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Afterword by GARY T. MARX

Policing
Protest

The Control of Mass
Demonstrations in Western
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Chapter 3

The Policing of Protest in France:
Toward a Model of Protest Policing

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In *Demonstration Democracy* (1970), Amitai Etzioni stated that the recourse to direct expression of opinion through protest was becoming an increasingly common practice in democratic countries. According to Etzioni, this was noticeable both in the rise in the number of demonstrations and in the spread of this practice to all levels of society. This analysis is in line with the French situation of the 1980s and the 1990s. In fact, the legitimacy of protest is now well recognized by French public opinion. Its use is widespread among all socioprofessional categories (Fillieule, 1997) and the legal framework has developed to the extent that the right to protest is now considered a constitutional right.[1] Furthermore, demonstrations rarely give way to the use of violence on the part of demonstrators or the forces of law and order. Studies conducted by Favre and Fillieule have in fact shown that only 5 percent of demonstrations become violent in the form of destruction of public/private property or attacks on other persons (Favre and Fillieule, 1994).[2]

These observations strongly suggest that demonstrating has become a usual and peaceful process in France, which therefore places it among the broad range of conventional political practices. Thus, the common image of the police battling with demonstrators has become rather misleading. Disorder is rare, even in the biggest and most problematic protest events. By and large, demonstrators cooperate with the police, assemble at a previously agreed-upon location, proceed along an agreed route, and disperse peacefully, regardless of the perceived results of their action.

Thus, the issue to address is how the police have extended such a high degree of control over protest action by cooperation with demonstrators rather than by repression. How is the policing of protests organized in France? On

what principles and professional knowledge is it based? These are some of the questions that this essay will deal with.

The theoretical significance of these issues is not simply confined to sociological studies of the police. In its broader framework, studies of the maintenance of law and order should become one of the central elements of the analysis of social movements. Indeed, the development of social movements depends largely on the state's structures and its responses. In the majority of existing works, however, the extreme diversity of actors and agencies constituting the state is oversimplified by their being placed in general categories such as strong state and weak state. This would suggest a concerted action on the part of the state. In such an analysis, police forces and their actions are considered as pure instruments and are categorized under "police repression." The sole actor that the protesters confront is the government in power representing the state. This body, through the police, thus decides whether to increase repression or to give way to the demonstrators' demands. From a judicial point of view emanating from Max Weber, the police appear as an armed instrument of political power.

In this essay, we propose a model for ways in which protests are handled that presents street demonstrations as part of a triangular game in which the rules are prone to change during the course of the event. In effect, it can be argued that an understanding of the methods of protest management should include three major actors: the forces of law and order, the government, and the protesters themselves. The analysis constantly returns to the freedom of maneuver at the disposal of these actors in order to establish the rules of the game and then to act within them. This room for maneuver necessitates an examination of events as a result of a complex interactive and tactical process incorporating the social movement, police officers (senior officers and rank and file) on the ground, and political authorities. From this angle, our model differs slightly from that of della Porta, which emphasizes police knowledge and tactics. It is also different from the model proposed by McCarthy, McPhail, and Crist (1995), which, in addition to police tactics, analyzes the relationship between public order policy and the legal and political environment. In our view, the model is incomplete without giving equal importance to the role of the demonstrators themselves.

Taking this as a starting point, we explore three central questions: What are the established rules of the game (legal norms, structure of police organization and professional conduct, hierarchical relations between police authorities and political authorities)? How, in practice, do the different actors play the game (by a strict or relaxed application, depending on the individual

circumstances and vested interests at the time? What impact does the development of the game have on any modifications of the rules? In other words, what determines modifications of the rules?[3]

Our work relies on three kinds of material: first, a series of formal interviews, conducted in Paris as well as throughout the country with the senior officers most frequently involved in the negotiating, planning, and command of order operations; second, observation of numerous protest events and participation in the planning process of demonstrations in Marseilles and Nantes; finally, a database of almost five thousand protest events that occurred between 1979 and 1989 in the cities of Marseilles, Nantes, and Paris. We have constructed this data from the national police archives (Fillieule, 1997). This database allows us to make a quantified corroboration of the police officers' assertions. By this multiplication of sources and methods, we hope that our conceptualization of protest policing will not be as impressionistic as ethnographic studies sometimes appear to be.

We begin by briefly pointing out what we consider to be the main organizational characteristics of the handling of protests in France: a highly centralized and unified framework, even if, in the purest French tradition, the case of Paris is quite unique. We then present the philosophy on which this maintenance of order is based. We will show the extent to which these effective rules of the game are based less on legal prescriptions than on actual informal practices. Third, we will see how these rules of the game are applied in different ways on the ground, depending on the orders given by the government and the police perception of the groups involved.

Forces of Law and Order in France: A Diverse but Highly Centralized Model

For historical reasons that cannot be elaborated on here, the forces responsible for the maintenance of public order in France are both varied and numerous. There are military forces (*gendarmes mobiles*) and the national police force (specialized divisions of these and more general sections).[4] However, behind this diversity is hidden a highly centralized and uniform organization in terms of leadership, policy implementation, and methods. This will be briefly illustrated in this section with reference to the organization of the specialized forces and the urban police in Paris as well as in the provinces.

The Specialized Forces

The specialized forces are first of all composed of the *gendarmes mobiles*, which come under the Ministry of Defense but are at the disposal of the

Ministry of the Interior, and second of the CRS (Compagnies Républicaines de Sécurité), drawn from the mainstream police forces.

