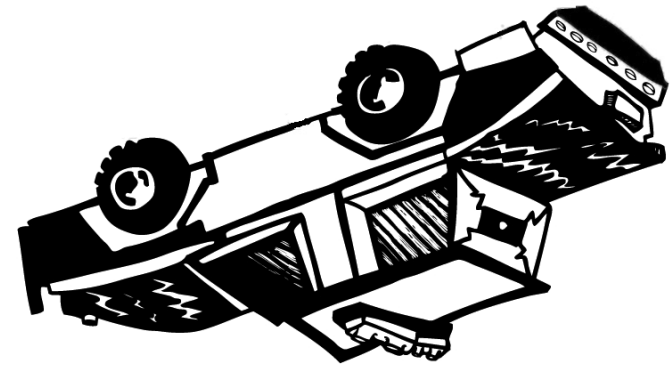


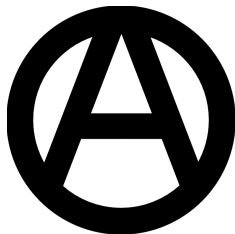
DOZENS OF COP CARS ARE SYSTEMATICALLY **TRASHED**

“Timoney usually won the battle. It looks like he lost the war. If his primary objective was to preserve the status quo, then he failed. Only sixteen years ago, the institutions that he represented seemed omnipotent and eternal. Now they are all in an advanced state of decomposition, like Timoney himself.”



THE 2000
REPUBLICAN NATIONAL CONVENTION
IN PHILADELPHIA:

THE BLACK BLOC, STATE POWER
& THE DEATH OF JOHN TIMONEY



In memory of Jordan MacTaggart, killed in action August 3, 2016 in Manbij, Syria, fighting a monster that John Timoney helped to create. In return for his courageous sacrifice, the US government betrayed MacTaggart's comrades the moment they had fulfilled the US agenda. There is no honor in the institutions Timoney served and no safety in the order they seek to impose, but we will have to clean up the messes they make. Timoney was no hero. MacTaggart is.

This hastily-compiled zine is drawn from two sources as a contribution to the historical memory of confrontational resistance in Philadelphia.

First, a fairly long, lightly edited excerpt from *Direct Action: An Ethnography*, by David Graeber. The first part of this excerpt is a narration of the author's experience with the black bloc during the 2000 Republican National Convention mobilization in Philly. Following that is a section examining state power, particularly the dynamics that arise when we confront it in the streets.

This excerpt, and the book as a whole, is somewhat dated now. Published in 2008 and mostly dealing with events during the anti-/alter-globalization movement from roughly 1999-2003, its perspectives on non-violence, the police, repression, and identity, do not necessarily hold up today. Still, it remains useful not only for its accounts of important events but also for some very cogent broad analysis.

The second included essay was published by Crimethinc shortly after the death of John Timoney. Timoney was Philadelphia Police Commissioner during the 2000 RNC, and continued a career in repression both nationally and globally afterwards.

Timoney is gone. It's up to us to make a world where we can say the same for all police.

- Philly Anarchy Jawn, 2019

A free PDF of *Direct Action* can be found at:

<https://uniteyouthdublin.files.wordpress.com/2015/01/direct-action-an-ethnography-david-graeber.pdf>
(or just search for "graeber direct action pdf")

"A Fitting End: The Death of John Timoney" can be found at:

<https://lite.crimethinc.com/2016/08/30/a-fitting-end-the-death-of-john-timoney>

BLACK BLOC

REPUBLICAN CONVENTION PROTESTS, DOWNTOWN PHILADELPHIA FIELDNOTES, AUGUST 1, 2000, 3:55PM ON A VERY HOT DAY

I estimate about fifty in the column, mostly wearing black, mostly masked. The gender balance seems perhaps 60/40. There are remarkably few police around: just three standing on the corner that leads to Logan Square. There is, however, already one news cameraman tagging along.

At first they're marching, chanting:

2, 4, 6, 8

Fuck the police state!

After a while someone starts in on a more elaborate chant, and that gets picked up by everyone:

1,2,3,4

Eat the rich and feed the poor!

5,6,7,8

Organize to smash the state!

By 4:00PM, chanting "Shut 'em Down! Shut 'em Down!" we begin a winding peregrination through the streets north of City Hall, hauling newspaper boxes and garbage cans into the street to block traffic, hauling dumpsters to assemble makeshift barricades, chanting, calling on bystanders to join us, but always soon after moving on . . . The Bloc'ers seem to range in age from sixteen to twenty-five, with a smattering of older activists; a few have red and black bandanas. Actually, this is not technically a "bloc," someone explains to me, since classic bloc tactics are to form dense squares using banners (or shields) as protection. This is

The Republican Party is in complete disarray. Free trade policies are coming under fire from both ends of the political spectrum. The police have probably never faced such widespread condemnation. The Middle East is metastasizing chaos in every direction, and not in a good way. It's only a matter of time before it reaches Bahrain.

None of this is really what we were hoping for. It's hard to be excited about the old world falling apart when the present is such a mess and the future looks so bleak. Even those who opposed us a decade and a half ago must acknowledge that the proposals we were offering at that time were preferable to the crises that have become inevitable thanks to our defeat.

Nevertheless, we're still here. We're going to be all right. Although our new enemies are fearsome indeed, it's good to remember that they too are mortal. Sixteen years ago, as hundreds of traumatized protesters faced charges from the Republican National Convention, it felt as though Timoney and his ilk would reign forever. In fact, all it takes to see our oppressors destroyed is to live long enough.

August 16, 2016: John Timoney, dead of lung cancer at 68. We got to write his obituary. He was never able to write ours.

Some of our bails were set as high as one million dollars; some of us faced an array of charges amounting to life in prison. Some of these cases dragged on for nearly four years. In the end, every single one of the 420 people who were arrested during the demonstrations was either acquitted or had the case thrown out of court. None of us testified against each other. Not one of us was ever convicted of any crime.

My story is only one of many. In Philadelphia, I met people who had been waiting to go to trial for three years in Timoney's jails, many of them for non-violent drug-related offenses (like those for which Timoney's own children are known). I saw police and guards beat handcuffed detainees. They knew how to keep it away from the cameras. I've heard countless accounts like mine from Miami. I can't imagine what people in Bahrain went through.

On August 16, I heard the news and I couldn't have been happier. John Timoney is dead. The struggle continues.

The more of this, the better for everyone.

was the same on both sides: there is an American naval base in Bahrain and a Russian naval base in Syria. In both cases, the only options left open to the opposition were surrender or civil war. In Bahrain, the opposition eventually chose the former; in Syria, the latter, with notorious results.

Narrowing the field of possibilities down to this choice was John Timoney's real life's work. He was just never able to carry his vision through to its logical conclusion inside of the United States. His tactics were very effective at demobilizing people who weren't ready to go to prison. They helped to bring about a world in which the only people with any agency appear to be those who are ready to die. Those who make peaceful revolution impossible make violent revolution inevitable, as John F. Kennedy put it long before the heyday of suicide bombings and mass shootings. The longer you suppress revolt, the uglier it is likely to be.

It's not easy to ascertain all the ways Timoney served the Bahraini monarchy, or what his personal role was in the widespread torture and murder of dissidents there. But one thing is certain: in lending a hand to suppress the Arab Spring, he left his fingerprints all over the current mayhem in Syria and Iraq.

Eventually, the police moved the van to the location where we were to be processed. After what felt like an eternity, they finally opened the door. I was bordering on hallucination by this time. Numerous people began vociferously explaining to the guards that it was of dire urgency that my cuffs be removed. One of the guards unchained me from the bench of the van. I literally saw his jaw drop when he looked behind my back. He cut the cuffs off immediately. Both of my hands were a deep black-purple from the wrists to the fingertips.

It took a number of days for me to regain the normal use of my hands. Thankfully, I did recover fully. I think it's likely that I only avoided permanent injury because of the actions of the two people next to me in the van. I still have the scars to show for this ordeal, although they have faded with time. I'm sure the policeman who cuffed me has long ago forgotten the incident. I remember.

