

POLICING US

Capital's imposition of productive discipline requires many social structures, all of them terrains of struggle. Discipline begins with family and waged work, includes school and other state institutions, and is backed by policing and the military. In the U.S., the police--municipal, state, federal--operate within the nation, while, with occasional exceptions, the army operates 'externally,' though its effects are 'internally' significant and on occasion primary.

Policing includes 'normal' police operations at the levels of community patrolling/controlling, and political police; courts and prisons; and 'licensed' or 'permitted' terror such as assassinations, murders and lynchings by groups such as the Klan. Finally the police are the most visible and overt enforcers of the law--to a great extent, what the police do is the law. Below, to complement our discussion of the law, we outline a brief history of the police in the U.S.

Rothula

You who saw me fall before your bullets
I'll always stay in your eyes

You who wrapped me in your bloody skirt
there won't be any other flag for you
You who heard my last gasp
that dying breath breathes in your ears

You who didn't give me the little water I asked for
I'll appear in your glass everytime you drink

And brother, didn't you know your tender sister
(I'm frozen now beneath the winter's snows)

And brother, didn't you hear my steady song
(innumerable worms now graze on your lips)

Hard ones, who brought me to the firing squad
you should know how I thirsted, how my heart exploded..

--Translated from "1000 Killed Girls", by
Rita Boumi Papa (about the Greek Civil War)

I. The Spreading of the Police

The earliest U.S. police were slave patrols in the South and private night watches in the North. The period from just before the Civil War to 1900 saw mass industrialization; unionization; immigration from Southern and Eastern Europe; Civil War, Reconstruction, populism and Jim Crow. The critical moment was 1877: the end of Reconstruction, mass RR strikes, problems with the militia (replaced in 1890's by more centrally controlled National Guard).

Capital observed that a larger, more densely packed, urban industrial working population "required" increased control to ensure work discipline, smash unions, divide workers and

ensure profitability. On the police level, capital's solution was to expand and develop local police to control social/class conflict on a regularized basis. The methods of control, primarily the local police, supplemented with vigilantes, private armies, the national guard and army, were resisted by the working class (w.c.). By the late 1800's, w.c. resistance and struggles such as for the 8-hour day, and the composition of both capital (dead labor) and the w.c., dictated to capital's planners the need to explore alterations in police structure and practice. The critical moment was 1894, when the army had to be used to defeat 'Coxey's Army' and the Pullman Strike.

II. The Progressive Era to 1950

The issue of the police as a form of social control (among other forms) was debated within capital and new forms experimented with during the "Progressive Era." This period marks a time of capitalist 'reformism' in which "progressive" capital sought to supplement the old forms of control with social planning and social 'engineering,' limited reforms (having, by 1896, smashed populism, the Black movement,

most unions and much of the w.c. right to vote, North and South), and 'paternalism'---a more regulated and smooth capitalism.

The Progressive's themes were crime prevention by more intensive police presence in the community and by other institutions such as schools and clubs; control of police lawlessness, in which exposes served as fuel for reform; centralization of command; separation of

the police from the rest of the working class (ending residence requirements, 'professionalization'); development of police political 'neutrality'; and the use of technology, such as patrol cars, statistical data keeping systems, and chemical and biological techniques.

The post-World War I period saw massive class revolt met with massive repression. The period was marked by such things as the 1919 Seattle General Strike; the Palmer raids (including deportation of left militants); Black nationalism and resistance met by race riots, lynchings, rise anew of the Klan; destruction of unions; and women's right to vote. In 1921, for the first time in U.S. history, the Oklahoma State Police bombed urban Blacks by plane.

In the 1920's, the sharp repression, class defeat and resulting speedup and lowered wages enabled the rise of extreme profitability, muting the reformism of the Progressive Era. The state did learn from previous conflict to 'modernize' as seen in the creation of national police (FBI, Treasury police) and increased national coordination, and increased use and spread of technology.

In the 1930's, the collapse of capital's boom and the upsurge of class struggle was met by capitalist reformism, a "New Deal" between capital and w.c. with unionization and social security the cornerstones, posing again the problem of police-class relations.