The first characteristic feature of these forces is that they are composed of mobile units with a national jurisdiction. CRS and *gendarmes mobiles* squads rarely act in the area where they are actually based. Second, these specialized forces undertake specific training. They follow regular training sessions in the form of simulated operations. The professional code of practice on which the training of the two types of forces is based, judging by the manual used in these sessions, is virtually identical.

The essential training in the maintenance of order is concentrated on a small set of simple rules. Whatever situation they are applied to, these rules are based on the necessity of a strong collective discipline and absolute respect for orders given by the senior officers. In effect, the CRS and the *gendarmes mobiles* must always act as complete units under the authority of their own senior officers. It follows that the training of the rank and file is relatively neglected, with the emphasis remaining on that of the senior officers.

The civil authorities—that is, the prefect or the deputy prefect (*sous-préfet*), the mayor or one of his associates, and the police commissioner (*commissaire*)[5]—are responsible for the use of coercive measures when considered appropriate. On the ground, however, the execution of policy legally depends on the hierarchy of squads made available. Once the decision to use coercion is taken, with the orders given by the civil authorities, the heads of each squad can give orders and supervise the action of their men in the field.

This rational partition of labor, however, conceals a lack of clarity regarding the exact nature of the relationships between the orders given by the civil authorities from the command room or on the ground and the actual implementation of these orders by the chiefs of each squad. This lack of clarity can sometimes be magnified in important cases of maintaining order, given the wide range of forces that could intervene and the frequent interventions of political power in the technical decisions to be taken. In the light of these observations, it seems necessary not to reduce the interactions in demonstrations to a simple conflict between demonstrators and the police. Just as demonstrators can oppose each other, so the forces of order do not necessarily act in a unified way. There are no clearly defined structures governing the relationships on the ground—a state of affairs that could potentially result in disorder.

Urban Police in the Provinces and in Paris

For the majority of routine demonstrations, the urban police are the only force involved. In the provinces, they are characterized by two features: first,

there is no specific training on the maintenance of order, either in the initial course or in subsequent ones; professional knowledge is only acquired by experience. Second, maintaining order is just one aspect among others of their general duties. In Paris, however, the young recruits are integrated into intervention squads (*compagnies d'intervention*), which receive training in maintenance of order but are not a constituent part of the specialized forces. They also assume numerous tasks related to anticrime initiatives.

Created in June 1959, the *compagnies d'intervention* benefited in the 1960s from a regular and very similar type of training program to that of the CRS and the gendarmes. Then, in 1978, their role was extended to include an anti-crime component. As a result, specific training for demonstrations diminished and finally disappeared. At the end of the 1970s, they were less and less frequently used as individual units. This development was reinforced in 1983 with the dispersal of these squads among the different police stations in Paris. There was thus a loss of technical expertise to the point of incompetence, with dangerous implications.

This brief description of the different forces dealing with protest policing shows well how important the unification of the national context is in France. Apart from distinguishing Paris from the rest of the country—which is really only due to a question of political requirements—we can say without doubt that protest policing is exerted in a unified manner all over the country. Every aspect converges toward this unification: from the procedures for recruiting within the different forces, to the nature and quality of the training offered to the specialized units, the lack of such training for protest policing within the urban police, and the doctrine on which the training and the organization of the command are based. We could add that all commissioners (*commissaires*) in charge of protest policing go through the school of Saint-Cyr-au-Mont-d'Or, where they receive an identical preparation for the maintenance of public order, and that information in Paris and out of Paris is collected by the same intelligence service (Renseignements Généraux). The result is that a specific "philosophy of protest handling" has been built up nationally in France, elements of which may be found within each police force and all over the country. We will now examine the essential characteristics of this "philosophy."

Fundamental Doctrine and Practice in Protest Policing in France

It would be misleading to base an explanation of the handling of protests solely on an analysis of the legal and material means at the disposal of political authorities. In France, the practice of protest policing is characterized pre-

cisely by the two following aspects: first, the continual search, through negotiation and compromise, for agreement even if such agreement is not necessarily based on the range of legal means; second, the underuse of available coercive means. The "philosophy" of protest policing can be summed up in the following three principles:

1. The first objective of policing is to prevent trouble so that the police will not have to use force. Police intelligence is therefore essential in formulating preventive measures.

2. When police intervention is necessary to reinforce order, such intervention must not exacerbate the situation.

3. Protest policing has as its primary objective the control of the situation at all times, regardless of costs.

Predicting the events, constant negotiation with the other side, and control of the situation, which is implemented by a wait-and-see approach in which a strong coercive response is at one end of a range of possible reactions, are the three basic rules of the doctrine of protest policing. We will now examine the meaning of these three principles and the way in which they are implemented.

The Use of Intelligence and Planning

Before the event, intelligence and planning are an essential part of protest handling. According to most senior officers interviewed, failed policing above all occurs "when we are surprised. The worst thing that can happen is when we are surprised."

The Law of 1935 circumscribes the right of protest with an obligation on protesters to give the police three days' notice of a march. This prior notification must be sent to the town hall or to the police headquarters in Paris. Even if the legal procedure is not strictly followed by the organizers of demonstrations (we will give more information on this point later), the police try to get in touch with the organizers to find out their intentions and to discuss the details of the march. At the same time, the intelligence service produces a detailed report in which it provides its own information about the expected number of demonstrators, the aims of the march, and the spirit of the protesters themselves. Based on these elements, the local police chief (or the subdirector of public order in Paris) formulates a plan of action within the framework of the prefect's orders. The organization of the operation depends on two factors: the previous and/or the declared goals of the demonstrators, and the will of the political authorities.

