

Changing the world without getting shot: how popular power can set limits to state violence

Laurence Cox, National University of Ireland Maynooth

“who holds that if way to the Better there be, it exacts a full look at the Worst” – Thomas Hardy

Reference: “Changing the world without getting shot: how popular power can set limits to state violence” in Austrian Study Centre for Peace and Conflict Resolution (eds.), *State of peace conference. Peace report 2013*. Vienna / Berlin: LIT-Verlag (forthcoming 2014).

Draft only: please do not circulate!

Abstract

Under what circumstances are states able to *successfully* use violence, particularly lethal force, against social movements? Put another way, to what extent can contemporary European movements hope to achieve goals such as reversing austerity measures, ending neoliberalism or constructing a more real democracy without facing tanks and torture chambers?

This paper explores the question of state legitimacy and the internal use of violence from a historical and theoretical rather than normative standpoint, distinguishing between the *rhetoric* of violence / non-violence and actual deaths. It starts from the *relative* decline in the use of lethal force by states against internal opposition which characterises some parts of Europe since the 1950s by comparison with earlier decades. It does this not in order to write an irenic narrative or to minimise the continuing reality of state violence on many levels, but rather to ask what *prevents* states from killing when entrenched interests face serious challenges to the status quo – from an activist perspective in which our ability to challenge the structures of power without being shot or tortured is an immediate, practical concern and not something that can be taken for granted.

While social actors whose fundamental interests are threatened are regularly willing to kill in order to prevent social change, their ability *successfully* to deploy lethal violence is another matter and depends on the willingness of other actors to support them. The successful use of violence is not simply a matter of coercion but involves the successful construction of consent for its use among a hegemonic alliance. Social movements do not hold most of the cards in this respect, but the process of restricting the state’s ability to kill goes hand in hand with movements’ other concerns of constructing counter-hegemonic alliances for social change. This is important not only to contemporary movements but to all political actors who value the possibility of engaging in democratic struggles – most particularly in contexts where constraints on state violence are weaker. The paper draws on historical and contemporary examples and a range of European countries to situate its analysis.

Changing the world without getting shot: how popular power can set limits to state violence¹

This paper sketches out a series of concerns about the *ultima ratio regum* – the final argument of rulers – the use of lethal force against popular movements, in the European context. These issues go to the heart of debates about social change, what is possible and how. The paper offers three key propositions:

- 1) There has been a dramatic decline in levels of lethal violence against protestors in Europe as a whole over the last half-century or so. This cannot be taken for granted but needs to be understood if it is to be sustained – something which social movements have a very strong interest in doing.
- 2) States are regularly willing to kill; if they refrain from doing so when faced with a threat to the ruling order, one of the key reasons is the levels of consent which they require in order to exercise (particularly lethal) coercion without jeopardising their own power. Consent to lethal coercion is increasingly difficult to obtain, perhaps particularly so for neoliberalism.
- 3) Along with other factors, one important part of the explanation for this is the slow growth in popular political capacity over the past quarter-millennium in Europe: a gentleman's agreement between elites is no longer sufficient to gain consent for any regime, and the breadth of consent needed for the use of lethal force against popular movements is so large as to pose an effective barrier to most attempts to shoot protestors off the streets.

While the argument is posed in the form of an explanatory analysis, this is obviously a matter of immediate practical concern for protestors who aim to radically transform the social order. Although the factors identified are not ones over which movements often have a great deal of control, the goal of social transformation entails constructing a ('counter-hegemonic') alliance and by the same token disaggregating the currently hegemonic alliance needed to successfully deploy lethal violence.

The paper is in the form of an introductory sketch of the problem; I am conscious of the scale of research which would be needed to fully explore these issues, which I hope to be able to take further in the future. I am also conscious of, and make some use of, the existing literature on the contemporary policing of protest in Europe as well as on social movements and revolutions more generally. I may be looking in the wrong place, but it seems to me that the situation discussed in this paper is taken for granted in much of the literature rather than problematised. This is perhaps a sign of healthy developments, for reasons discussed below, but I do want to argue that activists and researchers should not lose sight of these issues entirely: they have a habit of returning when we least expect or want them to.

¹ Thanks to the participants at the 2013 State of Peace conference for their comments and feedback on an earlier version of this paper.

Introduction: thinking about state violence. Piazza Alimondo, Genoa, 2001

On 20 July 2001, anti-capitalist protestor Carlo Giuliani was shot by a carabinieri during the G8 summit in Genoa and then run over twice, killing him. This and three police shootings of protestors (one near-fatal) in Gothenburg during the EU summit in June sent a shockwave around social movements in Europe².

