

PROTEST POLICING

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The policing of protest is a central concern for activists and scholars of social movements. How protests are policed and why varies significantly. Where police are viewed as guardians of civic rights, their presence on demonstrations may be limited to blocking traffic or keeping opposing groups apart. Where, however, they are seen as defenders of the state against radical outsiders, policing may be intimidating, forceful, even lethal. Underpinning how the police approach protestors are differing understandings of crowd behaviour. The importance of such policing extends beyond interactions with activists since it influences the number of people who are willing to take to the streets, the form that mobilisation takes, how protestors are seen, and the impact that movements may have. The interplay between protestors and police is dynamic and contingent; there is no linear or universal pattern. Indeed, repressive policing can quell or inflame a protest depending on context and the degree to which police actions are covered by media and understood by protestors. In other words, the policing of protest is a central concern for activists and scholars of social movements. It is, as della Porta, notes, 'an important barometer of the political opportunities available for social movements' (1996: 62).

Given the centrality of law enforcement to protest expression, dynamics and outcomes, it is surprising to learn that early accounts of social movements did not factor them in to analyses. Collective actors were seen as those whose actions needed to be explained and controlled by those in power. Scholars such as Smelser (1962) advocated that the police should be unyielding in their approach to maintaining order. Indeed, Schweingruber's (2000) term 'Mob Sociology' refers to academic work which portrayed crowds as inherently volatile and suggested that police should contain and control such collectives, using escalated force if need be. Such accounts informed police training manuals well into the late 20th century, and many police officers and media accounts maintain the myth of the

madding crowd. Challenging such understandings of crowd behaviour is essential for changing the way in which police forces approach protest groups.

It is only with the emergence of scholarship more rooted in the experiences of mobilisation that police have come to be seen as an essential part of the context within which people mobilise and within which disorder might arise. There is now widespread acceptance that law enforcement may itself escalate or inflame a situation. As Reicher et al. (2004: 560) argue, police actions can either be viewed as legitimate and promote self-policing within a crowd, or they can create the conditions within which people become hostile. They emphasise the importance for police of differentiating between different groups, interests and intentions within a given crowd and of facilitating the legitimate aims of its members. Treating the crowd as homogenous and acting in ways which deny people their democratic or customary rights can result in violent confrontation.

Key here is that fact that unlike the policing of criminals, protest policing entails the monitoring and control of a wider citizenry. As a result, questions of legitimacy take centre stage in evaluating how, when, where and on whose mandate the police suppress dissent. Even in totalitarian regimes, the mass killing of dissidents – as in Iran in 2026 – is uncommon, given the degree to which it erodes the standing of the government. In more democratic contexts, allegations of partisan or political policing may discredit the actions of officers. ‘Public order policing’, Waddington (1996: 117) rightly notes, ‘is not the maintenance of order, but maintenance of a *particular order*’. Given that many of the freedoms people enjoy today have been won through protest, police are inevitably placed in the position of upholding a legal order that may widely come to be seen as unjust. International Conventions enshrining rights to protest also complicate the picture, requiring authorities to protect and enable contentious politics.

Given this, there was a widespread shift in policing strategies from the late 1960s in which ‘escalated force’ policing was gradually replaced with approaches based on ‘negotiated management’. The latter is predicated on extensive negotiations between protest organisers and authorities in advance of planned events in which police undertake to uphold and facilitate rights to protest – by stopping traffic, for instance – on the understanding that demonstrators will abide by pre-agreed routes and conditions (Della Porta and Reiter 1998). For many groups, such arrangements are welcome and enable them to publicly voice their concerns without the threat of disorder or repression. Not all protest groups, however, are willing to engage with the police or abide by their terms. That can mean that compliant groups are perceived to be ‘legitimate protestors’ and

accommodated, whereas the non-compliant are subject to more restrictive forms of policing.

What this illustrates is that the police always have a degree of discretion in crowd control. Even where the principles of negotiated management hold sway, certain groups may be subject to 'selective incapacitation' (Gilham and Noakes 2007). Protests may face additional restrictions where they are held by minoritized groups, where they pose a threat to order, or where police have alternate priorities. Research on the policing of global summits, where multiple 'protected persons' are present, for example, shows that it has tended to be more forceful (della Porta, Peterson and Reiter 2006). In part this reflects Waddington's (1995) differentiation between on-the-job trouble – referring to the difficulties attending any police operation – and in-the-job trouble, which refers to the requirement for police to account for their actions either to superiors, politicians or the media. The catastrophic consequences of anything happening to dignitaries, can result in less accommodative policing of protest events.

In recent decades there has been a growing shift towards more information-led policing in which officers in protective equipment are only deployed when intelligence suggests that there is a high risk of disorder. Whilst this may have resulted in less use of overt force, it has seen scandals in which the under-cover officers who may provide 'intelligence,' have abused the trust and confidence of activists. The UK's 'SpyCops' scandal, for example, saw officers forming relationships (including having children) with those they were monitoring (Evans and Lewis 2013). Here and elsewhere, police are alleged to have acted as agents provocateurs – instigating violence or disorder to justify a repressive response. Forceful policing and the infiltration of groups presents protestors as the 'enemy' and can lead to them being subject to disproportionate force. The ramifications of such police tactics extend well beyond the crowd and can serve to delegitimise them in the eyes of wider publics.

Following the fatal shooting of two protestors in Gothenberg, therefore, Swedish police created a model premised on interaction and negotiation called Dialogue Policing. This has, more recently, been rolled out more widely in the form of Police Liaison (Gorringer, Stott and Rosie 2012). The principles underpinning such approaches – where they are deployed – are that people have rights to protest and should be engaged with as concerned citizens in the first instance. Liaison based models may even see the facilitation of illegal but peaceful demonstrations and stunts rather than automatically escalating the police response. Sit-downs blocking major roads, thus, may be tolerated if liaison officers can ascertain that the crowd will move on within a given amount of time.

This approach clearly has mutual benefits: protestors get to make a strong statement, and police keep a lid on proceedings without having to use arrests or dispersal tactics which not only sour relations but take more time and resources and carry higher risks. Scholars are divided about whether this is a welcome step towards more democratic policing (ibid. 2012) or control and repression in a velvet glove (Jackson, Gilmore and Monk 2019).

Whilst such tactics are more common in democratic states, elements of these approaches are evident elsewhere not least through a significant increase in global exchanges of knowledge, tactics and information. Mass sporting events and global summits see police from the future site travelling to meet and learn from those responsible for previous events, leading to some convergence in policing styles – allowing for the significant differences between democratic and non-democratic states (della Porta, Peterson and Reiter 2006). To the extent that there has been move towards more dialogic and less-lethal modes of protest policing, this is a welcome development for social movement actors. It is important to note, however, that there are always exceptions to such trends (as noted in the opening to this piece) and there is no linear direction of travel. Neo-liberal cuts to state budgets have raised the spectre of non- or para-state actors complementing or replacing police forces in ways that will weaken accountability, and also the prospect of protest organisers being made to pay for the policing of their events. Public Order policing, in sum, is fundamentally political. In this sense, we argue, it offers a window into the degree to which any given society respects and upholds its citizens' rights to protest.

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