Timoney usually won the battle. It looks like he lost the war. If his primary objective was to preserve the status quo, then he failed. Only sixteen years ago, the institutions that he represented seemed omnipotent and eternal. Now they are all in an advanced state of decomposition, like Timoney himself.

more of a "swarm." The idea is to stay as mobile as possible.

There's one guy accompanying us on a bicycle, unmasked, carrying a video camera. People keep shouting at him, assuming he's a cop. He keeps denying it.

"You know, between the crew cut and the athletic build, you do kind of look like one," I point out.

"What can I do?" he says. "I'm in the army!"

Amy, an IMC journalist who was already with them when I joined, tells me the group was moving towards the Four Seasons Hotel on Logan Circle and had started barricading the street when police began moving towards them; they quickly took off. This was right before I joined up. By the time we're heading down Eighteenth towards a rendezvous with the rest of the bloc, we've been detected, and are soon being followed, by a squadron of maybe a dozen bike cops. We thread our way through the narrow streets, going the wrong way down largely empty one-way streets whenever possible, though the bike cops are ignoring traffic laws as well.

Things come to a head on Seventeenth and Walnut, the first point where we run into some fairly dense urban traffic. Three masked activists jump into the street and try to shut down a stopped city bus. It's actually quite easy to do: all one has to do is lift a small panel on the back of the bus, where there's a switch that simply turns off the engine. This is what my friend Brad later explains: "actually, it's not even property damage. You just stop the bus." Stopped buses of course create natural barricades. In a matter of seconds, though, some twenty-two bike cops sweep towards them. The three run, the bike cops give chase. In a few seconds, five activists end up pinned against a building just north of the intersection. A dozen cops leap off their bikes, force them to the ground, yank their hands behind their backs, and tie on plastic handcuffs, while the others quickly form their mountain bikes into a kind of fence.

Everything stops. Black Bloc kids drift across the street, masks off, bandanas now around their necks, sizing up the situation. It's only two of us to every cop, not really good enough odds to contemplate an unarrest. I'm furiously punching buttons on my borrowed cell phone trying to get Legal. All I get is busy signals and voicemail.

"You do want legal down here?" I ask someone who seems prominent in scoping out the scene.

"Yeah, definitely."

"What about media?"

"Sure."

I get through to the IMC. I'm trying to talk the IMC folk into calling medical and legal for me. Amy is interviewing a bemused pedestrian in a suit. An older black woman—who I later learn is an activist from New York named Lucinda—strolls up to describe the scene behind the

bikes. “One of them complained his cuffs were too tight,” she tells me. “So they made them even tighter.” Another of the arrestees, it turns out, is a photographer from US News and World Report, dressed in a black sweatshirt, but no mask; apparently, he’s making no effort to convince the cops he’s a journalist.

It goes on at least ten minutes like this. I spend a little time chatting with Lucinda. (She talks about her grandchildren. “You know,” I say, “I was just thinking today was something I could tell my grandchildren about someday, whereas . . .” “Yeah, whereas I can tell them about it right now.”) Finally, medics arrive. Then some guy from legal. At this point, the remnants of the Bloc gather to confer, and decide there’s nothing more they can do here. It’s time to march south to their rendezvous. Almost as soon as we begin to do so, though, we run into a veritable army of protesters marching north from a Mumia demo. There are red “Free Mumia” banners and lots of SLAM people in the lead, and at least one large cluster in identical yellow T-shirts and baseball caps.

Suddenly, everything’s different. We have overwhelming numbers. Brief conference and we all begin marching towards the fortress of bicycles, where the arrestees are about to be taken into a van that’s just pulled up to the north. The police are instantly surrounded. A red paint bomb splatters the wall right above them. A smoke bomb lands a few yards to their north, where there’s another knot of cops defending the van. It turns out we’re just moments too late. They’ve just managed to shove the arrestees into the van, making it almost impossible to snatch them back. So instead a very angry crowd sweeps around and blockades the vehicle. “FUCK YOU!” a couple masked kids are shouting at the cops, about five or six inches from their faces. The cops look terrified. The Bloc swarms, shouts, looks as menacing as one can look without actually launching a physical assault. It lasts less than a minute, though. Then, like a wave, we pull back again. As we’re leaving, I observe the police have taken at least one casualty—or, they have in a sense: one unusually fat officer is lying on the ground, having apparently collapsed from the tension and the heat. Two others are fanning him and administering smelling salts.

Finally, we march down to the rendezvous point, along Sixteenth and Market, where three Black Bloc columns were to merge. The others are already there, mingling with Mumia supporters, three stilt-walkers dressed as red-and-yellow birds, and elements of the Revolutionary Anarchist Clown Bloc: some in rainbow wigs, others fiddling around with four-foot-high bicycles, playing makeshift instruments, singing songs. There are so many I can’t see the end of them. It seems there are literally thousands of us.

during the protests against the Republican National Convention. The policeman who arrested me cuffed my hands behind my back with heavy plastic zip-ties. He was a large man, and I think it’s fair to say that he tightened them down as hard as he possibly could. He then put me into the back of a police van along with fifteen other people. We were each cuffed with our hands behind our backs and chained down to the bench of the van. Someone in the front of the vehicle turned the lights off in the back, turned the heat up full blast, and left. We sat there in the sweltering heat for something between four and six hours.

We spent those hours struggling to support each other, trying not to be consumed by fear and panic. This was during the hottest days of summer. The heat got so extreme and the ventilation was so poor that people were passing out from the bad air. Several people were bleeding as well—myself included. Worst of all, in my particular case, it seemed entirely possible that I was going to lose both of my hands from loss of blood circulation.

At first, the pain became so extreme that I would scream if anything touched me. Then the pain gave way to a complete loss of feeling. The two people on either side of me were able to reach me if I turned my back to one of them or the other. They took turns massaging my hands ceaselessly. Eventually, though, no matter how hard they tried, I couldn’t feel anything at all. When I asked what my hands looked like, I heard fear in their voices. It was not possible for either of them to reach the cuffs with their teeth to chew through the plastic.

Many people in this van were in a bad state, but my hands were probably the single worst thing going on. These hours tested my sanity, and it was very difficult not to succumb to panic. Nothing can really describe how terrified I was that I would spend the rest of my life as a double amputee. My companions sang to me.

Timoney’s stint in Bahrain was a fitting end to his career. It was the culmination of everything that he had done before, and his crimes against the Bahraini people are conspicuously absent from the obituaries that have appeared lauding him.

The Bahraini monarchy was the first American-backed government in the Middle East to demonstrate that it was not going to be toppled by civil resistance during the Arab Spring; the Assad regime in Syria was the first Russian-backed government to do so. The rationale for giving uncompromising support to these backward and repressive governments

A FITTING END: THE DEATH OF JOHN TIMONEY

John Timoney is dead. “The world has lost a great man and a law enforcement giant,” says the Police Chief of Ferguson, Missouri, who learned his trade under Timoney in Miami. Well, that’s one perspective. For myself and many others across the world, his death is a relief. It would have been better if he had never been born.

Timoney held positions in the upper echelon of the law enforcement world for nearly thirty years. He was First Deputy Commissioner of the New York City Police Department, Police Commissioner of Philadelphia, Police Chief of Miami, and finally, private consultant to the kingdom of Bahrain. He played a major role in the repression of social movements in the United States during the summit protest era of the late nineties and early aughts, and a significant role in the suppression of the Arab Spring nearly ten years later. Those of us who were active in these movements came to know his methods well.

I am one of the countless people who suffered at the hands of John Timoney and the police he commanded. Although sixteen years have passed, I still prefer to tell this story anonymously.