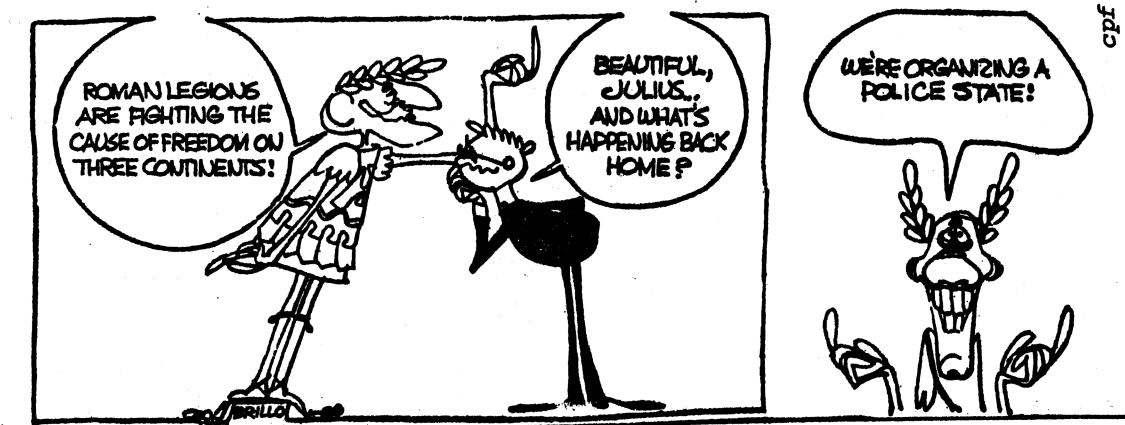
In 1931, the National Commission on Law Observance and Enforcement (Wickersham Commission), Vol. 13, Police, urged professionalization, science and technology, an end to 'community' interference, and use of public relations techniques to gain w.c. acceptance of police; and it attacked corruption. In all, a resurgence of the Progressive themes.

For the New Deal to succeed, the w.c., or a part of it, had to be brought into society as 'respectable,' and thus be treated differently by police, and in turn would have to accept the police as for them.

While these reforms were the main aspect, reformism requires (being a recomposition), both inclusion and exclusion. In 1936, Roosevelt ordered the FBI to collect information on "subversives." In 1938, the House Un-American Activities Committee (HUAC) formed as a special investigating committee, leading to the 1938 Foreign Agents Registration Act, still law and recently resurrected by Reagan. Police still were used to break strikes and attack communities as needed. During WWII, especially in 1943, "Zoot Suit" riots erupted between Black and Mexican youths and White servicemen and expanded into race riots across the U.S. Social commentators decried the rise of "juvenile delinquency" among young men and women while daddy was away and mommy in the war plant. And during the war, the Supreme Court (S.C.) made it law that a groups could be imprisoned on the basis of ethnicity, this time the Japanese.

In the post-War period, capital launched another wave of repression to reestablish social order and re-set the balance between w.c. and capital. In 1945, HUAC was made a permanent committee. Massive strikes were met by red-baiting, Taft-Hartley, Smith Act, 1950 Emergency Detention Act, McCarren Act on immigration (reduced non-white entrance, gave visa powers to the President, again recently used by Reagan). "Corrected" unions were accepted as "junior partners" in capital. The state circulated capital to construct the suburbs, geographically dividing class sectors, and higher education, sharpening the job and wage hierarchy. Daddy was on the job, Mommy in the home and the kids in school--all was well in the capitalist universe--almost.

Capital's revised deal, culminating nearly a century of struggles, cycles, experiments and planning, created a class composed of a hierarchy of sectors, each of which could be, had to be, treated differently by the police.



III. The 1950's to 1964

In the 1950's, with relative union peace, the policing problem had two main points: at the community level, controlling "irregular" sectors of the class, and at the political level, mopping up the left.

Progressive virtues became massified: professionalization, increased use of technology such as the radio car and centralized FBI files. TV spread 'good cop' ideology. In the suburbs, 'we' were protected by Highway Patrol ("10-4") from random dangers; in the "Naked City", however, it was an uphill battle against crime, often doomed from the start ("Car 54, Where Are You?").

In apparent social peace, elements of the anti-red campaign were reduced. The S.C. curtailed the Smith, McCarren and Detention Acts, and issued criminal rights and civil rights rulings to regularize and modify black/white and police/'criminal' relations. However, this was also a period of police preparation and planning for the future.

