The Empire Strikes Back:

Police Repression of Protest From Seattle To L.A.

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Introduction	2
Seattle	5
Washington, D.C	
Windsor, Ontario and Calgary, Alberta	
Philadelphia	
Los Angeles	

Introduction

The new wave of high profile protests that began in Seattle has been met by a rapidly-evolving police response that combines repression of basic democratic rights with manipulative, propagandistic media relations. An overview of this evolving response is crucial for understanding the kinds of police actions that are likely to occur during the Democratic Convention, and the kinds of spin, distortion and outright lies that might be expected from the police and the corporate media which largely accept the police view as the only view.

Protester's complaints about violations of fundamental rights are deadly serious. The strongest evidence of this is a lawsuit filed against the U.S. government and the District of Columbia growing out of the A-16 protests last April. The lawsuit charges these governments designed and executed an illegal, unconstitutional plan to disrupt and suppress peaceful protests against the World Bank and the International Monetary Fund (INF). It was filed by the ACLU, the National Lawyers Guild and Partnership for Civil Justice on behalf of organizations and individuals involved in the protests, including Fifty Years is Enough, the International Action Center, and the Mobilization for Global Justice.

The 10-count lawsuit charges a wide range of violations, all of which served the overall purpose of suppressing fundamental First Amendment rights to freedom of speech and assembly for thousands of protesters. The lawsuit itself tells a chilling story of police-state-style repression, but the events it covers are unfortunately not an aberration. They're the most complete and extreme example of a ongoing pattern of repression dating back at least as far as the anti-WTO protests in Seattle last year. Similar tactics of disruption have been used in Canada as well in early June, during the OAS meetings in Windsor, Ontario and the World Petroleum Congress in Calgary, Alberta, with the most twists added in Philadelphia.

What's involved here is not simply legitimate police action to preserve the peace and arrest lawbreakers. Rather, it's yet another chapter in the long history of using state power to suppress political dissent.

In all five cases we've seen police actions designed to stifle political expression, and disrupt political organizing. Tactics have included:

- widespread police brutality
- mass false arrest
- brutal treatment after arrest
- broad zones--up to 50 city blocks--declared off-limits for free speech
- literature and political artwork confiscated and destroyed
- police raids against organizing centers to intimidate participants, confiscate property, and shut down operations
- personal property stolen and destroyed
- peaceful protests deliberately misrepresented as violent and terroristic in order to discredit them and discourage others from participating
- false claims misrepresenting innocent objects as weapons or bombs
- harassment and intimidation of activists during pre-demonstration organizing
- detention, jailing and/or deportation of targeted individual activists while engaged in no overt political action

- charging extraordinary high bails--up to \$1,000,000 for 7 misdemeanors for Ruckus Society executive director John Sellars in Philadelphia.
- filing absurd charges--in Philadelphia, 70+ people arrested inside a puppet-making warehouse space were charged with obstructing traffic.
- using sealed indictments, to hide their dirty war on the Constitution from public view and legal challenge.

Throughout all this, the corporate media has been broadly complicit in stifling and misrepresenting dissent, further discouraging people from exercising their constitutional rights, and providing cover for further police repression. This wholesale attack on First and Fourth Amendment rights is perhaps the number one under-reported story of the past 9 months.

These tactics weren't employed all at once. Some were present from the beginning, but others developed over time, as local police departments, state and federal agencies strategized togetherand in combination with foreign counterparts. Because of the length of this report, it is broken down into separate documents dealing with different events.

The earlier events, which others have systematically examined, are dealt with more compactly and analytically. The more recent events are dealt with in greater descriptive detail, with attention give to the development of police rationales and media reports.

This assault on political expression is carried out by the police, but it is not simply a police action. It is also political theater. The manipulation of media to suppress dissent is clearly part of the plan, as we shall see below. Most of this manipulation is outside the scope of this report, but is discussed in other articles on this site or linked to from this site.

In contrast to TV coverage, talk radio, columnists and op-ed writers, it will be seen that a number of print reporters working for corporate media are doing a fairly decent job of balanced reporting on the limited subject of specific police/protester conflicts, and their reporting will be specifically referenced.

However, there are severe limits to the concept of "balance" when one doesn't question fundamental assumptions. If, as has happened, those in power repeatedly make patently ridiculous claims which are treated with respect, then "balanced" reporting serves to reinforce these claims, simply by making them known without being subject to scrutiny. At the same time, counter-claims by activists, their attorneys and others, however reasonable, and well-grounded in law and fact, are inherently more subject to doubt, simply because they don't come from "authorities."

Furthermore, the best print coverage is easily overwhelmed by sensationalized TV coverage, where vivid, but unrepresentative images of property destruction easily create false impressions among many that this is all and everything that the protests are about. But even viewers who also read the most fair and balanced print reportage, will have their natural bias to trust authorities reinforced by the misleading negative impressions of protesters they've seen on TV. Consequently, even the most "fair" and "balanced" print reporting cannot help but inadvertently contribute to further distorted impressions, which in turn help police justify and carry out their continued suppression of political expression. This is why such reporting should be carefully examined for assumptions, implications, and impressions conveyed, even while it is used to establish certain facts.

It's the purpose of this report to recount what's happened, to offer critiques along the way and to stimulate thinking about how to continue to respond to this remarkable war against free political expression that's being waged largely without notice in the midst of the so-called "information age."

Seattle

Protests against the IMF, the World Bank and other global institutions are nothing new. But since most such protests--many involving tens or hundreds of thousands--have taken place outside the US and are routinely ignored by the corporate media, the anti-WTO demonstrations in Seattle late last year came as quite a surprise to most Americans.

The media and the police had no such excuse for their surprise. Unlike the American public at large, they had all the information beforehand and simply chose to ignore it. Demonstrations accompanied related events throughout the year, with scattered acts of violence at times despite organizers clear commitment to non-violence.

A New York Times article on October 13,1999 reported that, "[t]hree hundred groups are vowing to bring 50,000 people or more to downtown Seattle to picket, demonstrate, hold teach-ins and cause general disruption . . . that could turn the city's streets into a carnival of protest and, perhaps, a morass of gridlock." This was six weeks before the anti-WTO demonstrations took place. Both the Seattle police and the corporate media had plenty of warning, which they chose to ignore.

The ACLU report, "Out of Control: Seattle's Flawed Response to Protests Against the World Trade Organization" contains a timeline which makes the sequence of events abundantly clear. On November 30, the first day of scheduled WTO talks, police first showed up at 7 AM, after protesters had begun to arrive. Blocking intersections began by 8 AM, and by 10 AM only a handful of delegates had been able to enter the building where the opening procedures were then scheduled to take place.

At this time, police put on gas masks and ordered demonstrators to disperse. At 10:04 they began firing tear gas, pepper spray and rubber bullets at protesters who were blocking intersections at 6th & University and 6th & Union. This was the beginning of mass police violence. It was not until 11:20 AM that there was any sign of vandalism. At that time the ACLU recounts, "Approximately 30 individuals dressed in black are videotaped by a KIRO-TV crew walking around downtown. They break windows at retail businesses and overturn newspaper boxes for about an hour, undisturbed by police."

Nothing could be clearer. The police attacked non-violence protesters over an hour before there was any vandalism. Non-violent protesters were violently attacked by police. Property vandals were ignored by police. Only in corporate medialand can this sequence of events be twisted around to make thousands of non-violent protesters responsible for both the property damage of a small group of vandals, and the organized police violence unleashed against them.

This fundamental misrepresentation lies at the very heart of corporate media coverage from that day forward. The fact that the record has *never* been corrected is a good indication of how unreliable the corporate media really is when it comes to the most important issues. A great deal of effort may be expended to make sure that minor details are accurately reported, but all this is ultimately for naught when the most significant facts are gotten wrong and stay wrong indefinitely, despite every opportunity to correct them.

Still, this is not an example of the police deliberately using the media to intimidate and suppress dissent. It simply reflects some of the built-in biases that increasingly make the corporate media unreliable sources of information. The ACLU report cited the police for "excessive use of chemical weapons and other force to control peaceful crowds"--a conclusion that was virtually self-evident if one simply watched the police in the hour before any windows were broken. But excessive force continued long after that, and spread considerably under the false justification of riot conditions that simply didn't exist--except in police ranks.

The ACLU criticized the misuse of three principle police weapons. It found that tear gas was used in "massive amounts... against crowds even when such use was not necessary to protect public safety or the safety of officers" and "was used in heavily populated areas where it inevitably affected large numbers of innocent bystanders." It found that pepper spray was used "repeatedly against nonviolent protesters who posed no threat to public safety or to the safety of officers," and called the police reliance on pepper spray "misplaced," since there is no published scientific research on the effects of pepper spray and no regulation of pepper spray manufacturing. And it found that rubber bullets "were used against people who posed no threat," including "largely nonviolent crowds" and individuals "engaged in passive resistance or fleeing."

The ACLU report acknowledged that "Using tear gas, pepper spray, or rubber bullets may be justified as a last resort when there is a threat to public safety or the safety of officers," but went on to say that "such weapons should not be used against nonviolent crowds." In fact, the use of such weapons is likely to *increase* the threat to public safety as crowds of people flee in panic with limited vision.

Once the media misinformation was out, the Mayor and police took maximum advantage of it. Just after 5 PM the Mayor declared a state of emergency, ordering a curfew and creating a 25-square-block "no protest zone" in the heart of downtown. The ACLU notes that "The suppression of free speech was not needed to protect security, nor could the 'no protest zone' have accomplished that aim." The city violated two key principles governing any official restrictions on free speech--that they be as narrow as possible for the purpose at hand, and that they be "content-neutral," not favoring any viewpoint over any other. Both principles were violated by the Mayor's order and the police enforcement of the order.