Timoney oversaw the police responses to the occupation of Tompkins Square Park in New York City in 1988, the protests against the Republican National Convention in Philadelphia in 2000, the World Economic Forum in New York City in 2002, the Free Trade Area of the Americas Summit in Miami in 2003, and the Bahraini uprising from 2011 to 2013. His calling cards were undercover infiltration of movement spaces, preemptive mass arrests, and the use of the courts as a tool to neutralize dissent.

In the United States, he won important tactical victories in Philadelphia and Miami. In the streets, he liked bikes, clubs, and the liberal application of tear gas—and he knew how to keep the blood out of sight of the cameras. In court, he favored huge bails and trumped up charges against protesters. He perjured himself shamelessly, and he lost every case in the end. He truly hated anarchists, and by treating us just short of enemy combatants he toughened us up for the battles to come.

In August of 2000, I was arrested in Philadelphia along with 420 others

4:55PM

We’re moving up Sixteenth, then to Fifteenth between Ranstead and Market, circling around the city center. It’s a mixed crew, by no means all Black Bloc. Yellow T-shirted Mumia CD folks are in the lead, followed by a mass of anarchists then the contingent from the Revolutionary Communist Youth Brigade (dressed in identical black T-shirts and red masks) accompanied by others from an allied Maoist group called Refuse & Resist. Then, a team of drummers. The Mumia people seem to be initiating most of the chants, which alternate between “We’re Fired Up, Can’t Take It No More,” and a more solemn (but equally rhythmical)

*Brick By Brick
Wall by Wall,
We’re Gonna Free Mumia
Abu Jamal.*

At one point, we stop by a statue of former Philadelphia police chief and notoriously right-wing mayor Frank Rizzo. Some people spray-paint a Hitler moustache and make some other strategic additions to the statue, which already seems to have its hand raised in a Nazi salute. We turn on Broad Street, chanting “Shut Down Capitalism!” and swing past the large, white DA’s office in an old YMCA building next to City Hall. The DA’s office is a preselected target. It gets thoroughly plastered with water-balloons full of red paint, as masked figures decorate the surrounding walls with spray-painted slogans related to the Mumia case (“New Trial for Judge Slater,” “Execute Governor Ridge”). Oddly, there are no police anywhere in sight.

Now we’re heading north up Broad Street, passing Cherry Street. Once again, those small squads of police we pass seem hopelessly outmaneuvered and outnumbered. Around 5:20, we pass a cluster of mounted police to our east—state troopers apparently—but, again, they make no move to interfere.

By now half the walls we pass are covered with slogans: buses are emblazoned with “Capitalism Kills!” and circle-As are everywhere. Members of one affinity group who’ve brought spools of yellow tape that looks just like the sort police use to mark off crime scenes, but say “Mumia 911,” are trying to use it to rope off an intersection.

Gradually, other elements drift off, and we’re down to just the Black Bloc, plus a few random die-hards, among them myself: somewhere between seven and nine hundred people. It’s hard to get a clear sense

of numbers because we're continually moving. "The police numbers are still paltry and they're offering no significant resistance. On our second round past City Hall, around 5:30, we ran a roadblock and the cops manning it just disappeared. Heading south on Cherry, a few minutes later, someone pops the tires of a huge stretch limo—almost certainly, people comment, meant for transporting Republican delegates. Almost immediately thereafter, we find ourselves on a broad avenue with maybe half a dozen police cars parked, empty, down the center of the street. Two or three cops at a roadblock vanish the moment they see nearly a thousand anarchists running down the street, and as most of us stop chanting ("The People, United, Will Never Be Defeated" in English and Spanish, "Ain't No Power Like the Power of the People, cause the Power of the People Don't Stop") and a few seal off nearby intersections with yellow Mumia tape, other affinity groups descend on the cars, smashing windows, puncturing tires, spraypainting slogans.

The same thing happens at JFK and Broad. Dozens of cop cars are systematically trashed.

5:45PM

We're off again.

"Let's stay together, people!"

"Tighten it up"

The big problem in any Black Bloc action is always how to keep everyone together over time. As soon as the Bloc starts to get broken up, we no longer have the tactical advantage. The police strategy, in turn, will always be to wait until they have enough of a concentration of mobile forces to wedge in and split us. That moment has clearly not yet come. We stop, again to the south not far from City Hall, try to gather our forces. Some people take advantage of the occasion to rip down the flag bunting set up around the plaza, and make a little bonfire of it. Brooke appears, holding hands with some boyfriend: "Look, horsies!" she notes, pointing to the state troopers, who are starting to muster larger forces. "When the horses come, remember to go in between the cars."

Brooke disappears: she's not a great fan of Black Bloc tactics, generally speaking.

Another patch of abandoned police vehicles: Black Bloc guys are jumping up and down on the roofs, slashing tires, unloading the last of their paint bombs directly through the windows as others erect makeshift barricades. But rumors are already starting of a significant squad of bike cops who are finally closing in on us. Around Sixteenth and Arch, the bloc is split. I wasn't sure how it happened, but it seems that as we were starting to move out, cops came at us from two directions: several

they were one group that was most spectacularly successful in pulling it off. The famous ten-day uprising in January 1994 was, more than anything, an attempt to open up a space for nonviolent direct action; the EZLN immediately put aside their guns, declared a cease-fire, but made it clear they still had the means to continue armed struggle if they felt they had no alternative. One could call this the moment of negotiation; of "moral-political struggle" as I earlier put it to define the terms of engagement, an art at which the Zapatistas have proved most adept. There followed the slow and difficult work of maintaining the balance of force that made the opening possible, while using the opportunity to slowly build up autonomous communities. When one does not have such dramatic access to the force of arms, a common approach is to begin organizing around something no one, really, can seriously object to: a free clinic, for instance, even a community garden. One then tries to build up an independent infrastructure around the unobjectionable institution, negotiate some sort of tacit understanding with the authorities to at least stay at arm's length, and then attempt to expand one's zone of autonomy into a larger community and ally with similar projects elsewhere. Such efforts are always going on. As critics of "summit hopping" always point out, a successful long-term strategy will necessarily have to be community based—though, as defenders of mass mobilizations will often (usually more quietly and tentatively) reply, without the occasional spectacular mobilization, it is much more difficult to do so as it becomes difficult to maintain the sense that a movement is even going on.

At any rate, some might argue that this study's focus on the United States has tended to skew the results: these are, after all, the epicenters of empire, and therefore, about the most difficult places on earth to attempt a dual power strategy. The result is that the groups and actions we've been looking at tend to have a certain insubstantial aspect that would probably be much less marked if I had begun my work in a different part of the world, since movements like this are, indeed, beginning to appear just about everywhere. Nonetheless, that very insubstantiality is, I think, worth study in itself, since it tends to make it easier to observe some of the elementary forms, as it were, and elementary dilemmas of any prefigurative politics.

Hardly surprising then that they feel profoundly ambivalent towards playing that particular game.

As a result, the negotiation over rules of engagement takes place largely through the kind of calculated efforts to sway a mediatized “public opinion” that police, at least in America, are willing to play quite aggressively, but that activists, and particularly anarchists, are increasingly unwilling to play at all. There have been any number of attempts to get around this. Activists have attempted to appeal directly to communities—particularly poor, immigrant, or working-class communities. They have tried to create coalitions with unions and other already existing organizations. They have tried to create their own, new forms of media, and hence in effect new publics: for example, through the Independent Media Centers (IMCs). The results have been uneven, but considering the degree to which all the cards in the corporate media are stacked against them, it would be hard to make the case that they have much of a choice.

What we have been examining, then, is an attempt to create small situations of dual power.

The politics of protest operates within a given legal or institutional framework; it seeks to marshal popular support to overturn particular policies; it might even aim to overthrow a particular government, but it does not seek to change the framework itself. Nonetheless, even within relatively mild forms of protest, there are the seeds of something else. Insofar as marshals do not become mere adjuncts to the police, insofar as rallies do not just exist to support candidates, they provide an inkling of a different form of society and of organization. There is already at least a tiny prefigurative element. When one moves to direct action properly conceived, that prefigurative element becomes the, main point: those who carry out a direct action are insisting on their right to act as if they are already free. But at the same time, even here, there are just about always some traces of the logic of protest. Hence the shifting, unstable, and often highly ambiguous relations between community, audience, targets, and police that I have spent so much of the chapter trying to document. Direct action and protest can never, perhaps, stand absolutely independent of each other.