1956: FBI initiates COINTELPRO-CPUSA (COunterINTELIGENCEPROgram) because previous laws had not smashed the CP and the S.C. was easing up on political repression laws.

IV. 1965 to Mid-70's

This period begins with the 1965 Watts uprising, the first of a series of major Black rebellions in Northern cities. This community uprising caught the police by surprise and unprepared. The police had both to repress such risings and reorganize "police community relations." The Black revolt produced many organizations which the political police sought to smash. By the late 1960's, other non-white peoples and a political-cultural movement of sectors of White youth also demanded attention from police at the community and political-police levels. Police responses included both militarization and community-relations actions at the community level, and massive illegality at the political-police level. These actions helped smash many organizations. A counter-offensive against the illegality resulted in exposures and legislation "controlling" the illegal activities, including Civilian Review Boards to curtail local police repression and illegality. These Boards were often boycotted by police and later eliminated. Consider these selected moments, largely from the political-police struggle:

1966: National Highway Safety Act helps fund police hardware, including helicopters.

U.S. Congress' National Commission on Reform of the Federal Criminal Laws (Brown Commission) created to "improve the federal system of criminal justice."

Formation of Law Enforcement Intelligence Unit (LEIU), a private network of police intelligence units, outside the FBI, who own their own data and are "beyond the reach of public accountability."

1961: COINTELPRO-SWP, as it supported Cuba.

1962: In preparation for militarization of police, FBI swaps information on civilians from its files with the military for riot control training; continues to 1973 before detected; military got 100,000 files, FBI had 1800 agents trained.

1964: COINTELPRO-White Hate Groups, in response to Civil Rights and assassinations of activists; against, said Hoover, a "relative few individuals in each organization who use strong-arm tactics," unlike left groups, where the problem is the whole organization. (a)

By the 1960's, the emerging crisis for the police was what to do about Blacks, and later other social movements. Illegal intelligence and disruption actions, militarization of police, use of right-wing groups, etc., was the 'hard' side. On the 'soft' side were community patrols, re-organizing the police, and attempting to respond to Blacks as police had to legal unions in the 1950's.

From 1966 to 1970, military intelligence was activated around domestic activities over 20 times (e.g., Pentagon actions, October, 1967.) Exposed, 1970.

1967: Rebellions in Newark, Detroit, etc.

LAPD creates first SWAT team, modeled on Vietnam operations, trained by marines, staffed by ex-Nam vets.

COINTELPRO-Black Extremist: "to expose, disrupt, misdirect, discredit and otherwise neutralize black nationalist groups."

NCIC (National Crime Information Center), links federal, state and local police with national computers to centralize information.

President's Crime Commission, "Task Force on Police" report calls for: more science and technology; use of military model (Vietnam's "electronic battlefield") for technical and command structures; more 'soft' approaches and extension of 'new deal' to urban Blacks/poor; blamed hard approaches (police actions) for exacerbating urban riots.

LBJ orders Army and National Guard officers to receive training in "a standardized approach to handling civil disturbances." Expanded in 1969 to include all military branches plus civilians--police, private and campus security, etc.; thousands were trained.

1968: COINTELPRO-New Left: to "neutralize and disrupt."

Omnibus Crime Control and Safe Streets Act: creates LEAA.

"Report of the Advisory Commission on Civil Disorders" (Kerner Commission) calls for 'progressive' and 'new deal' style reforms to integrate Blacks into 'society' and, as part of that, calls for police reforms, both hard and soft approaches, technology, training, planning, community patrols, public relations, etc. (But see our Space Notes for discussion of other Commission proposals, such as "Spatial Deconcentration.")

1969: Government sets up combined military-police-civilian Command Post Exercises to enable coordinated responses to civil disturbances, via Interdepartmental Plan between 'Justice' and 'Defense.'

Marches and riots against Vietnam War expand.

1970: "Cambodia Spring", military involved with FBI in counter-planning, students killed on several campuses.

Police Foundation started with \$30m grant from Ford Foundation to push police reform, including 'team policing', neighborhood watch.

1970's: Nixon regime develops use of Grand Juries to attack activists.

1971: March 8, Citizens Committee to Investigate the FBI "liberates" hundreds of political documents from FBI offices in Media, PA, exposing the existence and practices of COINTELPRO, etc.