The next day--Wednesday, December 1--while mass arrests were made outside the "no protest zone," the zone itself was a chilling miniature of just what it takes to make corporate globalization "work." Police ordered pedestrians to remove any expression of anti-WTO sentiments, including buttons, stickers, and signs. The ACLU timeline notes that "Signs, leaflets, and cell phones are confiscated, and bags searched without warrants." In order to violate the First Amendment, they violated the Fourth as well. It wasn't just a "no protest zone," it was a "no Constitution zone."

That evening, beginning around 8:00 p.m., demonstrators and residents of the Capitol Hill neighborhood marched for approximately an hour and half. Around 9:00 p.m. police began firing pepper spray, tear gas, and

concussion grenades along part of the march route. A growing, peaceful crowd of residents and bystanders became increasingly disturbed by the police actions, and around 11:30 p.m. began moving toward the local police precinct, which was "blockaded by unmarked school buses and officers in riot gear." The standoff between police and residents continued till 12:45 a.m., when the crowd was ordered to disperse. Many left, but some stayed. At 1:40 a.m., "Officers move in on the crowd and fire tear gas and pepper spray as people mill in the street and sing songs." At 1:45 a.m., "Police fire a heavy volley of tear gas, rubber bullets and concussion grenades to

disperse the crowd on Pine." This was how police responded to a spontaneous demonstration of concern by the residents of the neighborhood they were supposedly protecting.

This is hardly a complete picture (the full ACLU report is available online at http://www.aclu-wa.org/ISSUES/police/WTO-Report.html.), but it captures most of the basics that the corporate media coverage obscured and distorted.

Washington, D.C.

The A-16 demonstrations against the World Bank/IMF on April 16 and 17, 2000 saw a dramatic escalation in state repression of fundamental constitutional rights. There was a coordinated preemptive plan to stifle and disrupt constitutionally protected rights to free speech and assembly, which included a wide range of acts that were individually illegal, unconstitutional and/or actionable on civil law, including an illegal raid on the Convergence Center, the headquarters for groups involved in the protests, and the confiscation of property that prevented its use in the demonstrations.

On July 27, the ACLU, National Lawyers Guild and Partnership for Civil Justice filed a lawsuit covering all these activities on behalf of organizations and individuals involved in the protests, including Fifty Years is Enough, the International Action Center, and the Mobilization for Global Justice.

The suit contained 10 counts: One count for the conspiracy to disrupt First Amendment rights, one count for the raid on the Convergence Center, four for mass false arrest (First Amendment, Fourth Amendment, false arrest, false imprisonment), one for the exclusion ("No Constitution") zone, and three for excess force (First Amendment, Fourth Amendment, assault and battery).

The lawsuit charges that the conspiracy to disrupt First Amendment rights included "intimidation, harassment, dissemination of false information portraying plaintiffs as violent, street closures, confiscation of political materials, preemptive mass false arrests and seizures, and unnecessary lengthy detention of arrestees in inhumane conditions." This included

- Stopping & frisking individual protesters without reasonable suspicion or consent.
- Searched demonstration organizers or their vehicles without probable cause or consent
- Making pretextual visits to demonstration organizers' places of residence.
- Stopping demonstration organizers on the street, showing them photos taken of them, naming their associates, and otherwise making government surveillance known to them.
- Massing large numbers of uniformed and non-uniformed officers near the Convergence Center and other places where activists met, and subjecting them to surveillance.
- Infiltrating demonstrators' organizations and informal groups with agents posing as political activists.
- Flying and hovering government helicopters at low altitudes over the Convergence Center and the residences and property of protesters.
- Causing George Washington University to ban overnight guests in its dormitories during the period of the protests and prohibiting demonstrators from using GWU facilities promised to them.
- Causing the American University to cancel an assembly and panel, including Green Party Presidential candidate Ralph Nader, who was scheduled to speak on globalization, the World Bank and the IMF.
- Causing the Washington Metropolitan Area Transit Authority to (1) close Metro stations demonstrators were expected to use, and (2) prohibit passengers from carrying political banners and signs, which is customarily allowed.

All these actions were taken *before* a single demonstrator appeared on the streets (though some continued afterwards), and they represented a chilling intrusion into the private lives of activists, and into the normal functioning of civil society.

Pre-emptive silencing of free speech is one of the most sinister hallmarks of repressive government in an age when virtually everyone gives lip-service to rights and freedom. The more effective the silencing before anything is said, the more it's possible to pretend that everything is normal, that nothing has been forbidden, and that any thoughts or feelings you may have to contrary are evidence of your own isolated personal problems. America's narrow political spectrum, winner-take-all electoral system, highly concentrated corporate media, and dramatically low rates of voter participation are evidence of a high level routine pre-emptive silencing which we've accepted as normal for decades or more. The actions taken against the A-16 demonstrators were relatively minor by comparison, but they were overt, intentional and concrete parts of a deliberate plot. They are also evidence that normal methods of pre-emptive silencing may be breaking down under the strains that corporate globalization and related trends are generating.

There's a long, dark history of police interference with the autonomy of universities in national capitals. Most of that history took place in Third World countries where World Bank/IMF policies have done most of their damage in the past. The lawsuit says nothing of this ominous precedence, but it's well worth noting nonetheless.

Examples of government/police disinformation casting protesters as violent:

- It's pepper spray--no, it's gazpacho soup. After the takeover of the Convergence Center, the District of Columbia announced confiscation of the makings of pepper spray. Later it admitted that the "pepper spray" was in actually peppers, onions and other vegetables in a kitchen area--the makings of gazpacho soup.
- It's a Molotov cocktail--no it's a plastic soda bottle and some rags. The District of Columbia also claimed it found a Molotov cocktail inside the Convergence Center. Later it admitted that the "Molotov cocktail" was actually a plastic soda bottle containing rags.
- It's live ammunition--no, it's an ornamental string of empty shells. After a raid on an activists' residence, the District of Columbia claimed it had confiscated an undisclosed amount of ammunition. It later admitted that the "ammunition" was a Mexican ornament, a string of empty shells.

Unfortunately, this Saturday Night Live routine was *not* played for laughs. The suit alleges, "These examples of dissemination of false information by defendants were part of their effort to disrupt plaintiffs, to discredit plaintiffs, to justify defendants' actions in interfering with the demonstrations, and to portray plaintiffs as violent in order to discourage participation in the demonstrations."

It's important to note that the defendants in the lawsuit were well aware that the plaintiffs were non-violent. The complaint reproduces the Principles of non-violence contained in Mobilization

for Global Justice's literature concerning the A-16 demonstrations, concluding with the following four points:

- 1) We will use no violence, physical or verbal, towards any person
- 2) We will carry no weapons
- 3) We will not bring or use any alcohol or illegal drugs
- 4) We will not destroy property

If anything, the example of media distraction and misrepresentation following scattered acts of property destruction in Seattle made organizers even more serious about insisting on these principles--a fact any semi-competent police force would surely grasp. If the aim of government and police was really to minimize the threat of violence and property damage, the obvious strategy would have been maximum cooperation with the demonstrators toward this end. The strategy of harassment, disruption and antagonism was clearly not aimed at any legitimate law-enforcement goal. Indeed, it sacrificed the sworn duty of law enforcement for the political agenda of those powers invested in the World Bank/IMF.

The media were equally derelict in their by-the-book duty. They either knew, or should have known that the organizers were committed to non-violence. Had they so informed the public, it would have made the police dereliction of duty much harder to pull off, and perhaps even prevented it.

Confiscation of Political Materials

The Convergence Center was used for meeting, planning, discussion, non-violence training, creating political signs, banners and puppets, and storing of tens of thousands of pieces of political literature, T-shirts, banners, puppets, buttons, circulars, posters and stickers.

It was used for approximately two weeks prior to Saturday, April 15, while U.S. and D.C. agents used extensive surveillance, including undercover agents, to invade and snoop. At no time prior to April 15 was any action taken regarding any supposed code violations.

On April 15, 2000, the day before A-16 protests were to begin, many out-of-town protesters were scheduled to arrive at the Convergence Center. At around 8:30 a.m., the D.C. Police and Fire Department raided the Convergence Center. They declared the site to be in violation of the fire code, evicted everyone and sealed the doors. They refused to allow removal of plaintiffs' political materials or personal belongings, including food, clothing and medicine. Needless to say, allowing the removal of these items--particularly the literature, T-shirts, banners, posters and puppets--would have *reduced* any fire hazard, not contributed to it.

Organizers' attorneys arranged for an emergency hearing the next morning, but canceled it in exchange for a written agreement with the District of Columbia allowing protesters to retrieve their materials with the assistance of District officers. The District then broke the agreement. It's agents refused to assist in the removal of items, refused to allow demonstrators to remove their political literature and property, and instead delayed and threatened to demonstrators and their lawyer.

The Convergence Center was kept closed, and materials were kept confiscated materials until about 7:00 p.m. on April 17th, several hours after demonstrations ended. Much of the confiscated

property was damaged, or missing altogether--including video equipment with videotapes of police misconduct.

The complaint alleges that:

- The raid was pretextual, motivated solely by the government's desire to disrupt demonstrators' First Amendment activities.
- The raid was timed to cause maximum disruption.
- The confiscation of materials--and refusal to release them-- was intended to cause maximum disruption.
- The raid and confiscation had the purpose and effect of depriving demonstrators of their First Amendment rights both within the Convergence Center and on the streets of Washington.

