

THE SOCIAL MOVEMENT
SOCIETY

Contentious Politics for a New Century

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ROWMAN & LITTLEFIELD PUBLISHERS, INC.
Lanham • Boulder • New York • Oxford

ROWMAN & LITTLEFIELD PUBLISHERS, INC.

Published in the United States of America
by Rowman & Littlefield Publishers, Inc.
4720 Boston Way, Lanham, Maryland 20706

12 Hid's Copse Road
Cummor Hill, Oxford OX2 9JJ, England

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British Library Cataloguing in Publication Information Available

Library of Congress Cataloging-in-Publication Data

The social movement society : contentious politics for a new century /
[compiled by] David S. Meyer and Sidney Tarrow.

p. cm.

Product of a workshop held at Cornell University on March 1-3, 1996.
Includes bibliographical references and index.

ISBN 0-8476-8540-3 (cloth). — ISBN 0-8476-8541-1 (paper).

1. Social movements—History. 2. Social action—History.

3. Social change—History. I. Meyer, David S., 1958- . II. Tarrow,
Sidney G.

HM291.S58845 1998

303.48'4'09—dc21

97-30586
CIP

ISBN 0-8476-8540-3 (cloth : alk. paper)

ISBN 0-8476-8541-1 (pbk. : alk. paper)

Printed in the United States of America

∞™ The paper used in this publication meets the minimum requirements of American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials, ANSI Z39.48-1984.

Policing Protest in France and Italy: From Intimidation to Cooperation?

Donatella della Porta, Olivier Fillieule, and Herbert Reiter

One important aspect of state response to protest is the policing of protest, which we define as the police management of protest events. This response affects protest activists, both symbolically and practically. Because "police may be conceived as 'street-level bureaucrats' who 'represent' government to people" (Lipsky 1980, p. 1), police intervention influences protesters' perceptions of the state reaction to them (della Porta 1995). Waves of protest, in turn, have important effects on the police; protest policing seems, in fact, to be a key issue for police reorganization as well as for the professional self-definition of the police (Morgan 1987; Winter 1997).

Recent research suggests that since the 1960s important shifts have occurred in the mix of different strategies to control public order. In particular, the cycle of protest that developed in Europe and the United States in the second half of the 1960s has produced long-lasting effects on the policing of protest, which is now characterized by growing tolerance for minor violations of the law, large-scale collection of information, and increasing interest in bargaining and negotiations between police and protestors (della Porta and Reiter 1996, 1997a). In what follows, we will analyze some of these developments in two countries, France and Italy, whose police forces have similar historical and institutional characteristics.

The social science literature has always emphasized the presence of different state strategies to deal with opponents. Research on state building and democracy indicates that states with an equilibrium of power among different social classes, new nation-states, and small states facing a strong competition in the international markets devel-

oped integrative styles of protest policing, whereas other kinds of states tended to be exclusive (see, e.g., Marks 1996; Kriesi et al. 1995). As far as traditional police styles are concerned, the “civilized” British “bobby”—unarmed, integrated into the community, and essentially autonomous from the political power—has been contrasted with the militarized continental police, living in barracks and dependent on political authorities. By the nineteenth century, the London Metropolitan Police was regarded by the liberal press on the continent as an example of what a police force should be like (Katscher 1878). However, as Robert Reiner (1997) shows, “the British police model was not a reflection of some natural, built-in harmony or order in British society and culture”; on the contrary, “a low-profile, legalistic, minimal force strategy was encouraged because of, not despite, the bitter political protests and acute social divisions of early nineteenth century Britain.

In Europe, the countermodel to this “community policing” was constituted by the French tradition of a “King’s police”—that is, a state police under the strict control of the central government, with a very wide range of tasks. The French example served as a model for the police forces in other European countries with centralized administrations, Italy among them. In Britain, during the debates about the institution of the London Metropolitan Police, French police practice was used as a countermodel to warn against the antiliberal aspects of this type of law enforcement (Bunyan 1977, p. 63). Myths aside, there seem to be visible differences between the record of the English police in protest policing the “old” challengers—progressive and labor movements—and the record of continental police forces. On the continent the police seemed to defend not only a general system of power but the interests of a particular government. The protest policing styles that dominated on the continent were more “brutal,” more repressive, more confrontational, and more rigid than those of England.¹

Significant differences developed within the framework of the continental police systems, both over time and between countries. Latin police styles, based on the unconstrained use of force, can be distinguished from the Central European style, characterized by respect for the *Rechtsstaat*. Even between the two Latin countries, France and Italy, which can be classified as the “most similar cases” on the European continent, a closer look at the history of their police forces shows important long-term differences. In the last decades of the nineteenth century, the indiscriminate use of the army to protect internal security came under increasing attack in both countries, and a modernized and professionalized police force evolved as the dominant agent to ensure the public order. In Italy, however, professionalization was far less pronounced than in France, and the intervention of the security

forces against protesters remained highly selective, featuring, for instance, frequent deployment of the army to control peasant mobilizations in the south.