April 20, Hoover terminates COINTELPRO.

LEAA proposes to set up national standards and goals for police, and encourages community-police cooperation.

Congress repeals 1950 Emergency Detention Act.

Brown Commission (see 1966) issues report, Nixon decides too liberal, orders Mitchell to revise U.S. code, Mitchell appoints Rehnquist (now most reactionary S.C. Justice) to task.

MAYDAY in D.C.: use of RFK stadium to hold thousands of detainees, later declared illegal. (Model for Pinochet in Chile in 1973?)

1973: National Advisory Commission on Criminal Justice Standards and Goals, volume on

"Police", more collective wisdom of reformist capital.

Original "S-1" bill introduced into Senate by right wing of Brown Comm. Mitchell-Rehnquist bill introduced as S-1400.

Wounded Knee Occupation; implements military-police coordination in a 'test run'; 87th Airborne and 4th Infantry on alert.

1974: "Watergate" reveals illegal police actions, including CIA domestic operations.

FBI boss Kelley says FBI would use programs akin to COINTELPRO "under emergency situations."

Ford orders consolidation of previous S-1 and S-1400 bills.

1975: HUAC abolished.

Church Committee investigates CIA, discloses some illegal domestic activities, covers up others (e.g., infiltration and sabotage of the 'underground press') and minimizes the extent. Report and recommendations released in 1976.

S-1 introduced, called "Nixon's revenge."

1976: Presidential restrictions placed on CIA and other agencies, "Domestic Security Guidelines" issued.

By the mid-70's, the movements were largely defeated and capital's offensive in full swing through planned austerity, etc. (See other issues.) While gains had been made in exposing and controlling the police, one other result of the defeat of the cycle of struggles is that the police operate on a substantially more sophisticated level technologically in the 1980's than they did in the 1960's, have been far more militarized and presumably may be a more effective repressive force.

But by no means have the police's problems gone away, particularly the question of how to deal with hostile communities. Thus, from the late 70's to the mid-80's, the problems faced by the police were how to re-establish their covert capacities to disrupt movements and how to reorganize the basic police presence to minimize antagonism while maintaining repression and social discipline.

V. Late 70's to Present

The recomposition of class relations of accumulation has police components to complement austerity, the "opportunity society," the new model family, etc. These measures have included reconstructing criminal law ("Sons of S-1"), re-establishing the powers of the political police, and re-organizing local police. The expansion of the political police has involved S-1 and a series of executive Orders (EO) by Reagan:

1981: E.O. 12333 says CIA can work with FBI, sets 'guidelines.'

1982: E.O. 12356 allows re-classification of previously declassified documents and enables restriction of documents available under

Freedom of Information Act (FOI).

1983: E.O. of March 21 re-writes "Domestic Security Guidelines" to allow FBI greater freedom to operate; expands use of RICO (anti-organized crime) law against left organizations for being "criminal conspiracy."

E.O. of March 11 imposes stronger censorship on federal employees to prevent "leaks."

The Supreme Court has, among other things, weakened Miranda (suspect's rights) and the exclusionary law, declared the CIA can keep secret even unclassified files, and has said students property in school can be searched without a warrant.

The police function has been formally ex-

panded via forms such as the "neighborhood watch"--but only where closely controlled by the police. In Atlanta, autonomous community patrols to protect Black children were smashed by police, as previous similar efforts in other cities had been.

Killing non-Whites by police and by civilians (Goetz) mounts as the number of legal executions rises. In Philadelphia, members of MOVE are murdered and the police bomb a Black neighborhood in perhaps the extreme edge of experiments in urban guerilla warfare. A revived prohibitionism via a crusade to raise the legal drinking age and 'crack down on drunk drivers' has swept the land while Jesse Jackson demands youth pledge to "stay

straight." In 1984, the prison population set a record size of 464,000 in state and federal prisons, tens of thousands more in local and country jails, as 'tougher sentencing' laws are passed.