The shockwave, however, was experienced differently in different countries. Following extensive police violence at the Naples summit protest in March, I had warned a meeting planning an Irish trip to the Genoa protests of the need to undertake serious training (and been roundly ignored by the trip's gung-ho Trotskyist organisers). In the event, Irish participants were shocked at the level of police violence, not only the Giuliani killing but the wholesale assault on sleeping protestors at the Diaz school and the assaults on prisoners at the Bolzaneto detention centre³. Irish Indymedia participants subsequently produced a film, *Berlusconi's Mousetrap*, which combined citations from Debord's *Society of the Spectacle* with film from Genoa to propose that protestors were innocent pawns in Berlusconi's game (Cox and Gillan 2014). Matters were not quite that simple: many Italian participants had learned to expect a high degree of police violence, and it is far from clear that Berlusconi 'won' at Genoa: more people protested at the policing subsequently than took part in the Genoa protests (themselves over 250,000), while a series of high-profile trials saw many members of the security forces charged and in some cases convicted (though naturally without practical consequences) for their actions at Genoa.

Thus far the comparative difference between anti-capitalist protest in Ireland and Italy. There was also a generational difference, though: many younger Italian participants were surprised as well as shocked at the events, despite the fact that the *anni di piombo*, the years of conflict between the late 1960s and the early 1980s in which perhaps 2,000 people were killed in a three-way conflict between state forces, left-wing urban guerrillas and fascists, were relatively recent in Italian history⁴. In Italy too, state killings and torture of movement participants have become a thing of the past in recent years.

I want to underline that I am not in any way condoning sublethal police violence, which I have spent part of the last ten years attempting to counteract and constrain in Ireland. Nor am I seeking to minimise the extent to which protest policing has moved from a negotiated to an aggressive posture, with the use of increasingly tooled-up riot police since the turn of the millennium. However, as someone who grew up in the 1970s, conscious of death squads and torture chambers in Latin America and a low-intensity war in Northern Ireland, I find it important, politically and morally, to insist on the difference between then and now – or, further back in history, on the differences

² I should note the particularities of recent Greek protests, whose death toll includes three accidental deaths by fire in 2010, one death by heart attack during clashes between protestors in 2011, and the shooting of a 15-year-old student by police in 2008, not in a protest context but one which sparked off massive riots. In the UK we should note the killing of Ian Tomlinson following a police baton attack during the 2009 G20 protests in London, and five deaths (none at the hands of police) during the 2011 riots.

³ This was not least because at this point most protests in Ireland (other than working-class and republican ones) were handled with minimal policing and in a very ritualised and 'negotiated' manner. Indeed when anarchists and others began to use non-violent direct action against US planes in Ireland, Trotskyists accused them of violence – in other words of breaking the law and breaching the implicit contract by which the state handled protests. Later that same year, Trotskyists adopted similar tactics in relation to student fees: 'violence' is a moveable feast, often simply meaning "illegitimate".

⁴ They were not exceptional in this respect: 109 demonstrators were killed between 1947 and 1954 (della Porta et al. 2006: 15).

between the brutality of the Soviet space in the Brezhnevite period and the mass slaughter of the Stalinist one.

To effectively constrain and challenge state violence, it is important to understand its rise and fall, and in particular *the conditions under which states can successfully deploy violence against social movements* – something which, I propose, also offers dividends for the study of nonlethal state violence (Cox 2014). In this paper I am stepping back from my more routine concern with states' use of sublethal violence in protest settings to explore the use of lethal force and torture. It is precisely because I am conscious of the possibility – familiar from European history, extra-European contexts and events like Genoa – of states resorting to killings and torture chambers against our movements that I am concerned to understand why they have largely ceased to do so in Europe, and to see what else of strategic and tactical value might be learned from the broader historical shift which has taken place within many of our lifetimes.

Avoiding misunderstandings

I am therefore interested here in a realist rather than normative explanation, and this introduction is intended to clear some potential normative misunderstandings out of the way. Like many other movement participants, I am personally committed to social transformation on a scale which would fundamentally threaten European elites. Rather than assuming that they are willing to hand over power peacefully in response to a hypothetical electoral victory, I hold (in keeping with all historical experience) that whatever the outcome of elections or other formal mechanisms, it will be the actual balance of power in society (whether 'on the streets', in workplaces or otherwise) that determines the outcome of revolutionary moments (Barker 2008). Because of this and the threat implied by the sort of change I and many movement participants are interested in, I see it as by no means to be excluded that elites may resort to lethal force if they feel they can do so successfully.