Again, it's obvious that the actions taken were directly contrary to the pretext given. An empty Center, with lots of flammable material inside is clearly more of a fire hazard than the same center with lots of people around who could readily respond to any small fire before it grew large enough to pose a serious threat. Stealing video equipment doesn't reduce the fire hazard. Allowing demonstrators to take their videotape with them *would* reduce the fire hazard. If the media was doing its job, at least the government would come up with a pretext that was a little less laughable.

The April 15, 2000 Mass False Arrest

On April 15, 2000, the day before the A-16 protests were to begin, there was a demonstration at the U.S. Department of Justice to protest the "Prison Industrial Complex," under a permit issued to International Action Center (IAC). Afterwards, , the demonstrators walked west, escorted by police who told them they didn't need a permit if they stayed on the sidewalk, which they did. IAC told the police they wanted to walk up 20th Street to Dupont Circle and then disperse. Police officials gave their okay, but it turned out to be a trap.

As the demonstrators moved up 20th Street, police in riot gear surrounded them--along with journalists displaying press credentials, passers-by attracted by the protesters' and tourists and others who just happened to be there--and prevented everyone from leaving. There was no order to disperse beforehand, and no opportunity to disperse after they were surrounded--even for individuals who asked to leave.

The police imprisoned everyone in their trap for about an hour before arresting virtually all of them--protesters, journalists, bystanders and tourists. The complaint alleges that arrestees were "held in harsh conditions" including:

- Being "restrained in plastic handcuffs that inflicted pain, discomfort and distress."
- Being "confined on buses and denied food and water, in some cases for as long as 18 hours or more."
- Being "denied use of a bathroom for hours, causing discomfort and humiliation."
- Being "denied use of lawfully dispensed prescription medications for pre-existing conditions."
- Being "denied use of a telephone to contact family members or attorneys."

Furthermore, the complaint alleges that Police officers deliberately lied to people about their rights, falsely saying they would be held (in some cases for days) unless they posted and forfeited \$50. They didn't explain the option of posting \$50 and appearing at a hearing to contest the arrest. The result was little more than outright theft--or extortion--but the ACLU is a bit too polite to put it so bluntly.

The purpose of these arrests, according to the complaint, was to "make it difficult and frightening for the arrested individuals to participate in the demonstrations in the following two days, and to discourage others from participating in or observing those demonstrations by signaling to them that they were likely to be arrested even if they did not break the law." Again, ACLU politeness avoids the simplest term: intimidation.

The Creation and Maintenance of An Overbroad Exclusion Zone

In Seattle, the "no protest" Zone was 25 blocks. In D.C., the Exclusion Zone was twice that size, at least 50 blocks that completely insulated the World Bank and IMF from protest, and prevented demonstrators from being heard or seen by those inside. The restrictions were even tighter than Seattle. Not only were demonstrators excluded, but so was anyone else without specific permission. The only people allowed were area employees and residents with ID, people approved by the IMF and World Bank, and certain corporate media. Community media, who might ask some embarrassing questions, we not given press passes and were not allowed inside the Exclusion Zone.

The complaint raises three major objections to this blatant First Amendment violation, each reflecting important considerations in Supreme Court doctrine. The Court has recognized that certain extreme situations bring other legitimate concerns into conflict with the First Amendment, and sometimes require a balancing of interests. The creation of the Exclusion Zone was wildly out of line with this doctrine on all three counts:

- (1) Lack of justification for the Exclusion Zone. There was no reasonable basis to expect violence and police had adequate personnel and equipment to safely permit demonstrators within sight and sound of their intended audience.
- (2) Failure to tailor the remedy. The Exclusion Zone wasn't narrowly tailored to serve legitimate interests in protecting persons, property and access to the IMF- World Bank meetings for those invited.
- (3) Failure to provide alternatives. The Exclusion Zone failed to allow ample alternative channels of communication for the demonstrators to express their views to their intended audience.

Use of Excessive Force

The complaint alleges that US and DC officers and agents threatened and used excessive force including "knocking, tripping or throwing to the ground; beatings with a baton; spraying with a chemical irritant; running over with a motorcycle; driving a van rapidly through a crowd; donning gas masks and pointing gas canister guns; and using motorcycles, vans and horses as weapons."

According to the complain, excessive force was so common that one can infer it was tolerated by the District and would not have occurred otherwise. Supporting this inference, DC policymakers explicitly condoned these unlawful acts after the fact by asserting that the officers had acted properly. Police Chief Ramsey said he had "no apologies" for any conduct of his officers. This was the logical conclusion of training regimen which primed the police for the multiple violations they perpetrated, and supervisory oversight which did nothing to stop or correct violations as they occurred.

Again, according to the complaint, preparatory training and indoctrination fostered several key beliefs--all but the last of which are clearly false:

- Demonstrators would likely be violent.
- Demonstrators had committed previous violence in Seattle;
- Disruption of demonstrators--violating their First Amendment rights--was a legitimate police goal.
- harassment and intimidation of demonstrators--also violating their First Amendment rights--were legitimate police tactics.
- Unlawful conduct and excessive force by officers would be tolerated and not investigated.

The last belief--the only one that was accurate--was further reinforced by approval of the widespread, illegal practice of removing or obscuring their badges and name tags, and by failure to investigate or take appropriate corrective action on April 16 in response to early reports of excessive force, thus encouraging continued brutality the next day.

In short, the ACLU complaint alleges a comprehensive pattern of intentional violations of First Amendment rights on a scale not seen since the mass illegal arrests, beatings and related violations during the civil rights and anti-war movements of the 1960s. In fact, the government attempted to virtually suppress a demonstration by tens of thousands of people.

While the government attempted to systematically and surreptitiously suppress entire movements in the 1960s--and even in the 1980s with it's infiltration and harassment of the Central America Solidarity movement--it never dared to suppress individual demonstrations on this scale, with the sole exception of the march from Selma to Montgomery, which was harassed and delayed by Alabama state officials, but not prevented from occurring. Significantly, Alabama officials were loudly condemned for their actions in 1965. In 2000, US and DC officials received no such condemnations for a much more energetic and logistically successful suppression of popular mass protest.

Emboldened by the lack of public outcry, it's only logical that officials would take the next logical step in their attempt to criminalize and outlaw dissent. The next steps in this direction were taken by local, state and national police in Canada in early June.

Windsor, Ontario and Calgary, Alberta

While Americans were widely aware of the demonstrations in Seattle and D.C., they remained typically ignorant of two significant events that occurred in Canada in June 2000: anti-OAS protests in Windsor, Ontario, June 2-6--The OAS (Organization of American States) was targeted for its role in planning the FTAA (Free Trade Area of the Americas), a hemisphere-wide extension of NAFTA--and protests and counter-convention at the World Petroleum Congress in Calgary, Albert, June 11-15.

There was minimal coverage in the US media--even the progressive media. But a few ominous new wrinkles appeared, along with some old tricks that stood out more in these smaller situations.

First, there was a massive over-deployment of police.

In Windsor, the local police were backed by the Royal Canadian Mounted Police, the Ontario Provincial Police and mounted units from Toronto. Estimates on the number of police available for duty ranged from 6,000 to 7,000 (many on standby) while the number of protesters was never expected to be more than a few thousand.

A report written before the protests, but posted to the Windsor IMC wire at 7:04 PM Sun, June 11 by "IMC reporter" reported that "Five thousand police officers have been brought into Windsor to prepare for the protest on Sunday with little to do but wait, and intimidate.... Police are working hard to make sure their presence is felt by protesters. Marked and unmarked patrol cars pass you so often on the street you barely notice them anymore, and all major corners have groups of officers on them."

In Calgary, precise numbers were harder to come by, but Dr. Jim Butler, Professor of Conservation Biology at the University of Alberta had this to say in an interview with IMC correspondent Angus Leech:

"I've never seen so many police, and nobody else I've talked to has either. This is unprecedented, there has never been in the History of Alberta, a more integrated show of force. This is like what we would marshal if we were being invaded by the Russians from the North. (Laughter) This would be the time for that to happen.

There's enough police here to repel any invasion from any direction whatsoever. (More Laughter)."

The theme of being scared off from participating was echoed by others on the Calgary IMC Newswire.

Second, there was intensive pre-event harassment with an obvious eye toward suppressing participation, mostly of an apparently 'innocent' nature.

In Calgary, "magenta" reported an example at 4:59 PM Tue., June 13 on the IMC Newswire, under the heading "five youth are surrounded by 18 police for a jaywalking ticket."

The incident took place the previous Sunday. According to the report, "Five youth were given jaywalking tickets Sunday afternoon for crossing when the lights were showing a flashing hand.

The alleged jaywalkers were stopped by Detectve. H wetherrup 2092. 'Within five minutes 18 other police officers arrived out of nowhere and surrounded us' said Joel Agairaf one of the youth. 'we didn't even jay walk, the walk sign was still up when we left the sidewalk'"

By itself, such an incident is unlikely to arose much interest--which is precisely the point. What's easily shrugged off by adults--including adult reporters--can have an enormous impact on youth. In this case, though, the impact was reportedly the opposite of what the officers intended, as "CJ, 18 said 'they are just trying to scare us into not coming down town tomorrow for the protest. It just makes me want to come more."