Of even more significance was the period between the two world wars. In France the police became increasingly familiar with demonstrations and, within the framework of the law, developed formal and informal rules about intervening in protests, combining strategies of intimidation with a search for cooperation that would allow them, in advance of a demonstration, to set clear limits of what they would accept. In Italy the possibility of such a development was cut short by the advent of fascism, with a far from negligible involvement of all the police forces in fascist violence.² The Italian police did not degenerate to the extent of their German counterparts, and they largely maintained their traditional police style.³ Nevertheless, a very broad conception of “public order” and excessive powers of the police to intervene against protesters survived well into the postwar period (Corso 1979, p. 133 ff.).

Do these historically deep-rooted differences survive in contemporary policing? Or do recent developments in policing reflect a harmonization of the previous different models for policing? Did the social movements of the 1960s and their spin-offs produce a general trend towards a more “civilized” policing? In our analysis, we will try to answer these questions by comparing our two examples of “King’s police” with research conducted in the Anglo-American world. In doing so, we will focus on one specific range of strategies of dealing with protest: persuasive strategies, defined as all attempts to manage protest by prior contacts with activists and organizers.⁴

Research in the Anglo-American countries reports the development of complicated procedures of negotiation, which in the United States found a significant expression in the development of a protest permit system (McCarthy, McPhail, and Schweingruber 1997). Looking at the London police, P. A. J. Waddington (1994, p. 69) observed, “The principal method of securing compliance was through negotiation with the organizer of the protest.” Keeping in mind the traditional similarities and differences in the development of national police, we will examine whether similar developments occurred in our two Latin cases. In doing so, we will distinguish among different subtypes of the “persuasive” strategies: *intimidation*, based on the menace of an active use of police power in order to discourage protest; *minimal bargaining*—that is, the discussion of the logistics of a demonstration with organizers with very small room of maneuver; and *cooperation*, in which police officers and protest organizers collaborate in the development of a peaceful demonstration. In analyzing these substrategies, we will emphasize the types of resources available to the police, and police per-

ceptions of the external reality that lead them to deployment of different protest policing styles.

In the final section, cross-national similarities and differences between the two Latin models of policing, as well as between them and the Anglo-American model, will be identified. As we will suggest, the developments in police strategies for the control of public order in these countries reveal a significant change in the way police view, and consequently handle, protest and protesters; these changes indicate the emergence of a new conception of the role of the police, the state, and the citizens and, ultimately, of democracy on the part of the police. For France and Italy, this means a move away from their traditional model of a "state police," concerned above all with the defense of constituted political power, toward a police model oriented more to the protection of the citizen and his or her rights, and therefore closer to the Anglo-American tradition.⁵

Persuasive Strategies in France

Historically, the maintenance of public order in France relied on a strategy of consistent intimidation to prevent all political gatherings (principally by the left) and including even demonstrations by unions and interest groups. At the same time, since before World War II, the authorities sought to combine this strategy of intimidation with a search for cooperation to set the limits of what the police would allow. It is only in the 1970s, however, that the strategies used by the French police changed from a coercive model to a cooperative one. We will show in this section how police procedures have gradually moved from a confrontational approach to one that is oriented more to negotiation and crisis management. These changes in police strategies coincided with the broadening of the spectrum of protest constituencies, with more and more people, from a wider spectrum of occupations and/or social classes, employing social protest as a mode of political expression (Fillieule 1997a).

The French law on demonstrations, passed in 1935, permits a strict application of what was then the dominant strategy of *intimidation*. It required organizers to declare their intention to protest at least three days before the proposed date of the event. This law in no way constitutes a right to protest but rather provides the authorities a legal basis to exert pressure before all protest events, either by imposing itineraries and dictating the modalities of the march when permission is given or by formally banning an event and heightening the risks to demonstrators.

After World War II, the culture of resistance colored political demonstrations up to 1953, sometimes in combination with a Cold War culture. On the one hand, the authorities reckoned they were able to allow demonstrations to take place; yet, on the other hand, when they considered that taking to the streets might constitute an attack on the regime, they did not hesitate to resort to a high level of violence. In these cases, one notes reliance on two strong persuasive tactics: (1) the preliminary control of the ground and (2) preventive arrests. At the announcement of any demonstration, the presumed demonstrators were systematically rounded up by the police as soon as they reached the location of the demonstration. They were subsequently held for some hours at police stations. At the location of the gathering, large numbers of police officers were concentrated to prevent all access, following the tradition started by prefect Louis Lépine at the beginning of the century.

During these years at the height of the Cold War, the power of the Communist Party and the trauma of the insurrectional strikes of 1947 meant that governments and the police always relied on the two tactics mentioned to control Communist demonstrations. Matters were made increasingly tense from the beginning of the 1950s with the development of virulent anticommunism within the Ministry of the Interior, which was staffed by former collaborators who had been rehabilitated by the authorities in the service of anticommunism. For example, the *préfet* Jean Baylot, then Maurice Papon, former Vichy officials, reorganized the services of the Prefecture of Police in Paris by reintegrating police officers who had been dismissed at the Liberation. The very violent Communist protest against General Ridgeway's visit to Paris on May 28, 1952, illustrates perfectly this application of strategies of intimidation by means of seeking violent confrontation, as much on the police side as that of the demonstrators. On the occasion of this protest, the prefecture's instructions to the police on the ground revealed a logic of "getting even" in the name of a militant anticommunism.⁶