At this point, police headquarters determines the number of police officers required during the event. The prefect approves the requisitioning of these men, from the local urban police (*compagnies d'intervention* in Paris) and, in the case of large or risky marches, gendarmes and/or CRS. After the national police headquarters has assigned all available forces, the local police leadership forms a plan of action consisting in the disposition of forces, the designation of senior officers (*commissaires*) who will lead these forces, and the requisitioning of specific materials (water tanks, antibarricade trucks, etc.). This plan is established during one or more preparative sessions. On the day of the event, units gather one hour before the event is scheduled to begin. In most cases, when the CRS or gendarmes are required, they are briefed by a senior officer in command as to the general plan and the objectives set by the prefect at each point in the operation.

Negotiation and Compromise

The planning done before a demonstration is based in the main on contact with protest groups. Most of the time the event takes place in a spirit of mutual recognition and respect, and cooperation is secured through negotiation with the protest organizers, before as well as during the march. This negotiation process relies more on informal means than on legal norms.

By far the most illustrative example of this informal way of managing protests is that of the notification requirement contained in the Law of 1935. As already noted, this law requires notification to the police no less than three days before the intended date of the action. A march for which notification is not properly made and which refuses to disperse when asked by the police would be treated as an unlawful assembly. In such cases, the police are legally authorized to use force, and can arrest and prosecute the organizers as well as the participants.

However, there is a gap between this legal framework and practice. It is extremely rare for organizers to comply with the law or even to know its prescriptions, except in Paris where the principle of preliminary notification is generally respected. In other places, prior notification is the exception rather than the rule, as illustrated by figure 3.1 for Marseilles. Only 8.5 percent of the events recorded between 1987 and 1991 were notified to the police or the town hall. If the police were to bring the law into operation, French demonstrations would for the most part be considered "unlawful assemblies" and would be strictly forbidden. As one can see, this did not happen.

In the same way, it would be misleading to try to understand the way French political authorities deal with demonstrations simply by observing
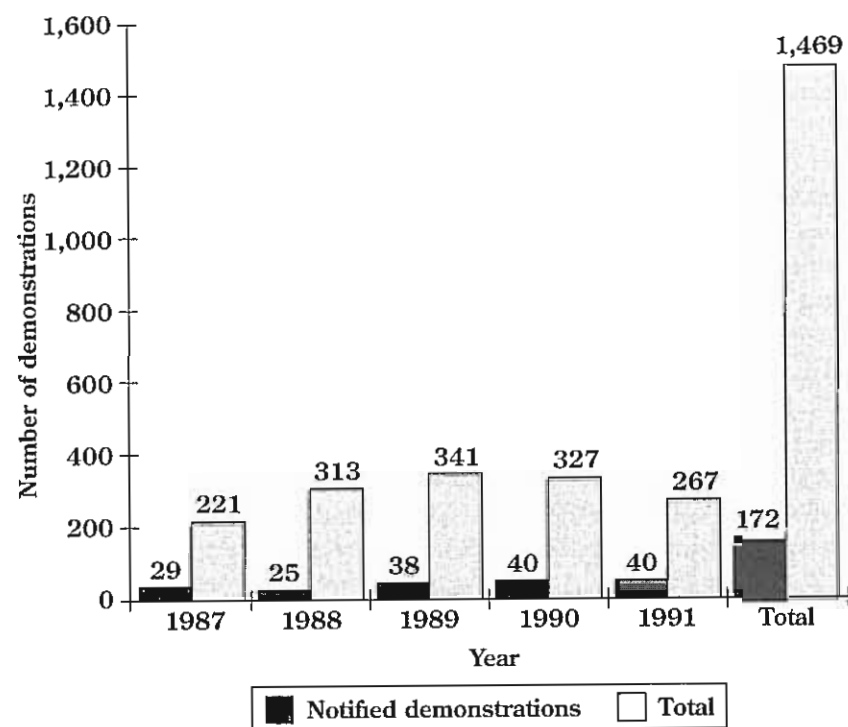
Fig. 3.1. Notified demonstrations in Marseilles, 1987–91

the changing legislative regime. The recent change in French law gives a very clear example of this. Under pressure from the law-and-order lobby, the legal framework was tightened during the course of the overall reform of the penal code undertaken in 1994. This might logically lead one to conclude that there has been a move toward greater repression in France. But that is not the case at all: the political reasons that prompted the passing of this set of laws are far removed from the reality of protest handling. This is confirmed by the interviews we conducted in July 1995 with the officers in charge of the Parisian police. First, and this is quite surprising, these police chiefs only had limited knowledge of the new laws. Second, they all insisted on the theoretical aspect of these laws, which could only be applied in the case of a very serious crisis.

Protest policing cannot be adequately analyzed in terms of the legal norms. As a rule, police do not use the whole set of legal means at hand to maintain order and the basis of their actions is essentially informal negotiation.[6]

To give an illustration of that point, in Paris, where prior notification of demonstrations is much more frequent than in the provinces, we can see that directors of public order, rather than sticking to the strict provisions, seek to establish negotiations with the protesters. These negotiations must lead to a compromise so that unexpected risks are minimized. The police head-quarters considers this step to be a central element in the means at its disposal and the chief of police himself meets in his office with the people involved in organizing the demonstration. These organizers may have asked for the meeting or the police may have invited them.