Even an adult unfairly treated like this, suddenly surrounded by 18 officers, is likely to be a good deal more angry than many can comprehend. Selective enforcement of traffic laws, including jaywalking, has been seen here in Los Angeles as well. "Magenta" goes on to say, "There were a number of traffic violation tickets given out on Sunday. An unnamed bicycle rider commented that the police were trying to raise money to pay off the one million dollar a day cost of having the police out in the streets. If this is the case they are going to have to give out everyone in this city a ticket." This kind of low-level harassment is difficult to quantify, of course, which makes it all the more effective, like kicking someone under the table.

The Windsor pre-protest report written by "IMC reporter" said "Police are working hard to make sure their presence is felt by protesters. Marked and unmarked patrol cars pass you so often on the street you barely notice them anymore, and all major corners have groups of officers on them.... Beyond simply being seen, police officers are also trying to make there presence felt by giving out erroneous citations and aggressively searching for arrests."

The report goes on to describe an incident that ended with two protesters "each given a total of \$150 dollars in fines for riding hornless bikes with wheels over 60cm in diameter on the sidewalk," after first being stopped as alleged suspects for breaking and entering, then being forced to wait 50 minutes while their Ids were checked. The logic here is simple: organized petty tyranny on a large enough scale ceases to be petty.

Third, the police targeted specific activists and prevented them from participating by the arbitrary use of a previously-obscure technicality of Canadian immigration law to keep them out of the country.

Puppeteer David Solnit--traveling from the US to Windsor--was pulled over and arrested on the night of June 3 while driving his truck full of puppets and art supplies. Police claimed that a symbolic, non-violent protest 14 years previously was grounds for his total ban from Canada. Solnit was one of many who painted the names of Nicaraguan citizens on the wall of a US military recruiting using water-based, tempera paints. A June 4 article by Arthur Foelsche on the Windsor IMC website reporting the incident concluded ominously and appropriately,

"What is perhaps most disturbing about Solnit's arrest is the level of knowledge that police are amassing on protesters. Canadian police clearly knew who Solnit was and wanted him and his puppets off the streets today. While this is just one more incidence of the atmosphere of oppression that Canadian authorities have created, it also clearly demonstrates that Canadian and American police are targeting activists. This is not about protecting citizens or maintaining order, this is about political repression."

Two San Francisco area activists--one black, the other Indian American--were arrested at the Calgary airport on June 7, transported in shackles and chains inside a four foot by four foot cage,

and deported two days later. Carwil James of Project Underground and Amit Srivastava of the Transnational Resource & Action Center (TRAC) were reported told that they were detained because of their political involvement in activities critical of the World Petroleum Congress. Both have past misdemeanor convictions for non-violent civil disobedience--James most recently during the anti-WTO demonstrations in Seattle, and Srivastava most recently during protests against the Gulf War. While they were detained, immigration officials read and copied paper and electronic documents carried by the activists, including Mr. Srivastava's year long work plan.

The two had been scheduled to speak at the Counter Petroleum Congress teach-in on the human rights and environmental impacts of the oil industry. The arrest was particularly ironic, according to another prominent activist, Dr. Jim Butler, Professor of Conservation Biology at the University of Alberta, interviewed on June 12 by IMC correspondent Angus Leech:

"I was thinking today, Desmond Tutu is flying in today to receive an honorary degree at the University of Alberta (in Edmonton). But if the same criteria were used there by Immigration as that which rejected some of the Teach-in speakers, then Desmond Tutu would be rejected from the airport. The same criteria would have prevented everyone from Martin Luther King, Henry David Thoreau, Ghandi, all these people from coming here. It was really totally ridiculous."

At the time, Danny Kennedy, Director of Project Underground said, "This detention is part of a systematic government effort at the behest of oil corporations--something we are more used to witnessing in dictatorships like Nigeria." In a June 16, 2000 Toronto Star op-ed, Amit Srivastava explained,

"Unfortunately, what happened to us was no isolated incident. Rather it is part of an emerging pattern of harassment of activists protesting free trade and globalization. This trend is clearly characterized by various government initiatives to pre-empt protest...."

"The end result of this repressive governmental behavior, be it in the United States, Canada or elsewhere is the stifling of free speech and free expression in the interest free trade. Their actions are proving our point. Institutions like the WTO, the World Bank, the OAS and the global oil corporations are antithetical to democracy. They need, and often use the police power of the state to protect their interests. We are accustomed to seeing this power crudely wielded in Burma or Nigeria. But it can also be deployed (usually in more subtle ways) in Washington D.C. and Calgary. It just comes as more of a surprise at home."

"While I am back in the San Francisco area now, safe and sound, I have learned one lesson the hard way: With free trade, corporations move easily across borders, but people, especially those critical of corporate globalization, apparently cannot."

Carwil James later reported, on the Corporate Watch website, that he was excluded "on the basis of a single act of civil disobedience.... [A] pro-democracy sit-in and a lockdown on the front steps of the Burmese Embassy in Washington, DC" which resulted in a plea agreement to a misdemeanor charge, with time served and a \$22 fine. But Immigration Canada officials took 20 hours to conclude that this U.S. misdemeanor "was equivalent to Indictable Mischief-that it was, in other words, a Canadian felony. I was deemed 'criminally inadmissible' to Canada, until I persuade the government that I have been 'rehabilitated."

In retrospect, the magical transformation of a misdemeanor into a felony is probably less remarkable than the fact that it took them a full 20 hours to perform it.

Fourth, people were detained or arrested while engaged in perfectly normal activity, such as riding bikes or crossing the street.

In IMC Newswire story, "Windsor Police Presence Excessive in Every Way" posted 5:15 AM Wed, June 7, Kevin Smith wrote, "the coalition was lent blue bicycles from a public bike project in Burlington, Ontario. This project allows citizens to take these bikes whenever they find them, ride, and drop them off elsewhere. Police seized on the opportunity to charge people with all manner of bicycle infractions, and impound the bikes."

Fifth, the role of the corporate media in terrorizing citizens and justifying illegal police action continued, sometimes in wildly hysterical terms.

A particularly egregious example ran in the Calgary Sun on May 2, in the form of column by associate editor Paul Jackson. Apparently doing his level best to channel the ghost of J. Edgar Hoover (with a little Joe McCarthy on the sideband), Jackson asked, "Who is covertly financing and directing the protest groups" who first became highly visible in Seattle?

The answer, for anyone who's been around them, is painfully obvious: No one!

But Jackson, a true journalist of the new millennium, is not about to get bogged down in the dirty work of reporting, much less the facts that might result. Sheer speculation--ala Hoover and McCarthy--is far more exciting.

"How is it," he asks, "these supposedly motley crews -- looking like the disorganized flotsam and jetsam of the world's radical left -- can be so well organized?"

Such puzzlement over the clash between reality and ones own stereotypes is, of course, a commonplace of the corporate media. But Jackson gets more mileage from it than most.

"Where did they get their targets and how did they manage communication, travel and accommodation plans on such a vast scale?" He asks, before making the fatal shift in questioning:

"Who delighted in seeing the carnage in the streets of Seattle, and savours the disruptions that may soon occur upon the streets of Calgary?"

"[S]ooner or later," he tells us, "we are going to find out, and then the sham of those who pretend to be so concerned about the environment, child labour in the Third World and 101 other bogus 'matters of conscience' will be revealed."

Just who does he have in mind? Who else? Moammar Gadhafi, Saddam Hussein and Osama bin Laden! His evidence? Absolutely none, of course!

Jackson is actually worse than factless. To back up his groundless speculations, he invents a false history of the Cold War, claiming that "Moscow and Beijing were behind much of the Vietnam anti-war movement." Richard Nixon and J. Edgar Hoover had years of time and enormous resources to prove such an allegation. If they'd ever been able to prove such a claim, you can bet grandmother's rocking chair they'd have done it in a flash.

Jackson's home-town hysterics are an important barometer of the mood being set in Calgary. No sane person would take them seriously--but the point of such writing is not to persuade the sane, but to drive people insane, so that that sanity itself becomes suspect.

Sixth, the corporate media did report a few comments undermining attempts to dismiss the protesters as misinformed kooks or possible terrorists, but these seemed to have little effect.

For example, a CBC radio Calgary reported on June 14 that one of the keynote speakers at the World Petroleum Congress, Jacqueline Aloisi de Larderel, a director with the United Nations Environment Programme, warned oil companies to listen to protest groups. She said that industry has done much to improve environmental performance, but that major challenges remain including the issues of climate change, atmospheric pollution and depletion of biological resources.

In Windsor, the standard official line was to claim that protesters had no idea what they were doing. In a June 6 Toronto Globe & Mail story, "OAS Protests: Quiet Day of Activism Ends As Many Feel Another Piece Of The Global Puzzle Has Been Exposed," Heather Scoffield quotes Deputy Prime Minister Herb Gray saying, "The issue of a free-trade agreement of the Americas is not on the agenda of the OAS meeting in Windsor.," before she continues, "But the protesters' concerns about the power of international institutions, quality of life and corporate control did get through to the OAS delegates in the end, Argentine Foreign Minister Adalberto Rodriguez said. "We got a strong message: more participation, more attention to sensitive issues," he said in an interview."

Altogether, the demonstrations in Calgary and Windsor revealed a growing apprehension and international cooperation in attempts to stifle rights of political free expression and association. While subtle intimidation was preferred for its low visibility, overkill was not something that worried officials. Some members of the press realized that things didn't quite add up, but police overkill never gained significant attention.

Philadelphia

It's much too soon afterwards to provide a comprehensive analysis of what happened in Philadelphia around the R2K protests, but details aplenty can help us anticipate what may be in store as the Democratic National Convention gets under way--and provide insight into the ways police action and media misrepresentation interact. Demonstrators in Philadelphia faced a continuation of past patterns of disruption along with three new additions.