After July 1953, however, protests increasingly involved interest groups such as peasants, tradesmen, and the worker's unions. Protests related more to the social strains of the economy than to large-scale political struggles, and this situation is reflected in public order maintenance. It was at this time that a system of *minimal negotiation* was put in place, with protesters declaring their intentions to the prefecture and the police announcing their intentions, such as imposing itineraries, banning particular locations, and mandating a dispersal time. This slow evolution from a strategy of intimidation into a strategy of minimal negotiation was delayed by a large number of political demonstrations initiated by the Communist Party and the emergence of protests

over decolonization, notably over the war in Algeria. Protests linked to decolonization were subject to extremely severe treatment (e.g., on October 17, 1961, more than two hundred people were killed in Paris).

The movement of May 1968, by its scale and, above all, by the entry on the protest scene of students, contributed to a modification of the rules of the game. Faced with the political risks of repressing French youth, the authorities and the police chose to reduce their recourse to coercion as much as possible. Since then, protests by interest groups are always subject to minimal negotiation—indeed, the beginnings of cooperation—especially when they involve union demonstrations of categories of workers touched by economic crisis (steel workers, miners, shipbuilders) or farmers. This point can be understood if one considers that the large majority of police officers charged with maintaining public order in the 1960s and 1970s came from the working class or the countryside. From 1968 to 1974, under the rule of Minister of the Interior Raymond Marcellin, threats and intimidation remained prominent police strategies, particularly for political protests by left-wingers (Fillieule 1997a). Relying on a restrictive interpretation of the provisions of the law of 1935, the prefects had at their disposal the means to ban all street protest likely to disturb public order, controlling locations of preliminary meetings and making preventive arrests of protesters. For all that, throughout the 1950s and the 1960s, the relations between police and peaceful demonstrators were marked by a certain degree of cooperation. The police sought to impose in advance their advice on the demonstrators, who in turn sought contact with the authorities to make sure that the event took place unhindered. The practice of prior declaration was in this way a means, albeit minimal, for the protagonists to get to know one another.

It was only later in the 1970s that those in charge of the police systematically sought to encourage *cooperation* with protest organizers, as much prior to events as during the demonstration itself. Soon the legal provisions allowing the banning of demonstrations were no longer applied, the authorities preferring procedures of informal negotiation. Since the end of the 1970s, the practice of banning demonstrations has become rare. Technical compliance with the maintenance of public order laws was gradually disregarded. Today, it is very rare that protest organizers even comply with the obligation to declare, and, in numerous cases, they are not even aware of the legal requirement. In the provinces, prior notification is even less common. For example, only 8.5 percent of events recorded in the archives at Marseilles had been registered with the prefecture or the central police commissariat (Fillieule and Jobard 1997). In Paris, where prior notification of demonstrations is much more frequent than in the provinces, rather than stick to

the strict provisions of the law, directors of public order try to establish negotiations with the protesters. The goal of the negotiation is to make the demonstrators think that the restrictions are offered in friendly advice, in the best interests of the protesters. As one official explained:

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. But rather than tell them it is not possible, I would explain to them that they have to park 1,500 coaches [buses], which is an enormous number. A coach is twenty meters long. You need dozens of streets in which to park them. They have not thought of that. So, I suggest to them rue Saint-Augustin, since they can park their coaches in the Boulevard Malesherbes, and so they agree and go away satisfied.

Organizers must always feel, after the meeting, that negotiation helped them in organizing their march. That is why the chief of the Parisian police headquarters presents his requirements in the form of helpful advice. For instance, in dealing with inexperienced demonstrators, senior officers frequently give the organizers some instruction in ways to organize and instruct parade marshals. 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 so doing, they guide organizers along a path acceptable to the political authorities.

Police always act so that the organizers feel they maintain responsibility for the demonstration. They ask about their marshaling plans, pointing out potential dangers in this kind of event (and even exaggerating them a little). Their goal is to induce 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 them and the police on the day of the event. Additionally, if the organizers fear some dangerous or violent acts from their own participants or some external group (e.g., hooligans invading student demonstrations), this view encourages a shared interest between the police and the organizers and a shared perspective about identifying and containing potential troublemakers.

Finally, the purpose of negotiation is to establish a climate of mutual trust: to convince the organizers that the police will respect their undertakings. To fulfill this aim, the chief of the police headquarters may reveal some part of the means at his disposal, in a spirit of openness but also to exclude the possibility of ambiguous situations or surprises on the day of the event.

Clearly, these informal principles are applied to varying degrees in negotiations, depending on the nature of the groups involved; the extent of cooperation can vary greatly. On the one hand, for the huge demonstration on January 16, 1995, in Paris in defense of state schooling, during which more than 800,000 people gathered, negotiations lasted for more than a month. Police representatives directly assisted organizers in planning the details of the march, including such matters as developing an effective marshaling plan. On the other hand, when demonstrators show no readiness to cooperate, and even refuse to meet with the police face-to-face, the chief of the police headquarters may content himself with a simple telephone negotiation, with the itinerary and conditions of the march issued by fax.