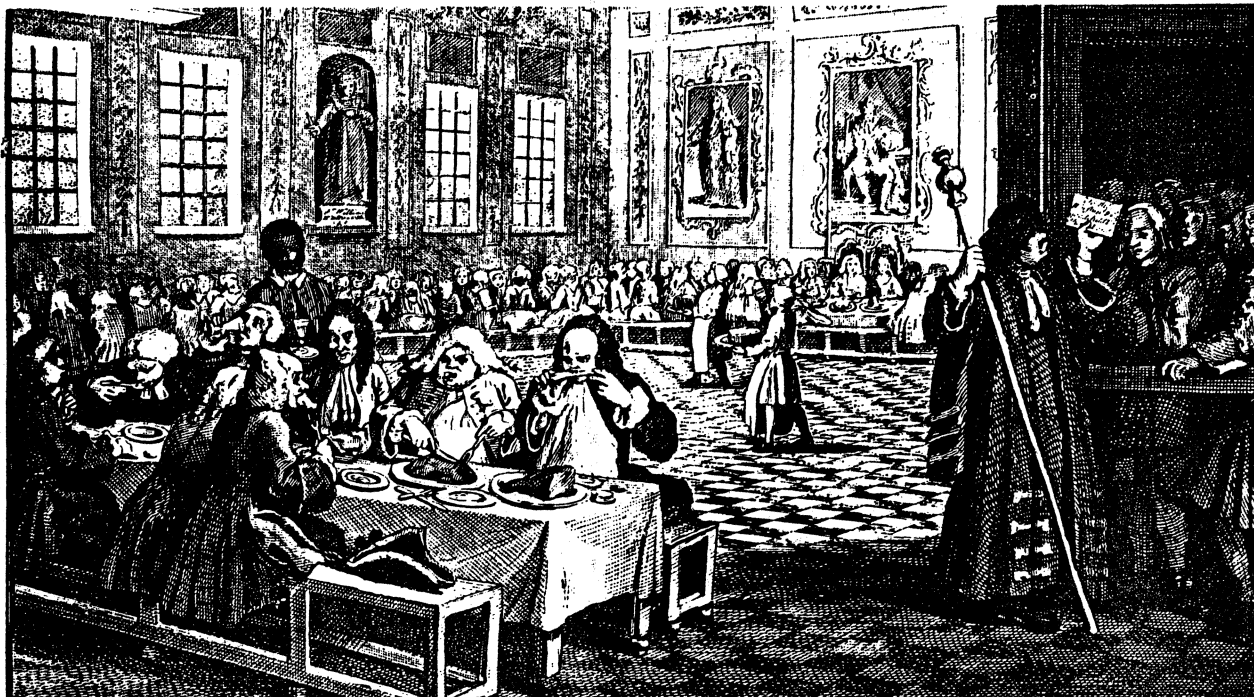
However, the police issue remains contested. In the past year, acts of police brutality and torture have been exposed and attacked with increased frequency, suits against police have been won, Cambridge, Mass. installed a Civilian Review Board after a community push, and a reform movement again seems to be sweeping the police in response to Black and other community struggles and as the police attempt to develop a model useful in preventing further "community disorders."

VI. Cycles of Policing

Crude, brief and impressionistic as our outline may be, a number of points are revealed by the study. First, reformism and repression have an interconnected relation to cycles of class struggle that is not merely repetitive. Thus: mass movements of the late 1800's were met mostly by repression; the "progressive era" saw a combination of repression (main theme) with experiments in reform that gave way in the WWI and post-War period to first hard repression then consolidation of tools of repression. But in the 1930's, the main focus shifted to reform with repression as a back-up to help 'persuade' the w.c. of the merits of reform. On the backs of new deal reformism and the roll-back of w.c. gains in the post-war period (accent on repression), modern 'professional' policing comes into its own. The turmoil of the 60's re-emphasizes the need for political repression and for a more militarized police, but also for better community-police relations. Here,

unlike the 30's, repression seems to dominate. Why?

For a time, the level of division in the w.c. in the 30's was greatly lowered, presenting capital, in crisis, with a more threatening w.c. Drawing on the wisdom of the experiments of the progressive era, capital saw a possibility to incorporate large sectors of the industrial working class into a new deal in which benefits for sectors of the w.c. would be substantial. The story of the 30's and the post-war period is how capital and the w.c. 'negotiated' that deal and which sectors of the w.c. would be included and which left out. The deal required, as all such deals do, that some of the class acquiesce in the exclusion of the rest, who often were conveniently non-White. Thus a changed, more ambiguous relation emerged between the now-property-possessing working class and the police, whose community repression function became, outside of occasional labor conflict, far more directed



Wm. Hogarth, "The Industrious 'Prentice grown rich & Sheriff of London"

toward the "irregular" sectors of the class and, often, the youth of the w.c. as a whole. What not to repress, such as wife and child abuse in all class sectors, complemented what to repress.