According to the chief of police, negotiation with demonstrators must fulfill the following requirements:

1. Requirements of public order (for instance, the police may prefer a specific route and deny another) and political considerations (that is, the orders of the prefect) must never be presented to the demonstrators as flat requirements based on law; on the contrary, the goal of the negotiation is to make the demonstrators think that the restrictions are in their own interests, that it is simply friendly advice. As the chief of police told us:

> If there is some small problem, perhaps with the route, I try to make them aware of it before they arrive at the Prefecture. So they can think about changing their route. If, for example, they want to go down the Champs-Élysées, this is not possible.[7] But rather than say to them that it is not possible, I would explain to them that they have to park fifteen hundred coaches, which is an enormous number. A coach is twenty meters long. You need dozens of streets in which to park them. They haven't thought of that. So, I suggest to them Saint-Augustin, since they can park their coaches in the Boulevard Malesherbes, and so they agree and go away satisfied.

2. Organizers must always go away from the meeting with the feeling that negotiating helped them in organizing the march. That is why the chief of police presents his requirements in the form of helpful advice. For instance, in the case of inexperienced demonstrators, it is frequent for senior officers to give the organizers some instructions on how to organize marshals and how to direct them. In fact, the police have an important advantage: they usually hold a monopoly of expertise, which they use to a greater or lesser degree to advise and assist organizers who are unfamiliar with practices and procedures. In doing so, they guide organizers along a path acceptable to the political authorities.

3. Police always act so that the organizers feel that they hold the main responsibility for the demonstration. They ask about their marshaling and plans, pointing out (and even exaggerating) all the potential dangers found at

this kind of event. The goal here is to encourage the organizers to be as cooperative as possible and to ensure that they recognize the importance of the liaison officer who will be the link between the organizers and the police on the day of the event. But also, if the organizers fear dangerous or violent acts from their own participants or from other outside groups, this encourages a shared interest, between the police and the organizers with regard to those who might be considered troublemakers.

4. Finally, the purpose of negotiation is to establish a climate of mutual confidence, with the organizers being persuaded that the police will respect their undertakings. To fulfill this aim, the chief of police may reveal some part of the means at his disposal, in a spirit of openness, but also in order to exclude the possibility of ambiguous situations or surprises arising on the day the event takes place.

Clearly, these four informal principles on which negotiations are based are applied to a greater or lesser extent according to the nature of the groups in question. The degree of cooperation can vary greatly. For instance, when demonstrators show no readiness to cooperate, and even refuse to meet with the police, the chief of police may content himself with a simple telephone negotiation, with the route and conditions being sent by fax.

After the preliminary negotiations, it is worth stressing how much the search for compromise influences the forces of law and order as events are actually taking place. To further this spirit of compromise, a liaison officer is appointed for every protest, with the task of maintaining constant contact with the organizers. During very large protests, he is always a senior officer of the police force.[8] On the other hand, civilian police representatives are specifically charged with establishing contact between the organizers and the political authorities targeted by the demonstration. These representatives lead the negotiation, for example, for the receiving of a delegation at a public administration building and are in charge of the group while it is inside the building and as it leaves. These agents usually work in the different arrondissements (administrative districts of Paris), so they are perfectly familiar with the various heads (in each district) who can receive a delegation. Negotiation with demonstrators is thus facilitated.

This process of constant negotiation in the field very often produces a close cooperation between the police and the demonstrators' marshals, since they share common interests. As one police official explained:

> If there is a march of more than eight hundred meters, we must be able to isolate troublemakers from the crowd, and protect those that have a right to be there. This works very well with the CGT [General Confederation of Labor] and

other professional organizations. They have marshals in place who know that we will isolate those that shouldn't be there. They will put up barriers and if necessary will stop the demo, speed it up, or cut it short. Sometimes, they will come to us and tell us that they are going to lead the troublemakers up a certain street. And we can be waiting at the other end of the street to greet them! But for student demos, the marshals do not like to do that, because it is seen as collusion with the police. Some marshals at student protests even play a double game.

Once, I conducted a baton charge at the head of the CGT stewards. It was one of the 1987 demonstrations in memory of Malik Oussekine,[9] with many young people. The CGT was responsible for the marshaling. I was in charge of coordinating the forces in the field. When we arrived in Place de la Bastille, the organizers came to me and said: "OK, our deal is over, we called for dispersion, good-bye." I said good-bye to them and at that very moment, an unmarked police car was turned upside down and anarchists started in wrecking everything around them; a few dozen, not many more. So, I went back to the guy from the CGT and he told me: "Yes, but we called for dispersion." I said to him: "Listen, we have to do something." You know, even if there were some police units, the rest of the march was still arriving. There were lots of young people. The guy from the CGT understood perfectly well that we could not do anything. It was a very delicate task, it was worse than bad. The CGT guy consulted his men. He asked the one he had to ask, and then he came back to me and said: "OK, let's go." Then, with twenty big guys, we all together charged the hooligans. And I must tell you: they use methods we gave up a long time ago. Everything was then back in order.

Here may be seen one of the considerations that is most important for senior police officers: professionalism of the adversary. The more the organizers are used to the practice of a demonstration, the more senior police officers find it a "pleasure to work with them" (to use an expression often repeated in our interviews).

In this analysis, we have shown that one of the major weapons of the police lies not in a repressive or legalistic approach, but rather in the art of negotiating with the organizers, bringing them onto the police's home ground where they can keep the initiative and use their expertise to the fullest. This weapon would suffice if demonstrations only opposed senior officers and organizers. When the event is under way, however, the central problem becomes one of controlling troops—on the side of the demonstrators as well as on the side of the police.