Beyond the preparation of the protest, once the event is under way the police seek to maintain permanent contact with the organizers. Whereas previously the doctrine of public order rested principally on the idea that the forces of law and order should undertake no contact with the populace for fear of the risks of their fraternization with demonstrators and collusion between officers and the bourgeoisie, today's conception consists, on the contrary, in ensuring that police commanders remain in contact with those in charge of the protest throughout the event. To this end, in every protest, a liaison officer is appointed who is required to maintain a permanent contact with the organizers.⁷ During very large protests, this liaison is always a senior police officer.

This process of permanent negotiation in the field will very often produce close cooperation between police forces and parade marshals, since they share common interests. As one police officer said:

If there is a procession 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 [Confédération Générale du Travail, the Communist-led union] and other professional organizations. They have marshals in place who know that we will isolate those who shouldn't be there. They will put up barriers and if necessary will stop the march, 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 it, because it is seen as collusion with the police.

Beyond these interactions between police and demonstrators, the importance of other actors, particularly the media, has increased considerably in France since the middle 1970s. Mass media presence at demonstrations has a double and somewhat contradictory effect on contemporary social protest. On the one hand, the police are extremely

attentive to how journalists analyze their role and responsibilities in violent events. As the chief of the police headquarters in Paris stated, "To know if we did a good job, I wait for the AFP [Agence France Presse] wire news. The *préfet* only calls me after he had read it." For this reason, one could assume that the presence of the media during demonstrations has a calming effect on police behavior. For groups without popular legitimacy, however (e.g., immigrants' demonstrations), such media "protection" does not seem to apply.

On the other hand, protesters seek media attention to publicize and legitimize their cause, and they generally know that violent events have a good chance to be reported. This seems to be corroborated by our own findings on French demonstrations in the 1980s (Fillieule 1997a): the presence of the media often escalate political conflict, even if well-established groups (mainly civil servants) and organizations (such as political parties and unions) consider violence "bad news" for their image in public opinion.

To summarize, police handling of protest has largely evolved in France since World War II. Broadly speaking, we find that persuasive strategies have developed that rely more on mutual negotiation and partnership than on the menace of repression. Yet, one should keep in mind that, beyond that general trend, the way the authorities, whether those in the political arena or the police in the field, perceive protest groups dramatically affects the treatment they give those groups. Some groups, in some situations, still face repressive police tactics, especially those groups that are perceived as a threat within the police subculture (e.g., foreigners, immigrants, young people, the extreme left).

Persuasive Strategies in Italy

Because of the considerable degree of submission to the political power characteristic of the Italian police forces, the dominant "state police" conception was often translated into a "government-controlled police" practice. After the fall of the fascist regime and the liberation of the country, the maintenance of public order and partisan political control, with the police lined up at the side of the government, prevailed over the fight against crime (Canosa 1976; Corso 1979, p. 57). Several documents (e.g., Fedeli 1981, Medici 1979) show a police force isolated from the population and close to political power. If we compare the strategies used by the Italian police for controlling of public order in the immediate postwar period with those practiced in the 1980s, the most visible change is that coercive strategies were increasingly limited to situations in which the security of the citizens was at risk. The most significant development, however, regards the quality of persuasive strategies, with a passage from mediation based on intimidation to a

logic oriented to cooperation between the police and protesters based on a common goal: the peaceful course of a demonstration.

In the Italian collective memory, coercive strategies were by far the preferred methods of the Italian police forces for controlling public order. Police in postunification Italy were characterized by "an extreme harshness in the performance of public order services, with very rapid recourse to the use of firearms" (Canosa 1976, p. 83). This tradition was reaffirmed in the immediate postwar period. Only a brief interlude following the fall of the fascist regime was marked by a certain level of tolerance toward protest events, although not uniformly or without contradictions. This tolerance, however, was more the result of material difficulties of the police and their lack of legitimacy than of democratization. Neither the political forces nor public opinion challenged the police's self-image constructively, even though the latter was visibly shaken by the fall of the fascist regime. Already during the first government led by the Christian Democratic leader Alcide De Gasperi (December 1945–July 1946), the police began to reinforce their military and offensive capacity for public order, above all against spontaneous protests and demonstrations organized by associations lacking political legitimacy.

From 1947 on, Minister of the Interior Mario Scelba gave the police a clear political direction, identifying the parties of the working-class movement and their mass organizations as the internal enemy to combat. Popular protest and public demonstrations were framed in a "cold" civil war logic. Decisions concerning the equipment and the training of the police were taken with a "hot" civil war scenario in mind and with the police being considered an integral part of the armed forces. The police thus developed into a force including considerable paramilitary elements, which intervened brutally, without any apparent qualms about offending a substantial part of the population. Their "cold" civil war approach was characterized by strong central control by the Ministry of the Interior; by constant surveillance that habitually used methods of espionage against an internal political enemy; and by the deployment of heavily armed paramilitary units used for intimidation and reactive, but also proactive, repression. The early tests for Scelba's police and their tactics were the elections of April 1948 and the general strike after the assassination attempt against Communist leader Palmiro Togliatti (Reiter 1996, 1997).

