving industry leaders a new means by which to divide and disrupt working class organizing. Williams similarly emphasizes the shifting importance of police during times in which established social orders degrade:

"Organized police forces only emerged when traditional, informal, or community-maintained means of social control broke down" (2015, 116). While political means of social control collapsed modern policing was organized to step in and enforce racial hierarchies. It is no coincidence that during this period police agencies began to expand and professionalize. Now that social hierarchies were enshrined in law due to African Americans suddenly becoming political subjects as opposed to property, the political system had to react.

Jim Crow, and its short-lived predecessor the Black Codes, were a series of Local and State laws regulating the bodies, spaces, and minds of African Americans to enforce segregation, sow terror, and disrupt the autonomy gained in spite of the limits of reconstruction (Alexander 2010). Without slavery there had to be a legislative effort to control the behaviour of African Americans. These laws would also serve as an incentive for poor whites to enforce the social hierarchy as their own privileges in relation to freed African Americans were maintained. Succinctly discussed by Alexander:

> Segregation laws were proposed as part of a deliberate effort to drive a wedge between poor whites and African Americans. These discriminatory barriers were designed to encourage lower class whites to retain a sense of superiority over blacks, making it far less likely that they would sustain interracial political alliances aimed at toppling the white elite. The laws were, in effect, another racial bribe [2001, 24].

She also notes that these bribes were effectively psychological in nature as the condition of white workers did not improve with Jim Crow. White elites would utilize race to both repress non-white people as well as entice working class whites to maintain an economic system that was ultimately to their detriment. Jim Crow benefited the same class of people who were responsible for the suffering inflicted upon the industrial proletariat and worked to destroy emerging movements: wealthy white land owners, industrialists, and the urban social elite. Even if Jim Crow gave poor whites individual privileges over black people the wider system of laws still favored the traditional elites of society. When poor whites rallied to demand greater wages or working conditions their racial privilege did not protect them. Police continued to be an essential component in maintaining this dynamic in both the North and South.

It is important to remember Smith's point regarding the decentralized nature of American policing: federal oversight was non-existent and the states, cities, counties, and villages had great autonomy in the organization of their police forces. With that in mind, white supremacy was institutionalized into the creation of modern American policing because American society had a

deeply ingrained racial hierarchy. Even though no official directive came from the Federal Government to deny access to non-whites from police departments for nearly a century, from the 1860s until the 1960s, municipal and state jurisdictions decided that law enforcement was the effective domain of white people. This not to say African Americans did not become police officers, but that there was an intense ebb and flow of the accessibility of police positions to non-white people. Williams and Murphy highlight this dynamic in their 1990 response to an earlier article on police strategy and occupational history for the National Institute of Justice. They discuss how a rise in African American officers post-Civil War took place during the Radical Reconstruction phase of the United States.

As black Americans participated in the political process non-white officers began to emerge in predominantly black communities across the country (Williams and Murphy 1990). That period did not last long. The authors highlight how a reactionary backlash pushed back at Reconstruction efforts to equalize the political and social status of freed African Americans and whites, and how this dynamic was emblematic in American police forces. From the 1870s through the 1890s police departments across the US began to hire African Americans, but with intense caveats and restrictions. Chicago was the first Northern city to hire African American police in 1872 but they were plainclothes officers—this contrasts with a key aspect of modern police which is their uniform—and the officers were assigned to only black neighbourhoods. While Philadelphia had black officers they were not allowed to arrest whites (Williams and Murphy 1990). This discrimination was coupled with an intense attack against black communities by white paramilitary groups designed to disrupt black voters. That disenfranchisement would in turn impact municipal representation and by extension the appointment of non-white police officers in both Northern and Southern cities. Then in 1877 white political elites ended Reconstruction, withdrew federal troops from the South, and ceased enforcing key pieces of legislation that protected freed African Americans from systemic discrimination. The ensuing years saw a rollback of gains made by African Americans due to a reinforced racial hierarchy. Williams and Murphy highlight the intense impact this had on police departments, particularly in Southern cities like New Orleans which went:

> From a high of 177 black officers in 1870, the number dropped to 27 in 1880. By 1900, only five black officers remained; by 1910 there were none. The city did not appoint another black to the police force until 1950. [Williams and Murphy 1990, 9]

By the 1890s despite successful efforts by the Federal Government at curbing paramilitary groups like the KKK black political power had been severely weakened by key pieces of legislation that legalized discrimination and disenfranchisement[12]. The impact on policing was tremendous because police departments were deeply connected to the political status quo and the brief rise of black officers was possible because of black political power.

Black power and community organizing led to autonomous schools, businesses, banks, and healthcare networks, which terrified Southern whites. Northern whites were either equally scared, or at the very least complicit in the reactionary campaign to disenfranchise African Americans as part of a cynical political strategy. Fear of black power was paramount. This fear influenced the treatment of black people within the police departments and informed how policed departments treated black communities in Northern cities. These actions were part of a wider political strategy of disenfranchisement resulting from backroom deals like the Compromise of 1877. Of course this would not stop the Federal Government from using black soldiers in the expansion of the American Empire during military campaigns in the Spanish American War, in the counterinsurgency in the Philippines, the occupation of Nicaragua, and in World War One. Despite the participation of African Americans in the military the privilege of serving white America as police officers was still restricted. It would be nearly a century from emancipation in 1863 to even have discrimination in police departments recognized by the Federal Government. Incredibly, a US Civil Rights Commission survey conducted in 1961 among American police departments on race relations between white and black officers found that 28 police departments still restricted the right of black officers to make felony arrests of whites; 18 departments allowed black officers to hold white suspects until white officers arrived; and 10 departments banned black officers from arresting white suspects at all (Winslow 1977). These findings were discussed in the 1967 President's Commission on Law Enforcement and Administration of Justice. This report goes on to detail the various structural factors used to bar non-white people from either joining the police or participating in police occupational culture: black officers were routinely discouraged by their superiors from taking promotional

[12] Though the KKK would go through resurgence and come back stronger than ever thirty years later before dwindling again and returning in the 1990s; now the contemporary KKK of the 2010s lacks the centralization of earlier bodies but has claimed to have been growing since the election of Barack Obama and now Donald Trump.

examinations, were segregated in their assignment of duties, the neighbourhoods in which they operated in, and their patrol partners were carefully assigned (Winslow 1977).

Modern policing emerges in the nineteenth century to enforce social and economic order. Techniques used against vagrants, drunks, and the "dangerous classes" in New York were adopted by Southern municipalities in various forms to enforce Jim Crow (Williams 2015). In effect, Jim Crow took its judicial language from the poor-laws of the North because in both geographies the ultimate aim was to maintain a strict social hierarchy. In the South, "the criminal justice system was strategically employed to force African Americans back into a system of extreme repression and control, a tactic that would continue to prove successful for generations to come" (Alexander 2010, 23). In the North the laws mobilized public health and sanitation to similarly control the masses of workers. This period also represents a key shift in thinking about crime. The social needs of the economy predicated the rise of moral policing: crime began to be framed as a threat against the social fabric of the United States as opposed to the direct material consequence of individual criminal acts.

This coincided with a rise in the philosophy that police should be preventative rather than reactive; crime must be stopped before it happens rather than punished after it occurs (Williams 2015). The moral imperative of maintaining a disciplined workforce reflected the Anglo-Saxon puritan values of the dominant social class, and the subsequent enforcement of order. What this order would bring were laws regulating the behaviour, movement, and morals of the working class.

The demand for order drove the creation of new municipal police departments with urban centres acting as laboratories for policing strategy and largely functioning as reactions to issues stemming from political changes. While the means by which social order was enforced varied by city and state the end result was one in which "the aims and means of social control always approximately reflect the anxieties of elites" (Williams 2015, 118). Cost was a secondary concern to the continuation of the status quo and often the material needs of police in terms of actual crime committed and of property taken or destroyed in individual violations of the law was far outweighed by the danger of radical social transformation from the lower classes. Revolution was tempered by recuperation into government apparatus whereby politicians could dole out legislative victories that were far less than ideal. By the end of the nineteenth century the police officer stood as a professional agent of the status quo, a guardian of order albeit one

that was anything but democratic, equitable, or fair. This order would be challenged in the upcoming century by a new force, and police would once again be forced to respond to a serious threat to social order: organized labour.

Chapter Two: Police, Military Intelligence, and Class Conflict in the Reform Era

Towards the end of the nineteenth century the strategies and tactics used by police against black Americans would be used to target workers, anarchists, and socialists. While these periods share some chronological overlap what is important to emphasize is how the policing of people of colour directly informed police strategy and tactics moving forward. Violence would still have its place: beating workers, attacking and in some cases lynching labour organizers, and disrupting meetings all occurred. But what makes the twentieth century unique in terms of policing is the emergence of intelligence. This shift was not only in the suppression of social movements as key developments in biometrics, criminal psychology, and forensics would create detectives and investigators of all sorts. That said, what cannot be discounted are the ways in which seemingly unrelated areas of law such as vice and public health were used to discipline the working class. This period also saw the creation of the United States' overseas empire a process that would have an immense impact on domestic policing. This history is important because some of the key organizations in contemporary policing were formed during this period. Also during this time was the emergence of a nexus of local and federal police, private detectives and contractors, and civilian patriot groups. This era would be characterized by increased collaboration among security forces, increased surveillance and information gathering, preemption, and network mapping. This is important to consider because it is the foundation of modern policing.

Leading into the twentieth century the United States was embroiled in a domestic crisis Howard Zinn (1994) refers to as "the other civil war" and what economist Selig Perlman called the "great upheaval" (David 1973). Industrialization, immigration, and urbanization had built an enormous fortune in America that was concentrated in the hands of very few. There was during this period a fusion of moral, religious, and economic values in which wealth was seen as a virtue granted to the faithful and prudent. American preacher and head of the Social Gospel said the "Christian man who is not willing to make the largest profits which an honest regard for the laws of trade permits is a rare man" (David 1973, 9). Consequently, lack of wealth was associated with perceived vagrancy and moral failings. Joseph Medill, newspaper editor and the Mayor of Chicago remarked that the "cause of the impecunious condition of millions of the wage classes of this country is due to their own improvidence and misdirected efforts" (Davids 1973, 10). Henry David's the *History of the Haymarket Affair* goes into great detail of the working

conditions, wages, and purchasing power of the American proletariat in the twentieth century. To try and summarize such an immense study is beyond the scope of this work but suffice to say that conditions of workers during this period are beyond unimaginable to most who will ever read this thesis. It astounds one to acknowledge that revolution did not occur in the United States as it would later in Russia for the reasons to revolt were in no short supply, however the failure to succeed was not for want of trying.

Class consciousness fueled an explosion in the number of strikes: "in the 1890s there had been about a thousand strikes a year; by 1904 there were four thousand strikes a year" (Zinn 1994, 331). At risk of presenting a simplified and homogenous perspective on twentieth-century capitalism at this point in time wages were low, hours were long, and the minimal reforms passed by government were not enough to satisfy workers who continued to face brutal working conditions. Urban police continued to play a vital role in physically breaking strikes and disrupting the organizing capacities of the working class, but lacked what are by contemporary standards any detective or investigatory capacity at a systemic level. Instead those roles were often served by private detective agencies with more famous examples being the Pinkertons and Baldwin-Felts Detective Agency who would be contracted at various levels of government to serve as spies, provocateurs, and saboteurs. After Pinkerton agents killed a number of workers during the Homestead Strike law in 1893 Congress passed laws banning the Federal Government from employing private detectives and mercenaries (Smith 2003)[13]. However, these rules were often ignored in the absence of a cohesive government intelligence apparatus (Talbert 1991), but the greatest clients of private detective agencies would be companies trying to contend with their own labour issues. This would be the beginning of a nexus between private industry, the Federal Government, and police agencies to combat radicalism of all stripes. At the turn of the twentieth century the patronage relationships that characterized Kelling and Moore's Political Era were still in full swing.

The targets of police repression continued to be labour, black Americans, and emerging revolutionary political movements. Outside of cities, post-Civil War America still relied heavily on a mix of citizen patrols, militia, and sheriffs to enforce law and order. However, as the

[13] This little-known law came back to the public eye in 2006 when mercenary companies such as Blackwater were being contracted during the invasion of Iraq; the Government Accountability Office ruled in favour of mercenary companies.

reliability of these forces continued to be tenuous at best. In the case of labour actions elected sheriffs would sometime refuse requests from factory owners to physically crush strikes (Smith 2003). That lack of dependability led factory owners to effectively create their own security force. In the fight against organized labour factory owners would employ private detective agencies. Agents of these firms would guard company property and spy on workers on the job, disrupt and attack organizing, and write intelligence reports on the status of labour more broadly. Such clandestine services were proactively marketed by the agencies themselves who were keenly aware that class struggle characterized the foundation of worker-owner relations; in a Pinkerton advertisement from 1889 the agency wrote "At this time when there is so much dissatisfaction among the labouring classes. Would [it] not be well for employers... to keep a close watch for designing men among their own employees?" (Smith 2003, 77). Hired detectives were often armed with guns, truncheons, and knives that they would employ with great liberty. Often private detectives would be deputized by local police agencies giving them a modicum of legal authority or at the very least impunity from future litigation resulting from their service. Despite the violence they wrought private detective agencies were largely ineffective at breaking the tenacity of labour movements. Like previous efforts at social control too heavy of a hand often served to galvanize public support for budding unions.

In cities private detective agencies and police were directed to crush labour uprisings. Violence was frequently deployed and the court systems were dominated by the financial interests of the time. One infamous case was the Haymarket Affair (or Haymarket Massacre) in which a labour rally organized by anarchists in Chicago was attacked by police. A bomb went off among the police ranks and the officers opened fire on the crowd. In total seven police officers were killed, some by friendly fire and others by bomb blast. In the ensuing weeks several prominent Chicago anarchists were arrested and tried with conspiracy. In the end four of the defendants were executed (David 1973). The trial was criticized internationally as none of the defendants were actually charged with committing the act and the efforts of prosecutors were seen as a political condemnation of anarchism rather than pursuing justice for the actual crime committed. Twenty years later even the governor of Illinois would criticize the court proceedings (David 1973). It would later emerge that the Chicago police were being paid by a collection of wealthy Illinois businessmen to specifically target and harass anarchists. Lucy Parsons, whose spouse was one of the four anarchists executed, compiled a list of newspaper articles that

detailed a secret police fund raised to combat revolutionary socialism. From the Chicago Herald "The purpose of the meeting was made known. That capital is in jeopardy, it is necessary to stamp out anarchy, even though it costs us" (Chicago Herald *in* Parsons, 1969). Police had solicited donations from private businesses to "crush out anarchy".

Towards the end of the nineteenth century Anarchism and other revolutionary ideologies were helping to direct the rage of the poor towards the wealthy political and industrial leaders of Europe, the United States, and Japan. Strikes became more militant and repression grew. In 1901 President William Mckinley was assassinated by anarchist Leon Czolgosz and four years later the anarchist-syndicalist trade union the Industrial Workers of the World (IWW) formed. These events among others would greatly inform police organization, priorities, and practices. To this point most policing lacked cohesive investigation procedures but as new threats emerged so too would new practices. Simultaneously as strikebreaking became more costly due to the growing militancy of the working class new strategies emerged that emphasized preemption, infiltration, and disruption. Intelligence would become for the first time an integral aspect of policing and domestic security. The proving ground for many of these techniques would be America's budding empire.

Police and America's Empire

In 1899 the United States invaded the Philippines cementing America's place as an imperial power in the twentieth century. While the initial fighting was short the ensuing occupation lasted several decades and became a "protracted social experiment for the police as a an instrument of state power" (McCoy 2009, 16). The results of these experiments would be the first instance of a cyclical relationship between American imperial practices and domestic security measures. The techniques used in the Philippines would return stateside to transform American domestic security into a centralized, data-driven bureaucracy capable of the mass mobilization of resources and personnel to confront the emerging threats of a new century. This section will discuss how the occupation of the Philippines acted as a catalyst for police reform and modernization and will then discuss how these new strategies were applied to counter black power and labour radicalism.

In Alfred W. McCoy's vast work on the history of the American occupation of the Philippines he highlights the central role police agencies played in the country's pacification

following the end of military fighting. American colonial police had learned from the failures of Spanish occupation and created an innovative system of intelligence-led policing based on a hybrid of military, civilian, and private agencies. To briefly vulgarize his massive historical study, Spanish colonial officials relied on a sprawling network of violent paramilitaries loosely based on the Guardia Civil. Coupled with a large prison network, arbitrary violence and extrajudicial killings were key components of Spain's efforts to subdue the Philippines. In response to nationalist agitation Spanish authorities would disappear subversives, use torture and mass executions, and target the families of local political leaders. McCoy writes:

> In retrospect the excesses of Spanish law enforcement may have helped erode the legitimacy of its colonial state... [and] ...such repression seemed to encourage rather than restrain the rise of a national consciousness. [2009, 32]

This consciousness would explode into open rebellion to the point that by 1896 Filipino Nationalists were sieging Manila and driving the Spanish out of the country.

By the time American involvement began in 1899 Spain had been nearly routed. American troops landed to secure the Philippines as part of the US' newly won colonial holdings from the Spanish-American war and sporadic skirmishes with Filipino nationalists quickly turned into open warfare. The military campaign was brief. American troops were significantly better armed than their more numerous opponents and continuously defeated nationalist forces. However, while the military campaign formally ended in 1902, what ensued would be decades of pacification as nationalist forces organized insurrection. While a full history of the American military campaign is beyond the scope of this work a brief understanding of strategy gives insight into how the ensuing occupation would conduct itself and the role of the police in that process. To quote one author at length

> The Army struck at their social and economic power and both the deportees and their supporters realized the consequences of continued warfare... ...The Army also sanctioned crop destruction and the concentration of the civilian populations of certain villages in camps to cut the guerrillas off from their supplies and shelter. Military commissions tried and occasionally executed captured guerrillas, and Army provost courts, operating in areas still subjected to martial law, were given a free hand to try and punish suspects without evidence... While thus demonstrating the perils of continued resistance, the Americans also regarded the compliant. In some areas, friendly townspeople were allowed to harvest the crops of known revolutionaries. [Linn 1990, 25]

Once formal fighting was over American forces began to restructure Filipino society to reward the complicit and brutally punish the guerrillas who continued to fight. The United States were determined to avoid the pitfalls that had doomed their Spanish predecessors and immediately began to experiment with new techniques and technologies of social control. This process was one of trial and error, but a central tenet that persisted was the importance of information and infrastructure. After "destruction [was] accomplished, it was now the task of the American regime to create a new administration to legitimate its occupation and substantiate its claims of superior governance" (McCoy 2009, 61). To do so the Americans would create a vast network of public health and education, electrify Manila and other cities, build roads, lay telegraph and phone lines, and create a modern police force. A paramilitary force known as the Philippines Constabulary would take over the pacification campaign from the Army in 1902 and in conjunction with an intelligence network of spies, informers, and secret agents was able to successfully pacify threats as they emerged.

All of this would be governed by a modern state bureaucracy fed by advances in infometrics and computing technologies. The responsibility of preserving order was given to the Philippines Constabulary which was a paramilitary apparatus that oversaw the various security functions of the colonial regime. Staffed by American officers who led Filipino troops the constabulary had by 1923 nearly 6,000 troops, engaged in 14,042 patrols covering 1,134,613 kilometers and had 844 separate municipal police forces (McCoy 2009). The most important of these municipal police forces was the Metropolitan Police Force of Manila which was charged with protecting the capital from the ongoing insurrection of Filipino nationalists. At its inception the Metropolitan Police were led by a former sheriff and veteran soldier and mirrored the structures of American municipal law enforcement organizations, but the Metropolitan Police would quickly surpass their stateside counterparts. This period can be considered the start of a cyclical flow of strategies and tactics between American foreign occupations and domestic policing. How these strategies returned domestically will be discussed following a brief survey of some of the techniques that the Constabulary and Metropolitan Police used.