If one carries the principle of direct action far enough, if it evolves from tactic to strategy, it logically moves in the direction of creating much more elaborate, and more permanent, forms of dual power. This is another reason why the EZLN, the Zapatista Army of National Liberation in Mexico, proved such an inspiration for anarchists around the world:

hundred running on foot from the south, another squad of bike cops appearing in front to cut off the head of the march. They flung down their bikes and started jumping on marchers, wrestling them to the ground. (I later hear one medic was badly hurt and three others arrested.) A column of about two hundred of us, including journalists, protesters, and bystanders, ended up trapped on one side of a line of bike cops, the front line linked arms and began to advance on the cops to attempt an unarrest. The cops started night-sticking everyone in sight. But the main body, which included myself, had already moved on, with no idea what was happening.

6PM, 18th and Vine

We stop to consider our next steps. Our numbers are down; we know we’ve been split, but nobody’s sure how it happened. A mini-spokes gathers in the middle of the intersection as others dutifully begin taping the intersection and dragging out dumpsters as barricades. Members of one affinity group that had been trying to remove a piece of chain-link fence from a nearby construction site run back to announce that a column of bicycle police is on its way. Another police squadron—we’re not sure how many, probably not a lot, but looking angry—descend on a group moving dumpsters and knock several to the ground, kicking and clubbing them.

The spokescouncil dissolves. We’re moving out.

There ensues a wild chase as the bloc, still numbering several hundred people, is chased halfway across town by a veritable army of bike cops. The police have finally massed their forces. It turns out that Police Chief Timoney had made an intentional decision to ignore us for most of the day, figuring—correctly—that the action was mainly meant as a diversion, to draw off forces from the lockdowns on the other side of the city. Finally, apparently, they have cleared away the blockades on the main downtown streets, and are moving against us. Their tactic is once again to break us up, or at least, cut off chunks from our column that can then be savaged and arrested.

My memory here becomes something of a jumble, but full of isolated vivid moments—the feeling of a warm hand on my stomach as a worried Black Bloc girl held me back from moving into an unsafe street, leaping a parking lot barrier, the very clear reflection that I had never realized just how fast I was capable of running.

“That’s a dead end street—that would have been really stupid.”

“Stay together!”

“Oh no! We’re fucked!”

“No, no, we can run it, we just need to get up speed.”

At some points, we were genuinely sprinting, taking side alleys, trying to take advantage of deserted lots and one-way streets. (At one, my cell phone rang and I actually heard and answered it, probably because I was already holding it in my hand. It was Nat, an older activist from the media group, who wanted a report. I told her we were being pursued by bike cops somewhere near Chestnut or Sansom. “Could you give me your exact position?” she asked. “Well, that might be a little difficult, considering that at the moment, I’m running just about as fast as I possibly can.” She laughed and told me to call back later.) The final episode I remember was cutting across a parking lot diagonally as cops had blockaded one street and were coming up in force from another. This must have been just to the west of City Hall, because soon after, just about 6:15 or 6:20, we found ourselves on the steps to Penn Square, a huge raised plaza to the south of it, where finally we could all stop and catch our breath and take refuge, because, it seemed, Penn Square was a permitted rally site, and the cops were leaving it alone.

Or so it seemed.

6:25PM, trapped

What we encountered was, in fact, less a rally than the remains of one. There was a podium and an extremely loud mic, a speaker no one seems to be listening to, scattered literature tables belonging to various Marxist groups (I note one book entitled *Che Guevara Talks to Youth*), a couple score people at most remaining. Lucinda is there and gives me a bottle of water when she sees me all hot and sweaty. Brad is telling stories to some older activists by the wall. I pull out my phone to report in and find myself almost instantly accosted by a slightly dazed-looking thirtyish man in an ACLU baseball cap and T-shirt.

“Can I use your cell phone?” he asks. “I’m a legal observer and I need to report in. I just got beat up by some cops.”

He takes the phone off to make a call, then explains his story. He was stationed on Fourteenth Street and JFK, where eighteen people sat down to blockade the street. They were immediately surrounded by bike cops; civil affairs officers appeared to inform everyone they’d be arrested if they didn’t move. He was closely observing, taking notes, as they took the blockaders away one by one, when suddenly one of the cops just walked up and slugged him in the face. The guy didn’t even remove his badge number.

Brad has walked up. “You’re lucky you had that ACLU T-shirt, or they’d definitely have arrested you for assaulting an officer.” He explains that this is a perennial problem: if some policeman freaks out in the middle of an otherwise peaceful event and slugs someone for no reason,

suddenly all stopped answering their calls. But in the US, at least, the process of negotiation is almost always indirect.

Still, how the negotiation takes place is critical, since that’s the real place of power. As any political anthropologist can tell you, the most important form of political power is not the power to win a contest, but the power to define the rules of the game; not the power to win an argument, but the power to define what the argument is about. Here, it is clear that the power does not, in fact, all reside on one side. Police restraints are not self-imposed. Years of moral-political struggle, on the part of anyone from the National Lawyers Guild or ACLU to right-wing libertarian gun enthusiasts, and including hundreds of groups with very different relations to government, have created a situation in which police have to accept certain restrictions on the use of force. These restrictions are, as I keep pointing out, highly uneven (again, all this is much more true when dealing with people defined as “white”), but nonetheless, it acts as a real limit on the state’s ability to suppress dissent. The problem for those dedicated to the principle of direct action is that, while these rules of engagement—particularly the levels of force police are allowed to get away with—are under constant renegotiation, the process is expected to take place largely through formal legal and political channels, and through the mainstream media. In other words, through institutions they explicitly reject.

Here, one returns full-force to a question I’ve largely been skirting over the course of this chapter. Protest is meant to create change largely by attempting to influence something called the “the public.” Civil disobedience operates by attempting to “publicly” expose the violence or injustice of the system. So the ultimate judge in the matters of the rules of engagement is something called “the public.” But what’s that? In the US, at least, the public is essentially assumed to be the audience of the corporate media. Or, alternately, voters and consumers of public services. Still, that’s essentially it. “The public” only exists, then, in relation to the media and political classes. “Public opinion,” in turn, can only express itself through some sort of mediation: polls, for example, that may (or may not) then influence policy. One can see how far this is from the activist—and particularly the anarchist—ideal of self-organization by considering the fact that, according to the language usually employed by the media and political classes, the moment members of the public do self-organize in any way (say, by joining labor unions or political associations), they are no longer the public but “special interest groups.” In this way, the very notion of a public flies in the face of what activists are trying to achieve.

is to break the law or provoke the authorities, as a way to distinguish combatants and noncombatants—the police will almost invariably attack or begin arresting people within the safe space. As in Quebec, they often specifically target medics.

Why? No doubt there are many reasons. Some are simply pragmatic. There's no need to come to an understanding about how to treat prisoners if you can arrest protesters, but protesters cannot arrest you. In a larger sense, though, the refusal to honor the rules of war is a means of refusing the implication of equivalency that would apply if fighting another army. Police represent the state. The state has a monopoly on the legitimate use of violence. Hence, it is by definition incommensurable with any other element in society. As police sociologists like Egon Bittner have pointed out, the one common feature of the kind of situation to which police are assigned is the possibility of having to impose "non-negotiated solutions backed up by the potential use of force" (Bittner 1990). The key term here is "non-negotiated." Police do not negotiate because that would imply equivalency. When they are forced to, they pretty much invariably break their word.