Distance as a Means of Control

Two different obstacles stand against us in the field of protest policing. On the one hand, we find those who have organized and signed the preliminary notifi-

cation. But the organizers have great difficulties when explaining this to their own constituency, and it is exactly the same thing when we try to make it clear for police officers. The average demonstrator does not know that people come here and sign an official paper, that routes are negotiated with us, that some maneuvers are decided before the event begins: "When you get here, we'll move this squad. Behind you, there will be this other unit. In front of you, a CRS squad will move ahead." The organizers know this. I tell them everything again when I get in touch with them. I tell them: "So, now, we want this, we let another squad stand behind you." But the rest of the march only sees cops wearing helmets who are ready to go. And our officers only see people moving and shouting. We always have some difficulty explaining to them that demonstrations are a kind of role playing. It is a part of the urban ethnology, and our two grass roots do not understand this very well.

This observation from the director of training at the Paris Police Prefecture clearly demonstrates our point: the central issue faced by those responsible for maintaining law and order at protest events is that of control among their rank and file as well as among the demonstrators. This distrust toward their own troops demonstrates how the doctrine of protest policing is largely based on the desire to avoid any confrontation between police officers and demonstrators. Protest policing in France is locked in a weighty contradiction expressed, on the one hand, by increasing pressure from the government and public opinion to control the demonstrations and, on the other hand, by what is still a main characteristic of police action, that is, whatever happens, "one is always hostage to the last legionnaire of the last century." In other words, protest policing is at the mercy of the weakest link.[10]

In the case of urban police, the question of control is even more important since the profession of "guardian of the peace" attracts into its ranks a population of undermotivated young people whose only wish is to move out of the ranks of the unemployed. Furthermore, senior officers claim that new recruits do not stand up well to the various daily constraints of the job because their missions are completely incompatible with the romantic idea they had about the job before they joined the police force:

Now, most of the young recruits join because of the pressure of joblessness. They come from the provinces and their one aim is to go back there. But what is of utmost importance is that they have no idea of the job they will have to do, and what they imagine it will be is completely false. This image is in fact the one promoted by trash TV series like *Starsky and Hutch*. The young officer sees himself patrolling the streets all day long with no defined goal in a big car with a revolving flasher, in regular clothes, and doing a good job every day. . . . When they find themselves controlling traffic at intersections, they very quickly sing a different tune.

These comments help us to better understand why, in Paris in particular, but also among the specialized forces, those in command are wary of their rank and file. A veritable schism exists in effect between the goals of the senior officers and the way the rank and file think with regard to what constitutes good policing of protests. Nonintervention and a dispassionate approach are two criteria for excellence in the senior officers' view, but their men do not consider the operation a success without some kind of physical confrontation or without having evened the score with the demonstrators.

> You know, most of the time, when we are engaged in policing a protest, we do not confront demonstrators. If there is no violence, I think the officers resent it in a way that is—I will say it frankly—it's disappointing. Because they want to go into battle. Some of them, however, more philosophically, think it is not so bad. Policing of protests does not always mean baton charges, tear gas, beatings. That is what we try to explain to our young recruits. A lot of them think they are strong because they are numerous, and within a large force. Then, they would like . . . they would like . . . to be more violent. But we, on the other side, we watch over it. We just say, "Stop!"
>
> The men always want to give a personal touch to the debate. Before a baton charge, one can often hear within the ranks: "I'm gonna kick that one, because he threw ten Molotov cocktails." If one says, "We'll arrest him," it is OK; but if he says, "This one, we'll smash him on the corner of the bridge and then we won't take him back," that's another story. It is the duty of the commanders to listen to what is said and to draw aside those who start this kind of argument, which can lead to seriously injured people, even among themselves, among those who had their sprint alone to solve their little problem. Finally, they made their film on their own. And the opposite is true as well. The demonstrator who fixes an officer in his memory because the officer is a little bit bigger. He fixes the poor little copper and he'll receive his jab because he was on his own.

The concern to restrict the autonomy of policemen at the front line has increased in importance in recent years, notably after the student demonstrations of November and December 1986, during which one specialized motorcycle unit (Peloton Voltigeur Motocycliste [PVM]) behaved in a particularly violent manner, with one squad even going so far as to beat a demonstrator to death. This especially dramatic episode, in which the freedom of movement granted to the field resulted in the death of a man, reemerges time and time again in discussions among senior officers as a particularly tragic example of how a demonstration can go wrong when police officers are not well enough handled by their commanders.

To control the rank and file, a whole set of techniques, based on the idea of a necessary distance between demonstrators and officers, has been progres-

sively developed. These various techniques are, in a certain sense, the action repertoire for different interventions.

The main elements of this repertoire are based on the use of specific types of action depending on the situation. Ideally, these responses aim to avoid physical harm to the demonstrators on each occasion and, at the same time, to allow the police officers to be protected and feel reassured. To achieve these two objectives, the method employed concentrates on maintaining a *necessary distance* and on utilizing the *ritualization of aggression*.

Ritualization of aggression and necessary distance are based on various methods. In Europe, different methods, such as smoke screens, have been tried to this end. In France, the standard response is based essentially on the use of tear gas, and in a less systematic way, water tanks. As Bruneteaux (1993) notes, tear gas was employed for the first time in 1947 and became commonplace at the end of the 1960s. Following on lacrimatory methods, gradation was introduced in the scaling of repression from 1955 on with the invention of the offensive grenade, a missile designed to cause traumatic shock.