As already stated technology and information were key to controlling the Philippines. Central telephone offices would relay the communications of officers from newly installed patrol telephone booths and, police and fire alarm systems were imported from the United States (McCoy 2009). What was perhaps the most innovative aspect of constabulary were the

plainclothes detectives who functioned as a sort of Secret Service to inspect pawnshops, board ships, and photograph prisoners[14]. New innovations in fingerprinting and photography technologies were merged in Manila with advancements in record keeping by the Secret Service to create a new criminal index based on the European model of Bertillon biometrics which by the mid 1920s was used to catalogue 70% of Manila's population[15] (McCoy 2009, 74). These innovations enabled the constabulary to track the movements of criminals and subversives across the Philippines archipelago. By tracking movements and strict record keeping the Constabulary were able to better direct heavily armed patrols which could crush uprisings in their infancy.

Throughout this entire process the American occupation tried to incorporate native Filipinos into the governing structures being established. White Americans were obviously useless as infiltrators into nationalist movements and no support was given to the few officers willing to learn local languages (McCoy 2009). As a result US troops tended to hold officers positions in Constabulary and police forces while they enlisted native Filipinos to serve in the day to day functions of the security services (Linn 1990). Furthermore, the military was able to exploit cultural differences, local political struggles, and potential for increased social standing among Filipino *principales* through alliances with the United States. By including Filipinos in their own subjugation the US was able to mold society through education and health reforms while installing a new political elite that was at least compliant if not sympathetic to the American occupation. These reforms, coupled with a massive expansion of the security forces presented a sort of carrot and stick approach that would continue to characterize American imperialism as well as American policing in the upcoming century. While one could cynically argue that this somehow demonstrates the democratic inclusion of Filipinos into the new social order it instead reflects a reoccurring strategy by which the United States marginally includes oppressed peoples into their own structures. Like the inclusion of freed slaves into the police in the wake of Reconstruction, the United States allowed a controlled participation in civil society. One could participate only if they accepted the terms which limited their autonomy and agency.

[14] The Secret Service of the United States was founded in the 1860s to inspect mail and fight counterfeiting.

[15] The Bertillon technique was an early system of criminal record keeping that coupled a suspect's biometric data and mugshot with a standardized form. It was popularized in the 1870s and interesting to note its inventor, Alphonse Bertillon, was a key witness for the French state in the Dreyfus Affair.

The strategies and tactics developed in the Philippines would then return to the United States to bring policing into the new century. One key individual who served in the Philippines and then brought his expertise home was Captain Ralph Van Deman, the "father of military intelligence" (McCoy 2009; Kornweibel 1998; Talbert 1991). Van Deman would later return to the United States with the knowledge he gained in the Philippines to face an increasingly unstable social order.

Military Intelligence on the Home Front

Upon his return to the United States in 1915 Van Deman set work lobbying for the creation of a Military Intelligence division within the Army. To this point the military had limited intelligence capabilities in form of the Office of Naval Intelligence (ONI) and small operations attached to the Military Information Division which often simply contracted private detective agencies. Even before entry into World War One America feared espionage and sabotage (McCoy 2009). To an extent these fears were not unfounded because America's neutrality did not stop British, French, and German spies from conducting operations within the continental United States, albeit historically insignificant ones. There was no specific policy against foreign agents acting in the United States during peacetime provided they did not break American laws, but after several high-profile incidents were revealed to be the work of foreign propaganda the political climate shifted towards increased internal security. The ONI were tasked with monitoring foreign agents and according to Talbert's account (1991) they did so effectively, but added political pressures were working in Van Deman's favour.

To paraphrase Talbert's (1991) significant history: Van Deman spent months producing an argument for a military intelligence division within the Army which he then took to Secretary of War Newton Baker. After much persistence his wishes were granted and in 1917 with an organizational chart borrowed from the British Van Deman was given control of the newly formed division Military Intelligence (MI). MI was split into two branches Positive Branch which focused on actionable overseas intelligence and Negative Branch which focused on counterintelligence and defending domestic infrastructure. At its height MI had 750 officers in France and 550 officers in the United States. The Negative Branch operated under a mandate of countering foreign agents and preempting disruptions to the war efforts. Disruptions included: anti-war organizing and spreading pacifism; labour actions such as strikes in war industry plants;

anti-segregationist activity which was thought to inflame racial tensions; and generally radical social programs of anti-capitalism, anarchism, and socialism. To combat these disruptive forces MI would work with a dazzling array of federal agencies and international agencies including: allied foreign intelligence agencies, the Department of Justice and its Bureau of Investigations, newspapers, local police, and civilian patriot organizations.

Anti-radicalism soon became the primary focus of the Negative Branch (Talbert 1991). McCoy (2009) and Talbert (1991) highlight the racial underpinnings to this dynamic: because of the multi-ethnic nature of the American proletariat labour radicalism was associated with immigrants and foreign ideas. As the war in Europe progressed agitation among ethnic worker communities began to be blamed on agents of foreign powers inciting tensions. Once the United States entered the war the association of labour radicalism with German conspiracy was not a far stretch for factory owners and police officers. According to Talbert, Van Deman personally saw Irish and East Indian workers as particularly disloyal and along with black workers were all vulnerable to German influence (Talbert 1991, 18). Van Deman saw the IWW as a particular threat, likely for the same reasons it was seen as a threat by police and industrialists: the IWW were anarchists, multi-ethnic, anti-capitalist, integrationist, and were against the war. The IWW were also actively organizing key industries to the war effort in the Western copper fields.

Part of the success of MI was that its mission was in line with the political spirit of the times. The American middle class sought to check the power of labour and immigrant political movements. By the start of World War One dozens of "patriot leagues" had formed autonomously throughout the United States to serve as a sort of vigilante intelligence service that would provide reports on the "suspicious activity" of their neighbours to any government official willing to listen. Employers immediately saw the value of having these groups and quickly put them to work rooting out communists, anarchists, and trade unionists. The largest of these groups and by far the most influential was the American Protection League (APL) started by businessmen in Chicago. The APL's founder, A. M. Briggs quite literally walked into the offices of the Illinois branch of the Bureau of Investigation to offer his services in the fight against subversion and radicalism (Talbert 1991). The APL would grow to more than 250,000 agents and would be used by the government as domestic spies who functioned with little to no oversight. This proved to be a problem when APL agents were charged with catching draft-dodgers and pursued their activities with great zeal. Infamously, one day in 1918 hundreds of

APL agents, who had no legal powers to arrest, worked with the NYPD to detain tens of thousands of New Yorkers to check draft registration cards at stadiums, subway stops, and in other public places (Talbert 1991). These excesses ultimately culled the Federal Government's readiness to use civilian auxiliaries, but would mirror later iteration of public anti-radical zeal.

MI operated its own network of agents and informants who infiltrated IWW meetings, spied on potential radicals, and forwarded all of this information to a centralized data repository. From this central node intelligence reports were circulated to various offices of the Federal Government to the extent that President Wilson was getting multiple reports each week specifically on anarchists and the IWW (Talbert 1991). MI agents were a mix of civilian and military personnel with many former police officers in the ranks who brought with them their own personal networks. The NYPD were particularly noted by Van Deman to be skilled in tracking down foreign radicals. Once deployed domestically the Negative Branch would work with the Department of Justice and the ONI to counter the revolutionary potential of labour and black Americans. Anarchists, socialists, the IWW, and black political organizations would be constantly harassed into the 1920s by a fusion of federal, state, and local law enforcement, military personnel, private detectives, and citizens vigilante groups. This was not a covertly organized mass conspiracy between business and the government but rather the simultaneous development of multiple levels of organization to counter what was seen as a threat to social order.

Chapter Three: Community Policing

Kelling and Moore's final stage of policing known as the Community Problem-Solving Era emerged after the social turmoil of the 1960s and 1970s. Following a period of intense and militant social justice struggles, political victories by liberal civil rights and labour organizations pushed back against police violence. New forms of social control were in line with changing expectations of justice, professionalism, and accountability. Characterized by a strategy known as community-policing, this era emphasizes the police officers as part of improving the lives of communities and keeping peace by being embedded in the neighbourhoods in which they serve (Kelling and Moore 1988). As will be discussed, community policing emerges in different forms, but the philosophy that underpins this strategy rests upon building police's legitimacy and by extension the state's in communities. Community policing privileges dialogue, the selective enforcement of laws, and police-civilian relationships. While community policing is presented as a friendly form of law enforcement, this approach obfuscates the impact policing has on neighbourhoods. In effect, community policing has turned law enforcement into a conflict for hearts and minds rather than one of laws and crime. Whose priorities do police privilege in a community? Kelling and Moore note the similarities to earlier forms of policing: "Although in some respects similar to the authorization of policing's political era, community authorization exists in a different political context" (1988, 11). Their model does not discuss how the community authorization is different from earlier eras. This thesis argues that now, just as in the Political Era, the police prioritize the social and economic interests of privileged.

Criminologists working for the Department of Justice found the following after a survey of nearly four hundred American police departments:

> There is no consensus on what community policing is, but one has emerged regarding what it is not. It rejects law enforcement as the single, core function of police. Arrest is only a means to other ends, whether it is maintaining order, improving the quality of neighborhood life, or solving an array of social problems. It holds that there are times when, despite the technical requirements of the law, arrest is not the best choice [Mastrofski, Worden, and Snipes 1995, 541].

The emphasis tends to be placed on supporting the victims of crime, preemptively steering youth and other vulnerable populations from crime, and increasing quality-of-life (Mastrofski, Worden, and Snipes 1995). In its essence this strategy privileges the needs of the community—meaning that a police officer might not arrest a suspect of a minor crime because that person's absence

would cause greater damage than the original offense. Also strong relations between the police and the community can better decrease alienation and de-escalate conflicts between law enforcement and the neighbourhoods they work in. The approachable, friendly, and above all respectful police officer would win the public's trust and in turn the public would be more willing to support the police in their own duties. A key component of this dynamic is the notion of community building where law enforcement run after school programs, vocational trainings, and sports leagues. Community policing programs transmit a sense of civic responsibility, build the legitimacy of law enforcement, and discipline future workers.

Sociologist Lesley Woods highlights how community policing "evolved as a response to a crisis in police legitimacy and neoliberal restructuring" (2014, 59). Police departments in the 1970s were heavily criticized for their brutality and aggression which caused a crisis for their legitimacy. Kelling and Moore echo this sentiment in their discussion of the factors that led to community policing showing how high-profile incidents of police violence tarnished the reputation of police throughout the US (1988).

Woods' study of police departments in the United States and Canada showed how the strategy of community policing is applied in two ways (2014). The first way emphasizes heavy enforcement of "quality-of-life offences" and was most famously applied through the NYPD's "broken windows" strategy. The logic behind this strategy is that people are more likely to commit big crimes if they see small crimes go unpunished; so if a window is broken and does not get fixed it signals a local acceptance for deviance. However if small crimes are punished then the quality-of-life of the area improves and it is less likely to be seen as a site that condones greater crimes. Who has the voice to determine police priorities is not always clear though proponents of this aggressive approach argue that "cleaning up the neighbourhood" improves everyone's quality-of-life. This process has received an immense amount of criticism in some cities where community policing has been seen as legitimizing racial profiling, stereotypes, and exponentially increasing the American prison population due to arrests for low-level offenses (Lovell 2009; Alexander 2010; Woods 2014; Williams 2015). In addition to these criticisms one must consider how similar this approach is to the emergence of urban policing in America. As already discussed in Chapter Two the enforcement of quality-of-life offences in cities was part of the disciplining of the working class and this process continues under the name of community policing today.

The second form of community policing Woods discusses is based on increasing relationships between law enforcement and the neighbourhoods in which they operate (2014). In doing so it seeks to "implicate police in a wider set of social relationships" (Woods 2014, 59). This can be done by increasing the physical presence of police on the streets; hosting outreach events with schools, youth programs, and sports teams; posing with the public for photos; and doing meet-and-greets with local police officers. The intent behind this approach is to increase the legitimacy and visibility of law enforcement by breaking down social barriers and making police a fixture of the neighbourhood. In doing so police improve their capacity to work with the community to identify problems and develop collective solutions. This approach is similarly beset by problems that put police in conflict with their order-maintenance function.

As the constituents of a police department shift so too will the police's priorities. These dynamics can lead to the criminalization of the poor and otherwise socially marginalized people who will still be targeted for arrest. Alexander highlights the disparity between how cocaine and crack are policed in the War on Drugs (2010). Federal directives push the hundred-to-one ratio which punishes crack offenses more severely than powdered cocaine by differentiating the amount of crack versus powdered cocaine required to invoke mandatory minimum prison sentences. This means that the possession of ten grams of crack cocaine would require the same minimum sentence as one kilogram of powdered cocaine (Alexander 2010). Despite the majority of crack users being white or Latino, black men make up the greatest proportion of individuals arrested and convicted for crack possession. The broader implications of these disparities are outlined by Alexander, but for this study the emphasis is placed on how forces that push police priorities are neither colour-blind nor neutral in their application of the law. Let us note that even in 1967 federal officials concluded that: "There appears to be no correlation between the differing concentrations of police and the amount of crime committed, or the percentage of known crimes solved, in the various cities" (Winslow 1977, 106). This means there is a deeper process at play which informs police priorities. The selective enforcement of crime has a long history in the United States but with the advent of community policing as a strategy it is increasingly a part of the official practices of police departments. That is not to say it is a matter of protocol to arrest black men at disproportionate rates, but rather that the priorities of law enforcement are shaped by historical processes which are rooted in the targeted repression of specific communities.

In the context of the policing of protests, community policing similarly prioritizes the needs of the social elite. An example of this can be found in the ways local government, the police, and business leaders work together to disrupt social movements through special laws. This dynamic is illustrated in Will Potter's discussion of how a wealthy community in Oregon worked in conjunction with police, private security companies, and local governments to target animal rights protesters who were protesting in their neighbourhood (2011). The activists had targeted the home of an executive involved with biomedical research involving animal testing and vivisection; the activists had been leafleting the neighbourhood, writing messages in chalk on sidewalks, and holding regular protests. Counter-protests from business and community members were also held, but counter-protesters worked with local politicians to reform community by-laws to restrict the ability of animal rights supporters to demonstrate (Potter 2011). More recently in the wake of Black Lives Matter protests against police killings, several towns have tried to pass anti-protest legislation that makes it more difficult to demonstrate and increases the penalty for illegally demonstrating. Police directly involve the community in policing by soliciting tips through programs like CrimeStoppers, working with protest organizers to isolate radicals, or working with civilian reactionaries to disrupt movements. This kind of involvement of the public in policing is not new: police in the US have a long history of working with a diverse array of citizen groups, like the aforementioned American Protection League during World War One, where modern citizens and patriot groups worked with police to maintain social order. In present day the phenomenon of "Doxxing"[16] has provided an avenue for individuals to out the identities of protesters online and the police actively solicit videos of protests from the public as part of their intelligence gathering. As shown already in Chapter Two this kind of involvement of the public in policing is not new: police in the US have a long history of working with a diverse array of citizen groups, for example the role that patriot groups like the American Protective League played in suppressing political radicals during World War One.

[16] Doxxing is a new take on an old phenomenon of outing political opponents to the public with the intent of shaming them, exposing their political activities to their employers, or in some cases to give their identities to law enforcement. Protests in the United States through 2017-18 between anti-fascists and white nationalists usually were followed by targeted doxxing campaigns as each camp sought to expose each other and has led to several people being fired from their place of work, identified and arrested by police, or targeted by organized harassment campaigns.

The function of the police has not drastically changed since the early twentieth century: even the modern form of policing is rooted in a relatively recent history of segregation, directly influencing the current social order. The advent of community policing does not challenge these dynamics. Instead, the inclusion of communities in setting police priorities reveals what Talbert calls the dark authoritarian side of American liberalism (1991). He showed how in the early twentieth century during a period of great social reform and progressivism the obsession Americans had with security and morality trumped their support for the liberty of their racialized fellows. This trend is perhaps most evident in policing and helps to explain contradictions between the public's conception of the freedoms available to them and the simultaneous existence of one of the highest incarceration rates in recent memory. If community policing is considered independent of the history that created it then these contradictions can become even more stark when one considers the integration of police militarization in modern policing strategies. However, as will be explained in the following section police militarization and community policing exist simultaneously because they are responses to different problems of public order that occur simultaneously. They are not separate issues, but rather part and parcel of a broader strategy of social control that presents opportunities for social elites to set police priorities.

Police Militarization

This section will discuss what police militarization is, how it formed, and how it is both similar and distinct from previous forms of policing. The military is intended to execute the external will of the state and has free reign to employ violence against its designated targets. Conversely, civilian police are bound by rules that ostensibly regulate their use of force, have bounded jurisdictions, and do not take part in traditional military conflict. Police militarization blurs these functions. Anthropologist Catherine Lutz (2002) defines militarization as an intensification of the labour and resources given to military purposes and the shaping of other institutions in synchrony with military goals. Warmaking has been a key component of American identity since 1776 so broadly speaking the United States has always been militarized: "the capillaries of militarization have fed and molded social institutions seemingly little connected to battle" (Lutz 2002, 724). Such institutions include cinema, science and technology studies, sports, education, gender and sexuality, the economy, and the police. Criminologist Peter B.

Kraska (2007) who conducted a landmark study of paramilitary police units (PPU) in the 1990s defines police militarization as "the process whereby civilian police increasingly draw from, and pattern themselves, around the tenets of militarism and the military model" (3). Kraska identifies four indicators of police militarization: material, cultural, organizational, and operational. Each indicator will be briefly discussed to demonstrate the multifaceted ways police militarization manifests.

The Material Indicator

The most visible, and often most controversial form of police militarization is in their materials. Surplus military uniforms, assault weapons, and equipment such as armoured personnel carriers have been increasingly used by law enforcement due to a series of problems that have physically transferred excess military hardware to local police departments. The popular image of a police officer is one dressed in blue with a sidearm intended to be used as a last resort. Conversely, assault weapons and camouflage tend to be attributed to the military. Over time the image of the police officers has taken a dramatic shift and military uniforms are not solely associated with soldiers anymore.

Williams traces the contemporary militarization of law enforcement in the United States as a response to civil unrest in the 1960s. Confronted with challenges to white supremacy, institutionalized sexism, and class prejudice, the US government passed a series of laws that sought to release some of the social pressure building up. The historical climate of these reforms cannot be discounted, as Kraska (2007), Fisher (2010), and Williams (2015) all note that police militarization emerged in part from a fear that the wave of revolutionary action sweeping the globe would spread to North America. In 1968, months after the assassination of Martin Luther King Jr, the National Institute of Justice was founded and began transferring Defense Department equipment to law enforcement with a specific emphasis on updating the means and methods of crowd control (Williams 2015). Since then, every decade or so another windfall of Defense Department equipment has made its way to policing agencies in the US, amounting to thousands of assault rifles and grenade launchers, hundreds of armoured personnel carriers and helicopters, body armour, gas masks, surveillance equipment, and relatively inoffensive items such as office furnishings (Williams 2015).