The first addition--a highly restrictive permitting process--was new to the newly energized movement of demonstrators, but not to the convention process. The Republican's convention in San Diego in 1996 was characterized by similarly restrictive permits and the Democratic Convention in Los Angeles proceeded with the same assumption that it would limit protesters to a limited space and limited time far removed from the people they were coming to protest--and of course from the press. As it turned out, Philadelphia authorities crafted one of the most sophisticated responses, which again relied on the continued misrepresentations in the media for its success.

The second addition--targeted conspiracy charges against protest leaders--was also new only in the present context. The Chicago 7 Conspiracy Trial following the 1968 Chicago Democratic Convention is still legendary as an absolute travesty of justice. All defendants were acquitted, and the avalanche of contempt citations issued by the trial judge, carrying years of jail time, were thrown out on appeal.

The notion that organized non-violent protest can be prosecuted as a criminal conspiracy is one that appears, disappears and reappears with disturbing persistence. Had it been vigorously and craftily pursued by Southern state and local officials in the 1950s and 60s, it's just possible that we would still live in a segregated nation today. Had it been applied to anti-abortion protests organized by Operation Rescue in the late 1980s, that whole movement might have lasted no longer than a month, and been limited to a single city.

The extreme arbitrariness of resorting to conspiracy charges on some occasions, but not on many others makes obvious the political nature of such cases masquerading under the color of criminal law. It seems highly probable that those charged with conspiracy in this situation would qualify as Amnesty International prisoners of conscience if they were imprisoned.

The third addition--threatened family breakup for mothers--is new as retaliation for participation in a march, but it's one of the oldest threats historically faced by poor women in America. For slaves, it was simply a commonplace fact of life. In Victorian times the children of poor innercity immigrants were shipped westward by the thousands. And when Newt Gingrich came to power in 1994/95, there was renewed talk of mass confiscation of the children of mothers on welfare.

Given this history, it's no surprise that a memo concerning mass custody-taking of protester's children caused an immediate uproar. The memo distributed by the Pennsylvania Council of Children, Youth and Family Services said the city of Philadelphia "had asked it to help find spots for up to 1,000 children to stay that week 'until their parents are released,' the council's director, Letty D. Thall, wrote," according to a July 25 story in the Philadelphia Inquirer, "Activists, city clash on children," by Thomas Ginsberg.

In response to this memo, Mary Bricker-Jenkins, social worker, professor at Temple University School of Social Administration, and representative of the Social Welfare Action Alliance, a national organization of social workers, issued a statement saying, "there will be no emergency that is not precipitated by the city. KWRU families take care of their children, often against great odds, and are particularly responsible in their marches demonstrations, and civil disobedience actions."

She pointed out that the march was endorsed by the Pennsylvania state chapter of the National Association of Social Workers (NASW), which had named Cheri Honkala, a KWRU organizer, "public citizen of the year... precisely because she is a responsible leader in a movement to end poverty – a goal that is integral to the social work mission."

Bricker-Jenkins went on to highlight the unethical nature of the conduct called for in the memo. "Surveillance and intimidation of poor people is not a social work mission. Being used by city officials as political police is not a social work mission. To ask us to engage in these is unethical and abominable..... Front line social workers know that KWRU parents are responsible, and many social workers have turned to the organization for help in doing their jobs. We know what kind of political and economic pressures they [social workers] are under, and we are asking them to resist and refuse – to involve the Code of Ethics of the NASW and refuse to participate in acts of intimidation and harassment of the people they are charged to help."

This was not the only form of intimidation faced by KWRU. In addition to having their march permit arbitrarily denied, they suffered the now-familiar fate of a police raid and building shutdown on July 21, ten days before the march. Philadelphia Licensing and Inspection (L&I) shut down the Spiral Q Puppet Theater where young people were busy making signs for the march.

Typically, the stories given to explain the action were a mass of confusion. Gwen Shaffer's "City Beat" column, "Upon Closer Inspection" in the Philadelphia City Paper carried the subhead, "An anonymous tip. No, falling rocks. L&I offers many reasons for last week's raid of Spiral Q's studio." (http://www.citypaper.net/articles/072700/cb.citybeat.spiralq.shtml) Naturally, the authorities insisted that their surprise inspection wasn't politically motivated, but Shaffer noted, "building code violations go back 'decades,' according to L&I inspectors."

So why the sudden attention? That's where the anonymous tip comes in. Or the falling ice which supposedly broke the window of a police car. "Falling ice in July?" Shaffer wonders, and then gives another theory--a frozen water balloon. Another version says "a bag of ice mixed with stones". Still weirder, Shaffer tells us, "A police report says two men hurled debris from the building, cracking the windshield of a passing police cruiser." So the cops in the car looked at each other and said, "This is serious! Let's call Licensing and Inspection."??? No hot pursuit? No surrounding the building? Even more bizarre is one of several contradictory explanations offered by L&I Deputy Commissioner Dominic Verdi at the scene--that the debris was falling "from an adjacent building." So why wasn't *that* building inspected?

Regardless of how comical the excuses were, the intent to harass, intimidate and interfere was no laughing matter. But KRWU refused to be intimidated. A KWRU Press Release posted on the Philadelphia IMC Newswire declared, "Poor and homeless people from the Poor People's Economic Human Rights Campaign and the KWRU will not be silenced, nor will we disappear -- with our without our signs. Their attempt to silence us and to make us afraid will not work. We will continue to march."

There were other incidents as well--more of the low-level harassment and intimidation of activists that's becoming a routine part of policework in the weeks leading up to demonstrations wherever they happen to be planned. But when the big week finally came, Philadelphia officials suddenly put on their best behavior--at least at first.

On Sunday, June 30, the Unity 2000 coalition held a spirited, officially permitted march, with thousands of participants (7,000 according to the Philadelphia Inquirer) representing over 200 groups marching together and several hundred police along the route.

On Monday, June 31, the Kensington Welfare Rights Union (KWRU), which had been denied a permit, marched three and a half miles anyway, from City Hall in the heart of downtown to the First Union Center, where the Republican Convention was held. Police were prepared to stop the march near it's beginning, with vanloads of officers waiting while protesters chanted and march organizers talked with the police civil affairs unit. Finally, they decided to allow the march, with a police escort.

In the end, KWRU's trademark determination not to be intimidated paid off. When the preliminaries were over and the spotlight was on, they had no stomach for mass arrests of this disciplined, focused group and its supporters who clearly respected KWRU's leadership. This was a clear victory for KWRU, despite their inability to complete their mission and present delegates with a copy of the Universal Declaration of Human Rights, which calls for guaranteed food, shelter, education, employment and health care. (The U.S., unlike many other countries has never ratified the declaration.)

Despite everything preceding it, the last-minute police turnabout clearly helped to cultivate a civilized, restrained image for the police--something they sorely needed in the wake of the recent widely televised savage kicking and beating of a captured criminal following a car chase. And for those unaware of the earlier pattern of intimidation faced by KWRU, this image of official reasonableness was the only impression of official attitudes toward KWRU they ever got.

Tuesday, August 1, saw an abrupt end to the "good cop" facade--but only for those paying close attention. Thousands of demonstrators moved throughout downtown, blocking late afternoon rush hour traffic--a strategy partly dictated by the fact that the Republican Convention was held in a relatively remote, isolated location, immune to direct demonstrations.

Blocking traffic is generally a poor way to get a message out, but in this case it got considerable local TV coverage, which in turn got covention-goers attention. In the *New York Times*, Francis X. Clines reported that "delegates increasingly watched the local television coverage of protests out beyond their meeting through the slower parts of their agenda." Clines also noted that the police were well aware of their television exposure and "carefully read arrest warnings three times, then gingerly arrested the sit-in demonstrators while five news helicopters hovered and a platoon of reporters and photographers stood within a few feet."

But that was only part of the story. Earlier in the afternoon, about 3 PM, police showed up to raid the West Philadelphia Puppetganda warehouse space where people were preparing puppets and other props for demonstrations. The police forgot one tiny detail--their warrant lacked a judge's signature. While waiting to get the signature, police got on to the roof of the building, shining spotlights and pointing cameras at the space. The first wave of police were reportedly not wearing their badges, and the more than 70 people inside the warehouse were unable to leave.

Finally, at 3:47 PM, the police got the signature they needed and began to break down the door. Everyone inside was arrested within the next hour.

Replaying the Spiral-Q incident, police had a good deal of trouble keeping their story straight. In the NY Times, Clines cited police claims that the warehouse was raided because it was being used as the planning headquarters for illegal disruptions of the convention week." This is an unusual rationale for a search warrant, to say the least, and would appear to utterly demolish what little is left of the Fourth Amendment after the Clinton-Gingrich years.

Then Clines goes on to note that "Late tonight, the best evidence police could cite was that chicken wire and plastic tubing were found in the warehouse, which they contended were the ingredients of illegal protest material." *Illegal protest material?* Whoever said the East German Staasi were out of business?

Clines never explains how *any* form of material (aside from a Day Planner) could be proof of *planning* illegal acts, and apparently neither did the police. To be fair, Clines notes that "Civil rights critics seized upon this as evidence only of gross overreaction," but he never comments on the glaring illogic at the heart of this lame excuse.