The fact that in collective imagination the Italian police of the Cold War years were connected with forceful intervention in the streets, however, does not mean that they did not also employ other strategies. Even in these early days, there was a tension within the self-image of the police between the explicitly paramilitary way in which they presented themselves (evident, e.g., in *Polizia Moderna*, the official

monthly of the state police) and their own conception of the protection of public order, which was supposed to take place "with observation and prevention, i.e. with surveillance, and with occasional recourse to repression" (Roddi, 1953, p. 59). In particular, Scelba's model emphasized "observation and prevention," a fact often obscured by the dramatic news of clashes in the streets.

In the immediate postwar period, the Italian police used persuasive strategies initially as a technical-legal routine: before a coercive intervention, police officers had to perform "persuasive work," although it normally did not go beyond mechanical fulfillment of the law. According to law, before charging demonstrators, the commanding officer had to order the crowd to break up. This could take the form of intimidation, with the alternative posed either to "clear the streets" or bear the consequences of "resisting" the orders of the police.

More characteristic for the Italian police in the Cold War years was another variation of a persuasive strategy, suggesting the police found themselves in the service of a "limited" democracy. Against the internal political enemy, the different police forces used methods of *intimidation*, based on the traditional "possibility to utilize practically at will a whole spectrum of administrative measures which could be applied on the basis of simple suspicion" (Canosa 1976, p. 83). These powers of intervention were defined in the most extensive way in the Police Law of 1926, still in force in the 1950s.⁸ In clear violation of constitutional rights, these "preventive" measures were used to stifle social protest. One particularly problematic instrument was the *diffida* (intimidation), used by the police forces with the clear intent to intimidate activists who had managed not to break any law or rule.⁹

One indicator of the progressive democratization of the police, from the "police of the government" to the "police of the citizens," is the role citizens in contact with the police have with respect to persuasive strategies. In the "preventive" methods that we have classified as intimidatory, the "civil" interlocutors of the police were reduced to the role of messengers, who had to transmit the direct or indirect threat to the other activists. Not very different seems to have been the role reserved for the organizers of "official" demonstrations of the left during the Cold War years. In arranging their deployment, it was normal for the police to make contact with the organizers of the events, who, for their part, had to ask for the approval of the *questura* (the provincial police headquarters) for their initiatives. During the Cold War years, these interactions officially did not go beyond a purely *technical-legal character*, never challenging the logic of ideological confrontation. Based on their utility from a professional and technical viewpoint, the contacts between the police and their "civil" interlocutors did present

the potential to move toward normalizing their interactions. Already in the 1940s and 1950s, in fact, the police “knew” that contacts on a “professional” level would facilitate their work to control public order, especially if they could trust their interlocutors to keep their agreements and respect the “rules of the game,” knowing that in exchange they would be respected as *envoys* of an enemy army.

The Cold War polarization between left and right limited even this information normalization. Up to the middle of 1947, the police in moments of difficulty had regularly called on the leaders of the parties and organizations of the working class to calm situations over which they had lost control; after the exit of the left-wing parties from government in 1947, however, the Ministry of the Interior’s instructions discouraged this practice (Reiter 1997). Moreover, the attitude of police facing possible interlocutors was guided more by political opportunism than pragmatism. One example of this opportunism was the attitude of police during and after the assassination attempt on the Communist leader Palmiro Togliatti on July 14, 1948, initially determined by pragmatic considerations and later by instructions arriving from political powers. Numerous national and local leaders, especially those of the *Parti Comunista Italiano* and the *Confederazione Generale Italiana del Lavoro* (“CGIL, a left wing trade union), played an important deescalating role in working with the police in the control of the spontaneous protests that erupted on this occasion. The case of Piombino, where police repressed the general strike of 1948, demonstrates how the same leaders, following clear indications from above, saw themselves later accused of “armed insurrection against the powers of the state” (Grillo 1994, p. 69 ff).

The polarization of the 1940s and the 1950s continued to have effects in the following decades. If a temporary increase in police tolerance during the experiences of the center-left government of the early 1960s helped to facilitate the emergence of a cycle of protest (Tarrow 1989), the tradition of repression reemerged in reaction to new challenges, produced a radicalization of at least part of the social movements active in the 1970s (della Porta 1995, chap. 3). It was only in the 1980s, after ideological polarization softened, that a “pragmatic” and then a cooperative use of persuasive strategies could develop. All our interviewees agreed in defining contemporary strategies of protest policing as oriented toward consensus building, via dialogue, while coercive strategies are considered as a last resort. Since the 1980s, the Italian police have followed a *cooperative* model of protest control based on negotiations with civil spokespersons usually accepted as brokers. The importance of this brokerage function, often emphasized during our

interviews, was explicitly acknowledged at the highest ranks of the police.

In Italy, as well as in most democracies, the announcement of large demonstrations is followed by negotiations about the route of the march, its duration, and how it will disperse. As one interviewee observed, “For better or worse there is a great deal of work spent on planning . . . a lot of work done on the route, through informal contacts, at the level of ‘we won’t go that way, when you go that way.’ In the end, what’s allowed is a small protest that won’t degenerate further than that, there is a lot of work of this kind” (interview, Milan, November 11, 1994).