In the 1960's, reform took the shape of Johnson's Great Society, which promised that the whole w.c. would attain the status of 'respectable' with a 'good' wage. But this required that Blacks and other sectors would not get too out of hand, and neither would the people of the third world whose 'deal' would be to act as the 'irregular' sectors of the U.S. working class, either via immigration or the export of capital. Unlike the 30's and 40's, where capital successfully utilized war to overcome crisis and plan for global expansion, the U.S. in the 60's could not use the Vietnam war to build social unity. Rather, the war in the streets of the U.S. combined with the war in Asia to push capital into a deep crisis of accumulation.

While the late 1940's saw victorious U.S. capital use its victory to ensure Pax Americana at home and abroad, the mid-1970's saw U.S. capital imposing austerity to push the crisis deeper, divide the class anew, and reassert accumulation. No new deal, but stronger repression.

In such circumstances, the police relation to the Black community could not change to a new deal relationship, but had to remain at a more coercive level because the Blacks were to be denied access to the wealth they had fought for in the 50's-60's. What began as carrot-stick shifted to a heavier stick with less carrot. The two cycles of struggle have different results and the police role has therefore remained different.

Second, we have seen continuous themes in the development of policing: professionalization, centralization, technology. Conflict is the occasion for qualitative leaps in each aspect in order to meet the challenge; however, between waves of struggle, the police experiment with new technologies, organizational forms, etc., and sectors of capital debate the best modes of policing, the balance of 'hard' and 'soft'. Each new cycle builds on the last. But after a given height of struggle, the pace must slow. Capital's planners may be aware that a new upsurge in struggle can be expected at some future point, but they are unable to predict where and how it will erupt. In these 'slow' stages of the cycles they do not dramatically impose changes on policing, as they do not know the problems they will have to face in more than a very general way, not specific enough to justify massive experimental expenditures, reorganization, etc. (1) These are periods of local experiments, consolidation, slow development of technology, reforms of a mild nature, etc.

Third, we can observe that the type of poli-

cing in the community shifts with changes in class composition and struggle. The first cycle in this history saw basic repression of an undifferentiated and unaccommodating working class as the model. Progressivism asks if a new model might be both possible and necessary, but only a few experiments develop, of all sorts-- technological, organizational. Capital had not solved the problem of dividing the class in a manner which would allow unionization. Gompers was trying to show them how, but at the wrong level for a 'mass worker' society, and so appeared only as reactionary, protecting his craft workers.

It took the crisis of the 30's to alter policing, and even then it did not settle into a basic model until the 1950's. At this point, the police developed a differentiated model based on the divisions in the class and, in a sense, reminiscent of the slave patrols: The 'good' (White) workers are presumed to be a part of society and thus to be protected. The 'bad' (largely non-White) workers are on the one side to be treated as enemy and contained, and on the other side partially allowed to do as they chose among themselves. Different from slavery, now it did not matter if one Black killed another.

Fourth, our outline has suggested that class control, not crime control, is the central aspect of policing. The differentiation of police action toward various class sectors reproduces and strengthens divisions in the

LEAA

LEAA was created to lead and coordinate a "war on crime" focusing on two realms, knowledge and force. From 1969 to 1975, it channeled over \$1 billion to police (39% of its funds expended), "corrections" (13%), courts (13%), and other aspects of crime control. Much of the money was spent on military hardware--guns, chemicals, cruisers, helicopters, planes, even tanks. \$320m were spent on "communications, information, and intelligence systems." Most of the money was channeled through State Commissions dominated by police.