Both traditional police units as well as PPUs have benefited from the vast transfer of equipment from the federal Department of Defense to local law enforcement agencies. Various programs have existed over time to give police access to military surplus equipment. While early efforts such as the Law Enforcement Support Office (LESO) and the Pentagon's 1033 Program were innovations in police militarization, these programs were dwarfed by post-9/11 grants provided by the DHS through the Urban Areas Security Initiative, which have enabled police agencies to access billions of dollars worth of military surplus at little to no cost (Fisher 2010; Kraska 2007; Williams 2015). After, with the formation of the Department of Homeland Security in 2002, state and local police agencies received an additional windfall of funding through the Urban Area Security Initiative (UASI) to upgrade their training and equipment to better pursue the needs of the new War on Terror (Brown 2011). These programs have facilitated the acquisition of weaponry and equipment such as assault rifles, grenade launchers, and armoured personnel carriers for both paramilitary units and everyday officers. An inquiry initiated by Senator Tom Coburn into where DHS funding was being used showed that police departments have purchased so many armoured transports using the UASI grant that Lenco Armoured Vehicles, manufacturer of the popular BearCat armoured personnel carrier, has started offering, free of charge, grant template materials and an eight-page guide to acquiring DHS funding (Coburn 2012). Senator Coburn's report also highlights the proclivity of armoured fighting vehicles procured through DHS grants in areas of low crime. Fargo, North Dakota, a city with fewer than two homicides per year since 2005, purchased an armoured truck with rotating gun turrets using UASI money, as did Burbank, California whose police department purchased a BearCat to replace an older APC that they had never deployed (Coburn 2012). Furthermore, police departments have shown interest in procuring unmanned aerial vehicles, referred to as drones, using DHS grants. The lack of clarity in legislation regulating the domestic use of drones as well as the recent introduction of the technology so far has limited grant applications for purchasing unmanned aerial vehicles using federal money to just a handful of cities. Notably the Miami-Dade Police Department purchased two drones in 2009 using grants from the Justice Department; a drone was purchased by a Texan police department in 2011 for use during the Super Bowl after which the department searched for funding to continue its use; and in 2011 the Seattle Police Department procured a USAI grant to purchase a drone (Coburn 2012). The Seattle Police would just a year later end their drone program due to public pressure. However,

as in the case of APCs, manufacturers of drones such as Vanguard Defense Industries readily supply law enforcement agencies with aid in writing federal grant applications used to purchase their products (Coburn 2012).

The Cultural Indicator

Political leaders utilize war metaphors to demonstrate decisiveness and strength in combating social problems which in turn provides justification for their own power. Police departments in turn transmit these values to their officers through training programs that emphasize a militaristic mindset. Nixon's War on Drugs for example shifted drug enforcement policy from the realm of social problems to national security threats. In the wake of 9/11, the construction of crime as a threat to the state has only grown. In response police departments adopt military culture because they are no longer fighting crime, but fighting a war.

This process begins in training where a police culture forms. Police culture is defined as an "integrated pattern of human behavior that includes thought, speech, action, and artifacts" (Kingshott et al 2004, 189). These values are transposed through mandatory participation in police academies and re-enforced by occupational stress and isolation. Remember that in the nineteenth-century police departments were similarly characterized by their isolation from the public which then as now results in a strong sense of solidarity among officers. A key point in the development of police occupational culture is their training at police academies. While there is no national training center police in the US police academies share many similarities (Conti 2009). Several of the shared characteristics are a paramilitary training regime, hierarchization, and separating the civilian aspects of life from the police officer's professional identity.

Police academies are sites of "punitive initiation" where values of self-sacrifice, loyalty, and courage are forged by subjecting recruits to intensely stressful physical and psychological rituals to foster reflexivity, institutional conformity, and self-confidence (Conti 2009). Inability to cope with this regime is seen as a threat both to the recruit and to their future fellow officers who will totally depend on one another on the street (Conti 2011). Groupness is reaffirmed by collective punishment which encourages recruits to both support and police one another to ensure the strength of the cohort; some programs even emphasize the cutting of civilian ties among cadets to better acquiesce to the in-group solidarity (Chappelle and Lanza-Kaduce 2010, 210). Training lasts several weeks during which cadets are expected to arrive on time, follow

orders, and update their superiors of anything that could impact their performance. The level of compliance to the orders of the hierarchy is epitomized by the ritual of posting done in an American training program:

> Any time recruits were out of their classroom and an officer or civilian approached them they were to yell out "POST!" then jump up against the nearest wall and stand at attention until they were told to relax. The staff made it clear that, while outside of the classroom, the recruits should always be on the alert for "nonrecruits" because failure to post was a very serious violation of academy standards. Technically, with this stipulation, recruits could find themselves posting for criminal suspects on their way to or from interrogations. [Conti 2009, 419]

The act of posting positions the recruit in a constant exchange of dominance and submission, building up the expectation that when a command is given it will be obeyed. Failure to comply in the academy has serious consequences that culminate quickly to the expulsion of the recruit and their return to the stigmatized world of the civilian.

The intent behind the training is to not only prepare a recruit's body and skill set for police work but to also foster the "warrior heart" of the police-hero which values self-sacrifice in the name of duty (Conti 2011). The "weak links" are asked to resign or they are recycled into remedial programs to be given another chance. Deficiencies in training carry the stigma of civilian behaviour unbecoming of an officer. Recruits enter into the academy as civilians where they undergo a metamorphosis into a police officer which marks them physically and morally superior to their previous selves (Chappelle and Lanza-Kaduce 2010). Through this evolution the officer learns to expect respect from civilians just as they deferred to their superiors in the academy. Police-civilian interactions on the street are characterized by an officer's expectation of compliance; failure to do so is a mark of deviance and by extension a risk of danger (Conti 2009). Even banal encounters of noncompliance serve to remind police they are the blue line between the uncertain potential of the civilian public and the moral superiority of the state they represent.

This is not to say that police or the many political bodies that make up a state have total control over society, but they seek rather to channel how social problems are manifested and see challenges outside the varied approved spectrum of actions as an attack. Fassin writes that

> The use of martial vocabulary radicalizes a way of talking not so much about problems and individuals, as, by association, about areas and populations - precisely those in which economic disparities, social

> hardships and racial discriminations are accumulated - and it not only radicalizes it, but also normalizes it at the highest level of state. [2013, 41]

Once normalized, the targets of militarized rhetoric enter into the realm of enemy combatants instead of as individual citizens who have claims to due process or other protections traditionally associated with liberal democracy. This abstraction of the individual into a major threat to civil society justifies militarized rhetoric which in turn requires the waging of war to defeat.

While much of this may seem rhetorical or semantic, several case studies show that the consequences of militarized speech, both in policing protest and in everyday law enforcement are very real. Graeber emphasizes the importance of definition by noting that innocent citizens, in the US context, were more likely to be dealt with violently than an actual guilty person, because the innocent were more likely to challenge a police officer's assertion of their guilt (2009). Challenging the police officer's ability to define reality to an individual, whether guilty or innocent, upsets the monopoly of the legitimate use of force inherent to the state's authority. This in turn represents a potentially escalating threat to the status quo.

Through the rhetoric of militarization, even minor contestations to legitimacy of an order or decision made by police officers can quickly escalate to the level of the disobedient being framed as an enemy combatant. Fassin shows that this rhetoric of war against social problems "preaches to the converted: most young officers carry this image of the banlieues as dangerous, the residents of the projects as their enemies, and the situation in which they find themselves a state of war, even before they are assigned" (2013, 42). This war mentality heavily influences police-citizen encounters.

As the police begin to adopt the ideological and material assets of the state's armed forces, the perspective of the officers begins to shift. The outcome of this process is the fusion of the soldier and civilian peacekeeper which further develops the militarist mindset of viewing crime as a threat to national security and alleged law breakers as enemy combatants (Kraska, 2007). Using a national security framework focused on preemption creates a self-replicating cycle of danger in which low-level offences can potentially balloon into unpredictable, destabilizing threats if left unchecked. A tendency that community policing deeply embodies: low-level offences are so heavily policed that the larger threat potential is never actualized, and consequently the absence of danger becomes the proof of the approach working. A national security framework effectively reframes policing away from law enforcement and into the realm of self-defense against an enemy attack. This provides both justification and legitimization for

preemptive action and overwhelming force against targets. The rhetoric coming from law enforcement and respective political interests is one of waging a war on social problems and the organization of police departments increasingly reflect this.

Organizational Indicator

To wage war against crime, police in America have increasingly adopted military organizational practices to make their efforts more efficient. This bucks the trend of decentralization that has characterized American policing for generations. The Federal Government through the DHS has become more involved in local policing. Major events such as political conventions require such a massive mobilization of resources that can involve multiple police agencies. As a result a streamlined organizational framework is needed to facilitate multiple agencies coming together to work on a shared mission. The organizational militarization of police can be seen in the rise of paramilitary policing units (PPUs), also known as SWAT Teams, and the role of intelligence gathering.

In past decades, police agencies perceived a need for specialized tactical teams to respond to high-risk situations such as mass shootings and hostage rescue raids. Coupled with the War on Drugs and then the War on Terror, the need for highly trained paramilitary units has led to an explosion of SWAT Teams. The contemporary SWAT[17] team model formed in Los Angeles and became a permanent, full-time position within the city's police department by 1971 (Fisher 2010). Kraska and Kappeler's study on the growth of militarized police forces show that law enforcement departments across the country followed Los Angeles and formed their own PPUs. By 1995, 89% of the 548 departments surveyed had formed paramilitary police units (Kraska and Kappeler, 1997). These developments were not reserved solely for major metropolitan areas: reportedly 69% of smaller departments, serving jurisdictions between 25,000 and 50,000 people with less than 150 officers, had established a paramilitary unit by the time of their study.

While no national standardization process exists, generally speaking PPUs are small, tactical teams that operate as a cohesive squad. Their form is modeled after military special operations units which in turn reinforces the notion of the PPU's eliteness in comparison to other

[17] The LAPD SWAT Team's first deployment was a raid on the Black Panther Party's Los Angeles headquarters and resulted in a four-hour shootout.

law enforcement. PPU's use of non-standard camouflage or all-black uniforms further emphasizes their distinctness from everyday police units, reinforcing a warrior mentality and detracting from the spirit of police work; though local law enforcement have increasingly adopted military fatigues as part of their uniform (Williams 2015). Kraska notes from his ethnographic work among American SWAT teams that paramilitary police culture is "characterized by a distinct techno-warrior garb, heavy weaponry, sophisticated technology, hyper masculinity, and dangerous function" (2007, 6), all traits consistent with militarist ideology.

At their inception PPUs were supposed to be specialized units but have increasingly been used for everyday work. Kraska (2007) notes that between 1980 and 2000 there was more than a 1,400% increase in the total number of paramilitary police deployments for a contemporary approximation of 45,000 deployments per year in the departments surveyed. Of these deployments, the vast majority were not in response to high-risk situations. Rather, 80% of SWAT deployments were for proactive drug raids searching private residences for contraband (Kraska and Kappeler, 1997). More recent numbers from the ACLU showed that only 7% of SWAT deployments were for active shooters, hostage situations, or barricaded suspects (ACLU 2014).

SWAT teams were conceptually developed amid a period of social unrest throughout the late 1960s to respond to high-risk situations but have increasingly become a component of everyday police operations. Heavily armed tactical squads have become a regular feature on the streets of American cities during demonstrations and as a part of low-level drug enforcement. Although this tendency developed within the last twenty years police organizational militarization continues to develop as police departments adopt more martial structures and operations.

The Operational Indicator

The continued rise of paramilitary police units in conjunction with the militarization of everyday law enforcement personnel fit within the war metaphor articulated by state security agencies: soldiers require the best tools for the job and the Federal Government is more than willing to equip them for the task. However, like any military campaign law enforcement additionally requires intelligence on the enemy. The prioritization of police in certain areas is an

exercise in pacification rather than a matter of law enforcement. Through community policing, militarization becomes most prevalent in areas that pose the greatest social risk to stability. Police operations increasingly resemble military missions with clear targets identified by intelligence reports. These operations are reminiscent of US military raids for suspected terrorists in Iraq and Afghanistan and involve an aggressive, punitive approach to social problems. Not only is the individual suspect arrested but the entire neighbourhood is served a warning of the consequences of non-compliance. Such aggressive enforcement encourages communities to further self-police where community leaders would hand over the deviant to police rather than risk more disruptive raids.

Intelligence is a vital asset to this effort as knowledge of a community's organization and structure is needed to be able to identify potential threats and potential allies. The instrumentalization of a community is a notion shown in previous chapters that is well-understood by the domestic surveillance agencies within the United States as well as military intelligence agencies. Consider how the US military in the Philippines exploited social cleavages to encourage acquiescence to their authority. A similar dynamic exists within American cities today and is exemplified by the previous section on community policing.

With that in mind one can better consider how contemporary dynamics reflect this history. Legislation introduced in the aftermath of 9/11 greatly changed the powers and scope of domestic intelligence gathering. The PATRIOT Act expanded the surveillance capabilities of the Department of Justice justified by the needs of counter terrorism and national security (Bentley 2012). The Homeland Security Act formed the DHS in 2002 by combining twenty-two federal agencies underneath the authority of a new cabinet position. Charged with a mission of national security through the prevention of further terrorist attacks the DHS began an aggressive campaign to bolster the defensive capabilities of civilian agencies. Aid came in the form of the material assets already discussed as well as the development of an extensive intelligence sharing apparatus.

In response to criticisms over the failure of government agencies to correlate data connecting hijackers to the plot prior to the attacks on 9/11, intelligence fusion centers formed from coordinated efforts between state and local public agencies to aggregate data. Prior to the systemic reformation of the intelligence community that followed 9/11, only two jurisdictions operated fusion centers (Lahneman 2012). As of 2012, there are seventy state and local fusion

centers across the United States. Most are heavily subsidized through DHS grants. These sites collect information from countless sources including all levels of law enforcement, branches of the Department of Defense, private corporations, as well as the Central Intelligence Agency (Monahan 2010-11). Operated and developed by regional authorities, fusion centers receive additional support from intelligence analysts supplied by the DHS, FBI, and the private sector. Monahan and Palmer (2009) show that data processed includes suspicious activity reports provided to tip hotlines, personal data generated by cell phone use and the Internet, and information generated by other regional databases. They further elaborate that, for example, suspicious activity that requires reporting by officers in the LAPD includes the use of binoculars, taking notes, and the espousing of extremist views. Particularly emphasized are the collection of digital personal data and the number of records, to the point of sounding cartoonish. One private sector partner with regional intelligence fusion centers boasts having 12 billion records on approximately 98% of the American population (Monahan 2010-11). Telecommunications companies have been shown by Monahan and Palmer to have illegally given customers' personal information to the National Security Agency. Despite violating the law, the companies in question received retroactive immunity from legislative amendments passed in the Foreign Intelligence Surveillance Act of 2008 (Monahan and Palmer 2009). A report on intelligence fusion centers prepared by the American Civil Liberties Union highlights that such sites actively purchase subscriptions to access private sector databases containing unlisted phone numbers, credit reports, and information collected from social networking websites (German and Stanley 2007). From this data mining threat profiles are generated by analysts looking for suspicious trends in persons' buying habits, political interests, and affiliations.

The threat assessments generated by fusion centers enable extensive political and racial profiling by the security state which is then followed up by "boots-on-the-ground" investigations. One such operation in Maryland included the sustained surveillance of peace activists and anti-death penalty advocacy organizations for months followed up by a covert investigation and infiltration of these groups by law enforcement; this is despite officers reporting no signs of violent intent or activity throughout the course of the investigation (Monahan 2010-11). The activists under surveillance were then listed in federal databases under suspicion of anti-government related terrorist activity. Through the application of the terrorist label the state is able to try and further marginalize subversion by setting the parameters of

acceptable political expression. Evident in the threat assessments generated by fusion centers is that expression increasingly excludes forms of advocacy and criticism of state policy. This is done intentionally; intelligence is gathered with the intent of later acting upon it if necessary. By mapping the social terrain of an area the police are able to better identify potential threats or disruptions, and if those threats materialize or, within a preemptive framework, seem like they may materialize, police can act decisively to address them.

Police militarization and community policing exist in simultaneous spheres. They are not separate but rather part of a nexus of security that is heavily influenced by military strategy. What must be considered when discussing the militarization of police is how current military operations are occuring. Long gone are the days of pitched battles between two standing armies. Instead the US military engages in a sort of global police operation to ensure social stability in regions strategically significant to American political and economic interests. The occupation of physical territory becomes less important than the occupation of the hearts and minds of a population. This process is known as counterinsurgency and it fundamentally influences how domestic police operations occur.

Counterinsurgency

The US Marine Corps Field Manual 3-24 *Insurgencies and Countering Insurgencies* defines insurgency as "an organized, protracted politico-military struggle designed to weaken the control and legitimacy of an established government, occupying power, or other political authority while increasing insurgent control" (2004, 13). Insurgencies are not traditional military campaigns with pitched battles and according to the Strategic Studies Institute of the US Army's War College, "Insurgency is a strategy adopted by groups which cannot attain their political objectives through conventional means or by a quick seizure of power. It is used by those too weak to do otherwise" (Metz and Millen 2004, 1). Terrorism, coups d'etat, and armed uprisings may be part of the strategic repertoire of some insurgencies, but by no means do all insurgencies exhibit these factors. Insurgencies are by definition conceptually broad and as FM 3-24 highlights: "Each insurgency is unique, although there are often similarities among them. In all cases, insurgents aim to force political change; any military action is secondary and subordinate, a means to an end" (2004, 17). Insurgencies oscillate in strength, strategic significance, and their capacity for armed struggle. British General Frank Kitson, drawing from his experiences fighting

against national liberation insurgencies in Kenya, Malay, and Northern Ireland found insurgencies develop in three stages.

The first is a preparatory period which takes place when subversives begin to agitate local populations to join their cause. This "subversion" may involve no illegal activity at all, but it is at this nascent point where individual grievances begin to form into collective action. It is at this stage where a potential insurgency is most vulnerable because the insurgents lack organization and self-awareness (Kitson 1971). That is to say the insurgent does not realize that they are themselves an "insurgent" and may see their activities as part of socially acceptable political life. The second stage is the non-violent phase. Here clear organizations in opposition to an existing authority have formed and they engage in a variety of traditional pressure tactics to affect change. Though framed by Kitson as insurgent activities the actions of this phase are generally accepted in liberal democracies. Strikes, pickets, and rallies occur to force concessions from the government; garner international attention, sympathy, and solidarity; and appeal more broadly to the population at large (Kitson 1971). Here the insurgent struggle can potentially come into physical contact with state security forces as police clear blockades, disperse demonstrations, and forcefully open picket lines. There may be low-level skirmishing between insurgents and police in the form of rioting but at this phase violence does not escalate to the point of intentionally taking lives. Most insurgencies are defeated by this stage or do not otherwise escalate past this point (Kitson 1971). Some insurgencies stay perpetually in this phase with rioting becoming a regular feature of public life, but never quite crossing into armed rebellion. The third stage of this model is an open insurrection at which point "armed insurgents come out into the open and fight the forces of the government by conventional means" (Kitson 1971, 96). This stage is what is evoked in the popular conscience as an insurgency: armed cells of fighters wage asymmetrical warfare against police and the military. This stage was what US military forces encountered in Iraq and Afghanistan, in Vietnam, and in the Philippines. Anthropologists have extensively studied the third phase of an insurgency - no doubt in part because of the discipline's role in supporting counterinsurgency operations through programs such as the Human Terrain System[18].