The negotiation phase is presented as a way of facilitating the realization of a common goal: the peaceful unfolding of the demonstration. According to one chief officer of the *Digos*, the political police:

We are also able in some way to give suggestions and ask for clarifications and give them help. Undoubtedly we say, look at those groups who might create a bloody mess, excuse the term; either you isolate them or we’ll have to think about doing it ourselves. . . . This works every time, because when a sizable part of the demonstration are workers . . . then it is in fact the workers in these big initiatives who want everything to go well, otherwise the demonstration will fail. These days, well, *the degeneration of a demonstration into violence is seen as a failure of the demonstration itself.* (interview, Florence, November 14, 1994, our italics)

On the basis of previous experiences, police officials try to evaluate the capacities of the protest leadership to control the peaceful development of their demonstrations. Italian police believe, as do their counterparts in England, it is mutually advantageous if marchers police themselves (Waddington 1994, p. 83). Trade union experiences with marches, and therefore the unions’ ability in self-policing, favors negotiations with trade union spokespersons, who are accepted by the police as *partners for security*. As one policeman said:

When it comes to the workers . . . all you need to think about is the political dimension in a demonstration by workers, because all they are doing is asking for their just rights. It’s true, yes, in some demonstrations, you do get troublemakers, but most times they warn the police that there are these troublemakers present. Then, *during the route, with their own marshals, they intervene to isolate them.* (interview, Milan, November 21–22, 1994, our italics)

When the police recognize the legitimacy of protest, as in the case here, the understanding of their mediation role extends to offering ser-

vices to the demonstrators in exchange for less disruption of public order. In particular, in suggesting contacting a politician or media people, the police implement an exchange strategy, oriented to win the confidence of the protesters, as observed in the British case: "By doing favors, they expect organizers to offer compliance in return" (Waddington 1994, p. 86). Taking on this role of mediator now seems to be a routine police practice, as one respondent explained:

In certain cases, when, for example, demonstrators say that they want to speak with councilor so-and-so, in effect, we undertake this task through our own channels; we contact the secretary of these political figures and tell them that they have asked for them to get involved. Ninety percent of the time they come; sometimes they don't. (interview, Florence, December 12, 1994)

Recognizing the social dimension of the problem, we see that the interaction between the police and demonstrators is bound up with interaction with (and between) other actors, including the press. The presence of journalists at demonstrations is thought to soothe the mood of the "good" demonstrators, offering them a channel of communication for their demands, providing certain visibility—given that "in the end all these people here are interested in is the photographer arriving, or the television people arriving. They give their interview or their photos, then they pack up and they go home" (interview, Milan, November 11, 1994). For this reason, the police officer responsible for the intervention at a protest event may use his or her own connections to mobilize the press:

Sometimes the people who protest, the people who want to demonstrate, look above all, as we know, for a way to make public opinion aware of their own particular problems. The fact that there is the press in certain cases is very useful, because angry people when they are interviewed, filmed, and attract the attention of the media begin to calm down because their interests have already been attained. (interview, Florence, December 12, 1994)

The implementation of persuasive strategies, as with other protest policing strategies, remains selective. In the case of the radical "autonomous" youth groups, for instance, the probability that the negotiators are committed to positive outcomes is considered to be particularly unlikely. The police perception here is that the opportunity for mediation is something that must be earned; whereas negotiation is considered likely to be beneficial with the workers, it not seen as promising in other cases. "It would be like giving some official status to this rab-

ble," said one policeman (interview, Florence, December 12, 1994). The choice of a "dialogue" then is not a definite one but is instead implemented in an ad hoc fashion and often subject to accusations of "opportunism."

This is all the more the case since, in contrast with other European cases, including France, the negotiation process in Italy is very informal. In fact, mediation is sometimes carried out by officials of the Digos and sometimes by the representative of the police chief, who will direct an intervention. This informality brings with it a confusion of roles, one that can have negative effects. For example, the Digos officials are the same ones who can press charges; and it is the officials of the Questura who decide on the use of coercive means. The informal Italian culture favors an opportunistic approach in which, particularly in situations of uncertainty, both parties might be tempted not to adhere to the agreements they have made. Moreover, this informality allows for a high degree of selectivity in the implementation of cooperative bargaining, with the exclusion of those actors considered illegitimate or untrustworthy by police officers. Police discretion remains substantial.

To summarize, persuasive strategies changed substantially after the foundation of the Italian Republic. In the 1980s and 1990s, the Italian police no longer regard their civil interlocutors as mere "messengers" or even "envoys of an enemy army" but tend to accept them as mediators, or even as partners in security. However, the "strategy of dialogue" is implemented in an informal and selective way, leaving room for opportunistic departures. Even the search for "partnership" is oriented mainly toward the common aim of a peaceful demonstration and not, as a fully developed democratic conception of protest policing would imply, a partnership for the protection of the right to demonstrate and to "be heard."

Conclusion

In this chapter, we described the development of persuasive strategies for the control of protest in two countries that have been traditionally considered typical of a Latin model of policing. We observed in both a shift from persuasion, mainly based on intimidation, to "minimalistic bargaining," to cooperation. In the relationship between police and protesters, a shift occurred from domination to exchange, with negotiation prevailing over coercive implementation of the rules of the game. Increasingly, the police present themselves to protesters' spokespersons as partners in the peaceful development of demonstrations, going

so far as offering them their services, not only in the policing of the demonstrators but also in contacting politicians and the press.

