



## Violent Protesters or Reactionary Police?

The Constitution of the United States guarantees American citizens basic human rights. The First Amendment states that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” Although the First Amendment sanctions civil liberties previously not available under British rule, the government of the United States has not always upheld these rights for its citizens. In particular, police and other instruments of government have not consistently respected the right to peaceably assemble. Within recent years, clashes between citizens and police have played out in the media via the protest movement. Stories of police department corruption, police violence, and abuse of protesters are common news fodder. Since the demonstrations have gained international attention, it leads to the debate: are police officers using necessary force against violent protesters, or are the protesters acting reasonably while the police are being reactionary? Through research, personal experience, and a study of history I have come to the conclusion that often times governments and police operate recklessly in their use of force.

The right to peaceably assemble and challenge the government has traditionally been instrumental in creating change in the United States. Many rights we enjoy today would not exist without past protest movements including civil, women’s, and employment rights. Without

the labor movement, we would not enjoy the eight-hour work day; without the civil rights movement, we would not enjoy our current level of racial equality; and without the women's movement, the rights women enjoy would not exist. When the First Amendment was written women, people of color, and the poor were not considered full citizens. Only wealthy white men were able to have a voice in the American democratic experiment. Over time civil disobedience has been effective in creating change and equality among those not originally regarded as equals. Unfortunately, this process of change is not an easy one. Many lives have been harmed by government oppression because of their involvement in resisting United States policies.

Police departments nationwide have experienced tension between officers and citizens, and they often state that the use of force is necessary due to violence exerted by protesters. Police Chief John Timoney of Miami has stated that his department has acted violently at past demonstrations because demonstrators provoked officers, and they felt physically threatened. He also reported that innocent citizens were injured because demonstrators used them as "human shields" (Pellecchia). Many officers report that protesters throw objects at police and that leads to a necessary police response. Miami Police Chief Fernandez states that they "take appropriate measures" at demonstrations to protect themselves from violence (Pellecchia). There are occasions when protesters do react violently. Often, tensions between police and demonstrators grow and protesters who have not been trained to deal with police in these situations can be the ones to throw the first stone.

This violence exerted by protesters in the past has often been caused by provocateurs and under-cover agents. Provocateurs have facilitated riots and other violence in order to break up solidarity among demonstrations. In Miami, the police "went berserk and attacked large crowds of protesters" after a garbage can was found aflame and one under-cover agent "emerged as

[one] of the most brutal in attacking protesters” (Weismann). Herbert Kritzer of Rice University states that violent action by protesters is often the result of “agent provocateurs or overtly by direct assaults on the participants” (631). These provocateurs add a confusing element and create obscurity as to who is at fault for the violence because police departments and governments do not release the identity of these agents to the public.

Within recent years violent clashes between citizens and police have become a common spectacle at anti-globalization rallies. These demonstrations speak to the current economic policy of the United States along with policies taken by other industrialized nations. This new economic and political globalization has given rise to a new protest movement. Massive protests have played out in Seattle, Miami, Quebec City, and Genoa among others. With these protests much abuse of protesters has ensued. Due to extreme safety gear worn by police, they appear to be more like soldiers than keepers of the peace. Many citizens and government officials alike find this use of force necessary to curb violent factions of the protest population. Often, these outsiders are pegged as black-clad “anarchists” by the media, and these protesters are often the first arrested or injured at demonstrations. At a protest against the Free Trade Area of the Americas (FTAA) in Miami in November 2003, the police not the anarchists disrupted the city’s order. Police misconduct, in the form of sexual assault and brutality against protest prisoners, was evident during and after the demonstrations (Weismann).

The overwhelming use of force in Miami may be due to hype in the media along with propagandized police officers. Chief John Timoney convinced local media and citizens of the “anarchist threat” and the necessity of the impending “riot zone” around the protests (Weismann). One has to wonder how the police force could lash out in such violent ways. Robert Weismann, Multinational Monitor reporter, says that the police endured “months of

excessive training and hearing about the dangers posed by protesters, and empowered by new body armor, shields, batons, and other equipment, the police were, to say the least, overeager to lunge at protesters” (27). When the police outnumber the protesters, as occurred in Miami, cities begin to truly look like police states or something out of a George Orwell novel. Although police force can be incredibly threatening, their tactics have not slowed down the movement: the protest movement has only been strengthened.

The anti-globalization community has also combined with the anti-war movement. Many citizens see the United States involvement in Iraq as a form of colonization which they believe should be revoked at once. In April of 2003 in Oakland, California a protest formed to speak out against the war in Iraq. Demonstrators formed a peaceful picket line at the Stevedoring Services of America (SSA) port to protest SSA’s winning a no-bid contract of \$14.3 million from the U.S. government to manage the Umm Qasr seaport in Iraq. Protesters also voiced opposition to the APL, another shipping company, which gets more than \$18 million per year to make nine ships available to ship war material to Iraq (Price). This protest has not become a landmark as an example of violations of First Amendment rights.

My brother, Clay Hinson, participated in the picket line of a few hundred that day. An anarchist and student at UC Berkeley, he has been active at protest actions for over a decade. This protest was especially traumatic for him. He was shot four times with wooden dowels: once in the chest, twice in the back, and once in the calf. The wounds were two-inch gaps and were so horrific he and others made national and international news. Between 50 and 60 protesters were injured that day along with nine longshoreworkers who were waiting to go to work. Clay states that it was a peaceful picket; he and none of his friends saw anything thrown at police as was reported. Other evidence points to this claim; the Oakland Tribune reported in April of 2004 that

“while the department claimed protesters threw rocks and objects at the officers, a police video of the demonstration did not show protesters throwing anything at officers” (Payton). This example plainly shows the police were in the wrong, and not only were they wrong, they were incredibly excessive in their use of force.

The National Lawyers Guild lists many police devices used that day; the “less lethal” weapons included: wooden dowels, shot-filled bean bags, and “sting ball” grenades containing rubber pellets and pepper spray. “The police also used motorcycles to run into demonstrators as they herded them for more than a mile down a narrow, egress-less road with repeated barrages of weapons fired at their backs” (“Demonstrators”). Along with protesters and dockworkers - journalists, union representatives, grandparents and children were all in the crowd that day and many protesters, including Clay, were hospitalized. One woman had to endure numerous surgeries and skin grafts due to an injury she sustained to her face. This Oakland case has been recorded by the United Nations as a violation of human rights.

These abuses are not isolated in the United States as similar cases have played out throughout the world, but this violence is inexcusable on every level. It is important to note that a minority of participants at protests do provoke police and act violently, but the majority of protesters act reasonably within their legal limits. No one should have to be physically injured while expressing their views as is the case at many demonstrations. This issue remains very complicated, but it is necessary that police departments at the very least change their crowd control tactics (as is happening in Oakland). Responsibility on the part of demonstrators must also be realized in order to facilitate communication with police officers and their departments. The creation of community policing groups, police accountability boards and independent “cop-watch” groups facilitate this connection between citizens and police as well. Through more

community involvement, the right to assemble will be upheld; and through peaceful struggles, more awareness is being brought to this issue. Since many developing nations look to the industrialized nations as examples, we do not want to become an example of the old cliché, “Do as I say, not as I do.”

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