[18]The Human Terrain System was a controversial program that deployed social scientists alongside soldiers to instrumentalize local culture to strategic ends in Iraq and Afghanistan. The program sought to exploit regional differences among communities in the service of US military interests and triggered great debate among academics as to the role of the social sciences in the

Counterinsurgency is the "military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat insurgency" (United States Army 2007, 13). Williams's reading of FM 3-24 understands counterinsurgency as a form of warfare "characterized by an emphasis on intelligence, security and peacekeeping operations, population control, propaganda, and efforts to gain the trust of the people" (Williams 2013, 6). Anthropologist Dustin Wax writes that "Counterinsurgency then is a concerted effort at the state level to defend and maintain the status quo from subversive action" (2010, 154). These subversive actions include infinite possibilities ranging from guerilla warfare to legal, cultural and economic strategies designed to sway public opinion in favor of the insurgency.

At all levels the role of intelligence to better understand the insurgency is stressed. Kitson highlights the role of intelligence in all three of his model's stages emphasizing that material gained in any stage could be useful at every stage. He writes: "the basic idea of collecting background information and developing it into contact information is of the greatest importance because it is applicable to any counter-insurgency situation" (Kitson 1971, 101). Kitson continues "The value of the approach based on developing information, is that it enables a commander who understands it, to select, adapt and invent particular methods and techniques, suitable to the prevailing circumstance" (102). Even if someone is not breaking the law or posing a threat, they could. It is important to have a thorough catalogue of potential threats. This preemptive intelligence gathering has become a matter of policy and everyday practice by police agencies. Intelligence is a reactive asset usable at any stage and provides the foundation for further interventions. Knowledge is always useful, even if it may not seem so at the current moment. With this in mind and in the context of current telecommunication technologies it becomes clearer why companies like the aforementioned surveillance firms collect millions of records on generally law-abiding people in the US. Now things are stable, but they might not be in the future and it is better for the police to have already collected these records than having to start at square one if a series of events trigger more open confrontations with the state.

The role of the military is to support civil institutions in constructing and defending this legitimacy. Key to this dynamic is understanding that counterinsurgency is not so much an event as it is a process. This action-oriented approach towards securing legitimacy is important because

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military. Interesting to note that few if any academics have taken a similar critical approach on the police's use of social sciences.

it understands that there is no final, climactic battle between insurgents and counterinsurgency, there are rather constant and continual processes of securing one's own legitimacy, delegitimizing political opposition, and in the worst case scenario using violence to eliminate threats to stability. Counterinsurgency does not end so much as fluctuate between the aforementioned stages. Civil institutions such as the police need to be prepared for the escalation of an insurgency between different stages.

Police's role in these operations is understudied within anthropology despite the wealth of information the discipline has produced on counterinsurgency. Groups like the Network of Concerned Anthropologists have written extensively on the weaponization of culture by the military. The role that the police play in these dynamics is often treated secondary to the military's role, despite the military's own assertions of the importance of civil institutions in counterinsurgency. Police departments are acutely aware of their own role within maintaining stability in an area and through militarization are adapting these strategies to domestic police operations.

Police and Counterinsurgency

The study of counterinsurgency reflects the historical trajectory of anthropological inquiry. The focus tended towards the international applications of counterinsurgency by the United States. There is a vast volume on counterinsurgency operations in other countries but academics seem very hesitant to apply their observations to their own backyards. This is despite the fact that police agencies are quite transparent about their use of counterinsurgency in everyday operations. Such a disconnect is understandable because the implications taken to their logical conclusion would entail the US state seeing its population as a sea of potential insurgents. Of course no one security agency has as a matter of stated policy the criminalization of America's poor and otherwise marginalized people. However as this thesis argues, to understand policing in the United States requires understanding that the role of the police has always been one of counterinsurgency intimately tied to the country's history of social conflict. The steps taken by the state and its political handlers have been towards a particular kind of freedom embedded in the social structures of American society. The freedom to own property, to make profit, and to access markets have been the driving force of US foreign and domestic policy. This

section will show how the police are the frontline enforcers of this policy domestically[19]. If one accepts that police are militarized then one must consider counterinsurgency as part of the police's mandate as insurgencies are the primary focus of US military action since the end of the Cold War.

Randall Wilson, a British police officer who helped train Afghan national police, wrote extensively of the role of police and specifically police intelligence in counterinsurgency operations. His work cynically named *Blue Fish in a Dark Sea*[20] discusses the unique role police play in counterinsurgency because of their proximity to communities (2013). He argues police must be an active component of counterinsurgency because when dealing with insurgencies, "the basics of police investigation and intelligence gathering remain the same as insurgent organizations and display the same characteristics and vulnerabilities as do more ordinary criminal ones" (2013, 6). He discusses how criminal gangs sometimes unwittingly take part in insurgencies through black market activities or through a shared foe in the form of state security services. Initial informal criminal networks can become entrenched with supply lines for insurgents later on and disrupting them is no different than a normal criminal investigation. The role of police he argues is to use their intelligence gathering capacities and embeddedness in the community to root out insurgent groups the same way as they would more ordinary criminals. Twenty-year LAPD veteran John Zambri echoes this sentiment arguing that criminal networks over time begin to resemble insurgent activities (2014). The same tactics used in foreign military adventures can be applied domestically because in current conflicts the police and the military have increasingly similar roles.

> Both seek to change the dynamic in communities where convergent threats exist by focusing on non-kinetic imperatives such as community based engagements, community-police partnership programs, cultural awareness and sensitivity, and outreach programs designed to enhance and foster understanding and communication between the stakeholders. The soldier

[19] An argument can be made that the police do this internationally as well. Consider how American law enforcement agencies like the FBI operate foreign field offices and train police in other countries. However, a thorough exploration of the international role of American police is beyond the scope of this thesis.

[20] The name of Wilson's work is based on the Maoist adage "The guerrilla must move amongst the people as a fish swims in the sea." The police in this case are a blue fish penetrating the conceptual darkness of the people.

> and the police officer have shifted from rule based practitioners to care based facilitators and problem solvers. [Zambri 2014, 4]

Both the soldier and the police officer have to engage at a face-to-face level with the communities in which they operate to successfully build the legitimacy of their operations. In doing so both insert themselves as actors in the public health of a community rather than as an outside force sent to discipline or control the unruly. The question of legality has posed a significant theoretical problem for the proponents of counterinsurgency as soldiers and police officers ostensibly operate in different contexts. Zambri, also a Naval Reserve veteran who served in the second invasion of Iraq, notes that while soldiers and police exist in different legal worlds they are now more than ever working towards similar goals (Zambri 2014). Zambri, like Wilson, understands conflict on a spectrum where both the military and police participate in the pacification of a community over time. Zambri writes:

> As COIN [counterinsurgency] operations shift from combat to peacekeeping and community-building they begin to resemble traditional community policing activities in which the public servant controls through education and raising ethical stature in communities. It is in the transitional phase - when the soldier transitions into the policeman and community facilitator - that COIN and community policing share the same strategies and tactics [2014, 6].

Counterinsurgency like community policing acknowledges that there are competing claims for legitimacy in different areas. In a city beset by economic and social inequality criminal networks can provide the kinds of services the state normally would. Tilly (1985) extended this notion further and explicitly stated that state making is a form of organized crime. The political implications of such a statement aside, the sentiment is that the police are competing with non-state actors for legitimacy in communities. If groups other than the police become prominent then there is a greater possibility of disrupting the normal functions of the economy. Competitors must then be identified and disrupted by counterinsurgency operations. FM 3-24 states that:

> Political power is the central issue in insurgencies and counterinsurgencies; each side aims to get the people to accept its governance or authority as legitimate. Insurgents use all available tools—political (including diplomatic), informational (including appeals to religious, ethnic, or ideological beliefs), military, and economic—to overthrow the existing authority. This authority may be an established government or an interim governing body [United States Army 2007, 13].

Disruption can occur by embedding agents within a community so that the established authority can gather intelligence on social cleavages, taboos, norms, rituals, and other practices.

It should be clear that insurgency is a political problem that requires a political solution to the grievances inspiring resistance to the dominant authority. The solution at its most basic level involves delegitimizing the insurgency and legitimizing the order of the counter insurgents. Once isolated, the ability for insurgents to draw upon popular support will be greatly diminished and ideally the insurgency will lose its appeal and fade away. Direct violence is not the sole solution. Instead, as emphasized by counterinsurgency, influencing the population to no longer support the insurgency is the key to stability in a given territory.

Violence however does have its place: primarily as a means of self-defense against attacks by the insurgency but also to disrupt and destroy strategic targets. Within the context of policing direct violence comes from SWAT teams or otherwise militarized riot suppression units. Law enforcement agencies emphasize the disruptions and chaos caused by social problems to the public at large. Whether policing drugs or demonstrations, distinctions are made between good and bad citizens. The good citizen supports the efforts of law enforcement by not only abstaining from deviance but by actively informing on those who commit crimes (or those who could potentially commit crimes). Simultaneously the bad citizens are not necessarily breaking the law, but are contending the legitimacy of the established order. Effectively, security regimes use their presence to show that acquiescence to the demands of power is an easier path than dissent. The aim of counterinsurgency is not just to defeat the enemy in battle but to redefine the conditions that spawned the enemy in the first place under the guise of a friendlier kind of conflict.

Community policing is an exercise in counterinsurgency. It is an exercise in social engineering with the intent of redefining how political challenges to the status quo can manifest. These lessons were learned in the 1890s, in the 1920s, in the 1960s, and again in 2001 when failures to predict terrorist attacks and agitation among the oppressed led to spectacular acts of anti-hegemonic violence such as the assassination of President Mckinley or the attacks on 9/11. However, the majority of US history was spent in early stages of an insurgency where the support and capacity to directly challenge state power are still nascent. Even legal activities such as demonstrations or strikes have the capacity to escalate. This thesis argues that these are insurgent acts by the definitions provided by the police and the military. The United States has always oscillated between the three levels of Kitson's model of insurgency. It should be clear that in stages one and two the police will build up threat assessments, identify leaders, and commit operations to disrupt the organizational capacity of challengers. The question remains

though, with such an immense techno-militarized security nexus, how would the United States respond if threats escalate to the third stage? So far, the police have been an effective force at keeping social tensions from exploding into open rebellion, but their capacity for increased repression remains.

Chapter Four: Policing the RNC

This section discuss the training, preparation, and operations that security officials conducted in the lead up to and during the RNC. The convention was an immense security undertaking that sought to preempt and disrupt numerous potential threats, but as will be shown the reality of the threats facing the RNC were quite different from the rhetoric security officials used in their preparations. Major political conventions attract thousands of attendees, protesters, and supporters. There were no specific threats to the RNC nor were there organizations planning militant disruptions like those seen at past conventions. However with Donald Trump as the presumptive nominee for the party and his rallies already having courted conflict the expectation was set for chaos and violence. What happened instead was a public relations victory for law enforcement in the United States. The absence of chaos was credited to the actions of the police despite, unlike previous conventions, there never being any premeditation to cause mass disruption. The lack of terrorist attacks, black blocs running rampant, mass shootings, or brawls between Trump supporters and their opponents were all signs that the policing of the convention worked. However, as will be discussed the police were able to instrumentalize fears of convention chaos to improve their own tarnished image. By using the aforementioned strategies of community policing and militarization the police were able to support their image through positive interactions with liberal and otherwise non-threatening protesters while simultaneously suppressing the legal actions of radicals. What follows is a discussion of the policing of the RNC as an exercise in counterinsurgency.

Preparing Cleveland

Cleveland is a major metropolitan center in the Midwest of the United States. Sixty miles from the border of Pennsylvania, the city sits on the southern shore of Lake Erie. Founded in the early nineteenth-century, Cleveland rose to prominence on the backs of the working class through manufacturing and steel production following numerous industrial boom cycles. In 1968, Cleveland was the first major American city to elect a black mayor, Carl Stokes. Buttressed by a strong industrial economy the city still suffered from economic inequality, racial segregation, and environmental degradation common to US cities. Cleveland sits near the Cuyahoga River which feeds into Lake Erie and has the dubious honour of having caught fire several times due to industrial pollution, most recently in 1969. In the 1960s the river had no

fish, but due to pressure from liberal environmental groups it has since been rejuvenated to some extent. This serves as a fitting metaphor for the city of Cleveland itself; once derogatorily referred to as the "Mistake on the Lake" the city has since been revitalized into an educational and biomedical hub; though the city is still recovering from losing nearly 20% of its population over the past two decades. Frank G. Jackson, Cleveland's Democrat mayor since 2005 has fought this reputation of Cleveland as a failing city throughout his tenure. One component of his plan was to bring a major political convention to Cleveland. After two failed bids, one to host the RNC in 2008 and one to host the DNC in 2012, Mayor Jackson worked business and political interests to massively expand Cleveland's hotel industry, infrastructure, and public space. Included in this was a $50 million dollar renovation of Public Square, an iconic plaza in Cleveland that would be the heart of ensuing protests at the RNC. In 2014 it was announced that the city would host the 2016 RNC and a successful convention would in the words of Mayor Jackson show the world that "We are Cleveland - and we are open for business" (Jackson 2016). Business was a key motivating factor for Mayor Jackson as early estimates of the economic impact on Cleveland was close to $400 million dollars (Farkas 2014), although ensuing investigations would produce conflicting reports as to how much the city actually made from hosting the RNC.

Despite the impressive transformation other issues plagued Cleveland, notably police violence. In 2015 a black 12-year-old named Tamir Rice was killed by a white police officer named Timothy Loehmann. Loehmann had a history of violence and instability as a police officer in a nearby town before joining the Cleveland Division of Police. In the wake of the Tamir Rice killing protests erupted across Ohio and the United States protesting police brutality. While this one case was highly visible it must be noted that parallel to the killing of Tamir Rice there was an ongoing investigation by the US Department of Justice into the use of force by the Cleveland Division of Police. The DoJ found in 2015 that the Cleveland police consistently and unnecessarily escalated situations by excessively using chemical weapons and batons. On top of this, the ACLU filed suit against the city after police arrested 71 people in a mass arrest tactic known as "kettling"[21] at an anti-police brutality protest the same year (American Civil Liberties

[21] Kettling is a mass arrest tactic in which police block off escape routes of protesters by boxing them using local terrain or mass lines of officers. Part of its controversy stems from its arbitrariness: one could be arrested based on their association with a protest rather than their individual actions within the protest. Also bystanders may be accidentally caught up in a kettle.

Union Ohio 2016). The DoJ report on the Cleveland Division of Police warrants a thorough review in of itself, but because so many other police departments would be participating in RNC security, the focus cannot solely remain on Cleveland police. That said, the DoJ had reached a consent decree with the Cleveland Division of Police for several reasons laid out in the report's executive summary:

> Our investigation concluded that there is reasonable cause to believe that CDP engages in a pattern or practice of using unreasonable force in violation of the Fourth Amendment. That pattern manifested in a range of ways, including:
> • The unnecessary and excessive use of deadly force, including shootings and head strikes with impact weapons;
> • The unnecessary, excessive or retaliatory use of less lethal force including tasers, chemical spray and fists;
> • Excessive force against persons who are mentally ill or in crisis, including in cases where the officers were called exclusively for a welfare check; and
> • The employment of poor and dangerous tactics that place officers in situations where avoidable force becomes inevitable and places officers and civilians at unnecessary risk.
> Officers may be required to use force during the course of their duties. However, the Constitution requires that officers use only that amount of force that is reasonable under the circumstances. We found that CDP officers too often use unnecessary and unreasonable force in violation of the Constitution. Supervisors tolerate this behavior and, in some cases, endorse it. Officers report that they receive little supervision, guidance, and support from the Division, essentially leaving them to determine for themselves how to perform their difficult and dangerous jobs. The result is policing that is sometimes chaotic and dangerous; interferes with CDP's ability to effectively fight crime; compromises officer safety; and frequently deprives individuals of their constitutional rights. Based on our investigation, we find that the Division engages in a pattern or practice of using excessive force in violation of the Fourth Amendment [United States Department of Justice 2014, 3].

So without directly casting blame on individual officers the DoJ's report focuses on the tendency of Cleveland police to systemically detain people without charges as well as dangerously escalating police-civilian encounters. Of course many of those detentions occured in contexts outside of a protest, but the use of kettling as a tactic to suppress demonstrations speaks to a general conflict between police and the policed over the Fourth Amendment. Many of these

issues still remain to be resolved, but the report and the ensuing consent decree between the DoJ and Cleveland Division of Police served both as an impetus for reform and as a point of criticism of the city's capacity to host the RNC. Mayor Jackson once again oversaw a vast campaign of reform and revitalization, this time of the police department. Two important things among the many changes the Mayor's office did to prepare Cleveland for the RNC and its inevitable protests was improve its policing strategy, and the purchase of protester insurance.

The Cleveland Division of Police undoubtedly knew between the DoJ's report and the confrontational nature of past conventions that the eyes of the country would be on them and their city. With this in mind security against protests and ways to disrupt protest without the appearance of an overly aggressive, militarized force would be needed. Political conventions, particularly the RNC, tended to result in mass demonstrations, mass confrontations, and mass arrests. Previous RNCs proved as much: in 2000 as many as 450 were arrested in Philadelphia; in 2004 over 1000 were arrested in New York City; in 2008 in Minneapolis over 800 were arrested; and, while 2012's Tampa RNC had very few arrests there were also much smaller crowds attending that convention because of an ongoing hurricane warning. In 2015, well into the planning of the RNC, Cleveland worked in conjunction with the DoJ to establish new procedures for mass arrests which require police to put a sticker on arrestees detailing the time, place, and the name of the arresting officer. Faster processing, better detainment conditions, and clearer procedures were also outlined (Naymik 2015). Cleveland police also received special training offered by FEMA's Center for Domestic Preparedness, but this training will be discussed in greater detail in a following section. While police policies were being refined so too were potential contingency plans.

Cleveland had purchased a ten million dollar insurance policy against potential RNC related lawsuits from protesters, businesses, and area residents. This is standard procedure for cities hosting political conventions as every city that hosted an RNC since 2000 has been sued, often successfully, by protesters. However controversy arose when Cleveland went on to quintuple the insurance to fifty million dollars a month before the RNC was set to begin (Tobias 2016B). The announcement of the insurance policy created quite the stir among various media outlets across the political spectrum with headlines such as: the Huffington Post's "Cleveland Is Prepping For Clashes Between Police And Protesters At GOP Convention"; Mother Jones' "Cleveland Police are Gearing Up for Mayhem at the GOP Convention"; CBS News' "Why

Cleveland and Philly Might Want "Riot Insurance", Fox News', "Cleveland Tense Amid threats of Protests and Terror During Republican Convention", to name a few. What is interesting is that the increase of insurance against potential damages at the RNC and all of these articles came out prior to a string of events that would put police in the US on high alert.

On July 7th 2016 in Dallas, Texas, Micah Xavier Johnson[22] shot 14 police officers, killing five at the end of a Black Lives Matter demonstration. It was the deadliest single incident for police officers since 9/11. Ten days later on July 17th in Baton Rouge, Louisiana six police officers were shot, two killed by a man targeting police officers. These back to back shootings of police officers contributed to a general malaise among police and led to media discussing "The War on Cops" in which law enforcement was allegedly under siege by armed lone wolves egged on by protest movements. Also in July was the Nice Bastille Day Attack[23] in which a truck was driven into celebratory crowds injuring 500 and killing 80. These events all impacted the policing at the RNC in different ways. First, these events were used by police as justification of the need for additional officers to provide more security at the RNC. Second, additional fencing and barricades would be placed around Cleveland to disrupt potential vehicular attacks which. Third, police briefings and media reports helped set the alarmist expectation for the RNC. The shift in the discussion of the RNC was palatable, leading Breibart to write "RNC Security In Cleveland Is Finally Taken Serious After Dallas Massacre". Similarly references to the shootings would appear in police briefings. Though the only actual changes done at the RNC were to increase the number of traffic barriers to block Nice-style truck attacks and a failed push to ban firearms from the event area.