The use of water undoubtedly represents one of the oldest tools, in the form of deployment by firemen. Nevertheless, it was not until May 1968 that the first water tank model was employed to create a brief moment of crisis among protesters and force a no-man's-land between them and the police forces so that all contact could be avoided.[11]

Ritualization of aggression is implemented in specific ways that present themselves to the demonstrators, move in the urban space, and make certain gestures that policemen who were questioned referred to as rituals:

> The purpose of the training is to be able to carry out very compact and uniform maneuvers in order to give the impression of a large force. Gendarmes have understood this very well for a long time: they hit their shields, a ritual, a gesture quite like the ones animals use. I often compare it to Konrad Lorenz's books. It is the same with the demonstrators. Shouting, colors. It is just like Sioux war paintings. And on our side, we answer with another kind of gesture: wearing helmets, putting our visors down, beating the shields, letting the men progress in a line or in a column. We all know this. But it is rather difficult for our men to understand it.

When all other means of intimidation fail and it is no longer possible to maintain a line, senior officers have recourse to the baton charge. In the thinking of the police commanders, this is the ultimate means at their disposal, in the sense that it is used only when confrontation with the demonstrators is absolutely unavoidable.[12] But it should also be noted that, in many cases, the baton charge is considered a means of intimidation whose function

is to leave the demonstrators untouched but to forcibly create a no-man's-land that prevents person-to-person contact. The charge with baton drawn and the use of coercive methods against demonstrators, according to the doctrine, is considered to be a last resort.

Differentiation in the Management of Protesting Groups

Over and beyond a general doctrine of policing protests that would be theoretically applicable to all situations, both field observation and analysis of police archives clearly show that protest handling styles are determined by three interconnecting factors: police perceptions of protest groups, political considerations, and the strategy of protest groups themselves. In this final section, we will argue that to understand actual policing styles, each event must also be analyzed in terms of a three-way interaction involving government officials, security forces, and demonstrators themselves.

Although protest handling is a technique (oriented by a doctrine) materialized by a set of practices (the determinants of which are to be sought in police perceptions of the groups in conflict), it is also a *policy* in the sense that it involves choices made within the framework of a government strategy (Monjardet, 1990). For this reason, we will now examine how, in addition to the organizational and technical elements already analyzed, protest handling poses a number of problems that can be interpreted on a cultural and political level.

Police Perception of Conflict Groups

The doctrine of protest handling as it is taught does not confine its scope to delineating tactical and strategic methods inherent in police work. It inevitably develops an ideology as well. To the extent that policing protests implies resorting to force—in other words, striking citizens while going to great lengths to assert that they are not enemies—it is hard to avoid developing a normative philosophy to rationalize the practices adopted. This normative philosophy, employed to justify the use of force, is basically built on a declaration of *impartiality*.

Although the police claim that their intervention takes place within the law of the republic and admit the legitimacy of protest action, they analyze demonstrations through the very peculiar prism of crowd psychology handed down through the works of Tarde and Le Bon. The resulting conception of the demonstrator consequently appears, in our opinion, first to justify the patience the police are asked to exercise in the event of an assault or property

damage, then to legitimize the use of strong-arm tactics when the civil authorities have decided to call for intervention or in situations of self-defense.

This is why anticipation, throwing projectiles, and hurling insults are at first tolerated by men who have been conditioned to believe that they are dealing with children, or at least "people who have taken leave of their senses." But at the same time—and this is not contradictory—this vision of things contains the principal justification for intervention, both because the irresponsible crowd has become dangerous and because in its midst are leaders that have to be neutralized. Commissioner Berlioz (1987, 13) aptly expresses this conception when he writes that an angry crowd

> is obviously dangerous, because the individual feels liberated. The slightest slogan, even the most unreasonable one, is instantly taken as a primal truth and acted on without reservation. The intransigence and intolerance of this mass preclude all discussion and negotiation; thus, the only solution open to someone in charge of public order is to check the eruption of this crowd before it is too late.

The predominance among police cadres, as well as men in the ranks, of a type of reasoning inspired by crowd psychology might lead one to conclude that their vision of protesting crowds is an undifferentiated one. In reality, this is not so.

Notwithstanding the official line of the law, which holds that every demonstrator has the right to equal treatment, it has become clear both through studying demonstration reports and through conducting interviews with police officers that they always pass an implicit judgment on the demonstrators' legitimacy, according to the perceived characteristics of the protest organization:

> In some cases, people are desperate. I've seen some who had come from little provincial towns like that. That's desperation, when the factory is closing down. It happens when the whole town depends on practically one single business. Or worse, when two spouses work in the same company. For people like that it's a disaster because they won't find another job. They haven't got much else to lose and you can understand why they resort to violence. You've got to understand.

These perceptions obviously play a role in the type of strategy implemented by the police force. Again, Monjardet's analyses of the professional ideology of the CRS are enlightening. In his view, the attitude of the CRS "depends on the demonstrators' behavior and very directly on the tension they themselves display. It also depends, in a different way for each CRS member, on the nature of the demonstrators: their social characteristics, the types of demands." This allegedly leads to "a certain sympathy for workers' demands and a certain aversion regarding young, privileged, student senseless looters" (1988, 101).

Protest Handling under High Political Surveillance

Police perceptions of demonstrators are not enough to explain differences in styles of protest handling. Political involvement also has to be taken into account. As we have already noted, calling in any sort of security force is always the result of a decision on the part of the administrative authorities (the prefect). This state of legal subordination suggests that we should examine both the instructions given by the civil authorities and how they are implemented in the field. We will first see that the intransigence displayed at times by the political authorities makes the outbreak of violence highly probable.[13] Conversely, government representatives sometimes handle conflicts in a paternalistic manner. The methods and justifications of this policing style remain to be explored.