One might think that with nothing to show but chicken wire and plastic tubing, the charges would quickly be dropped, but this is the bad cop side of the Philadelphia story. As activist-writer Leslie Cagan reported in a ZNet Update the following Saturday, "The 75 people arrested at the puppet site have all been given \$15,000 bail for obstructing traffic charges, and they were not even in the street when arrested." That's far more than anyone would face for being present in place where drugs were used. These people were present in place where *chicken wire* was used! Make that 75 more candidates for Amnesty International prisoners of conscience.

Meanwhile, police apparently had another explanation for the raid: the claim they were looking for C-4 plastique explosives. The Philadelphia IMC Newswire carried audio recording in which "Larry Crassner [sic], a Philadelphia civil rights attorney describes the Aug. 1st police raid on a warehouse where puppets were being made for the R2K actions. Police stated that they were searching for C-4 explosives but found none."

Another, vaguer explanation appeared in an August 3 Philadelphia Inquirer story, "How Phila. police defused a day of chaos" by Craig R. McCoy and Larry King. They wrote that "the stated police rationale for the raid [was] fear that the warehouse was being used to store weapons or material to block roads." They go on to note that Stefan Presser, legal director of the ACLU's Philadelphia chapter called this rationale a pretext for a pre-emptive intended to jail key activists before they could join demonstrations. And they quote Larry Gross, a University of Pennsylvania professor at the who served on a blue-ribbon panel examining police violent at a 1991 protest, who called the raid "prior restraint," and went to say that police, "certainly get credit for controlling themselves. . . . They're clever in terms of public relations, but they are doing it at the expense of constitutional rights. I think that, by and large, the public won't care."

If the public won't care, it's because the media as a whole no longer thinks that the Constitution matters--with all too few noble exceptions. The parent corporations can buy whatever protection they need, so there's just no reason to think, and more importantly, *act* in terms of a common law protecting the commercial media and the ordinary citizen under the same umbrella.

On the other hand, violent clashes--and fears of much worse--make for exciting news promos, so they'll happily go along with the police lies that blur the lines between non-existent terrorism,

small-scale vandalism, and peaceful non-violent protest. So much for the "public trust" that icons like Walter Cronkite believed the press to be. You don't have to believe in a "golden age" of journalism to know that this one is made of Styrofoam...and perhaps just a wee bit of chickenwire, if not something else closely associated with the egg-laying species.

Despite all the conflicting explanations, it's impossible to know what the police rationale actually was, since the search warrant was secret, along with related paperwork, including the police probable cause affidavit. The entire file was sealed by a judge at the DA's request the day of the raid. Any resemblance to the Spanish Inquisition is undoubtedly intentional. As Monty Python so pointedly observed, "No one expects the Spanish Inquisition." Certainly not in Quakerfounded Philadelphia, in the year 2000, where the US Constitution is nowhere to be seen in the city of its birth.

The "decision to seal the warrant only strengthens my feeling that this whole process was a pretext," ACLU legal director Stefan Presser meekly observed. "It's not a question of national security, or anything that requires ongoing investigation since these demonstrations are at an end."

The pattern of police attacks has a clear intent to stifle political expression, which is why puppets have become the focus of so many attacks. In a Philadelphia IMC Newswire comment, "Rabble" made another, more specific point, "They just raided the puppet space because they thought the puppets would make

the protesters look more friendly and human." Certainly a major reason that puppets have figured in political protest for decades is their ability to translate theoretical understandings into something immediately recognizable--and to playfully invert the power of oppression in the process. There's a strong visceral appeal to this that *anyone* can understand--and identify with. It does indeed "make the protesters look more friendly and human," just as "Rabble" says. It can go even farther and make observers want to join them. Which is precisely why the puppets must be destroyed.

And they were.

"Rabble" went on to report that "They [police] also picked up a truck carrying puppets to the protest in city center that had already left the puppet space." That was just the beginning according to a Philly-IMC Newswire story by John Tarleton on Thursday August 03, "Police Destroy Puppets; Shock and Dismay Widespread." According to Tarleton, "The grinding sound of a trash compactor could be heard from inside the former 'Ministry of Puppetganda' for over four hours Wednesday as the police destroyed hundreds of paper mache puppets and sent them away in garbage trucks."

This wanton destruction of property in police custody constitutes yet another example of criminal conduct within a larger pattern of planned unconcstitutional repression of First Amendment rights--just as occurred at the A-16 demonstrations. Not only did the police destroy private property, they destroyed evidence, and apparently did so in a gross manner completely at odds with their pretext. After all, if they really believed there were dangerous explosives around, they wouldn't take the risk of chucking them into trash compactors, and waiting for them to go "Boom!"

As Tarelton describes the scene, "Police cordoned off Haverford from 41st to 42nd St. with yellow

tape while neighborhood residents expressed shock at the crackdown.... Linda Harris, 53, lives one block from the warehouse.... 'That's really sick. I can't believe it,' she said. 'They're right up the street from a couple of crackhouses and they're worried about the puppets. We can't even begin to think how they think.'"

The Department of License and Inspections was on the scene again, too, apparently with no explanation why. Tarelton reports that "L&I Commissioner Ed McLaughlin said that he didn't know what the building's specific fire and health code violations were. 'We're just taking the trash out,' he said. 'We're responding to a police request.'" Why L&I to take out the trash? It's hard to avoid the conclusion that there was ongoing collusion between the departments to make war on the puppets as well as the puppetmakers.

But the attitude didn't trickle down quite so well, according to Tarelton. "Ronnie Cannady, a worker for the Department of License and Inspection, was dismayed at having to destroy the puppets. 'I felt real bad,' he said. 'I could see they must have taken a lot of time to make those puppets. They musta been fighting for a cause they believe in.'" Indeed. That's exactly what the police, and those behind them didn't want the American people to see.

Morgan FitzPatrick, a member of the "Goats with A Vote" puppet troupe, whose goat masks were the only survivors of the Great Puppet Massacre, commented on the police targeting of the puppets, according to Tarelton, "'That was our voice,' he said. 'Yesterday when the media was saying that there was no clear message; that's because our clear messages were being destroyed.'"

This was certainly the main purpose served by the attack on the puppets and puppeteers, but there was another related purpose--the disruption of nonviolent discipline. An August 3 Washington Post story, "Protests' 4th Day Peaceful" David Montgomery and Cathy Newman touched this:

"What happened yesterday was not a day of nonviolence,' said Amy Kwasnicki, an organizer with the Philadelphia Direct Action Group. 'It was not the day we planned.'

"She blamed police for raising tensions by arresting the activists' best-trained peacekeepers, many of whom were in the puppet warehouse. 'Things escalated, escalated, escalated because the people who know how to de-escalate were not there,' Kwasnicki said."

But this was only part of the pattern of targeting nonviolent leaders for violent acts they might well have prevented if the police worked with them, rather than against them, if the purpose of policing was protecting public safety, rather than protecting corporate power and the political status quo.

John Sellers, a Philadelphia-area native and Ruckus Society leader was arrested on Wednesday, August 2 while walking down the street in broad daylight shortly before noon, carrying nothing more dangerous than a cell phone and a palm pilot. He was charged with 7 misdemeanors: possessing an instrument of crime, obstruction of justice, obstructing a highway, failure to disperse, recklessly endangering another person, and conspiracy.

An August 4 story in the Philadelphia Inquirer, "Catalyst for chaos, or singled out unfairly?" by Monica Yant Kinney and Angela Couloumbis, noted that "Officials did not identify the instrument of crime," but did not note the absurdity of charging Sellers with "failure to disperse." This is a charge brought when someone doesn't obey a lawful order to leave a particular location. If they're not arrested at that location, it's self-contradictory to charge that they failed to disperse. Of course, "failure to disperse" is always a questionable charge at best--much like the old-time

favorite of "vagrancy," so perhaps no one ever expects it to make much sense. But it would still be nice to be told so, right out front.

Sellers had bail set at \$1 million--a figure unheard of for misdemeanor charges, and generally associated with high-profile violent felonies. Lawrence Krasner, a Philadelphia criminal lawyer representing Sellers, was astounded at the high bail, according to another August 4 Philadelphia Inquirer story, "Key activists were earmarked by police," by Craig R. McCoy ,Thomas Ginsberg and Emilie Lounsberry:

"'The D.A.'s behavior is like nothing I've ever seen in my life,' said Krasner. 'This is a desperate effort to systematically punish these people without a trial, to lock them up, keep them off the streets.'"

Inadvertently reinforcing Krasner's claim, the next Monday, August 7, prosecutors would recommend an 80% bail reduction to \$200,000 after demonstrations were long over. Judge Lisa A. Richette would go even further, cutting the bail 90%, to \$100,000. But \$14,285.71 per misdemeanor, it would still be outrageously high.

The Inquirer story ran with a perfectly frank subhead: "Protesters say their leaders were arrested not for what they did, but for what they might do. Police deny this." The lead paragraph highlighted the dual nature of the police strategy, "Even as the world's media shone a bright light on Philadelphia police clearing masses of protesters from blockaded streets this week, police were carrying out a much less public - and much more selective - operation to collar demonstration leaders."

In addition to describing the arrest of Sellars, the story described the nearly identical arrest of Philadelphia AIDS activist Paul Davis who was rushed from behind by police as he walked on a blockaded street speaking on a cell phone. Supporting the view that these arrests were groundless acts of preventive detention was University of Pennsylvania communications professor Larry Gross, who "noted that police had been photographing demonstrators in weeks before the Republican National Convention.

'They spied on the protest groups. I think they prepared a list of organizers that they were looking for, and when they found them, they arrested them,' Gross said."