All of these actions, though a small part of the overall security planning for the RNC, represent some of the major preparations done at the municipal level. The nature of major events such as the RNC is that they bring together multiple jurisdictions and organizations together to function as a cohesive unit and accomplish their objectives. These conventions can occur in any city chosen by the Host Committee, so to focus solely on the Cleveland Division of Police would not show the entire picture of how the RNC was policed. There are always federal agencies such

[22]Johnson was killed by a bomb strapped to a police robot, the first time a suspect has been killed by police with a robot in US history.

[23] Reuters quoted a private security contractor who worked for a company known as Pinkerton; this is the same Pinkerton as the infamous Pinkerton Detective agency discussed earlier in this work.

as the FBI at major events of political significance, but what is specific to the 2016 RNC was the immense use of out-of-state police officers. Police from across the country came to Cleveland and were trained in crowd control measures. They were equipped and deployed through a series of policy frameworks that were as innovative as the on-the-ground strategies. In many ways the success of the police at the RNC wasn't due to the actions of individual officers but was accomplished by an unprecedented mobilization of the security state.

The NSSE, EMAC, and the NIMS

Three organizational frameworks made policing at the RNC possible. First, the National Special Security Event (NSSE) which is a federal designation granted by the Department of Homeland Security (DHS) to high risk events of political significance. Second, the Emergency Management Assistance Compact (EMAC) is an agreement framework between individual states that facilitates resource sharing, credential verification, and personnel deployment. Finally, the National Incident Management System (NIMS) which provides a coherent framework for on the ground coordination between different jurisdictions and organizations. To vulgarize this framework, the NSSE designation enables federal resources such as the USSS, FBI, and DHS to support an event; EMAC allows for states impacted by the event to coordinate and share resources; and NIMS enables all of these actors coming from different agencies and jurisdictions to function as a cohesive unit with a unified command structure during on-the-ground operations.

Created during the Clinton administration in the 1990s and expanded by the DHS after 9/11, the NSSE designation requires federal agencies to cooperate for the security of a special event. NSSE puts the USSS in charge of planning security for the event, the FBI in charge of intelligence and counter terrorism, and FEMA in charge of disaster preparedness and general contingency planning. This framework also employs civilian and military experts to advise and collaborate on event security. The NSSE allows for temporary ordinances to modify laws to suit the special needs of the event. Unsurprisingly, these ordinances are seen by some as infringements upon constitutional rights such as freedom of speech or protection from arbitrary detention. The NSSE framework enables the creation of special zones in which these particular rules apply. At the 2016 RNC the NSSE was split between two zones. The "Hard Zone" which included some of the lodgings of VIPs and delegates, and the actual venue of the convention which was the Quicken Loans Arena would be under the direct supervision of the USSS. Then

there was a larger general "Event Zone" under the supervision of the City of Cleveland. To enter the Hard Zone required special credentials that were reserved for convention attendees, media, and staff. The broader Event Zone was an area of 1.7 miles surrounding the Quicken Loans Arena that included the official parade route for approved demonstrations, plazas and park spaces reserved for "expressive activities", and pedestrian zones around the convention center.

These restrictions were outlined in a document entitled *Republican National Convention Official Event Zone Permit Regulations* which was released two months prior to the RNC. The Security Zone was approximately a mile of urban space in downtown Cleveland surrounding the Quicken Loans Arena[24]. The majority of the fieldwork took place within a physical space delimited by fencing of various shapes and sizes, and in a legal space regulated by the laws of the special zone. The terms of the Zone were set by the Secret Service and then refined in a series of lawsuits spearheaded by the ACLU. In May 2016 the ACLU filed suit with a coalition of different organizations including: Citizens for Trump, the Northeast Ohio Coalition for the Homeless, and Organize Ohio (Graham 2016). The suit demanded a smaller Event Zone, increased processing time for demonstration permits, and clarifications on what would and would not be allowed into the Zone. A judge ruled in the ACLU's favor and set the boundaries of the NSSE to its final form. The Hard Zone inadmissible to the public would be the Quicken Loans Arena itself while the surrounding areas would be subjected to special by-laws that regulated conduct, curtailed various actions, and banned certain items.

Without a hint of irony officials prohibited imitation, fake, and toy firearms; but not real ones. Ohio was an open carry state meaning it was legal to have a holstered weapon on your person and it seems the NSSE staff did not want to risk the ire of the gun lobby. This makes sense since the pockets of the NRA are much deeper than those of the ACLU. Even the powerful police union was unable to sway officials to ban firearms from the RNC (Connor, Rascon, and Brewster 2017). Other items banned as listed in the RNC Event Zone Official Permit Regulations included: lumber larger than 2" in width and ¼" thick, including supports for signs; metal, plastic, or other hard material larger than ¾" thick and 1/8" in wall thickness including pipe and tubing; containers of body fluids[25]; aerosol cans; umbrellas with metal tips; rope and

[24] This was the same stadium where the Cleveland Cavaliers won the NBA championship weeks prior to the RNC's arrival

[25] Graeber's *Direct Action: An Ethnography* has an entire chapter devoted to the police's fear of body fluids and the misinformation spread about protesters hurling waste at law enforcement.

chains; locks; gas masks and air filters; tents; coolers; backpacks and bags exceeding the size of 18” x 13” x 7”; non-plastic containers, bottles, cans, or thermoses; canned goods; and tennis balls (City of Cleveland 2016). Though the list was extensive and thorough, as will be shown, its enforcement was completely arbitrary. This inconsistency was not surprising, given that the rules of the NSSE were not as important to enforce as the overall security and pacification of the Zone.

Other aspects of the special by-laws regulated the permitting of demonstrations and on crowd conduct. Trump support rallies prior to the RNC had seen counter demonstrations and clashes between various political supporters. Physical violence between protesters and counter protesters would in part be avoided by a bylaw requiring separation of groups of 200 or more people, and that they be kept more than 500 feet apart. Also to avoid spontaneous protests the event bylaws required that demonstrations be allowed. Without a permit you could not hold a parade, use sound amplification equipment, or use the speaker’s platforms (City of Cleveland 2016). With a permit you could have a demonstration for 50 minutes in an assigned area following an assigned route or speak at a designated, fenced in platform also for 50 minutes. There seemed to be no negotiation outside of the general legal maneuvering of prolific organizations like the ACLU. A full 12-page event schedule had been published by the police listing every permitted demonstration and location. The exact number of groups that applied and were denied was not publicly known, nor were the steps of the approval process. In any case, every march that took place or every speaker that attracted a crowd would also draw a massive contingent of police; often multiple contingents of police from different states who would slowly surround whatever spectacle happened to be on stage. What’s important to note is the arbitrariness of the enforcement of Zone by-laws which will be discussed in greater detail in an ensuing section.

Such an overwhelming police presence was made possible because of a legal framework known as Emergency Management Assistance Compact (EMAC). EMAC is a mutual aid compact made between states to share resources in the event of emergencies.

> EMAC offers assistance during governor-declared states of emergency or disaster through a responsive, straightforward system that allows states to send personnel, equipment, and commodities to assist with response and recovery efforts in other states [National Emergency Management Association 2018, 3].

While normally EMAC is deployed during natural disasters the RNC provided an opportunity for Cleveland to act as a laboratory for testing EMAC as a preemptive model rather than a reactive

one. Through EMAC the state of Ohio was able to receive thousands of out-of-state personnel and ensure there was a uniform system of training and communication. The significance of the application of this framework at the RNC should not be understated as it is one of the first instances of EMAC being used to provide police for protests. For example, the Michigan State Police had been deployed to other states under EMAC before, but always for natural disaster relief efforts. The RNC was their first EMAC deployment for protest policing and it was their largest deployment yet (Michigan State Police, 2016). Previous political conventions rarely used police from out of the host state as in the cases of 2012 in Tampa, 2008 in Minneapolis, 2004 in New York City, and 2000 RNC in Philadelphia. In each case there were still large contingents of state and local police, but federal officials provided most of the out-of-state security support. So now there exists a framework by which individual states can share law enforcement units to police protests in the same way they would share emergency responders in the event of a natural disaster. At the RNC Ohio Emergency Management Agency Executive Director Sima Merick oversaw the implementation of EMAC. Her role in the Ohio state government had hitherto been facilitating natural disaster responses, notably during a 2014 clean water emergency caused by flooding in Ohio. The RNC was the first time her office had been involved in planning for protests and she was featured heavily in the City of Cleveland's after action report. Merick described her experience watching a television feed from an off-site command center on the third day of the RNC as protesters gathered for a march.

> They were showing this large group of people on television and it looked like there were more and more coming. Then the camera panned over and I saw troopers with patches on their uniforms from Kansas and Missouri and Indiana. I was so proud to know that we had been able to do that for the city of Cleveland [Ohio Department of Public Safety 2017].

This passage reflects her commentary through the Public Safety report that there was a palpable fear of being overwhelmed by protesters who were held in check because of the immense amount of resources mobilized through EMAC. The impressive amount of resources needed its own special system of coordination.

All of these out of state agencies would be coordinated through the National Incident Management System (NIMS), an organizational procedure created by the DHS to coordinate large scale, multijurisdictional incidents. NIMS has been used since 2008 to standardize terminology, organizational capacities, and operational procedures for first responders, law

enforcement, intelligence agencies, and national guard units. NIMS manages the collection and deployment of resources, the delineation of authority and decision making, and provides force organization for operations management. NIMS is employed for natural disasters, terrorist attacks, and now large-scale events such as political conventions. At the RNC, as per NIMS protocol, a twenty-four hour Emergency Operations Command (EOC) was managed by the city of Cleveland and would also act as the central interagency liaison. It was staffed by Cleveland police and Ohio State Highway Patrol and members of FEMA and the FBI. The EOC acts as an interagency coordination hub from which executive decision can be made by city officials. The EOC received feeds from more than one hundred cameras in Cleveland and transmitted these feeds to external agencies. Within aforementioned internal briefings on RNC security it was not clear who these external agencies were, but some potential recipients could be the Ohio Statewide Terrorism Analysis, the Crime Center and the Northeast Ohio Regional Fusion Center, or the Greater Cincinnati Fusion Center, three facilities that make up the Ohio Fusion Center Network. This network was cited as part of the broader intelligence network used at the RNC but individual facilities were not listed (Ohio Department of Public Safety 2017).

While the NSSE itself does not provide any additional funding for security at events, a separate senate appropriations bill was passed in 2015 giving the RNC and the DNC each $50 million dollars. On top of this federal money the RNC Host Committee had pledged to raise $67 million dollars. The majority of these funds were spent on security. Nearly 2000 officers came from 21 different out-of-state[26] police department (Ohio Department of Public Safety 2017) to support the Cleveland Division of Police's 500 officers assigned to convention security. On top of that, nearly 3000 federal employees on site to help coordinate planning and take part in security. In total more than 5000 security personnel took part in the RNC. Transportation to and from Cleveland, lodging, additional training, and additional equipment were all paid for by

[26] As complete list as could be found of out-of-state police departments and the number of officers they sent: 440 Ohio State Highway Patrol, 24-Missouri State Highway Patrol, 13-West Virginia State Police, 134-Florida State Highway Patrol, 40 South Carolina State Highway Patrol, 45 Wisconsin State Patrol, 119 Indiana State Police, 161 Michigan State Police, 52-Georgia State Patrol, 26-New Jersey State Police, 54- Massachusetts State Police, 310 California State Highway Patrol, 24-Delaware State Police, 26- Kansas State Highway Patrol, 10-Oklahoma State Highway Patrol, 5- Montana State Highway Patrol, 27 Utah State Highway Patrol, 7-Main State Police. There were also mounted Calvary from the Dallas-Fort Worth police, but I could not locate how many officers they deployed.

federal grants. Of the $50 million provided to Cleveland, $30 million paid for personnel while $20 million would purchase additional equipment (Rascon 2017). The equipment purchased included: 2,000 suits of riot armour, 300 patrol bikes, 10,000 zip tie handcuffs and 3.7 miles of chain fencing (Rosenblat 2016). Worth noting is that before the RNC Cleveland did not have a bike unit; they received the equipment and training to form one from the money provided by security grants for the RNC. Officers and other security personnel would be housed alongside students in dormitories at several Ohio area universities causing unexpected summer class cancellations (Morice 2016). Two tabletop models of Cleveland were constructed and numerous role-playing exercises took place among the Division of Police Executive Staff to plan and respond to various scenarios. Jails in Cleveland and the surrounding areas were cleared and detainment facilities arranged to provide expedited processing of up to one thousand arrestees a day. Despite these preparations Cleveland Division of Police underlined that their presence would not be a distraction to the convention. Ed Tomba, an assistant Cleveland police chief told a press conference on May 31st: "Our posture is one of community policing, community engagement. What you won't see is any military-style equipment. You won't see officers in personal-protective gear unless the situation dictates" (Tobias 2016). Tomba's assertions were interesting because they show that the police do have a self-reflexive awareness of their position within these events. The police are conscious of their image and wanted to avoid a militarized aesthetic. Undoubtedly, this was largely informed by the tensions of the preceding year in which dozens of anti-police brutality demonstrations occurred throughout the United States. Not only was there the risk that the tensions between the police and the policed would converge on Cleveland - it would happen during one of the most contentious RNC's in recent memory, drawing in the eyes of the country. The RNC, like the DNC, is a contentious event that historically descended into low-intensity street fighting between police and protesters, and events in the months preceding July only rachted up the tension. Traditional strategies such as kettling were not as viable as they had been due to the ACLU's legal challenges, so law enforcement would need to be equipped with new skills to face the changing social terrain of protest and policing.

RNC Training and the Spectre of Anarchy

To reiterate Bruce Smith's (1940) words from an early chapter, it is impossible to speak of a police "system" in the United States; it is rather a land of "systems". When studying "the Police" it can become difficult to make claims about the institution in general because so much variation can exist between departments based on geography, personalities, budget constraints, etc. However decentralized the police, looking at their training can shed light into police practices. Of course there is always individual variation among officers, but training demonstrates how a police officer is *supposed* to act in a given situation. Generally, police training comes from state level academies and private contractors, but increasingly the Federal Government through the DHS offers courses to individual officers as well as entire departments. In some cases this is done because of mass events like the RNC and the ensuing ties built between states and the Federal Government that best practices can be tried and tested, and new training opportunities can present themselves. One major benefit of the framework provided by the NSSE, EMAC, and NIMS was training. Already first responders of various sorts have access to different trainings provided by FEMA's Center for Domestic Preparedness, but these tend to be organized at a departmental or regional basis. The emphasis on interagency collaboration facilitated by the aforementioned policy frameworks also includes training so this enables police from across the United States to come and drill together prior to deployment at an event like the RNC. As already noted, this was perhaps the first time EMAC was used to preemptively train police so that some departments that lack the personnel or funding for such training are able to access it through these kinds of events. Finally, the section on training specific to the RNC will be presented prior to a discussion of how the policing of the RNC transpired as it better contextualizes why things occurred the way they did.

As part of the *City of Cleveland Safety Preparedness Update* several slides show the courses prioritized by police and other first responders at the RNC. Several courses were made available to first responders at the RNC including *PER-200 Field Force Operations*, *PER-206 Technical Emergency Response Training for CBRNE Incidents, PER-26 Emergency Medical Operations for CBRNE Incidents*, and *PER-900 Hands-on Training for CBRNE Incidents*. While *Public Safety Training in Preparation for RNC* states that select officers have been "trained and certified" (Cleveland Division of Police 2016, 40) in *FEMA Per-200* the exact number of officers is not clear but internal correspondence from documents made available through FOIA

requests seem to show most officers taking *Field Force Operations* and an explicit interest in the training from police commanders. A memorandum from the Cleveland Division of Police notifying officers of the availability of *Field Force Operations* courses states: "Commanders shall make every effort to have their members, particularly those assigned to RNC duties, attend this training on-duty as operationally feasible" (Cleveland Division of Police 2016) and an accompanying schedule shows the course is available multiple times per day everyday for three weeks leading up to the RNC. As well, the powerpoint presentation notes that Division of Police employee training included an unspecified three-day FEMA crowd management course, training on First Amendment and Free Speech, and Procedural Justice and Constitutional Use of Force. All are topics covered in *Field Force Operations*. Thanks to Unicorn Riot, an independent media organization in the United States who filed a freedom of information request on this subject, the course pack for *Field Force and Operations* is now publicly available and is worth analyzing in detail.

Field Force and Operations is an interesting course to study for two reasons. First because it outlines police crowd control practices which sheds some light into an otherwise restrictive world of police operations and specific tactics. The second reason it is interesting is the way in which the course constructs threats and risks to the officers themselves and informs the tone of future policing.

Per-200 consists of an introduction and eight modules that focus on topics ranging from crowd psychology and protest history to threat assessment and protest tactics. Immediately worth noting are the references the course makes to books and studies conducted during social uprisings in the 1960s. A continual thread follows from the history of the police into the present day. However, the lessons learned from suppressing the riots of the 1960s have been adapted. One way is through the discussion of technology and riot control agents. The course ends with two modules on various less than lethal tools officers may encounter such as tear gas, rubber bullets, and long range acoustic devices (LRAD). Classroom sessions are broken up with "Experiential Learning" activities that consist of riot control squad formation drills, movement sessions, and arrest procedural practices. The course opens with a discussion defining various kinds of civil actions that police could find themselves in. These range from planned protests and pickets to various forms of civil disorder characterized by their spontaneity and the presence of violence. A theme that occurs throughout the course is the potential for violent protesters to

infiltrate a larger body of peaceful demonstrators, which is quite explicitly stated under *Key Crowd Management Principles*:

> Failures in crowd management, in both planned and unplanned protests, occur for a variety of reasons; including police overreaction, underreaction, improper use of force including less lethal munitions, anarchist infiltration, undesignated escape routes, and a general lack of pre-event planning and training. [Center for Domestic Preparedness 2016**,** 14]

Anarchist infiltration was perhaps the most surprising inclusion in the list as quite literally on the same page it mentions among the "best practices" of crowd control is to "Treat everyone with respect regardless of race, gender, national origin, political beliefs, religious practices, sexual orientation, or economic status" (Center for Domestic Preparedness 2016, 11). The spectre of anarchism would appear throughout *Field Force Operations* but will be discussed in greater detail later on.

This course provides police with up to date information on issues facing law enforcement distinct to the contemporary climate. There are sections discussing the legality of photographing police, use of force guidelines citing legal precedents from the 2010s, an emphasis on avoiding the appearance of militarization, and an awareness of police public image. In an annex discussing crowd control cases the police discuss all of these themes in relation to the Ferguson protest of 2014:

> Avoid donning police hard gear as a first step and the militarization of police officers—2014 Ferguson, Missouri. The shooting death of Michael Brown, an unarmed teenager, led to violent riots throughout the town of Ferguson. Although police officers were forced to don riot gear and use many military style tactics to restore order, the media condemned them for their use of force and the use of military gear. This started a nation-wide debate on the use of excess military gear by police departments. The lesson learned was the use of force, especially the militarization of police officers, attracted national attention, much of it negative, regardless of the circumstances. [Center for Domestic Preparedness 2016**,** 15]

What this shows is that not only is the conversation of militarization occuring internally at the level of police training manuals, but that there is a keen awareness of the optics of law enforcement operations during protests at the federal level. This makes sense considering President Obama's Executive Order No. 13688 which highlighted the Federal Government's awareness of police militarization as an image issue for law enforcement. However what should

be noted is that militarization is not discussed in critical terms but rather as a factor to consider when planning an operation, and is predominantly concerned with optics. The message conveyed in *Field Force Operations* is as straightforward as speak softly and carry a big stick.