The case in which security forces, on orders from the civil authorities, most clearly take a repressive attitude toward demonstrators is during illegal demonstrations not tolerated by the government. For example, on November 30, 1988, opponents of the Turkish government planned a demonstration to protest Prime Minister Turgut Özal's visit to Paris. Although it was banned by the prefect, a meeting was planned at Place de la Concorde in front of the Hôtel Crillon to boo Özal, an official guest of France. Security forces had strict orders from the government to prevent any gathering at the Concorde and to make arrests. As early as 10 A.M., small groups of demonstrators were coming out of the metro. Soon some thirty people were gathered near the obelisk. The CRS commandant then received orders to proceed with arrests, which he refused to do for lack of buses. A half hour later, the protesters numbered about two hundred: the security forces moved to scatter them and the first clashes began (the demonstrators were carrying batons). About fifty arrests were made. At 10:25 A.M., the remainder of the demonstrators, who were crouched down to avoid being carried off, were ordered to disperse. The security forces intervened by blocking the demonstrators against the fence surrounding the obelisk, which allowed the officers to make arrests in greater numbers. During this operation, tear gas was used to neutralize the most militant demonstrators. A withdrawal maneuver initiated by the CRS then allowed the crowd to disperse along the Quai des Tuileries. At 10:45 A.M., it was all over. The CRS counted fourteen wounded among their ranks; one demonstrator, "suffering from the effects of tear gas, fainted and was taken by civilian prefecture staff over to the obelisk fence and handcuffed to it until the first aid team arrived," states the CRS report. Numerous arrests must have taken place as several prefecture vehicles were sent out.

This example provides a perfect illustration of the difference in treatment

that demonstrators receive depending on the instructions given by government authorities: given the orders to disperse immediately, police intervention preceded any demonstration of violence; in contrast with most protest policing operations, the aim of the maneuver was less to disperse the demonstrators than to make arrests. Therefore, opponents were blocked against the fence around the obelisk, a procedure about which the CRS itself expressed reservations given the violence it sparked; warnings were issued only after an initial effort to drive the crowd back and some fifty arrests were made; finally, plainclothes officers from the prefecture were there to filter the press so as to avoid too much publicity.

Another typical method of direct political involvement in the policing of demonstrations (unfortunately little research has been devoted to it) is antagonism. The existence of agents provocateurs has been the focus of many debates in France, either put forth as an argument for propaganda purposes or denounced as a cause of violence when trying to establish the facts of a given case. As Gary T. Marx (1974) points out, the sociology of mobilizations and police specialists have scarcely taken an interest in the phenomenon, despite the abundant historical examples of its use (in his article, Marx studies some twenty cases in the United States). In France, the practice resurfaces periodically, the most striking cases in recent years being the steelworkers' demonstration on March 23, 1979,[14] and the lycée student protest on November 12, 1990.

Deliberate antagonism on the part of political authorities is most often at the expense of the police themselves, who reiterate their hostility to the orders given. Rather than speak of "police antagonism," it would thus be more accurate to speak of "political antagonism." For the November 12, 1990, demonstration, for instance, the prefect authorized the young protesters to cross the Seine River and disperse along the Champs-Élysées. He also set up a large concentration of troops on the Right Bank, leaving the Left Bank relatively unattended. The general staff unanimously expressed its disapproval based on technical considerations. But no changes to the plans were allowed. The result concurred with police predictions: the first incident of pillaging prompted the prefect to prohibit the march from crossing the Seine, provoking a fury among the mass of demonstrators. Furthermore, the operation was set up in such a way that the police had immense trouble controlling access to the bridges. The demonstration ended in several hours of violent clashes, considerable property damage, and some one hundred wounded.

Though certain social groups or demands probably receive more severe treatment than is usually the case, in certain circumstances political authori-

ties show greater tolerance toward illegal protest activity. Most cases involve demonstrations of farmers, and, to a lesser degree, those of students.

On the most transparent level, political authorities issue orders not to make arrests, even when individuals who have perpetrated violence can be identified. This is particularly to avoid refueling protest dynamics. Security forces, unconvinced of the efficacy of this method, often complain of government leniency, the effect of which, in their opinion, is more to assure the protest group of the usefulness, or even the necessity, of violent action.

Variations in the degree of tolerance shown by the civil authorities are manifest in other instances as well. It is not uncommon, as we have seen, for "zones of tolerance" during predemonstration negotiations between organizers and the authorities, to be defined, the purpose of which is to circumscribe beforehand the type and degree of violence that will not give rise to police intervention. These are the negotiation procedures with political authorities that we have shown to have crucial repercussions on police operations. Delimiting degrees of acceptable illegality fulfills a dual function: it allows the civil authorities to define acceptable targets for violence and to reject others deemed more sensitive or costly (for instance, public buildings, private property, and so on), and, at the same time, it does not cut off the organizers from their popular base, which is sometimes determined to see some action no matter what, and thus allows the leadership to maintain control.

Conclusion

To conclude, we wish to underscore the importance of the communication process in protest interaction. This communication can be analyzed as an insurance game, that is, an exchange in which the action depends on anticipating the adversary's next move: demonstrators adjust their actions in accordance with what they believe the police will tolerate, while the civil authorities implicitly or explicitly set tolerance thresholds depending on the nature of the protagonists. Figure 3.2 outlines this mechanism by identifying four ideal types of protest styles.