The implementation of bargaining techniques appeared, however, to be very selective in both cases. According to police perceptions, negotiation is a "prize" the demonstrators have to deserve. In fact, the dialogue is considered to be fruitful only with "good demonstrators" that is, with demonstrators who, according to police perceptions, are moved by genuine, rational and legitimate aims and, moreover, have the organizational capacity to isolate troublemakers (della Porta 1997a).

In a cross-national comparative perspective, the tendencies we observed in these continental democracies do not differ much from those identified in the Anglo-American world. The traditional peculiarities of the Latin police model are reflected in a particular form of persuasive strategies, with a longer-lasting presence of intimidation strategies, a mainly informal structure for the development of cooperative strategies, and greater selectivity in the implementation of persuasive strategies in general. Despite these differences, the similarities between the continental and the Anglo-American models of protest policing seem to have increased. How can we explain this evolution from intimidation to cooperation? In the presentation of our cases, we suggested some possible causes for changes in the police strategies; in what follows, we discuss these possibilities in a more systematic way.

A first set of explanations locates the causes for strategic transformation inside the police forces themselves. The availability of new technological resources is, for example, often cited in organizational studies, leading to a sort of "technological determinism" (King forthcoming). Although the presence of new technology clearly emerged in our research, we had the impression that the development of technological resources followed strategic choices rather than determining them. More relevant appeared to be the institutional and normative resources—that is, what is normally understood as police powers. The large arsenal of disciplinary interventions administered by the police, from police arrest to compulsory repatriation, from admonition to internment, that allowed for frequent recourse to intimidation in the immediate postwar period in Italy was reduced by the Constitutional Court in 1956 (Corso 1979, pp. 158–59).

Another set of explanations focuses on factors external to the police and refer to the enlargement of the general understanding of democratic rights. First, as we mentioned in the introduction, changes in protest policing are related to waves of protest, in part reflecting a tactical adaptation on the part of the police to protest behavior. In the 1960s and 1970s, for example, attempts to stop unauthorized demonstrations

and a law-and-order attitude on the part of the police in both countries in the face of the "limited rule-breaking" tactics used by the new movements maneuvered the police repeatedly into "no-win" situations. As a result, developments in police strategies for the control of public order seem to go beyond a purely tactical adaptation to new challenges, reflecting increasing legitimacy of new forms of collective action (della Porta 1997b).

Moreover, a transformation in the model of policing is related to the shift in the political context in which policing and protest take place. In particular, in both countries there was a growing integration of the left-wing parties into the political system. In Italy, the center-left governments of the 1960s and the growing legitimization of the Italian Communist Party (PCI) in the 1970s, undermined the very rationale for a "Cold War" strategy based on the repression of the workers and the left (della Porta 1995, chap. 3; Reiter 1997). Notwithstanding some initial resistance, in the long run, a full democratic integration of the PCI and the trade unions reduced political pressure for coercive police intervention. Since the 1980s, in both countries, political depolarization coincided with a moderation in protest repertoires and the related acceptance of noninstitutional forms of political participation in the public opinion, as well as by the police. In France, as ideological polarization declined, cooperative strategies developed.

Referring to the differences between the Italian and the French police, we can see that a weak democratic experience increases the strength of intimidation techniques. In Italy, the long presence of an authoritarian regime left a legacy of laws and regulations, which, in conjunction with cultural attitudes, dissipated slowly. In France, in contrast, a longer experience with democratic institutions produced practices of cooperation. Moreover, in France a higher degree of professionalization is reflected in a more formalized structure for bargaining than in Italy. In both countries, a strong dependence on political power and traditional skepticism toward citizen involvement in policing tasks may explain some hesitation in the development of cooperative strategies, which still appear less formalized than in the Anglo-American countries. As noted, this formality allows for a large degree of selectivity in the implementation of cooperative measures, which are applied only to those who are considered "good" demonstrators—that is, those with legitimate political aims and strong internal organizational control.

In Italy and France as elsewhere, increased mass media coverage of protest seems to have contributed, for some groups, to a development toward "softer" police methods (see e.g., on Great Britain, Geary 1985, pp. 129, 130). Media presence encourages self-control among the po-

lice. Our research seems to confirm the police acknowledgment of the need to have a “good press”; in fact, “the citizen, if he does not trust the police, would not call them when in need” (interview, Milan, November 11, 1994). This “media check,” however, does not apply to marginal social and political groups that lack public support.

All the mentioned transformations in “internal” and “external” resources and constraints for the police produce most of their effects only when recognized by the police, becoming part of what can be defined as police knowledge (della Porta and Reiter 1997b; della Porta 1996a). The social construction of the external reality is all the more important for a bureaucracy that, like the police, has a high level of discretionary power. It is, moreover, a peculiarity of the police that this discretionary power increases at the lower levels of the hierarchy, providing police officers with the power to define the world in which they operate (Jessen 1995, p. 32 ff.).