This means, however, that police find themselves in a paradoxical position. They embody the state's monopoly on the use of coercive force, yet their freedom to employ that force is severely limited. The refusal to treat the other side as honorable opponents, as equivalent on any level, seems to be the only way to maintain the principle of absolute incommensurability that representatives of the state must, by definition, maintain. This incidentally appears to be the reason why, if you remove the restrictions on the use of force by police, the results are catastrophic: whenever you see wars that violate all the rules and involve horrific atrocities against civilians, they are invariably framed as "police actions."

None of this actually answers the question of how rules of engagement are negotiated, but it does at least make clear why it cannot be done directly, or openly. This seems particularly true in the United States. In other countries, from Madagascar to Italy, the terms can sometimes be worked out tacitly, or even not so tacitly, between organizers and police. As a result, protest can end up becoming a kind of game in which the rules are clearly understood by each side—e.g., "hit us as hard as you like as long as you hit us on our padding; we won't hit you but we'll try to plow through the barricades in our padded suits; let's see who wins!" Before the G8 meetings in Genoa for instance, the Italian authorities were forced to bring in the LAPD to train Italian police in how not to interact with protesters, or allow either side to be effectively humanized in the eyes of the other. Organizers with Ya Basta! and similar groups later told me they knew that something terrible was about to happen when policemen whose cell phone numbers they'd collected

then the other cops in attendance pretty much have to arrest the victim for assaulting an officer, because otherwise, there would have been no possible excuse for what happened.

Brad, normally almost preternaturally cheerful, is not in the greatest of moods. He's currently without a stable place of abode and has been living in the puppet warehouse for the last week. He was off acting as a bike scout when the cops raided the place, but now he's lost everything he owned. "They got all my rain gear, everything," he says.

"Any possibility of getting it back?"

"Well, if you're willing to stay in the city and be really persistent, sometimes there's a small possibility. But chances are they've already chucked it in a trash compactor somewhere."

There were no police on the plaza; but as soon as I arrive, I noticed that they immediately began blocking off all the exits to the square. By now there are lines of cops two ranks deep at every access point. Apparently, whoever's in charge is keeping us penned and waiting for orders to attempt a mass arrest.

6:35PM

A half dozen anarchists have established themselves on top of a SEPTA van (that's the Philly public transit authority) to the east of the plaza, with red and black flags and a banner saying "End Corporate Rule." They're also scouting for breaks in the line but not finding very much.

6:40PM

About twenty or thirty Black Bloc'ers assemble to the southwest of the plaza, form a mini-spokes circle, trying to come up with a plan. Gradually others join them until there's maybe a hundred. They begin chanting "Anarchy is Freedom," then march to square off against the police. Mainly it seems an attempt to find weak points in the line; they march back and forth between different positions.

One black-clad affinity group is clustered in the shade munching on pita bread and apples as they go by. Impatient glances as we go by. "Sorry. I'm just too tired for this stuff," shrugs one.

6:55PM

There's no way out. It's becoming more than a bit depressing. We certainly don't have the numbers for a charge that could possibly break their lines. A number of people have already managed to sneak past as individuals. But otherwise, there seems no alternative to eventual mass arrest. I'm considering crossing myself—I'm not, after all, with any

affinity group and see no particular reason to be arrested. All I'd have to do is button up my nice, red, button-down shirt to cover the anarchist T-shirt I have on and I'd make a presentable journalist.

Rescued

It's at just this moment that the Circus Bloc arrives.

Actually, the vanguard is this odd team called the Goats with a Vote, six guys on bicycles with white shirts and vests, and, in three cases at least, enormous papier-mache goat heads. They coast directly into the police lines, position themselves smack in the middle of them, and almost immediately burst into some kind of a cappella rap song.

"You see what you can do with a puppet?" remarks Brad, admiringly. (Brad is starting to cheer up.) "Anyone else would never be able to get away with that."

The bloc immediately starts gathering on the other side of the police line, opposite the goats. I take advantage to cross over myself, buttoning up my shirt, grasping a little reporter's notebook, asking a female officer to let me through the line so I can get a closer look at the goats. I get through just as...

7:15PM

...the Revolutionary Anarchist Clown Bloc first appears! With the three high bicycles and a number of unicycles in the lead, alternating chants "Whose Circus? Our Circus!" or just "Democracy? Ha! Ha! Ha!"

In the same cluster arrive the Billionaires for Bush or Gore, dressed in highcamp tuxedos and evening gowns. One RTS fellow I know from New York is in the lead, in tails, on a skateboard, blowing bubbles. They had their own chants, too: "Up with Plutocracy! Down with Democracy!" or "Whose Suites? Our Suites!"

By 7:25, the clowns are up against the cop lines—or, would have been, except the Billionaires have formed a line to try to hold them back. There are endless clown meta-chants ("Call! Response! Call! Response!" or just "Three-Word Chant! Three-Word Chant!"). Several clowns begin attacking the Billionaires with squeaky toy mallets, leading to tussles as they end up rolling screaming on the ground. The cops are looking increasingly confused. A line of mounted police hover about thirty feet away, not doing anything, watching. Journalists begin to gather.

The clowns begin a silly dance, chanting "Anarchy for Everyone, We are Here to Make it Fun!" The leader of the Billionaires, one Phil T. Rich, strides in shooing them away, "Good lord, why don't you all do something worthwhile with your lives? Go find someone to work for you!" Several Billionaires then walk up to police officers and start trying

during World War II, neither Hitler nor Stalin tried to assassinate one another or used chemical weapons on each other's forces).

There are others too—for instance, concerning the treatment of medics—but this list will do for now.

Van Creveld makes the interesting argument that such rules in no way stand in the way of the effective use of force; rather, one cannot apply force effectively without them. Without rules, it's impossible to maintain any real morale or command structure. An army without a code of honor and discipline becomes a mere marauding band, and when faced with a real army, marauding bands always lose. They're either routed, or they run away. But Van Creveld suggests another reason which I think is even more revealing. In a battle without rules, he notes, it is impossible to know who won. Ultimately, both sides do have to agree on at least this question. Otherwise the war will never end, unless one side exterminates the enemy completely.

In this light, consider the police. Police often like to think of themselves as soldiers of a sort. They place great importance on maintaining morale and discipline. But insofar as they see themselves as fighting a war—the "war on crime"—they also know they are involved in a conflict in which victory is by definition impossible.

How does this affect the rules of engagement? Well, here, I think, one notices something very interesting. When it comes to levels of force, what sort of weapons or tactics can be used and in what circumstances, police obviously operate under rules far more restrictive than any soldier. The rules of engagement (i.e., police absolutely cannot shoot a white person unless that white person fires on them first) are highly constraining. In fact, every time a policeman fires a gun, there normally has to be an investigation. As a result, the vast majority of American police have never fired their weapons. But, in any circumstance that does not involve a future trial or potentially lethal force, there is, as noted, almost no effective regulation whatsoever.

When it comes to the other items, then, what one discovers is that during actions, police systematically violate all of them. They regularly engage in practices which, in war, would be considered utterly dishonorable. Police regularly arrest mediators. If members of an affinity group occupy a building, and one member does not enter the building, but instead acts as police liaison, it might well end up that the negotiator is the only person who ends up being arrested. If one does negotiate an agreement with the police, they will almost invariably break it. Police frequently attack those offered safe passage. If protesters carrying out direct action in one part of a city try to create "green zones" or safe spaces in another—in other words, try to set up an area in which no one

living beings. While there were certainly differences, say, between the codes of conduct of those who adopted the principles of classic nonviolent civil disobedience rules (who had, for example, undergone nonviolence trainings) and Black Bloc anarchists, the latter too were operating within a very explicit ethical code that, among other things, specified what sorts of property were legitimate targets and what were not. Fellow activists knew, or could easily find out, what those codes were.