The big stick is described in Module 2: Mass Arrest, Module 3: Team Tactics, Module 7: Riot Control Equipment, and Module 8: Riot Control Agents and Less Lethal Munitions. These lessons, along with practicum labs, provide a pretty standard introduction to riot control tactics. While the hundred or so pages on formations useful in breaking up street demonstrations, ideal meteorological conditions to deploy tear gas, and a whole catalogue of riot control agents are interesting to study the focus of this thesis is not on the technology of repression but its strategy. As should be clear by now the police will use the best technology they have access to and much of the critiques of police militarization in the context of demonstrations rests on aesthetics. Calls by liberal groups such as the ACLU and ensuing political actions like Executive Order No. 13688 tend to cast blame for police violence on the tool. However, as has been shown solely by looking at the technology police use, emphasis on the tool misses the social and political reasons violence is employed regardless of its medium or method of use. What is of more interest to this work are the ways in which *Field Force Operations* constructs threats to law enforcement at protests and then how police are trained to respond.

Good Protesters, Bad Protesters, and Professional Protesters

Police are advised that they will likely encounter three types of protesters in the field and this section is worth presenting verbatim:

> b. Protesters. Not every protester is the same nor should be viewed the same by law enforcement. By better understanding protesters, law enforcement officers can make better choices on how to respond. A small group of unruly protesters can stand out from the peaceful majority—often comprised of others who just want to be there along with innocent bystanders accidentally caught in the melee.
> (1) Everyday citizens. Most protests include everyday citizens gathering through their First Amendment right to peaceably make their voices heard.
> (2) Professional protesters. These people train or are trained in protester tactics often by direct action organizations that promote two universal messages: First, intervention demands responsibility. Second, a smaller harm is acceptable if it prevents a greater harm. One interpretation of this second message is that it is acceptable for protesters to break laws they

> consider less important like vandalism to prevent a greater harm like environmental damage. Some activism organizations may produce booklets that demonstrate use or construction of devices, including the infamous Road Raging – Top Tips for Wrecking Roadbuilding.
> (3) Anarchists. These people aim to disrupt, often seeking to challenge authority and capitalism at any cost. They are frequently young college students who express themselves through the destruction of property. Anarchists may mix into peaceful protests despite the efforts of the nonviolent protesters to limit destructive activities—leading to fighting sometimes between protesters. One common anarchist technique is the black bloc (violent, destructive activity), demonstrated at the Occupy Seattle protests. [Field Force Operations 2016, 107]

Despite the manual's caution of political profiling it is interesting to note that "Anarchists" have the dubious honour of being a category unto themselves when compared to professional protesters and law-abiding citizens. This marks an interesting departure from the traditional framework presented by police marking a line between good and bad kinds of protesters made by Woods and others.

To analyze these distinctions further let us first unpack these definitions. The first category "Everyday citizens" are people who pose no threat to the status quo. They are radical-adjacent ideologically speaking, but they believe in the legitimacy of the political and economic system and see protest as a right within that framework. For example, one may not like Goldman Sachs' policies but they believe the best way to enact change is through peaceful and more importantly legal pressure tactics. This is the vast majority of people who go to demonstrations and who were at the RNC. "Professional Protesters" refers in part to people who are trained by NGOs like Greenpeace, 350.org, or the Ruckus Society in nonviolent direct action. These are not people who are paid to protest, but rather believe social change can occur by violating unjust laws to stop a greater threat like ecological catastrophe. The Professional Protester accepts the legitimacy of the system at some fundamental level because though they are breaking the law they are still appealing to a greater authority to enact change. For example, chaining oneself to a wall in the lobby of a Goldman Sachs bank one is briefly interrupting the flow of the economy and showing the company their dissatisfaction. This category is numerically significant as the United States has a long history of civil disobedience movements. Finally, "Anarchists" are a stand-in for protesters who question the fundamental legitimacy of capitalism and state to a point where they will actively and physically resist. The law is a secondary consideration for the

anarchist and there is no appeal to a greater authority. For example, if anarchists smash the windows of a Goldman Sachs bank it is not because they want the company to respond in a certain way, but is rather meant as an attack on the system itself. The efficacy of property destruction as a political tactic is not within the purview of this thesis.

The label of Anarchist by the police should not be seen as purely an ideological one. If we take the police at their word, if solely for analytical purposes, law enforcement do not persecute ideologies. Instead of ideology the Anarchist as constructed by *Field Force Operations* is characterized by their actions. For example, consider protests seen in Ferguson where immense police violence was used against a crowd. The crowd was not entirely law abiding citizens as the Ferguson protests were characterized by violent clashes between protesters and police, however it would be a gross mischaracterization to say that the entirety of demonstration identified politically as anarchists. The anarchist in this context is not characterized by their philosophical opposition to hierarchy, the state, and capital, but by their willingness to take offensive action. In other words: the professional protester will allow themselves to be arrested to prove a point while the anarchist proves their point by refusing to be arrested. One can identify as an anarchist and still be a law abiding citizen just as one can be neo-Bolshevik and violently resist the police and be characterized by police as an anarchist, according to the aforementioned framework. The distinction made by police is not as ideological as it is strategic. Who poses the greatest threat to social order in this context? Historically they are the anarchists because the message of the anarchists is one that refuses the legitimacy of the state and the police and is willing to physically defend themselves and their spaces.

Overall this strategy shows that there is a willingness from law enforcement to permit certain kinds of activism even if it breaks the law. The Ruckus Society for example has salaried employees that train others on how to create roadblocks, lockdown spaces, and engage in passive resistance, but it is a far step away from street combat. An image from *Field Force Operations* best encapsulates this dynamic (2016, 88). The photo depicts a group of white protesters who have used what's called a sleeping dragon[27] to lock themselves together by the arms and occupy a politician's office. Surrounding the five protesters are a dozen police officers without helmets,

[27] A sleeping dragon is a catch-all name for a blockade technique in which protesters lock their arms together in hardened tubes and become very difficult to move or untangle. Often police have to use power tools to dismantle the sleeping dragon.

vests, or even visible firearms. Some have batons held passively in their hands while a more senior officer talks to the protesters. What action this photo depicts isn't clear but one could imagine what happens next: negotiations take place, protesters refuse to disperse, the police come with various tools and cut the protesters loose and then arrest them. The ritualized and routinized nature of these protests are likely preferred by police to more militant tactics which pose greater risk of damage to both property and to personal health. Professional protester tactics are disruptive but predictable, and within this framework of intelligence-led policing informed by counterinsurgency, predictability is essential.

Police for the most part recognize that applying too much force can potentially push protesters into more radical action, as well as opening police themselves to potential lawsuits. Take this example from an earlier section on when to use pepper spray:

> (4) Headwaters Forest Defense v. County of Humboldt et al. (9th Cir. 2002). On three separate occasions, protesters used "black bears" (a kind of sleeping dragon) to link themselves together to prevent their removal from a protest site. On all three occasions, members of the Humboldt County Sheriff's Office and members of the Eureka Police Department used oleoresin capsicum (also known as "OC' or "pepper spray") on the protesters to get them to release themselves from the devices, mainly because they were inside offices and the use of extrication tools would create a fire hazard. In all three occasions, some protesters did not release themselves and the police were forced to carry them out and use an electric grinder to extricate them. The courts ruled that use of OC against passive protesters was unreasonable and the police officers were liable for civil rights violations. [Field Force Operation 2016, 62]

The Green Scare of the early 2000s which saw major law enforcement operations against ecological-anarchists groups like the Earth Liberation Front found that suspects who went on to commit arsons in the Pacific Northwest had often themselves been the victims of heavy handed police tactics during more peaceful, passive actions like those depicted in Humboldt County (Potter 2011). A 2016 collaborative study between DHS and the FBI concluded that one potential occurrence that could lead US anarchist extremists to adopt more violent tactics was "Anarchist extremist(s) retaliate to a perceived act of violence or lethal action by law enforcement during routine duties, creating a martyr for the movement" (Department of Homeland Security 2016, 14). It is of course no surprise that heavy handed policing tactics trigger more radical action. However what is interesting is that police have made this a matter of

policy in terms of how they identify threats at protests and demonstrations. The risk is further radicalizing a professional protester because once again even if the professional protesters' actions are illegal they are more predictable and thereby less of a threat to the stability of social and economic order. Since the tactical repertoire of professional protesters are more well-known it is easier to preempt and disrupt their plans when securing contentious events like political conventions. Much of the information found in the *Field Force Operations* is directly provided by professional protest groups themselves on public webpages and at open action training camps. This should be no surprise to anyone who engages in activism or studies police, but the broader implications of this dynamic is that police are familiar with the strategies used by their regular challengers, and ultimately on the spectrum of potential resistance a five-person sleeping dragon in a congressman's office is probably preferred to anarchists rioting in the streets and bothering the citizenry. This analysis is in no way an attempt to disparage people who the police identify as "professional protesters" but rather to call attention to the way police construct and act upon threats.

These distinctions of course have not always been the used in this way. Police responses to RNCs past have shown a brutal crackdown on even the most banal forms of political resistance. The 2000 RNC in Philadelphia started off with a thorough undercover operation by police resulting in the arrests of dozens of protesters preemptively at a warehouse where they had constructed an array of colourful puppets for a street theater performance (Hermes 2015). These actions by the police, coupled with a brutal crackdown and mass arrest in the streets, inspired waves of ongoing political resistance to police brutality that was stopped only by the freeze of grassroots political organizing in the immediate aftermath of 9/11. Overreaction by police across the United States have put the national spotlight on law enforcement, and the various agencies that train and deploy police are aware of this. So, while the national discussion revolves around aesthetic militarization and acts of police violence that evoke spectacle (or happen to be caught on camera) there is a push from law enforcement at the strategic level to accomplish the same level of pacification without such heavy handed tactics. The war must be cleaner at home the same way that war is sanitized abroad. This is not a process of threat elimination so much as an ongoing project of threat management.

Broken Arrow: On the Ground at the RNC

"We overwhelmed them with polite, professional police services. They just couldn't ever get anything going," Ohio State Highway Patrol Major Chad McGint (Ohio Department of Public Safety 2017, 10)

Two months before the RNC was set to begin 600 police officers pulled out of the security detail citing concerns over Cleveland's lack of preparations, liability, and the potential for violence. Ranking Ohio police chiefs referred to this moment in internal communications as "Broken Arrow" a military euphemism used as a call for direct support on one's position because of the fear of being overrun by enemy forces (Ohio Department of Public Safety 2017). By invoking this military metaphor the Cleveland Division of Police made a desperate call to other police departments for personnel. In the end their mission succeeded and the implications of this metaphor would play out in the streets of Cleveland where the fear of enemy action from protesters would mobilize thousands of police officers. This chapter discusses the policing of the RNC from the perspective of law enforcement officers. Using internal communications, after action reports, and leaked data this chapter seeks to represent the "voice" of law enforcement at the RNC. This isn't to say this can accurately depict what it was like to be a police officer, but rather shed insight into the strategies, tactics, concerns, and triumphs of the police.

The policing of the RNC began before the convention actually started. In June 2016 many Cleveland-based activists began reporting that FBI agents were visiting their homes. The exact number of visits is unknown, but the Cleveland chapter of the National Lawyers Guild reported several dozen encounters to local media (Tobias 2016A). The FBI for their part remained quiet about their intent, but worth mentioning is that such visits are as much a part of a strategy of intimidation as they are fact finding missions. The FBI as a part of a $50 million security budget would not be knocking on peoples doors asking them what their intent was six weeks before the RNC was supposed to occur. Major protests require planning and previous anti-RNC demonstrations were organized months in advance so that there was sufficient time to build coalitions between groups, decide upon the details of an action, and gather the necessary infrastructure. For example, in preparation for the 2012 Tampa RNC police officers infiltrated activist organizations months in advance and took leadership positions to steer the direction of protest. Similarly, at the 2008 RNC in Minnesota police informants helped organize a militant march and instructed other activists how to make explosive devices leading to several arrests

under anti-terrorist legislation[28]. The FBI's claim that they were on a fact finding mission should be considered with skepticism at best.

There was an immense amount of police officers at the RNC. It proves difficult to describe the sight of so many different kinds of police. At any given moment foot patrols of 20 to 30 officers walked regular intervals around the Event Zone while clusters of a dozen or so police stood waiting in what little shade existed. Other police would be directing traffic or standing at crosswalks. Special tactical teams with assault rifles and camouflage body armour would emerge suddenly from parking garages or alleyways in a non-stop, snaking patrol. There were police sharpshooters on rooftops and spotters with binoculars in windows and balconies. Police would be standing in lines on the street in a sort of parade formation even when no event was taking place so they could be seen by crowds in town for the conventions. There were police on bikes, horses, in golf carts, cars, trucks, vans, and helicopters. Homeland Security agents were on trains and in stations; the Secret Service guarded the gates of the Quicken Loans Arena and nearby fenced-off staging zones. At what seemed to be regular intervals black trucks would drive through the streets with armed and armoured tactical police sitting in open trunks and leaning out of windows. The police wanted to be seen and they wanted to be seen everywhere.

Minor incidents like these repeated themselves throughout the convention. Overall the security plan called several hundred officers to saturate the Zone with patrols starting at regular intervals and covering the same ground as previous units. Visually, what this looks like is one group of a dozen police officers walking by a park, followed by another group approximately an hour later, and then another, and so on and so forth all day. This took place across the Zone and meant that in addition to police in Public Square assigned to a specific event there were hundreds of other police officers moving around the same area. On top of this were federal security teams of various sorts watching over the proceedings with their own teams of agents dispersed along rooftops and infiltrating demonstrations. All of this took place in an area approximately the size of a mile with the majority of the police concentrated around Public Square, Willard Park, and Perk Plaza, which in turn were all within a ten-minute walk from each other. All of this was for

[28] The 2008 infiltration of anti-RNC protests was the subject of documentary *Better this World.* The infiltrator, Brandon Darby, was a long-term activist who became a police informant after a "change of heart". Darby now hosts a far-right political radio show and went on to manage Breitbart's Texas affiliate. Darby came to the 2016 RNC with the specific intent of "hunting anarchists", but I never encountered him.

roughly a thousand demonstrators spread out over various events and functions, and who did not necessarily share the same politics as one another other. Police on their end were unified, communicated well with each other, and were able to rapidly deploy, ready to adjust their numbers as the situation warranted it.

Behind the scenes an active intelligence network fed police commanders actionable data and coordinated real-time threat analysis from surveillance feeds. Together, the police could act on this intelligence analysis and saturate a potentially threatened area. One anecdote from the city's after-action report illustrates this approach as it happened:

> The first large group of demonstrators had within it known anarchists that had blended into the crowd of lawful protesters. As the group marched down Cleveland's East 48th Street, they were trailed by officers on bicycles. Then as the crowd turned a corner, they saw Michigan State Police troopers lining both sides of the street. McGinty noted the line of troopers in their blue uniforms was an instant deterrent to anyone who may have had other plans. [Ohio Department of Public Safety 2017, 8]

When considered with the discussion on police strategy, training, and organization one can tease out a bit more information. The police had active surveillance of people they identified as anarchists, likely beginning before the RNC as this demonstration was on the first day. They were then distributing this material to their teams on the ground. We can imagine police officers discussing this through the chain of command provided by NIMS and EMAC: local law enforcement compare data with FBI agents or receive feeds from one of Ohio's three fusion centers; data is correlated from open sources such as social media, infiltration, and surveillance, and from other already ongoing investigations. Names or faces of interest are identified and distributed to commanders on the ground with instructions on how next to proceed. This process feeds into a preemptive threat analysis model that aims for as much predictability as possible. The city's after action report identifies as much: "our goal was to prevent something from happening rather than responding to something that had already happened. We believe strongly that our interactions with the state, federal and local partners, and the value of the information we shared with each agency's leadership was unseen but a valuable part of the RNC" (Ohio Department of Public Safety 2017, 8). Distinctions are made between lawful protesters and the anarchist threat, but it is not entirely clear how. However, to borrow Donald Rumsfeld's famous adage, the known unknowns require a response built upon preemption and profiling. It is better to at least know who to expect to act in an unknown manner. Again predictability is key

according to the DHS framework. What is also curious is that their report avoids some of the more politically correct terms such as "criminal anarchist" used in other DHS documents that strive to avoid appearing ideologically biased in their assessments. The government does make an effort, albeit sometimes token, to avoid persecuting specific groups. Persecution based on identity is not very democratic. The trend in these kinds of reports is to simply add "criminal" or "extremist" to the identity as a marker to show that some kind of distinction is made. You can be an anarchist in America, you simply cannot commit crimes and become a "criminal anarchist". However here we see that no such distinctions are made in the Department of Public Safety's after action report. It states that they know that some of the people in the crowd were anarchists who had "infiltrated" a publicly organized and permitted march. While the anarchists may be known to the police, their plans were not as clear. There seemed to be some ideas though as the report notes, "For protesters and anarchists, downtown Cleveland with its numerous glass storefronts was a target-rich environment" (Ohio Department of Public Safety 2017, 7).

The public safety report discussed the importance of saturating downtown Cleveland with police specifically to prevent anarchists from destroying property. Disrupting anarchist activity formed a core component of the mandate of policing the RNC:

> The first groups out each day were charged with looking for protest materials that had been hidden overnight by anarchists. So when the anarchists came back out later, the bolts, bricks and other items hidden to cause damage to property and people were nowhere to be found [Ohio Department of Public Safety 2017, 7].

Yet the focus seemed remarkably misplaced and rather than evidence-based threats law enforcement used the spectre of anarchist property destruction to mobilize their occupation of Cleveland. In fact the only references to police finding potential missiles hidden by anarchists were in the police's own reports; no news story exists that could be found to reference this successful raid nor did it come up in conversation with anyone. One would think that were a secret cache of improvised weapons to be found, it would at least be mentioned as part of a successful police operation, as has been the case at the 2000 and the 2008 RNCs[29]. More likely if

[29] At the 2000 RNC Philadelphia police infiltrated a collective building large puppets for a street theater protest and then conducted a highly publicized pre-dawn raid to confiscate the materials. At the 2008 RNC a cache of shields made by protesters out of parking cones was found by St Paul police with the help of the FBI informant Brandon Darby. In both instances the police held press conferences discussing the materials from these busts as proof the danger posed by protesters to the convention.

such an incident even did happen it was not material linked to any specific group or significant enough to warrant mentioning when one considers the $50 million spent on security at the RNC. So while the Ohio State Highway Patrol After Action Report says that:

> Protesters felt a sense of security in their ability to exercise their civil rights without feeling threatened by counter-protesters or law enforcement. There were only 24 total arrests related to the RNC. Delegates, attendees, residents and protesters viewed the law enforcement presence as a blessing and not as a threat [Ohio State Highway Patrol 2016, 5].

The saturation of police and specific targeting of anarchists, or at least whomever the police identified as anarchists, seems to counter this idea that the police presence was viewed with open arms. It would stand to reason the supposed threat you are hunting does not see you as a benevolent force for good.