Cell phones apparently played a key--and possibly unconstitutional--role in the search process. The article notes that in addition to targeting activists known to them, police also went after people "who simply looked as though they were organizing actions over a mobile phone." The results were predictable as "scores of people, even medics and bicycle messengers trying to do their jobs, were swept up in the search for a select few who may have been pivotal to the protests."

That's right, bicycle messengers. "Police interest in people with cellular phones and walkie-talkies led them to detain and question several bicycle messengers over the last two days, managers of several messenger firms said. Some were stopped going into Center City office towers, others near hotels or on the street." Constitutional protections against arbitrary detentions (being stopped, but not arrested by police) have been sorely weakened in recent years--as explained in detail in *No Equal Justice* by Georgetown University law professor David Cole--but stopping people because they have cell phones still seems far over the line.

The article also mentions 4 other activists held on bail of \$400,000 to \$500,000. All were charged with assaults, but only one was charged with a felony. If not for the ridiculous bail set for Sellers, these high-level misdemeanor bails would themselves be unprecedented. Also mentioned are activist reports that "at least 15 important players had been arrested by police in apparently targeted collars."

Reporters for the Philadelphia Inquirer did a generally fair and balanced job of reporting, unlike most of the corporate media. The role of media misinformation in facilitating police repression was brought sharply into focus in the Inquirer's "Catalyst for chaos, or singled out unfairly?" story:

"Assistant District Attorney Cindy Martelli said Sellers is an admitted leader of this week's violent protests.

"He sets the groundwork. He sets the stage,' Martelli said during his bail hearing yesterday. 'He facilitates the more radical elements to accomplish their objective of violence and mayhem."

If the media reported fairly on how Ruckus Society trains people, and how concensus organizing works, such claims could never be made with a straight face. Because it doesn't, prosecutors had no trouble getting \$1 million bail for 7 misdemeanors charges that stretch credulity.

After the arrests, a lot more hidden "bad cop" behavior came into play. Those arrested at Puppetganda were kept in buses for up to nine hours. The Inquirer story "Key activists were earmarked by police" cites the example of Philadelphia resident "Milan Marvelous, 31, [who] said he was kept on a bus for nine hours, from 4 p.m. Tuesday until 1 a.m. Wednesday, and then detained in a cell until he was released at 4 a.m. 'We were preventively arrested. We had done nothing wrong,' said Marvelous.... 'We were detained many hours on incredibly hot buses with incredibly painful cuffs,' said Jeremy Varon, 32, a history professor at Rutgers University," who was also arrested at the puppet factory.

Others faced much worse, as there were increasing reports of brutal treatment inside the jails. For example, according to an August 6 Philly-IMC Story "Released R2K Prisoners Hold Press conference" by John Tarleton, "Jordan, a labor organizer from New York city, said that it was common at the Roundhouse for five or six prisoners to be held in a single 5'x7' cell with one metal cot. Joseph Rogers, a local Quaker activist, said prisoners were subject to random beatings. 'It didn't really matter if you were cooperating,' he said. 'They still treated you with brutality.'"

Added to that was the threat of aggressive prosecutions. The August 5 Inquirer story, "No Break for Protesters, Street Vows" by Jacqueline Soteropoulos and Craig R. McCoy began by citing Mayor Street's statement that the 390 protesters arrested would be "fully prosecuted." In light of the absurdities already seen in arrests and bail levels, there's no telling what this means. The vast majority of people are charged with misdemeanors, but in Pennsylvania they come in three grades, ranging from a year in jail and a \$2,500 fine to five years in prison and \$10,000 fine.

The story continues, "Joined by Police Commissioner John F. Timoney, Street portrayed the demonstrators as out-of-town troublemakers hell-bent on bringing Philadelphia to its knees. The two unveiled a cache of items - a giant slingshot, kerosene-soaked rags tied to chains, and devices designed to lock demonstrators together - that they said were designed to wreak havoc and disrupt the convention."

The reporters then cite Patrick Reinsborough, an activist from San Francisco who explained that the chains with kerosene-soaked rags were a juggles prop for fire twirling, while the "slingshot" was used for carrying a giant puppet.

This combination of post-arrest brutality and hysterical prosecutions strongly suggests that the Philadelphia chapter of this story may be a long way from its end. You would think that people would have learned something from the fiasco of the Chicago 7 Conspiracy Trial, but apparently not in Philadelphia.

Los Angeles

Unlike Philadelphia, Southern California is fortunate to have a very vigilant, savvy and proactive ACLU chapter that has worked closely with activist groups to wage the most successful counter-offensive against government plans to repress fundamental First Amendment freedoms and other basic rights. This reflects a long history of struggle, particularly against a notoriously politicized and out-of-control police department which has no effective political oversight nearly a decade after the Rodney King beating. While individual lawyers, law firms and other organizations, such as the National Lawyers Guild, have played crucial roles in defending peoples' rights, the fact that the local ACLU, with its superior (though still limited) resources, has kept its edge in the fight for basic rights has made an enormous difference.

The first major victory won by activists, organizations, their attorneys and the ACLU was the elimination of the draconian restrictions on protest demonstrations in the form of a 186-acre no-free-speech zone that effectively turned any possible protest into an unseen, meaningless ritual. Such restrictions clearly fly in the face of the First Amendment, but have been practiced for so long that this basic fact seems to have slipped from view so far as LA's police and politicians are concerned. Fortunately, U.S. District Judge Gary A. Feess turned out to have excellent eyesight.

In a press release accompanying the June 30 filing of the suit, ACLU staff attorney Dan Tokaji said, "The plan developed by the Los Angeles Police Department would place all protesters in a parking lot far away from the Staples Center, with sequentially scheduled protests arranged by permit only. The huge buffer around the Center stretches from Venice Boulevard on the South, to Olympic Boulevard on the North, and from the 110 Freeway on the West to Flower Street on the East. This, in essence, creates a no-speech zone around the convention."

Attorney Carol Sobel, a private attorney who was co-counsel in the case, addressed the larger, long-standing problem of LA's unconstitutional permitting scheme, "The City of Los Angeles was put on notice over fifteen years ago that its permit-granting scheme was unconstitutional, but it's still on the books," Sobel noted in the press release, "This city needs to understand that its regulations don't trump the U.S. Constitution."

Reinforcing Tokaji on the specific DNC scheme, ACLU executive director Ramona Ripston said, "The proposal put forward by the Los Angeles Police Department is absurd: it treats public speech as an empty ritual unconnected to an audience. This is a fundamental misunderstanding of the purpose and nature of free speech."

This was the same blatantly unconstitutional strategy of pre-emptive First Amendment suppression employed by emergency decree in Seattle, and enforced in advance in D.C.--with its 50-block "Exclusion Zone"--and Philadelphia--with its strict limits on permitting marches and protests. Only this time the strategy would fail.

One immediate, and quite predictable response to the filing of the lawsuit was the launching of attacks on the ACLU, portraying them as eager to sue afterwards, but uninterested in problemsolving beforehand. On July 10, executive director Ramona Ripston responded to these charges, first expressed in the LA Times by LAPD spokesperson Commander David Kalish, then picked up by other long-standing ACLU critics who apparently never bothered to call the ACLU to check their facts.

As Ripston explained, "the ACLU of Southern California in fact tried to participate in the security planning process for the Democratic National Convention. In response to a letter requesting help from the LAPD, the ACLU made a written offer last August to look at any plans that the LAPD developed in order to help the Department implement a plan that would not violate the First Amendment. We followed up with a verbal offer to Commander Thomas Lorenzen, requesting that the LAPD maintain open communication with us in order to preserve civilians' free speech rights at the Convention. Despite many written attempts to learn of the LAPD's proposals, it was not until June 13 that the Department confirmed its plans to shut down free speech in a 186-acre area around the Staples Center."

This pattern of refusing cooperation with the ACLU is also familiar. Authorities have repeatedly failed to cooperate with demonstrators and their attorneys in achieving the twin goals of ensuring First Amendment rights and preventing property damage. While demonstrators are primarily outraged about the former, police count on the later to stir up public outrage, and get them off the hook for failing on *both* counts. In essence, failing in their basic by-the-books mission is precisely the goal. One could question this assessment in the case of Seattle, but after months of police cooperation, supposedly "learning" from each subsequent major demonstration, its obvious that repeating the same "failed" strategy is a deliberate choice, and does not represent failure at all in the eyes of those who have chosen it.

As the judge was considering the case, Mayor Riordan weighed in with a high-profile hysterical display that fully supported the police line. In a July 13 LA Times "Commentary" entitled "A Fair Warning to All: Don't Disrupt Our City," Riordan wrote,

"Our job will be to ensure the safety and well-being of our city and the visitors and demonstrators who want to peaceably exercise their free speech rights during this convention.

"But fair warning to all: The police will get tough when confronted with lawlessness. They will protect against any group intent on shutting down our city."

This much was predictable boiler-plate. But then the Mayor launched directly into some strange fantasyland. First, he said, "The vast majority of demonstrators will be orderly and responsible. They have demonstrated their conscientiousness by working closely with the Los Angeles Police Department and the Democratic National Convention Committee to determine the times and routes of their demonstrations." Since the major organizers were in court suing the LAPD for failing to let them work closely together, one can't help but wonder who this "vast majority of demonstrators" was.

Riordan further confused matters as he continued, "Unfortunately, there will be other types of demonstrators--a small but significant number of rogue demonstrators, anarchists whose sole intent is violent disruption. They will try to make the police look unnecessarily brutal in counteracting them." Smashing poor helpless LAPD officers right in the baton with their faces, no doubt!