The police rules allowed them to attack protesters more or less at will, but at that historical moment at least, they seemed to feel had to do so in such a way as to be fairly sure that none would be killed or maimed and no more than a handful required hospitalization. In other words, the situation was much like it was in the jails—except that, on the streets, in an open and shifting quasicombat situation, it was far more difficult to ensure this effect. Like the activists, police developed various special techniques and technologies and carried out trainings in order to be able to achieve this. The fascinating thing is that not only were the rules on either side not directly negotiated, it's not entirely clear that most members of each side were even aware that the other was observing rules at all. If nothing else, both activists and police appeared to be under the impression that the other side was prepared to be far more violent than they actually were, and considered their own restraint basically unilateral. This is almost invariably the case during mass actions. Nonetheless, clearly, some sort of tacit understandings are worked out and rules of engagement do shift over time. There is a process by which the rules are negotiated, however indirectly. The question for the ethnographer is to understand what it is.

So let me take up for a moment this idea of nonviolent warfare. Clausewitz is notorious for having defined war as the untrammelled use of force, the moment where all rules are effectively cast aside. As generations of later theorists have observed, this is simply not the case. War is not and has never been a pure contest of force with no rules. Historically, just about all armed conflicts have had very complex and detailed sets of mutual understandings between the warring parties. (When total war does occur, its practitioners—Attila, Cortes—tend to be remembered a thousand years later for this very reason.) As military historian Martin Van Creveld (1991) observes, if nothing else, there will always tend to be:

- rules for parlays and truces and the treatment of negotiators
- rules for how to surrender and how captives are to be treated
- rules for how to distinguish combatants and non-combatants, and what can and cannot be done to the latter
- rules for levels and types of force allowable between combatants— which weapons or tactics are dishonorable or illegal (i.e., even

to shake their hands; two have wads of fake money and are attempting to shove large amounts of it in police hands and pockets, thanking them loudly for their suppression of dissent. Two get jumped by clowns, causing a few cops to move to intervene, only to be physically held back by their companions. In the ensuing confusion, the Black Bloc escapes.

9:15PM (much later)

Remnants of the bloc have retreated in bands across town, through the areas where the lockdowns—long since removed—had been; pounding lampposts, stopping for occasional drumming and dancing or spray-painting, always closely chased by squads of police in cars and on bicycles. Finally, tired of what seems like hours of cat and mouse, my cluster ends up with a dense crowd of other activists in front of the Quaker Center. There's press, but we're trying to ignore them.

Eventually a somewhat stocky young woman in black appears, shouldering past reporters.

“Hey, hey, hey!” (She repeats this three times until everyone pipes down.)

“Can everybody hear me?”

Murmurs of assent.

“We had a fuckin' wonderful day. Now we're tired. Five hundred people were arrested and are being held in different places around the city. The only thing we can figure out that would be effective in helping them is to reconvene at the CEC and hold a spokescouncil meeting tomorrow at 7:30AM.”

“So as for now: get some sleep. Tomorrow we can do jail solidarity, go to the Convention Center do whatever we decide to do. But right now we're just standing around looking at each other. Let's take a shower. Let's get some sleep. Let's get some sex. Let's . . . let's get whatever it is we need to be able to get up tomorrow and come back again.”

“I love you guys so much. We were fucking AMAZING today. But now we have nothing left to do today. Remember: be safe. Be safe. Be safe. If you're going home, be safe and smart. Go with at least one buddy. The cops are biking all over the place and we all know they'll be picking off stragglers. I want to see you back again tomorrow. Okay?”

Miriam, who's there with a small squad of DAN people, calls out: “Group squeeze!” and about thirty people crush themselves together, cheering and giggling. General air of glee and awe at our own accomplishments. And then we break up. I head back to the IMC.

“...one of the few things just about everyone in America knows about anarchists: that they have been known to break Starbucks windows. Obviously, it’s a deeply ambivalent chord. But if one’s purpose is revolutionary, one is appealing first and foremost to the most alienated and the most disenfranchised. ...such elements do not need to be shown the violence inherent in the system. They know all about it. What they need is to have some reason to think that the system is vulnerable; that it can be successfully challenged, or at least, that challengers can get away unharmed.”

This account is obviously not just of a Black Bloc, but it conveys something of the feel of being in one: the sense of exaltation, freedom, intersected by moments of rage, joy, panic, exhilaration, and despair. Mainly, though, when talking about it afterwards, everyone tends to stress the same thing: the experience of autonomy, the opportunity, even if only for a moment, to occupy a space not under Their control, in which the only rules are those generated collectively, by the group—and in which there is, equally, the certainty of trust, the knowledge that anyone who happens to be standing behind you has your back.

This is why Black Bloc style actions are seen, by so many who participate in them, as the very essence of direct action. They create the most explicit balance between creating a collective experience of freedom (as in, say, carnival actions) and direct confrontation with the authorities. What’s downplayed, or even ignored, are the usual intermediaries: “the public.” But, of course, this is precisely what makes the action direct.

Where civil disobedience becomes a matter of making oneself spectacularly helpless in of the police, and heroic in withstanding the resultant violence, Black Bloc tactics emphasize mutual protection. Blocs are a mass of equals, each of whom will risk arrest only to prevent their comrades from being arrested, or to rescue them. All agree that Black Blocs do not initiate attacks on other human beings. Insofar as there is debate among participants, it is over whether interpersonal violence is appropriate to save a comrade who, despite their refusal to harm anyone, is nonetheless being physically attacked by the police. This was actually a common line to hear in preparatory meetings, when

We are dealing with a clash between two profoundly different moral worlds. It’s not that there are no rules. Protesters and police alike tend to operate under elaborate codes of conduct. It’s more like a game where each side is playing by its own set of rules.

Some activists, in fact, insist that the whole point is to figure out a way to use the other side’s rules against them:

The whole basic idea of Civil Disobedience works by creating a “Rules of Engagement (ROE) trap,” where you know what kinds of tactics your enemy can and cannot use and in what situations, and engineer your tactics accordingly. For instance, let’s say you want to block an inaugural parade. You know the law does not permit the use of lethal force to set people to running for cover, and you know that “pre-crime” arrests are not going to be used very much, because they are no more legal than blocking the parade itself. You do the math, and compute that if you can get 10,000 people to just sit down on Penn Ave, it will take more time to legally arrest them all than the time allotted for the parade.

You have now created an ROE trap. The opposition has the choice between doing what you want (canceling the parade in this case), or breaking their own laws, forgetting about making legal arrests, and just resorting to uncontrolled violence. The disadvantage of this for the Enemy is mainly the political impact of being seen as a repressive, illegitimate dictatorship.

Note though how quickly the question turns to impression management and the role of the media: “being seen” depends on who is conveying the information. The author however brushes past this, noting that the real danger to the state is of escalation: how many will then “escalate to physical direct action,” or for that matter, guerilla war.

Such is the perspective of the dedicated revolutionary. My perspective here is less strategic than tactical—like any ethnographer, I wish to tease out the tacit underlying principles of action. What are the effective rules of engagement, then, that form the basis of this calculation, and how are they worked out?

Consider again our last case study: the clash between the Black Bloc and Philadelphia police during the 2000 Republican convention. Much of this could be described as a kind of nonviolent warfare, full of maneuvers, pincer movements, attempts to hold territory, advances and retreats. Both sides had also carefully worked out their own rules of engagement. Everyone participating in the spokescouncils had agreed to certain minimal ground rules—for instance, that no one would bring drugs, liquor, or weapons to the action, that there would be no harm to

you in the process of arrest is well-nigh impossible—to be prosecuted in such an instance, a policeman basically has to do something so shocking (sodomy with a nightstick for example) that it makes national headlines for several days. The reason most Americans are under the impression that police operate under extreme constraints is that there is a good deal of legislation that affects anything bearing on a trial. Essentially, what this comes down to is that, if police break the rules, the only thing they are risking is the possibility of obtaining a later conviction. The paradoxical result is that police actually have to be much more meticulous when dealing with murderers or rapists than they do with activists, who, being mostly innocent even of the equivalent of parking violations, are unlikely to ever be charged with any sort of crime. Police in Philly were quite well aware, despite the use of public defenders to frighten detainees, that they stood almost no chance of obtaining convictions. As a result, activists could not be held for very long.