Also curious are the priorities given by law enforcement to anarchists compared to other potential threats at the RNC. One major unknown would be the presence of firearms. Ohio was an open carry state and many groups stated they would bring guns. In the wake of sniper attacks like those in Dallas and Baton Rouge, police and citizen groups lobbied to have guns banned in the Security Zone, but to no avail. The Secret Service would ultimately ban guns from the convention center itself but the surrounding Security Zone would not restrict firearms any more than local laws allowed. The after action report details that police for their part were instructed to shadow armed groups or individuals but otherwise were given no specific instructions. The report notes how some police commanders were from states that did not have open carry laws: "Someone carrying an Ak-47 in a crowd with all those people around was tough. We just continued reassuring the other states that it would be okay and to just let it play out" (Ohio Department of Public Safety 2017, 7). So while allegedly "known" anarchists were actively surveilled and followed for fear of broken windows and thrown bricks, those who arrived with guns were left alone as an accepted provincial oddity to perhaps be expected from a state with permissive gun laws. Indeed the aforementioned quote is the only part of the Ohio Department of Public Safety report that discusses the threat of gun violence at the RNC and what the police would have done to counter it.

The creation of distinctions between citizen, professional protester, and anarchist are used in federal training courses like *Field Force Operations* to better prepare police for their duties in crowd control situations. It is important to remember the majority of police officers at the RNC

were trained in this course. The distinctions made are not based on political ideology so much as based on the capacity for each group to mount serious challenges to state power or significantly disrupt the flow of the economy. Citizens are not a threat, even if they are armed white nationalists, because they do not pose a revolutionary threat to the status quo. Citizens peacefully assemble in their designated pens for their fifteen minutes of alloted time at the speakers box or their forty-five-minute march along a cleared road. They are the most manageable group, but could potentially slide into other categories if certain conditions are met or if they are met with an overactive police force. Professional protesters may be politically radical and their actions could pose a disruption but those it is mostly formulaic and manageable despite depictions to the contrary in the media or from politicians. Anarchists are the threat that must be suppressed as they have always been. However their depiction in police materials has shifted remarkably over time from foreign born terrorists who in the nineteenth century killed a president to being now mostly college students who express their beliefs through breaking windows. The danger of anarchists in America is more existential than physical, particularly in the current time. The danger does not lie in the possibility of every Goldman Sachs window in America being smashed, but in the proliferation of ideas that fundamentally oppose the political, social, and economic organization of the United States. In the battle for hearts and minds the anarchist, which again is constructed by police as a protester category rather than in ideological terms, has already lost. There is no redemption for the anarchist, no amount of community policing or civil outreach that will sway the lost back into the folds of respectable politics. Despite the ostensible threats of terrorist attacks or gun violence at the RNC the police presence was directed predominantly against the threat of protest or disruption. Even by the standards of the American government protest does not quite fit the definition of terrorism, but the ideas that protesters propagate were seen as threats. Now in the concluding chapter of this work we shall see how these categories were performed on the ground at the RNC.

Chapter Five: Protesting the RNC

This section is intended to complement the previous discussion on police tactics at the RNC by giving the perspective of the protesters who took part in demonstrations against the Republicans. Police strategy can be very abstract and as informative as the various documents discussed, they don't quite capture the "feeling" of what it is like to be surveilled, surrounded, and/or chased by law enforcement. While the focus of this thesis is not on protesters, understanding the experiences of some can shed light on why the police use certain tactics.

During the RNC I stayed in the basement of a church in West Cleveland outside of the city core. The staff of the church were quite supportive of the anti-RNC protests, but were facing public backlash for some of the political stances they had taken and did not wish to take part in the research. At the church I met other protesters from out of town whom I would spend the next three days with. Our routine was waking up early to catch a train into downtown Cleveland, protesting until sundown, and then spending the evenings swapping stories at a bar with discounts for RNC protesters. A strong bond formed through the experience and I still maintain ties with several folks I met to this day. The 10 of us nicknamed ourselves the Church Delegation and I spent the vast majority of the time with this group. Of the 10, four were able to participate in interviews that I conducted after the RNC had ended. Their responses have been included here, but out of security and privacy concerns all of their names have been changed. This section describes some key moments at the RNC that were connected to the previous chapters of research presented. The events are not presented in chronological order and are instead organized thematically.

Who Came to Protest

Overall very few people came to protest the RNC and the majority of protesters came from out of town. The few residents of Cleveland I spoke to in passing told me that most Clevelanders they knew left the city if they could because of the disruptions from the security services. Others rented their homes to convention staff at steep premiums, while the rest simply stayed home for the three days. All of my participants were from outside of Ohio and two came from Canada for the protests.

Many people were intimidated by the security preparations at the RNC and the potential for mass arrest. Maude, one protester who came from Montreal highlighted these tensions:

> We knew we were going into something that could be potentially dangerous and didn't really know what to expect. I don't think anyone with us didn't know what they were getting into, but like we were expecting heavy police repression and that we wouldn't' be allowed to look the way we look or act the way we wanted. That first night we were afraid we were going to get raided at the Church we were staying at, so no one had their stuff sprawled around it was all tightly packed and people were ready to leave at a moment's notice. You slept hugging your backpack which was a reflex a lot of people had. Basically we all had to be ready to get up and run or escape at any moment and I think that was the modus operandi. That was the mindset you had to be in.

Previous RNCs had seen preemptive raids on housing for out of town protesters and several others I spoke to were similarly concerned about being arrested before the proceedings even began. This fear kept others from coming in the first place. American and Canadian activists I knew had concerns about violence, or being arrested and having to spend time and money fighting charges. These fears were stoked by the media and by police's very public preparations. Almost everyone I spoke with had expected major clashes between pro- and anti-Trump crowds. The fact that Cleveland was an open-carry city only added to those tensions.

While the police initially estimated 18,000 people would come in reality there were no marches larger than 5,000 and the majority of the demonstrations were significantly smaller than that. Regardless of the size every event was closely monitored by police. Police estimates included both pro- and anti-RNC protesters, but even among the anti-RNC crowd there was no real ideological unity nor overarching coordination. Those who came to protest against the RNC were a broad mix of liberal anti-war activists such as CODEPINK and Iraq Veterans Against the War; Greenpeace-esque environmental NGOs; and members of Bob Avakian's Revolutionary Communist Party. The large NGO groups bused in protesters for a specific day's events but would then leave, so over the three days the number of protesters fluctuated significantly. A small contingent of the Industrial Workers of the World came from Pennsylvania and linked up with other unaffiliated radicals.

The mass protests predicted by the police and the media never materialized. Those that did tended to do so either by marching along permitted routes or by assembling static rallies in the various plazas approved by the Zone regulations. Over the course of the three days I went to more than a dozen rallies, marches, and counter protests. The vast majority of which amounted to standing in the sun and shouting slogans while being surrounded by hundreds of police and

dozens of journalists. Each group brought their own messages and there was not even unity in being explicitly anti-Trump. Local activists with Organize Ohio specifically said they were not there to protest the candidate because Trump was simply symptomatic of a broader system of inequality. Shut Down Trump was a coalition of different activist groups from across the United States and included members from Pennsylvania, Wisconsin, and New York. Their message was one of liberal reform that implicitly supported the Democratic party.

The pro-Republican groups were far more unified in their support of the candidacy of Donald Trump. Some like the infamous Westboro Baptist Church used the RNC as a platform for their religious message. Over the three days I saw individuals who supported other Republican candidates, but there were no groups that I saw that explicitly supported anyone but Donald Trump. Several far-right media organizations were also present to cover the proceedings and "troll" unsuspecting protesters with outlandish questions. These groups included Red Ice Media, InfoWars, and Canada's own Rebel Media. Various far-right groups came out to support Trump and explicitly came to "defend" the convention from anarchists and communists. They also included the Three-Percenter and the West Ohio Minutemen militias and Matthew Heimbach's fascist[30] Traditionalist Workers Party[31] (TWP). Each of these three groups were armed with open-carried assault rifles and handguns. Though the Oath Keepers and Three-Percenters are not explicitly fascist organizations they did march with the TWP at demonstrations organized by Citizens for Trump and the Rally For America First. Police were quick to intervene when opposing groups came too close to one another and no major clashes occurred between opposing groups beyond shouting and shoving.

The groups that came to protest against the RNC varied widely in terms of their politics, how they organized their protests, and their willingness to collaborate with the police. The two largest marches, End Poverty Now coordinated by Organize Ohio and the nationally coordinated Shut Down Trump march happened at the same time but in separate locations. It is unclear if this was due to how the scheduling of marches took place or if it was due to ideological differences.

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[30] This is not hyperbole: the TWP self-identifies as a fascist party.

[31] Before collapsing due to internal divisions in 2018 the TWP had organized several rallies that ended in violence. A month before the RNC on June 26th, 2016 the TWP held a rally in Sacramento, CA with the Neo-Nazi Golden State Skinheads and clashed with anti-racist counter-protesters. Ten anti-racists were stabbed by members of the TWP. Tensions were particularly high as Heimbach made a point of chanting "Sacramento" at anti-RNC protesters from behind police lines.

In either case, each march had significantly less participants than they estimated according to their permit applications (ACLU 2016). CODEPINK and Iraq Veterans Against the War held several small actions over the three days, but they never numbered more than a couple dozen of protesters with a small crowd of curious onlookers. CODEPINK's most significant action was an "open-carry" march of tennis balls through the Event Zone. Attracting a small crowd of perhaps two-hundred this action sought to highlight the ridiculousness of the NSSE's banning of tennis balls while permitting firearms. Despite clearly violating the rules of the Zone the action was not a threat to anything and no one was arrested, nor was there any effort to confiscate the illicit tennis balls.

"Police Everywhere, Justice Nowhere"

A common Francophone chant at protests in Montreal is "Police partout, justice nulle part" which translates to police everywhere, justice nowhere. The sentiment seemed fitting given the number of police at the RNC and how arbitrary the enforcement of the rules were. Every march took place under heavy police watch. No matter the size of the march the police strategy relied upon overwhelming numbers and advanced knowledge of the terrain to restrict the movement of the crowd. The main parade route that brought us near the Quicken Loans Arena was a long zig-zag of tall fencing that made it so larger marches were always broken up into smallers ones. The only way to move was forward except for gaps in the fencing staffed by police officers who would allow demonstrators to leave but not always to reenter. If you needed to leave to get water or use a bathroom you may have to return to the starting point where you could then reenter the pen. This meant that large crowds could not gather and that the police had several opportunities to move in between sections of a march should they need to disperse it. There was another parade route that I never went on, but it crossed a bridge making it just as easy for the police to corral. This led one LA Times journalist to ask "If you hold a protest march on a bridge where nobody except the police and media can see you, are you really marching?" (Pearce 2016).

On any given march at least two dozen Cleveland police officers would travel along the flanks of the demonstration on bicycles while more officers were on foot escorting the march from the front and the back. The bike police wore body armour and full-face helmets while the police on foot were just in uniforms. Only once did I see Cleveland police donning riot gear in

response to an unlicensed march, but the march dispersed before the officers were finished getting ready. In general the police had overwhelming numbers. Even at some of the larger demonstrations it felt as if there was a ratio of one police officer for every two or three protesters. At some of the smaller rallies the protesters were significantly outnumbered by police. Several of the demonstrators I spoke with found this show of force unsurprising, but intimidating. Even though every participant I spoke with had been to protests before the RNC, none saw as many police as there were in Cleveland.

Peter was in his mid-twenties, married, and worked in a factory in central New York. He came by bus to Cleveland to "vocalize my dissatisfaction with the state". We met in the church and went to several of the demonstrations together. On our first march together Peter unfurled an upside down American flag that he had affixed to a long cardboard tube. When asked why he used a cardboard tube instead of a flagpole he told me he had "read the rules about what you could and couldn't bring" and flagpoles had been on it. His compliance with the rules did not stop him from being singled out by police and by other attendees.

> Even just being in a group just walking around with four other people and we were being followed by six or seven cops down block after block. At one point they [the police] were yelling at me because I was wearing a bandana around my neck one of the days. A police officer, who I had to imagine was a captain or some rank because he was wearing a white shirt, and uhm he came up to me and told me that there weren't any masks allowed. I clearly wasn't wearing it over my face, just around my neck, but they had to intimidate you to ensure you would comply with everything that they said regardless of whether or not you were actually taking part in any action.

At this moment Peter was with myself and about ten other demonstrators. We had stopped to rest in the shade of a building between marches when between ten and fifteen police officers approached us. A long argument ensued between the lead officer and ourselves over whether or not bandanas were permitted in the event zone. Despite the event zone regulations being quite clear that covering your face was not against the law and was protected under the First Amendment the police clearly felt we were manipulating the rules to then cause problems later on. During this conversation more police officers from the Cleveland Division of Police came and surrounded our small group on the sidewalk. Our backs were to a building and the police formed a semi-circle around our small group penning us in. Sensing the possibility of a kettle

several people in our group began asking loudly if we were being detained or if we were free to go. After a few minutes of this the officer we were speaking with relented and motioned for the other police to open up their line for us to leave with a "cautionary warning" to stay out of trouble. He did not elaborate when asked what that meant or why we were being warned.

Others also faced arbitrary enforcement of Zone rules. Perhaps the most inconsistently enforced were the regulations regarding the presence of sticks, flagpoles, and wooden beams. Most groups had banners, flags, posters, placards, and other visual displays of their various political beliefs. Despite the specificity of the rules banning displays made of certain materials they were enforced by the fiat of the police officers according to an unwritten, but clear logic. For example, at one point on the second day of the RNC a man stood silently in Public Square with an upside down American flag on a four foot wooden rod. He was tall and muscular with a large beard and a t-shirt with a photo of armed indigenous women that read "A Woman's Inferiority is a Colonial Construct". He was approached by several men who I heard self-identify as "patriots" and who then began accosting him for "disrespecting" the flag. One of the men had a leather vest on with several military insignias and seemed to be a veteran, but I could not confirm this. The man with the flag tried to calmly explain that for him the upside down flag was a symbol of a country in crisis and in any case it was his First Amendment right to express himself in this manner. The other men spat at him and shoved him before trying to physically take his flag. A crowd of onlookers stood idly watching the argument with reporters occasionally stepping forward to awkwardly ask for an interview or snap photos. A tug-of-war ensued. At this point three police officers intervened while about a dozen more watched. They confiscated the man's flagpole and took his flag. Then the protester and the police officers argued about whether or not they had the "right" to confiscate the flag or his pole, until one of the police officers cited the Zone's special laws banning wooden poles. They took the protester's pole but returned the flag. Simultaneous to this incident, an elderly man dragged a six-foot tall wooden cross in a continuous circle around Public Square. As a small experiment I approached a group of police officers nearby and tried to report the man for violating the Zone's rules. I asked the officer if they intended to enforce the special bylaw in the same way they had on the man with the flagpole, but the officer I was speaking with said he had not read the rules and did not think it was illegal to have a giant wooden cross because "it was not causing any problems". When I offered to show him the bylaw on my phone he said he would call his superior officer and ask

him directly. He then proceeded to ask for my name, where I was from, and where I was staying in Cleveland. I declined to answer and left before getting a response, and assume the officer did not follow through on the question of the cross.

This incident was but one example of the dozens of violations of the special laws that occurred but were not punished. While the enforcement may seem arbitrary this thesis argues it was quite the opposite. The police needed legal reasons to disrupt protest activity. The way the rules were written almost everyone was violating at least one of the special bylaws, so if the police needed a reason to intervene they could do so without the outward appearance of political profiling. It was not a coincidence that protesters like CODEPINK were not harassed to the same extent as protesters who crossed the line from mockery to contempt for the political system.

Most of my interactions with the police in Cleveland followed this pattern, and the others I met at the church reported similar experiences. We were constantly asked by police for our names, whether or not we were from out of town, who we knew in Cleveland, and where we were staying. These conversations took place several times throughout the day as we waited between events or were simply moving through the city. Nestor, a protester who came from Kansas and had marched in Ferguson after the killing of Michael Brown, told me how he was followed by two police officers who began asking him questions as he was simply walking on the sidewalk to meet up with us in Public Square. This was in stark contrast with how others were being treated whether they were Republicans in town or more liberal protesters.

> Yeah there was a very recognizable hostility, verbally and body language wise with any kind of person who appeared to be a radical protester. As opposed to a liberal protester who were just, they would chit-chat with the cops and etcetera, etcetera: free exchange of body language, non-aggressive.

The distinctions between radical and non-radical protesters were based primarily on visual profiling. Anywhere we went in the vicinity of the event Zone would mean being followed by at least two uniformed police, and usually many more. In some cases five of us walking on the sidewalk were followed by as many as two dozen police officers. When confronted, the responses tended to be quite explicit: the police were simply “keeping an eye on things”. Many in our group may have “looked the part” of protesters for having asymmetric haircuts, dark clothing, and being relatively young; but at no point was anyone in our group walking with their faces covered, carrying weapons, or otherwise breaking the law. In fact, many of the participants

I spoke with had explicitly informed themselves of the special rules of the Zone specifically to try avoid being arrested or harassed. For Alexander, who came from Canada to protest the RNC, this dynamic directly informed how he presented himself.

> Alexander: I think I was the only guy wearing a blue collared shirt there. I mean I always dress the same but I knew too what [the police] would be looking for and I must admit I like trolling so that's how I went.
> Kyle: So you had in mind consciously how you would present yourself while you were there?
> Alexander: Yeah, I self-regulated myself because I knew if I dressed more casually I'd get more easily targeted because that's how police proceed. I mean sometimes, I don't know if you agree with me, but certain kind of protesters are easily targeted more than other. So knowing the states is a bit more, well police there and here [in Canada] use very similar tactics.
> Kyle: What do you think some of the identifying things are?
> Alexander: Well they target people of colour for sure. People who use some protesting tactics, usually I mean they get intel on people who will be at the protest and then target them. They target people associated with certain groups, or target people associated with certain individuals who've organized the protest, and the police do exhaustive studies of people: they tap phones, they look at your information on facebook, and I mean they get their info so certain people are clearly targeted for political thought or political philosophy, for how they organize and they way they proceed. So that's pretty clear and evident.

While I did not ask any of my participants if they thought that they were under surveillance before coming to the RNC, it remained a possibility. More likely we were simply being profiled. Throughout the police's internal documents they highlighted the immense intelligence gathering network that enabled them to identify and isolate "anarchists" from other protesters that were there. While it is not entirely clear how those distinctions were made they seemed to be predominantly based on visual profiling.

One example of this was navigating Cleveland's public transportation. Commuter lines from around the city came to a central station in front of Public Square. On the morning of the second day at the RNC, Peter, Maude, and I were taking a train in from where we were staying in West Cleveland. The transportation system required that you get your ticket stamped by a machine when you board the train, but there was no turnstile preventing you from boarding the train. Upon exiting the train you would need to swipe your stamped ticket at the turnstiles to exit the station. Since we had not gotten our tickets stamped, even though we had purchased them,

we could not exit through the turnstiles. We were not the only ones. Hundreds of convention attendees streaming through the train station alongside us were having similar problems. Dozens of DHS agents were deployed around the station watching while Cleveland transit police repeatedly explained the system. The three of us were stopped by two police officers while trying to exit the turnstiles. They told us we were being detained and that we had to come with them. Taken to a nearby bench surrounded by police officers we were asked for our identification. I asked why we were being detained and was told that we were being cited for "fare evasion", but then the police officers proceed to ask each of us questions about why we were in Cleveland, what our plans were for the day, and where we were staying. As this unfolded literally dozens of other people were being let through the turnstiles by transit police who did not stop any other people during the forty minutes or so that we were detained. Peter told the police that there was an event we were supposed to attend and we were informed that we would "probably miss it". After taking our information the two police went to the DHS agents and conferred with them. Minutes went by and we continued to watch others be escorted through the transit turnstiles while making the same mistakes we were being detained for. The police returned with our identification and informed us that it was our "lucky day" because they were only going to give us written warning for fare evasions, but that those warnings would last for five years so if we were ever stopped again for fare evasion we would simply be arrested. They then told us we were no longer being detained and were free to go.