LEAA pushed the "military" model of policing right down to enabling military suppliers such as Sylvania, Rockwell, Hughes and MITRE to develop a huge new market. To develop centralized command systems, they funded computers, \$90m for 100 systems, including the private LEIU (see 1956). Later in the 70's, LEAA also funded community groups of various sorts under the rubric of community control of crime. They pushed "team policing", which replaces (sometimes) the old "mass" structure the way "team" auto production replaces the assembly line (sometimes). LEAA died as Carter pushed the austerity program. (1)

"I'VE LIVED HERE
IN THIS CITY
FOR OVER 40
YEARS!... AND
NEVER ONCE
HAVE I BEEN
BRUTALIZED
BY THE
POLICE!!"



R. COBB

w.c. Toward the 'irregular' sectors, the combination of repression and neglect acts politically to attack community power. For example, the 'failure' to block heroin epidemics effectively ensures the death or incapacitation of many potentially 'troublesome' Black youths. Facing both neglect and repression, the community response is ambiguous.

Fifth, since the cycles of policing have a complex relationship to other cycles of struggle, we cannot determine a simple conservative/liberal differentiation in how capital responds to struggles via policing. Liberals are every bit as capable as conservatives in pushing strong repression. Humphrey outflanked Nixon on the right in pushing the 1950 Detention Act after Nixon had 'merely' sought to register all Communists. Kennedy has joined with Thurmond to push highly repressive changes in criminal law in "Son of S-1". On the other hand, it is the liberals who push the 'soft' side of social reformism, acting as capital's barometers, gauging the complex interactions of the shape of struggle with the flexibility (income in particular) of capital to determine the mix of repression and reform needed by capital to curtail struggle and engineer a social mix conducive to the continuation of accumulation (Kennedy again, this time in South Africa. Interestingly, exiled S. African poet Dennis Brutus referred to the preventive detention aspects of Kennedy's "Crime" bill as "identical" to those in force in South Africa.)

Sixth, this discussion of policing has focused on cycles of union strikes and community riots as indicators of struggle to which the police must respond. Implicitly, the prototypical subject of direct policing is male--men are the ones mostly arrested and impriso-

ned. The policing of women has been more thoroughly a family affair, buttressed less in the 20th century by police than by psychiatry.

However, as women's struggles have changed the shape of the family and social reproduction, their struggles have interacted with the daily content of police work. The police have had to play a stronger role in controlling youth and providing 'discipline', to the point of patrolling school halls, closing parks at night, etc.

But to adequately perform a 'parenting' task, police cannot be an alien presence--yet they are. Thus, the cycles of women's struggles have combined with others to lead to the police's own reformism, the 'soft' line which demands a re-integration of the police into the community, contrary to progressivism which sought to separate police from community. As Watts revealed, the police need 'intelligence' not only on organizations, but on whole communities. Re-integrating the police into the community can enhance the quality of police information, provided the police can also act with 'respect', can be other than a repressive, occupying army. Yet this push is counter to increased centralization, militarization and the other requisites of repression, itself the primary requisite. In the Reagan era, as the 'social' part of the state is dismantled, only the military remains, 'justice' and police. Even the cities'

COINTELPRO

COINTELPRO was a specific set of programs, but also an organizational approach to gathering information and disrupting left organizations. The five programs from 1956 to 1971 recorded a total of 2370 operations. The programs were based on local initiative by FBI offices, cleared and coordinated by the center. (Thus, perhaps, the massive paperwork available on their activities.) FBI disruptions led to murders, political splits, and the destruction of many organizations. The particular organizational structures of COINTELPRO were disbanded by the FBI after their exposure (see 1971).

Among the lessons learned by a study of COINTELPRO: The FBI presumably has learned how to decentralize operations or at least minimize paperwork. The FBI regularly worked with right wing organizations to undertake illegal actions, and probably still do so. Most importantly, much of the Law is what the police do, and in the 60's the Law was illegal. It took illegal actions by the left to expose the criminality of the FBI, CIA, etc. We have no reason to believe the illegality has ceased despite the many revelations, commissions and on-paper restrictions.

mayors are worried as to "whether you can have a permanent substantial underclass in this country without suppressing them, and if you suppress them, can you still preserve freedom for the rest of society?" (Since no one cares of the freedom of the underclass...) (Globe)

In the lull before the next storm, as capital feverishly moves to ensure a class composition the divisions in which cannot be overcome by struggle in the next cycle, and thus reassert domestic accumulation and provide the military space for global accumulation, refinements in policing must be tested at the varying levels

Sons of S-1

The descendant of S-1, "Nixon's revenge," finally passed in large part in 1984 and is now law, largely due to the efforts of Sen. Kennedy and the absence of real opposition from liberals. Among the provisions which are now law:

--"Solicitation" of a crime can include "endeavor to persuade" even a threatened use of force against property (e.g., a fence); thus, speaking can itself be a crime with a punishment of 6 years in prison.