In our research, we noticed that technological, institutional, and political changes are reflected in a self-definition of the police as “citizens” and “defenders” of the citizenry, exemplified in the words of an Italian police officer: “we work for the citizens. . . . We are people among the people” (interview, Milan, October 17, 1994). The police seem to ascribe growing importance to their role as mediators between the citizens and public administrators. The relevance attributed to this function is connected to the definition of problems that create disturbances to public order as being social problems, whose solution is the duty of the political authorities. In fact, the police leadership seems to be distancing itself from a restricted conception of its role as an agent of “reaction,” by which the police ought to limit themselves to intervening when the law is violated, and moving toward a conception of policing that is referred to in Britain as “proactive.” In the latter model, police are seen as agents of public service, with a strong responsibility in social control and perhaps also the responsibility to intervene into the causes of criminality. Yet to shift from a reactive conception to a proactive one increases the level of police discretion. And, if the police have discretionary powers of intervention, the problem of their legitimization and control will be posed in a new form.

Notes

1. For a closer discussion of different protest policing styles, see della Porta and Reiter (1997a)

2. On the involvement of all police forces in the fascist violence in the early

1920s, see Canosa (1976, p. 61), Snowden (1989, pp. 96, 198 ff., 202 ff), and Dunnage (1992).

3. The “benevolent” aspects of the Italian police during fascism, however, should not be overestimated. Scientific literature on the fascist police is surprisingly scarce, but see Carucci (1976).

4. The other two types of strategies for protest policing are *coercive strategies*—that is, the use of arms and physical force to control or break up a demonstration—and *information strategies*, which consist of the targeted collection of information with the aim of persecuting crimes, as well as in the “diffuse” collection of information oriented to preventive control (della Porta and Reiter 1996).

5. Our chapter is based on ongoing empirical research on the control of public demonstrations in Europe. For the Italian case, the historical part is based on an analysis of the Florentine state archives; for contemporary policing, our sources consist of thirty in-depth interviews with police officers in Florence and Milan, integrated with participant observation during police intervention in public order situations and a few interviews with activists. For the French case in the contemporary period, we used semidirective interviews with police chiefs in and around Paris, ethnographic observation of many interventions in protest policing, from their planning to their realization, particularly in Marseille in 1993–94; and a database of about five thousand events based on police archives and referring to the 1980s (Fillieule 1997a,b). Unless otherwise noted, interviews were conducted in Paris with officials promised anonymity. For the earlier French history, we rely on documents from the archive of the Prefecture de Police in Paris and secondary analysis of research on demonstrations and the policing of protest.

6. “For the maintenance of public order, the day of 28th May 1952 marks an important moment. Set up by people totally engrossed in the internal Cold War, police action, the measures taken or envisaged over the subsequent weeks and months, translated into a subversion of republican norms. . . . We might add that if the activists of the party, galvanized by the orders of the Party were enthusiastic about the idea of taking their revenge on Baylot’s men, a large portion of the latter seemed not to be scared by the fight to come. Pushed by the police hierarchy, an ‘independent’ union saw the light of day in December 1951 and strengthened the adhesion of officers revoked at the Libération, but reintegrated by Baylot. Its directors held the responsibility for ‘communist violence’ ” (Pigenet 1992, pp. 8–9).

7. This practice originated at the end of the 1970s, when the police prefecture in Paris used to open large processions with police buses placed several hundred meters in front of the demonstration. It was during a demonstration of the steel workers, March 23, 1979, that a police officer was in charge of the link for the first time. Since the student demonstrations in December 1986 in Paris, this method has been systematically employed, sometimes very visibly. During the annual National Front demonstration in honor of Joan of Arc, for example, on May 1, 1988, a car with a sign “liaison police/organizers” opened the procession.

8. On the basis of rules contained in this fascist law, the police could, at their discretion, prohibit bill posting and distribution of leaflets, collection of funds, and the organization of assemblies and demonstrations, even by legal political parties (in particular the PCI) (for examples, see della Porta and Reiter 1996). Almost inevitably, these decisions of the police were upheld by the courts (see, e.g., Canosa and Federico 1974, p. 186 ff.).

9. During a strike of farm workers and sharecroppers in the province of Florence in November 1948, the *carabinieri* station of Rufina, after having learned from "*notizie confidenziali*" the names of those most active in the propaganda in favor of the strike, intimidated these individuals on November 25, 1948, to abstain from any kind of direct or indirect action related with the liberty to work and to strike. If only the most insignificant complaint were heard against them, they would be held responsible "for anything which might happen." According to a report of the *Compagnia esterna 1^a* dei carabinieri dated December 1, 1948, the *carabinieri* of Regello intimidated three individuals whom they had "surprised . . . carrying out activity toward sharecroppers which, even though not integrating the elements of the crime of criminal coercion, tended however, in a way not perfectly in keeping with the regime of the established freedom, to induce them to suspend work." A report of the same company dated May 5, 1949, contains the information that the subsidiary *carabinieri* stations had always charged all those responsible for attacks against the "liberty to work" and had in this way severely undermined strike participation (Archivio di Stato Firenze, Questura 525, fasc. "Difesa della libertà sindacale").

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