Type A refers to routine demonstrations that follow the procedures outlined earlier and that take place in a climate of mutual cooperation. Type B covers situations in which the police, on orders from the political authorities or their own chief, have a distinctly repressive and/or antagonistic attitude toward nonviolent demonstrators. Most banned and nontolerated demonstrations fall into this classification.[15] Type C considers situations in which the authorities handle illegal protests in a soft manner. The police take a wait-and-see stance with regard to public and private property damage. Type D

	Police style (possibly under political pressure)	
	peaceful/cooperation	*violent*
peaceful/ cooperation	**A** peaceful demonstrations	**B** nontolerated demonstrations
violent	**C** paternalistic handling	**D** crisis demonstrations

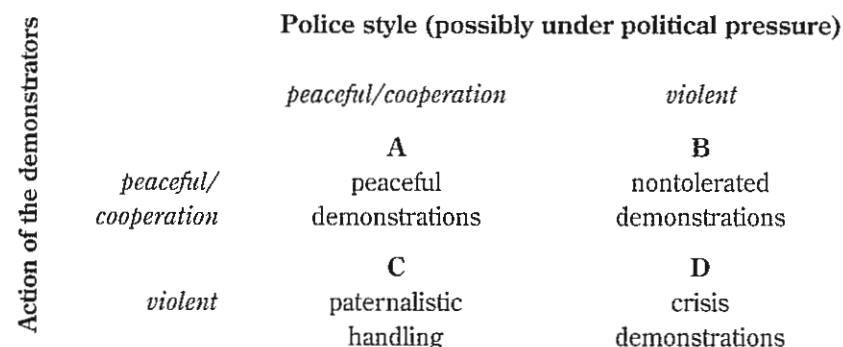*Action of the demonstrators* (vertical axis label)

Fig. 3.2. Ideal types of protest styles in France

characterizes demonstrations in which protesters and security force commanders alike adopt a position of open conflict. Our essay demonstrates that, apart from a few exemplary cases, differences in policing conflicts do not fall neatly into these four categories. We have shown that attitudes during a demonstration are in constant flux; for instance, a demonstration being handled according to the soft method as long as protest violence remains within certain bounds can turn into an open clash and the dispersion of the protesters as soon as security forces implement repressive methods. Figure 3.2 serves only to stress the ways the authorities—be they in the political arena or the police in the field—perceive protest groups, and thus the treatment the latter receive is obviously not uniform.

The main reason for this is that government authority as it is manifested in protest handling is brought into action through a multitude of actors, whose interests, subcultures, and attitudes vary greatly. Police handling of protests can therefore not be interpreted solely according to a logic of pure instrumentality of the security forces in the service of political choices, given the leeway agents at all levels are granted. We thus conclude that there is a need to analyze the police machinery as a full-fledged actor in the structure of political opportunities. Yet it would be misleading to concentrate attention on police work alone and not take into account the role of political authorities or the nature of protest groups. Only a combination of these three elements can enable us to identify a series of factors that can be said to play a role in the type of protest handling that is implemented.

Notes

1. Cf. Constitutional Court, no. 94–352 DC 01/18/1995 and Favre (1993).

2. For both practical and theoretical reasons we cannot go into in this essay, we define a protest event much more narrowly, as follows: an event in which a nongovernmental actor

occupies a public space (public buildings, streets) in order to make a political demand, to experience in-process benefits, or to celebrate something, which includes the manifest or latent expression of political opinion. For a further explanation of the reasoning behind this definition, see Fillieule (1995a).

3. Because the development of an answer to this last question would lead us too far from the framework of this essay, we will not deal with it here. Suffice it to say that, historically, the constitution of police knowledge, police practices, and legal tools to deal with demonstrations was mostly initiated as a reaction to the changing tactics of demonstrators (see 1893–98, 1934, 1968, 1990–93 as major examples). The fact that the demonstrators themselves led the way reinforces our argument that the analysis of protest handling must be undertaken on three levels (see also Fillieule, 1995a).

4. In addition to these forces of intervention are those of the intelligence service (the Renseignements Généraux) whose task it is to provide the ground forces with all necessary information to conduct their work. We will return to this later.

5. The term *commissaire* refers here to a person responsible for law and order, a civil representative of the prefect, not a post in the police hierarchy.

6. We should keep in mind, however, that the eventuality of a crisis situation can lead to a strict interpretation of the law, which would allow a very high level of repression.

7. It is a tradition in Paris, for symbolic and practical reasons, that there are no demonstrations on the Champs-Élysées.

8. This practice originates from the end of the 1970s, when the Police Prefecture in Paris generally opened large marches with police buses placed several hundred meters in front of the demonstration. It was during a demonstration of steelworkers on March 23, 1979, that for the first time a police officer was in charge of the link. Since the student demonstrations of December 1986 in Paris, this method has been systematically employed. It can sometimes be highly visible: during the annual demonstration of the National Front in honor of Joan of Arc on May 1, 1988, a car with a sign saying "liaison police/organizers" opened the march.

9. A student who died as a result of a police beating during a demonstration on December 4, 1986.

10. The assistant to the director of public security in Paris expresses it nicely in the following terms: "In the contemporary policing of protests, the chief of police, under pressure from cabinet ministers and Agence France-Presse, tends toward a push-button response to police actions in the same vein as electronic games. But Nintendo has not yet provided the solution."

11. Following a nurses' demonstration during which water tanks were used without any significant harm, a campaign of complaints led to a restriction on the use of this method, despite its effectiveness.

12. On the psychological effects of the baton charge on the officers, see Waddington (1991, 171–78).

13. This has already been suggested by Skolnick (1969, 47). See also D. Waddington (1992, 50–51), based on many case studies of suffragettes, antifascists, and student demonstrations in Great Britain.

14. For a complete analysis of this spectacular case, see Fillieule (1997).

15. We know that the banning of a demonstration is no longer a sufficient reason to provoke a systematic dispersion. There must be a political decision taken by the authorities. Banning a demonstration just reinforces differences in the treatment of authorized and nonauthorized demonstrations.

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