--The state can now appeal a sentence it deems "too lenient."

--Preventive detention (as in S. Africa) is now legal (i.e., no release on bail if one is deemed "dangerous"). This law allows the detention on the basis of hearsay (second-hand) evidence without the defendant's having the right to confront his or her accusers.

--Parole has largely been abolished, sentences lengthened, etc.; the Library of Congress says that in 3 years the federal prison population will increase 52-92% as a result.

Among the provisions not passed in 1984 but reintroduced in 1985 are (with Senate #):

--The exclusionary rule would be weakened to allow illegally seized evidence to be used in trial. (S-237)

--Limits the right of Habeas Corpus; this right is a defense against illegal imprisonment. (S-238)

--Re-establishes the federal death penalty. (S-239)

We recommend that readers obtain a copy of the Bill of Rights of the U.S. Constitution (Amendments I-X) to see how these laws contrast. Recall that the Bill of Rights was added to the Constitution after mass struggle and before many states would allow the implementation of the Constitution (itself a victory of capital.)

For more on Son of S-1, contact NCARL, address below.

of Officer Friendly, aerial bombardment, more Black and Latino and women police, right wing 'private' police, rape prevention squads and civil rights protection, informants, more private security police (one of the U.S.' fastest growing 'industries'), and more.

The primary contradiction is between working class sectors seeking a better deal from capital and a capital which has engineered a sharper hierarchy in the class since the early 70's which has meant the increased exclusion of those class sectors, and a reduction in many others' deals. In terms of policing, the police must accommodate the needs of protection and repression simultaneously.

The most critical problem is control over the w.c.'s daily activities, for which there is no technological solution. It may in part demand changing social behaviors. For example, the urban poor meet in the social space of the sidewalk and street. Throughout the cities, sidewalks are being narrowed. Where many people are randomly moving on foot, many police are needed--or next to none (leave them to their own devices...) Policing, in other words, is not only the cops and related organizations, it is the fight over social space and time, who can move how and where, what discipline can be inculcated into people at what price. Only then do we encounter the backups, the organizations, the debates over hard and soft, and the shifting structures and procedures of the police in response to class struggles.

Notes

1. In the state's problematic of how to anticipate the unknown, we can find an explanation for the demise of LEAA. First, LEAA had done its job by funding the militarization of the police. But as the movements waned, LEAA funds were expended in the same old ways, opening LEAA to charges of being merely wasteful, particularly since by conventional measures crime seemed to be increasing, not decreasing. Moreover, LEAA was included in the critique of over-centralization and militarization of police, and by extension implicated in the police' abuses. In a period of austerity, when supposedly 'everybody' faced cuts, and subject to criticisms of many types, LEAA could easily be abandoned because it no longer had a necessary or useful purpose. It could only spend large sums on no-longer-needed hardware or on experiments that could be done locally more cheaply both in terms of money and politics (what would have happened if the feds bombed Philadelphia?)

a) Unless noted elsewhere, all quotes are from The Iron Fist and the Velvet Glove, Center for Research on Criminal Justice, Berkeley, CA 94704 (2nd Ed.)

Other directly used sources were:

--Counterspy, Vol 2 #4, "Gardenplot and SWAT: US Police as New Action Army", and Vol.3 #1, "COINTELPRO", and Vol.8 #4, "And Lifetime Censorship for All". Ben Franklin Stn.,

--Angus MacKenzie, "Sabotaging the Dissident Press", \$1.95, Center for Investigative Reporting, 54 Mint St., 4th Floor, San Francisco, CA 94103. Washington, D.C. 20044, \$10/yr.

--The Boston Globe, 7/13/85:15

--National Committee Against Repressive Legislation (NCARL), 1250 Wilshire Blvd., #501, Los Angeles, CA 90017. \$15/yr.

Other journals of use are Radical Criminology, Covert Action, as well as lots of U.S. Government materials. For a fuller bibliography, see Iron Fist.