Then, the clincher: "These international anarchists have attended training camps where they have learned strategies of destruction and guerrilla tactics. And they communicate their methods of malice over the Internet. Log on to http://www.D2kla.org to see just how determined and organized these anarchists are."

Naturally, some folks did just like the Mayor told them, and they found the same non-violent principles that have guided protest organizers throughout the whole period of police/government/media hysteria. Under the heading "Action Guidelines" is the following statement:

All participants in this action are asked to agree to these action guidelines. Having this basic agreement will allow people from many backgrounds, movements and beliefs to work together for this action. They are not philosophical, political requirements placed upon you or judgments about the validity of some tactics over others. These guidelines are basic agreements that create a basis for trust, so we can work together for this action and know what to expect from each other.

- 1. We will use no violence, physical or verbal, towards any person. We consider speech or acts that are racist, homophobic, or sexist to be violent.
- 2. We will carry no weapons.
- 3. We will not bring or use any alcohol or illegal drugs.
- 4. We will not destroy property.

It's harder to imagine a more clear-cut contradiction to Riordan's hysterical claims.

What the Mayor had done was invent an non-existent group of activists working with the LAPD and call them "the vast majority," then turn around and accuse the real, non-violent vast majority of protesters of *being* the violent minority. It was an exquisite example of the government/police/corporate media propaganda line in a nutshell. To bad he had to spoil it all by giving out that URL!

On July 21, U.S. District Judge Gary A. Feess ruled the LAPD-planned security zone to be an unconstitutional violation of demonstrators' 1st Amendment rights to be heard. He echoed the protesters' argument when he told LA city attorneys "there is going to have to be an accommodation to allow the plaintiffs to reach their intended audience"--delegates and others attending the convention. In short, free speech includes the right to be heard. There's no new law in this ruling, only new attention to existing law. Something the LAPD has notorious problems with.

Naturally, the LAPD vowed to comply, but again it tried to use its own past bad-faith record to make others look bad. "This is extremely problematic because of the timing of the potential changes," the LA Times quoted LAPD's Commander Kalish saying. "Various agencies have been in the planning process for nearly two years and now changes will have to be made in the final minutes before the event." No mention was made of the ACLU's spurned attempts to get changes made many months earlier.

But the Times did quote D2K's Don White saying, We're extraordinarily pleased with this decision," and Margaret Prescod who called the judge's ruling "a very warm invitation to the residents of Los Angeles, to people all around the country to join us to make sure your issues are heard." It was balanced coverage--but it still failed to give an accurate picture of the LAPD bad faith planing process which made the lawsuit necessary in the first place.

With the law firmly on their side, demonstrators were able to reach an agreement with LAPD by the end of July. In a July 28 press release, the ACLU announced the signing of an agreement shifting the security perimeter, and allowing demonstrators "across the street from the northeast

corner of the Staples Center and along Figueroa St. N of 11th." The agreement also established "a provisional system of permitting in lieu of the city's unconstitutional schemes."

ACLU attorney Dan Tokaji was quoted saying "After nearly a week of intensive negotiation, protesters will be within sight and earshot of their intended audience. Moreover, the city's unconstitutional method of dealing with parade and park use permits is history. The agreement means that the voices of the people will not be silenced."

ACLU Executive Director Ramona Ripston called it "welcome news," a wry understatement, "especially in the context of the fear-mongering that has occurred of late. Free speech is not incompatible with planning for a secure and peaceful convention."

But then other repeated patterns came to the fore: surveillance, invasion and harassment. On August 7, the ACLU, National Lawyers Guild, Midnight Special Law Collective and other associated attorneys sent a letter to LAPD Chief Bernard Parks, and LA Deputy City Attorney Debra Gonzales on behalf of the Community Arts Network, the D2K Convention Planning Coalition ("D2K"), and the Direct Action Network ("DAN"), citing a litany of complaints, stating that "the City is violating and threatens to continue violating the Fourth Amendment rights of the activists," asking for written assurance that specific actions would cease, and threatening to go to court if the assurances weren't quickly made.

The Community Arts Network leased the four-story Convergence Center building at 1919 West 7th from July 8 to August 25, 2000, with authorization to provide D2K and DAN with the right to use it.

The most high-profile, and clearly flagrant violation came on the evening of Saturday, July 15, 2000, when LAPD Officers illegally entered the Convergence Center without a warrant and without permission. As explained in the letter, officers "demanded to see the lease for the building. They indicated that fire inspectors were on call and wanted to arrange an immediate fire inspection. They made clear that their presence was in connection with the Democratic National Convention, indicating that they wanted to ensure that the event was peaceful. This action was initiated by the Los Angeles Police Department solely because of speech-related activities of the occupants."

The similarity to the raid on Philadelphia's Spiral-Q Puppet Theater six days later was so unmistakable that this raid has the appearance of a test run., in addition to serving its own purpose of intimidation. The letter goes on to state that "This unlawful action by the Los Angeles Police Department is part of a clear pattern of singling out political protesters," and then lists a number of other actions, including: police surveillance of a skill training workshop at 2nd and Main Streets on July 15; another LAPD appearance at the Convergence Center on July 22, with a request to see the lease; selective traffic law enforcement against activists leafletting the Convergence Center neighborhood on July 30; LAPD requests that operators of adjacent parking lots alert them when the Convergence Center is being used; an August 2, attempt by a fire inspector to enter the building without an inspection warrant to enter the building without permission, followed by LAPD videotaping of the Convergence Center the same day; LAPD recording of activists' license plate numbers.

The intent to harass, rather than simply engage in lawful surveillance has been transparently clear from outset, the letter continue, "with the appearance of officers at night, without a warrant, at the Convergence Center on the pretext that officers believed the building was vacant. This facade was soon stripped away when the officers informed the activists that they simply wanted to assure

a peaceful Convention, disclosing that they knew exactly who was in the building and for what purpose."

The letter then cites legal precedents supporting their claim that LAPD and Fire Department actions are First and Fourth Amendment constitutional violations, and goes on to warn against continuing that pattern of police raids and confiscations seen in Washington and Philadelphia, in which "the police confiscated the means by which political protesters hoped to communicate their messages to the public. Such suppression of First Amendment expression in Los Angeles must not be tolerated."

They seek assurance that: Surveillance of the Convergence Center cease; that orders be issued against any police entry into the Convergence Center--either in uniform or undercover; that LAPD won't attempt any interference with the functioning of the Convergence Center "for the purposes of conducting meetings, holding trainings, or making signs, banners, and puppets;" and that the LAPD won't "confiscate any sign, banner, or puppet" inside the Convergence Center or while "being used in any lawful protest activity."

Finally, the letter serves notice that a temporary restraining order will be sought on August 10, if the assurance aren't given. Once again, the City and LAPD showed their true colors by refusing the voluntary cooperation they constantly proclaim. The complaint seeking the temporary restraining order cited additional examples of harassment, listing a total of 22 incidents in all, and included examples of dialogue revealing the transparent deceptions involved.

While the incidents involved helicopter surveillance and even arrests, the most chilling item is labeled "LAPD Official Statements Regarding Preemptive Actions." Because it goes to the very heart of the pattern of preventing free expression, I present this item in full, with paragraph numbers:

- "48. Plaintiffs are informed and believe that the LAPD intends to take preemptive action against them prior to or during the DNC, including but not limited to a search of the Convergence Center and seizures of puppets, banners, signs and other materials to be used for expressive activities around the Convention.
- "49. During a meeting between activists and LAPD officials on August 1, 2000, Deputy Chief Maurice R. Moore of the Los Angeles Police Department specifically raised the subject of puppets. Deputy Chief Moore asked what purpose puppets served. He specifically suggested that puppets could be used as weapons and asked what they were made of.
- "50. During the Republican National Convention in Philadelphia in July 2000, police conducted a raid on a facility that was used to make puppets for protests around the Convention. In Philadelphia, puppets were confiscated and immediately destroyed by the Police.
- "51. Puppets and banners were also confiscated in April 2000 in Washington, D.C., in connection with protests against the International Monetary Fund. Although some of the puppets and banners were ultimately retrieved, protestors were denied their use during a number of lawful marches and rallies.
- "52. LAPD officials have spoken approvingly of the preemptive actions taken against demonstrators in Philadelphia and Washington, D.C. Commander Mark Leap of the LAPD has spoken approvingly of the 'extensive preemptive action' taken by the Washington, D.C. police in response to protests. LAPD observers present in Philadelphia were reportedly 'impressed' with Philadelphia police techniques, including a preemptive strike on a

warehouse containing puppets and signs that activists planned to use in the streets of Philadelphia.

"53. Plaintiffs are gravely concerned that the LAPD will attempt to interfere with demonstrators' use of puppets and banners. Any seizure of these items by the LAPD would seriously undermine the planned marches and rallies and would suppress Plaintiffs' ability to communicate with the public."

The suit seeking a temporary restraining order was filed on Thursday, August 10, and was granted the following day, the last weekday before the Convention begins. This represents the most vigorous and successful legal counter-offense in defense of demonstrators constitutional rights since the Seattle anti-WTO protests late last year. But a long train of previous violations has only begun to be addressed, anti-protester propaganda continues to dominate corporate media coverage, providing cover for illegal police actions, and the message itself continues to suffer suppression by media as well as police.

Clearly, a process of learning and development is well under way. Where it will end up is in the hands of those committed to continue the process of learning, development, growth and evolution in the process of reaching out to a world increasingly in need of real globalization--of human rights, human dignity, and racial, social, economic and environmental justice.