This was the real irony of the chipped paint: the whole little drama of the mock trial might seem a way of establishing total arbitrary power, but it was also a way of creating about the only trial in which an activist would actually be found guilty. Just as activists are attempting to create spaces of autonomy and creativity in fissures within the normal, legal order, so the police too end up doing something very similar: carving out a small space of pure sovereign power in the fissures created by the law. The play on arbitrariness, the sadistic violence, the lies, the violation of ordinary norms and expectations, are all ways of trying to establish absolute non-equivalence between the state and those in its power—despite the fact that police are quite limited in the kinds of power they can actually deploy.

SOME BRIEF NOTES ON THE RULES OF ENGAGEMENT

I think the above observations also have implications for what happens on the streets.

In my earlier discussions of direct action, one of the main points of contrast between different sorts of action was their relation with the police. Does one try to reach accommodation with them, confront them, try to create situations where they are forced to act with restraint, or does one avoid them entirely and act as if they don't exist? In the first two examples, though, the march/rally and the picket line, one can say that police and protesters are operating within the same legalistic grid. There is an overarching structure of law and legal precedents; the details can be worked out on that basis by direct contact between the parties concerned. In civil disobedience and direct action, this is not the case.

people each were asked to describe what they would or would not do: “I would never attack another living being, but I'm not sure what I would do if I saw someone try to hurt someone I loved.” And when bloc'd up, one did, often, feel that love extended to all of one's companions. When talking to people after actions, that feeling of absolute trust amidst chaos was always crucial. One activist veteran—his action name is (somewhat incongruously) Evil—pointed to a famous moment when a Black Bloc activist, surrounded by police on a platform at the base of the flagpole at the Naval Memorial during the 2001 inauguration protests, literally leaped headfirst over the police's heads into a masked crowd of activists, in the knowledge that, whoever they might have been, they were sure to catch him. As they did. Really, Evil said, we are dealing with “an elegant fluid dynamic” that ultimately goes back to shared experience of mosh pits:

In a mosh pit at a punk or hardcore show, all the kids are going nuts, all together, stage diving, circle pits, crowd surfing, asshole bouncers twice your size, so you develop a feel for space, for fluid motion and action. Linking arms to force a wedge through police lines at an action is just like forcing your way to the front of a crowd at a show with slow steady pressure. It's not that all Black Bloc'ers are punk rockers, or vice versa, but when the Black Bloc'er leapt over the heads of riot police at the navy memorial at Bush's inauguration in 2001 to escape arrest, he was just stage diving and body surfing.

Equality, autonomy, mutual aid—these are, of course, the elementary principles of anarchism.

Finally, it's not that Black Blocs are utterly indifferent to the impression they make on a broader audience. They are simply not interested in winning the support of what in the media is called “the public”—a largely imaginary community of white, middle-class families that is, in the opinion of most anarchists, largely a creation of the media itself. Once again, the point is to shatter the Spectacle: in this case, quite literally. While critics will endlessly point out that property destruction steals the show from nonviolent civil disobedience, and is used to justify every sort of repression (repression that is almost never directed primarily at those who are breaking windows), it is hard to deny that the image has struck some sort of chord. Certainly, it is one of the few things just about everyone in America knows about anarchists: that they have been known to break Starbucks windows. Obviously, it's a deeply ambivalent chord. But if one's purpose is revolutionary, one is appealing first and foremost to the most alienated and the most disenfranchised. As Mac noted in

the very beginning of this book, such elements do not need to be shown the violence inherent in the system. They know all about it. What they need is to have some reason to think that the system is vulnerable; that it can be successfully challenged, or at least, that challengers can get away unharmed.

At this point, though, we're moving away from the internal structure of the action and beginning to deal with the sort of questions of representation that will be the focus of the next chapter. Before doing so, I'd like to end this one with some brief practical reflections on the nature of the state.

STATE POWER

DETENTION

The Christian in me says it's wrong, but the correction officer in me says, 'I love to make a grown man piss himself.'

—Charles Grainer, former US prison guard
assigned to Abu Ghraib

Jail solidarity—and the experience of arrest and processing—is usually a very important component of the formation of any veteran activist. To be arrested is to face the reality of state power in what any anarchist would call its purest form: that is, with all pretense of ultimate benevolence stripped away. Those one encounters when being processed, held, and jailed—representatives of the “criminal justice system,” and particularly the minor functionaries—as a rule feel no obligation to even pretend to be fair with those under their charge. The shock of learning that police lie and attack the innocent dissolves into the further shock that, behind closed doors, they are expected to behave as unapologetic sadists. The infliction of pain and humiliation is considered the norm (at least, any act of decency is considered a special favor)—but, at the same time, the sadism is almost invariably combined with an almost complete and systematic bureaucratic confusion and incompetence. When completely under the power of the state, one would seem to encounter both its brutality, and its stupidity, in unadulterated form.

This is the regular experience of anyone who's been through a large urban jail in the United States, but the activist practice of jail solidarity—refusal to give names, systematic non-cooperation with the system so as to clog the works and make difficult the arrest of fellow activists—tends to exacerbate both the brutality and the confusion. In Philly, for example, activists refused to give their names and often to cooperate with fingerprinting and photographing. The result was

that there is absolutely no reciprocity here. The message is not “if you play by the rules, you won't be punished” because that would imply the existence of some kind of contract. A contract would imply that the two sides are in some sense equal parties. The message was rather: “You must play by the rules. We don't have to. To demonstrate this, let us make clear that, even if you play by the rules, you might be punished anyway.” It is the state's ability to impose such arbitrary punishment that empowers it to establish rules to begin with. “Medical condition? Maybe we'll take account of that. Maybe we won't. Anyway there will be no negotiation. Above all, under no conditions will you have the right to complain that we aren't playing fair.”

The irony, of course, is that police, and guards, are not really in a position to exercise absolute and arbitrary power at all. Even if they were dealing with a collection of poor black adolescents, or undocumented immigrants from the Middle East, there would be some constraints (though, in that case, apparently not many). When dealing with a nameless crowd of mostly white activists rounded up at a demonstration, police are well aware that any one of their detainees might, just possibly, be the child of someone important. It is highly unlikely that the dreadlocked girl in front of you is the daughter of the attorney general, but you don't know it for a fact. Should you happen to kill, maim, or permanently disfigure her and it turned out that she was, at the very least one would be facing a minor national scandal. Hence the preference for techniques meant to torment, terrify, and humiliate, but without doing obvious permanent damage. One tightens the cuffs enough to make the hands turn blue, but not to permanently damage them; one smashes a head against the wall but doesn't break a limb. Most of these techniques are mild forms of torture. Placing prisoners for long periods in near-freezing cells (in some cases, first removing their clothing or dousing them with water) is standard procedure in interrogations, or for that matter in many US prisons. So is playing on natural revulsions, such as those against vermin or excrement (law enforcement personnel seem, as we'll see, to have a peculiar fascination with the psychological power of excrement, that can manifest itself in anything from a refusal to allow bathroom visits for twelve hours at a time on police buses, to pressure-point techniques intentionally designed to cause victims to shit their pants).

Still, all of this essentially operates within a relatively limited legal window. As police sociologists point out (e.g., Bittner 1990), the conduct of law enforcement officials is largely unregulated. Most regulations have to do with the use of specific tools or weapons. Apart from those, there are few legal guidelines to what police can or cannot do on the streets, or what guards can or cannot do in jails. What rules do exist are rarely enforced. To hold a police officer legally accountable for, say, beating

floor as “proof” of her crime—chips that (since they had not been there when the floor was scrubbed the day before) could only have been placed there intentionally while the prisoners had been taking showers several hours before. Obviously, given two days alone in a cell with nothing else to do, it would be difficult not to obsess a little about exactly what would motivate a prison guard to plant paint chips in the cell of an apparently randomly selected pair of activists, and then pretend to convict them for a “crime” everyone knew they had not committed. Still, there seems a deeper reason activists attach such importance to such gestures. They appear to be attempts to hammer home a message: that when in the hands of the state, one should put aside any notion that one’s dealings with its representatives will be governed by any recognizable code of justice. “Do not expect us to be fair.” “Reality is whatever we say it is.” “You are in our power and we can do with you what we will.”