As we were getting ready to leave Peter had opened up his bag to take a drink from his water bottle. In doing so he disturbed a flyer he had picked up on the first day that discussed what to do in the event of being teargassed. Such information is commonly distributed at protests, particularly major demonstrations like the RNC which attract veteran and new activists alike. Peter's flyer fell out his bag and onto the floor before immediately being snatched by one of the police officers. Peter asked for it back but the officer refused saying she had to phone into her supervisor. I began to protest, but other police officers in the vicinity began moving towards us. Taking that as our cue, the three of us quickly left the train station before we could be detained again. This kind of profiling was obvious. The police detained us because they knew we were demonstrators and their questions confirmed as much. Other attendees who were in town to support the convention were escorted through the confusing labyrinth of the transportation system and instructed on how to take the train with polite bemusement. We did the exact same

thing as hundreds of other visitors to the city and we were detained. This dynamic would repeat itself constantly throughout the days of the convention.

Key symbols separated us from more liberal protesters and none was perhaps greater than showing disrespect to the American flag. In a country that prides itself upon free speech some react quite hostilely if "the Flag" is not respected. Peter and I found this out as we were marching together with his upside down flag on the first day of the RNC. The demonstration was entitled "Stand Together Against Trump" and I found out about it by looking at the official schedule of permitted marches. In total about five thousand people marched in a winding snake around the Quicken Loans Arena and through pens constructed with tall fences. This was an odd experience in and of itself. Coming from Montreal the idea of walking within a fenced-in lane, the gates of which were literally opened to us by the Secret Service, was quite alien. However, the march proceeded mostly without incident.

We had been marching for about thirty minutes along the official parade route when a woman came up to us. Several reporters had been taking photos of Peter and his flag throughout the march and the woman had a press pass, so we thought nothing of it at first. What follows is from my field notes:

> Woman: You're the guy with the flag
> Peter: Yes? It's a free country isn't it?
> Woman: Yeah, yeah look I'm a reporter I'm just here to cover this, but I heard a man about a block back talking about how he was gonna shoot the guy with the upside down flag.
> Me: Well did he have a gun?
> Woman: Yes! Yes he had a gun and he was coming this way so I wanted to warn you.

Peter and I exchanged glances, but he didn't put the flag away. We walked in silence for several minutes, but then I noticed coming up the flank of the march on the other side of the fence-pen was a tall white man with a green baseball cap and rifle cradled in his arms. The barrel of the gun bobbed lazily in his arms as he shadowed the march and scanned the crowd. He saw us and began shouting something but we could not hear it over the crowd. Peter and I spoke briefly and decided to reposition ourselves in the crowd out-of-sight from our armed shadow. Despite the presence of several dozen police walking on the flanks of the demonstration no officer that I saw intervened.

Of Burning Flags and Mass Arrests

The 2016 RNC had the fewest arrests of any RNC in the past ten years save for the exceptional circumstances of the 2012 Tampa convention which was disrupted by a hurricane. The Cleveland Division of Police was credited for their due diligence, restraint, and professionalism when it came to interacting with the crowds. The reality was more that there were no planned actions to disrupt the convention. Unlike previous RNCs, no massive black-bloc formed nor were there any specific calls by any groups to shut down the convention. The most militant groups that came to Cleveland did so just to demonstrate their dissatisfaction. Three activists were arrested for trespassing after they scaled flagpoles in front of the Rock and Roll Hall of Fame and two were arrested on charges unrelated to the RNC. The only mass arrest took place on July 20th when 17 members of the Revolutionary Communist Party held a flag burning near the convention hall. We were on our way to attend the flag burning organized by the Revolutionary Communist Party (Revcom) taking place in front of a security gate outside of the Quickens Loan Arena parking lot when our approach was stopped by a wall of people. We made the mistake of taking Trump Alley which was the most direct route between Public Square and the other Free Speech Zone near the arena. What we didn't count on was how many people could be crammed into such a small space.

We couldn't budge, too many Republicans crowded the narrow street browsing for all kinds of election memorabilia. Slogans ranged from the crude to the clever and money changed hands quickly in the burning July sun. T-shirts read: "Hillary for Prison 2016"; "Hillary Sucks but not as Good as Monica", "Build the Wall", "God Bless Trump and God Bless the USA", and "Blue Lives Matter". Too many people were packed into too little space spending, in my opinion, too much money on vaguely racist and extremely sexist paraphernalia. The wet heat rolled off of the asphalt and was compounded by the exhaust coming from cooling units that chilled the tents of NBC, Fox, CNN, and other media outlets.

We could hear a commotion from where we were headed. "Communists are trying to burn the Flag!" An irate male voice burst from the crowd up ahead. If the RNC demonstrated nothing else it was that the attendees loved the flag and hated communists. Put that together and the situation seemed primed for violence. Not that violence would likely come from the crowd of middle-aged Republicans who clogged the street here, but I was worried the police would do something to provoke a stampede.

A gruff voice shouted “Make a hole! Make a hole!” and I peered over the heads of the crowd to see a line of police officers quickly moving towards the site of the flag burning. Each step was punctuated by the officer on point shouting “Make a hole!”. The police were coming right behind our group and four of us made a half-hearted attempt at blocking the police’s advance but were quickly shoved aside. Overall the crowd parted for the police as best they could, but the pressing mass of the crowd meant that many were pushed up against barricades separating the masses of people from the media tents.

Looking around to the scattered members of the Church Delegation I motioned to follow the police; a hole was indeed made and now was our opportunity to move up the alley way towards the RCP’s flag burning. We followed the police for perhaps two dozen steps before we all stopped. A crowd of perhaps 200-300 people encircled a group of fifteen to twenty members of the Revcom, their affiliation evident by their matching black shirts with the slogan *Bob Avakian Speaks: Revolution-Nothing Less*. I could see only the tops of their heads as the crowd looked on in horror at the spectacle of communists preparing to burn the American flag.

The Revcoms stood in a tight formation surrounded by dozens of journalists and clicking cameras. Their politics emphasized a kind of hierarchical discipline more common to radical groups of the 1960s and there were clearly marshals of some kind directing the Revcoms to tighten up their ranks. In addition to the matching black shirts some wore camouflage pants and many had large black sunglasses. The theatrics of the Revcoms were not well known to myself, but I questioned some of my interlocutors about them afterwards. The Revcoms follow the teachings of a man named Bob Avakian and his text *The New Communism*. My compatriots jeered at the sight; some had worked with Revcom affiliates in the Midwest and criticized what they saw as a dogmatic and aggressive approach to political organizing. But as one interlocutor would put it, “You didn’t see anarchists burning the flag at the RNC.”

The Revcoms were following the lead of an older man who had the kind of wiry, energetic build of someone who had spent a long time doing anti-capitalist organizing. Though I did not know this at the time, the older man was Gregory Johnson, a Revolutionary Communist from the 1980s known for his numerous supreme court battles which provided the legal foundation that allowed flag burning. His white hair was thin and fell from beneath a black cap. He had on a shirt that read “America Was Never Great” and was shouting a speech that I could not hear through a megaphone. In his other hand he held out an American flag that dragged along

the ground. Another Revcom standing next to Johnson held a large placard bearing some text of Bob Avakian's but I could not read it. Johnson bent over with a lighter to set the flag ablaze. As he did a steady anti-imperialist chant rose up from the Revcoms who had at this point locked arms with each other around the burning. They knew what they were doing: already a crowd of onlookers had gathered to try and push their way through to presumably stop the flag burning. A group of burly men were pushing up against the Revcoms and when they failed to break the line the men began to hurl the contents of bottles of water labeled "Vote for Jesus" onto the protesters, presumably aiming for the burning flag.

"Make a hole!" The police column had reached the outer wall of Revcoms and pushed aside jeering civilians. Police charged to break through and the Revcoms pushed back in a style reminiscent of a rugby scrum. While this was happening an older woman had successfully lit the flag and a gout of flame shot up. Tendrils of black smoke burst upwards as the Revcoms, being experienced flag burners, had clearly presoaked their flag in whatever preferred accelerant. It is a common misconception thinking that it is easy to burn a flag as they are more often than not made of flame retardant material. To achieve the dramatic burst of flame so often desired requires some kind of fuel or other accelerant. Then the flag doesn't burn so much as it bursts into flames. However, if there is too much accelerant applied then that can cause the flames to burn too hot and the flag to melt. Bits of fuel covered flag can fall away and cause unintended burns, which is sort of what happened in this case.

As the police pushed through the Revcoms they knocked people back who fell towards the burning flag. Shirts began to burn when the police sprayed the entire group with fire extinguishers. That was quickly followed by blasts of pepper spray into the faces of the Revcoms after which a dozen or so more police officers charged in and started grabbing people. The scrum then became a struggle between the police trying to make arrests and Revcoms trying to pull their members out of police custody. Shirts were getting ripped, punches were thrown, and pepper spray filled the air. The Republican crowd scattered back into us and we were forced to move back lest we be trampled. We were unable to offer any support to Revcoms beyond starting anti-police chants which quickly earned us the ire from the crowd of Republicans filling up Trump Alley. At the end of it seventeen people would be arrested, including Gregory Johnson, marking his fifth arrest for burning the American flag.

The police later claimed that they had intervened because Gregory Johnson set himself on fire while burning the flag. Videos taken by bystanders witnessing the event however show that the only reason anyone was burned was because in the scuffle people were pushed into flames, more often than not by police. The Revcoms had formed a barrier between themselves and the burning flag specifically to prevent anyone from getting hurt, but no mention of that was made in the ensuing media reports. No one was actually arrested for burning the flag but instead on an array of charges including failure to disperse, disorderly conduct, resisting arrest, and assaulting a police officer. That fact did not matter as the narrative was already set: communists were trying to burn the flag and the police stopped them. No officials questioned the legality of the arrest nor whether or not it was even necessary to preserve order. Cleveland's Mayor Frank Jackson only commented that they would see things "play out in court" (Shaffer 2016). Not much more was made of the case until it went to trial nearly a year later. In the end all of the charges were dropped against the Revcoms, including Gregory Johnson, by a judge who cited a precedent set by Johnson himself. In 1989 the Supreme Court ruled in *Texas v. Johnson* that burning the American flag was constitutionally protected free speech. In 2018, Johnson filed a lawsuit against the Cleveland Division of Police for violating his First Amendment rights (Heisig 2018).

The case against Johnson and the Revcoms was typical for protest-related activities. In lieu of charging protesters for crimes they as individuals may have committed police often use minor offences to justify an arrest and take people off the street. Whether or not the charges will hold up in court is of secondary concern because the most important thing is to maintain order. What is also interesting is that the incident was never mentioned in any of the after action reports produced by the Cleveland Department of Public Safety cited in this thesis. The Revcom action was functionally the only actual "protest" that took place at the RNC in the sense that it was an uncontrolled activity calling attention to political grievances through a symbolic act. There was no negotiation with the city about the terms of the demonstration nor did they file a permit to take part in constitutionally protected speech. Although the flag burning was not illegal it was uncontrolled and that was the reason the police intervened. Compare this with the previous discussion of CODEPINK's tennis ball open-carry in which protesters explicitly violated a rule but were not charged because their protest was not a threat: although it was illegal, it was more importantly predictable, negotiated, and ultimately non-threatening. The Revcoms' flag burning posed only symbolic risk to the status quo and they were suppressed with the greatest amount of

violence that took place at the convention. Regardless of how the legal consequences then developed the message in the moment was still clear.

Conclusion

The overall argument of this thesis was that to understand police militarization one cannot separate the functions of the military or police from a wider framework of capital accumulation and social inequality. The foundation of militarization is inherent to the function of police in American society. In support of this position this thesis made three claims. First is that the traditional separation of roles between police and the military is an inadequate framework. Counterinsurgency, the War on Terror, and the ever increasing need for security blur the boundaries between the roles of the police and the military. The military is increasingly involved in police actions in pursuit of American foreign policy goals and the police adopt the form, materials, and strategies of the military. The second claim is that while police militarization has accelerated at various points in history it should be viewed not because of any one historical event, but rather as a product of the social and material conditions of the times. Each critical moment that shaped the ensuing decades of police practices was influenced by the foreign military occupations taking place at the time. The American empire in effect served as a laboratory for what when applied domestically was considered policing strategies and tactics. This can be seen in the creation of domestic intelligence agencies in the wake of the Spanish American War and the introduction of counterinsurgency tactics to police departments in the wake of Vietnam and, much later on, in the invasions of Iraq and Afghanistan. The third claim is that there is a reciprocal relationship between police and the military. Both bodies serve similar functions and through militarization the distinctions between them are less relevant than how they function in society. Whereas in the 1960s the National Guard or other military units would be mobilized to quell disorder now the police have equipment and training to meet any domestic threats. With the ongoing threat of terrorism these capacities will only increase. Rather than a security culture it may be more prudent to speak of a teleology of security. Through a framework of counterinsurgency domestic policing becomes an exercise of building and maintaining the legitimacy of the social, economic, and political processes of the state. These factors were on full display at the 2016 Republican National Convention which was a public relations victory for law

enforcement but also a dangerous continuation of policing strategy that minimizes the capacity of dissent and protest in America.

To further this argument this thesis began with a history of policing that traced the institution of law enforcement in America to its foundation to demonstrate that the functions of the police, and by extension the roots of militarization, have not fundamentally changed in two centuries. Bruce Smith (1940) argued that American police grew up with the country and that remains true to the modern militarization of police. A clear line should be drawn through history from the militias and slave patrols of early America to the heavily armed tactical teams patrolling the streets of Cleveland during the RNC. Treating militarization as a recent phenomenon is dangerous because it obfuscates the wider social context of why police departments do what they do. This obfuscation is what drives some reformers to push community policing as if it were some kind of a cleaner, better way of policing. A similar argument exists for using drone warfare. The smarter, "better" forms of policing do not address the raison d'etre of policing nor do they make society more equitable, accountable, or just. This thesis has not talked much about current efforts to reform or "demilitarize" the police, but that is because so many of the solutions involve expanding police powers and capacities and lack direct challenges to the role of police in society. For example, some advocate body cameras as a solution to officer-involved shootings like that of Michael Brown in Ferguson, but because such technologies do not alter the power structures of police operations, even flagrant violations of police use of force go unpunished at a systemic level. Similarly, calls for civilian accountability boards and community policing do not address the reasons police are deployed in the first place. The system of inequality that requires policing will similarly require militarization as the perceived need for security increases.

Security, catalyzed through the Global War on Terror, has become a pervasive concern that has creeped into all functions of social life. However, to an extent there has always been these massive expansions of police powers that respond to the perceived crisis of the day. These crises are rarely based on the physical threat posed by challengers, but by the potential danger posed to the legitimacy of the social, political, and economic status quo. Major challenges throughout history have been the militant labour struggles of the early twentieth centuries, the Civil Rights and wider Black Power struggles of the 1960s, and now the Global War on Terror. At each turn police have had to innovate to respond to new avenues of social struggle and more often than not the military acts as a front of inspiration. As war changes so too does policing

because imperial missions abroad have always served as laboratories for strategies of social control that will inevitably come back home. This can be seen technologically speaking with how telegraphs and criminal record keeping played a role in the occupation of the Philippines during the Spanish American War: these methods returned domestically to be used against anarchists and communists. This can also be seen with the use of surveillance, intelligence, and public outreach tools used in Iraq and Afghanistan which is now part of an arsenal of community policing.

The distinctions between these two functions of war-making and law enforcement blur through militarization. This dynamic is deeply intertwined with the class and racial hierarchies of American history that make up the social order. At each moment of social upheaval the police were ready to meet the challenges posed by social movements. Any effort at making American society more equitable was met with top-down pressure. When a pivotal moment has been reached concessions are made but in a way that ultimately reinforces the legitimacy of the power structures responsible for oppression in the first place. Just like slavery had to end on Lincoln's terms and not John Brown's, the laws of Jim Crow did not end because of the benevolence of the United States but by the weight of popular struggle that impeded the march of capital. The bar has to bend lest it breaks under the strain of contradictions and violence that result in a total loss of the state's legitimacy.

Counterinsurgency provides the framework within which to understand these actions in part because police like Zambri explicitly advocate for counterinsurgency as part of policing practices, but also because it provides a conceptual framework with which to view seemingly contradictory forms of law enforcement. Community policing which promises a cleaner, more democratic kind of social control is not separate from hyper aggressive police militarization. They exist in a simultaneous space because what's at stake remains the legitimacy of the political system. That legitimacy is attacked on multiple fronts which in turn requires a similarly diverse set of tactics. For some people you win their hearts and minds, for others you break their will and imprison their bodies. These are not entirely new concepts, but rather a reapplication of earlier forms of police strategy. At the RNC this distinction can be seen in how police approached liberal and radical protesters. CODEPINK with their civil disobedience action of tennis ball open-carry resulted in no police action. The Revcoms, whose leader set the legal precedent guaranteeing the constitutionality of burning the flag in public, were brutally suppressed for

doing just that. Yet this injustice goes unacknowledged by the media that instead praised the Cleveland Division of Police for preventing violence. In effect the police were able to construct a threat in the fear of anarchist violence that was never premeditated, militarize downtown Cleveland, and then claim victory for when the threat never appeared. After spending $50 million the city unjustly arrested people for charges that were quickly thrown out in court.

The danger posed by ungovernable forces may for the moment be more ideological than physical, however the threat posed by groups that refuse the legitimacy of the United States has historically led to major challenges to state power. Protest is not illegal in America, but protest that occurs out of the carefully assessed and heavily regulated spectrum provided by police is increasingly criminalized and more militantly repressed. The demands coming from modern social movements like Black Lives Matter are both radical and reasonable. The desire to end militarized policing should not be an outrageous idea, but at the same time violent policing is so at the core of American society and the demands of security so integral to state institutions that even police accountability can be seen as a gap in the armour. Counterinsurgency is about the management of expectations and the maintenance of legitimacy. If legitimacy is challenged through protest then the avenues of the state need to ensure that protest occurs on their terms. Autonomy from omnipresent gaze of the state constitutes a threat because not of what it might be at the moment, but because of where it could potentially go.

Kitson's model of counterinsurgency describes insurgency in three stages. According to this model every society has the potential capacity to reach the third stage of open, armed rebellion. The key then is to preempt armed struggle by disrupting the capacities of resistance groups before they gain strength. In the early stages of the model that can mean targeting groups that are doing nothing illegal because of the threat they could pose in the future. Even if active measures are not taken to disrupt dissidents surveillance and infiltration put the infrastructure in place to target competitors should the need arise. The implications of this strategy are a chilling of political challenges, in part evident by the extremely low turnout of protesters at the RNC. The RNC demonstrated this model in real time. The police had already divided the crowds in Cleveland into different ideological camps, singled out the "anarchists", and tried to separate them from the crowds as best they could. Once isolated, the police struck out and arrested a group of people burning a flag. This happened not because the police feared that a flag burning at the RNC would immediately spark a revolution, but because the symbolic value of that statement

could one day contribute to undermining the legitimacy of the United States. Police and the military exist to ensure that day never comes.

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