This would appear to be the message.

In this light, the equal emphasis in these accounts on apparent bureaucratic confusion and incompetence takes on a more subtle and insidious complexion. In some cases this incompetence is clearly intentional. As many remarked after the RNC protests in New York four years later, it’s very difficult to believe the same police who displayed lightning efficiency in sweeping protesters off the streets really needed between sixteen to forty-eight hours in each case to locate the paperwork required to get them released again. But often there seemed something more subtle going on. One friend arrested at a Philly lockdown told me that over the course of the week he spent in jail, he was brought before a judge on three separate occasions, and each time a different policeman appeared, claiming to be the arresting officer. As far as he could make out, none of the three had even been in the vicinity at the time of his actual arrest. (“How do you think that happened?” I asked him. “I have no idea.”) It’s as if the authorities were trying to communicate not only that they did not have to be fair, but that they didn’t even have to behave in a way that made any sense. They could do pretty much anything they wanted. They could behave completely randomly, and there was nothing one could do.

I think activists are right to see, in all this, something essential about the nature of the state. These are displays of arbitrary power—power that claims to require no reason or explanation. What makes lightning an appropriate symbol of divine power is not just that it is devastating, but that it’s random. The symbol of justice on the other hand is the scales: justice is always conceived as a matter of balance or reciprocity. Sovereign power, in turn, claims to be that which establishes the balance; it’s the hand holding the scales; therefore, it cannot by definition be weighed in the balance itself. Hence the effort to establish

systematic violence. The following extracts from accounts on activist listservs at the time give something of the flavor of the experience.

I refused all information except my medical information, which I answered in great detail, since I was quite worried about them ignoring my hypoglycemia.

“If my blood sugar level drops too low,” I told the nurse, “I will go into convulsions.”

“That will be fun to watch,” she answered, “since you’re not going to get that much food in here.”

On Friday people began to be arraigned. It was at this time that the system stepped up its intimidation tactics in an attempt to scare people into giving their names. One that affected all of us was the air conditioning. While we had all been freezing since we were taken to the Roundhouse, since it was air conditioned and we were all dressed in summer clothing, it is my understanding that on Friday night, one woman actually got hypothermia. The guards came in with their sweaters and winter coats, so the tactic had obviously been planned. One woman who walked past a thermostat told me that it read 46 degrees. We piled on top of each other (quite literally, big people on the bottom of the pile and little ones on top—or in the middle if they got too cold) in an attempt to use our body heat to keep us warm.

If people did not cooperate with the photographing their heads were bashed into the wall. I am told that there was a sign where they were taking these pictures that instructed the officers to wipe off the blood before taking the pictures. I did not see this sign myself, since it was removed by the time I was processed four days later. However, I did see enough blood and bruises on the women being returned to their cells to feel truly terrified that night.

2AM—We find out that the women’s leaders are being taken away and isolated. In my six-person cell, three of us finally manage to urinate in the close company, after thirty hours of incarceration. No one has yet managed to defecate since the six of us must sit knee-to-knee in the cell. There is no privacy. We have still not seen our lawyer.

3AM—A public defender—not one of our own R2K lawyers—is finally let in to the Roundhouse.

5AM—He gets to our cell block. The defender is not familiar with jail solidarity and cannot give advice. He just lectures morosely on maximum penalties. Our feeling is that he is not on our side.

6:20AM—JOE HILL is cuffed hand to foot for not voluntarily giving his fingerprints.

6:55AM—*JOE HILL is finally uncuffed.*

9:00AM—*Eleven from our cell block are dragged from our cells, chained together and marched off.*

9:15AM—*Water in our cell blocks is turned off Not even the toilet works. An officer tells my cell: "There's water in the toilet. Drink that!"*

9:30AM—*I am taken out of my cell and stood against the wall to wait for arraignment. While I am waiting, Officer Cassady (Badge 1976) drags WOLFMAN's face through the gutter and then slams it into the cell bars for moving too slowly. WOLF later showed the abrasion on his right shoulder this caused.*

[Another activist] is also slammed into the bars by 1976.

9:50AM—*While I'm standing there, all water is finally turned back on after thirty-five minutes of chanting.*

11AM—*I am finally taken in to my arraignment, where I hear my charges for the first time. They are all misdemeanors, but include charges like "Obstructing a highway," which given the conditions and place of arrest I am obviously innocent of. The paper work is all mixed up.*

It is critical to bear in mind here that normally the overwhelming majority of those arrested at mass actions are not actually charged with any crime. As the A16 trainers pointed out, they are usually picked up for the equivalent of jaywalking or parking offenses: "infractions," or "violations" (the wording depends on the jurisdiction) that are not criminal matters and would, under ordinary circumstances, have at worst led to a ticket and modest fine. Occasional attempts to up the ante by inventing more serious charges against those engaged in blockades and lockdown, as was attempted in Philly—almost invariably fail in court. Half the time, in fact, arrestees are not even guilty of infractions, since a very large proportion of arrests at any large mobilization are preventative. Police will often sweep up crowds of hundreds at a time as they're marching down the sidewalk or milling about in "green zones." Since preventative detention is illegal in the US, activists arrested in such sweeps are keenly aware that, if they are in jail, it is because the police, and not them, are guilty of breaking the law.

The accounts above, for example, were both written by activists who were among the seventy arrested for being inside Philly's famous "puppet warehouse," a building being used to manufacture props and political art for the day's action.

A few had been preparing to engage in blockades later in the day; most were preparing to take part in puppet, clowning, or performance groups. None had committed anything resembling a crime. They

were collectively charged with offenses ranging from "possession of an instrument of crime" (PVC tubing found in the warehouse, which could be used for making lockboxes) to "blocking a highway" charges that everyone knew could never stand up in court, but were simply applied to justify high bails. Not one ultimately went to trial. After being held for a week, then released, but forced to return to Philadelphia for repeated court dates, prosecutors suddenly announced that, since police infiltrators in the warehouse were not able to identify any of them in line-ups, all charges had been dropped.

Add to this, the tendency to select certain arrestees for what usually seem like completely random felony charges (for instance, assaulting an officer—these also invariably fail in court, but only after endless postponements that absorb enormous amounts of activists' time and energy), and it's hard to imagine how activists could see the criminal justice system as anything but a blunt instrument of stupidity and repression.

In Philadelphia, activists were constantly being threatened with being distributed among the "general population," regular inmates who, guards explained in often graphic terms, would terrorize and brutalize and rape them. When the authorities, at one point, made good on their threats, the ploy completely backfired. The general population proved quite sympathetic, and above all, extremely interested in learning activist tactics. Ordinary prisoners rapidly began giving each other action names, refusing cooperation, and coordinating collective demands—so quickly, in fact, that within twenty-four hours the activists had been taken out and segregated once again. Almost all of the arrestees, however, came out with long stories of inmates they had met among the "general population" who had been picked up for minor or harmless nonviolent offenses (marijuana possession, trespassing for taking a short-cut through a deserted lot) and, like them, subjected to continual violence and brutality. For that moment, anyway, there was the recognition of an analogous situation: the fact that the laws operate entirely differently for certain categories of people, whether these be poor African Americans, or (at least during an action) political idealists who dare to take to the streets.

Considering the constant brutality, I am always slightly surprised, in going through these accounts, of the emphasis so many activists place on what would otherwise seem quite trivial acts of injustice. The account of one lockdown arrestee in Philly, for example, gave special attention to how she and her cellmate had been placed in solitary confinement for two days as punishment for having "chipped the paint" on their cell wall, in addition to having to pay a several hundred dollars fine. In fact, she insisted, not only had the wall been chipped before she arrived, but the officer actually went to the trouble of pointing out paint chips on the