Thinking about this area is fraught with the potential for misunderstandings. I recall a conversation between an Italian who had been an activist during the *anni di piombo* and a young Englishman who was studying Italian social centres. The Englishman repeatedly struggled to grasp the fact that the Italian movements of the 1970s had not engaged in lengthy discussions about violence as against non-violence, of the kind he was used to from England in the 2000s. This particular misunderstanding had three dimensions which are worth noting.

One is about the degree of state legitimacy; the UK in the 2000s had far more popular legitimacy than the Italian state in the 1970s, when fascism and Resistance were very live memories, and fascists were far from gone from the Italian political stage. The second is about the extent to which violence comes from movements rather than from the state (which of course under virtually all circumstances finds it far easier to exercise systematic violence, having large bodies of trained people who have been socialised into finding it acceptable). The third is an assumption that many movements are *ideologically* in favour of violence. Of course there are some cases where they are – Irish republicanism often combines a nationalist martyr cult with a Blanquist conspiratorialism which makes violent action symbolically central – but the vast majority of present-day movements do not fall into this category. Indeed most present-day revolutionary organisations and activists in Europe (and I would count myself among the latter for these purposes) do not assume that *armed insurrection* is the normal form of a social revolution. Those traditions which do make this assumption are small, and largely in retreat.

Indeed much of the discussion of violence and non-violence in European anti-capitalist movements in the 2000s was over-inflated in its self-estimation. Groups which had no intention whatsoever of engaging in *lethal* violence nevertheless raised rhetorical assent to a violent self-image to a defining group characteristic. (I am not here criticising those groups who asked how they could most

effectively protect themselves against what was and remains entirely predictable state violence.) Conversely, groups who completely lacked the rigorous self-discipline required for genuine non-violent direct action (again, I am not here criticising groups with a real and practical commitment to NVDA) used their self-image as peaceful to demonise other protestors – something which often enabled police violence. Such violence often proved to be indiscriminate, or even more effectively directed against those who assumed that their self-image would protect them than against those who had some notion of what to expect from the state⁵.

So we need to try, as far as we can, to distinguish ideology (or stylistic poses) and practical reality when discussing violence and social movements. Empirically, the main problem with violence and social movements (and *a fortiori* lethal violence) has to do with the behaviour of states, for the simple reason that it is states which are on the defensive in such contexts, but also because it is states which dispose of large-scale bodies dedicated to the deployment of violence on command. If we are serious about wanting non-violent (or even non-lethal) struggles for power, we need to take a hard look at what can happen and why it does not always do so. In these terms, the question of *movement* violence / nonviolence is usually a distraction, intentionally or otherwise. States' decisions are sometimes justified by movement actions but are rarely explained by them.

A separate issue, but one related to these ideological confusions, is the extent to which many of us have had personal experience of violence and trauma which conditions our thought and behaviour in often unacknowledged ways. This can obviously have a range of effects, whether a paranoid over-inflation of the state's malignancy, intentionality, omniscience and omnipotence and hence a tunnel-vision focus on the wargaming or atrocity story aspects of movement struggles⁶ - or a self-righteous elevation of non-violence to a marker of personal or group purity and superiority, a belief that by not thinking about violence one is emulating a mythicised Gandhi or King⁷, and an implicit trust in the state. A politically and morally serious reflection on violence, whatever conclusions one draws – and it is possible for deeply ethical and intelligent individuals and groups to draw very different conclusions in this respect – is *not* the projection of our own internalised trauma. Such experiences are personally tragic but they need to be dealt with on their own terms and cannot be resolved in what inevitably becomes a symbolic engagement with the world.

Hence the rest of my paper does not engage with (in themselves perfectly legitimate) discussions around the normativity of violence, ideological assumptions around the *a priori* legitimacy of state violence, or moralising overestimations of movements' capacity to choose, as it is sometimes put, between violence and non-violence⁸. It focuses on violence as a real but socially-constructed and

⁵ In the case of the 2004 EU summit protest in Dublin, which I helped organise, there was a conscious decision on the part of the organising group not to distance ourselves from other participating groups (in practice, the UK Wombles, modelled on the Italian *tute bianche*, and the distinctly non-threatening Irish version of the 'black bloc'), and in public discussions to highlight the empirically far more real question of police violence, by then common at protests and repeatedly threatened in advance. In the event, we managed not only to prevent serious police violence (there were only 25 arrests and a small number of minor injuries) but also to deflect an apparent paramilitary offer to get involved. Those who treat property damage as violence might have been relieved to know that not a single window was broken (ní Dhorchaigh and Cox 2011).

⁶ I leave aside those contexts, currently happily very marginal in European social movements, where a movement's 'military wing' has taken direction of affairs from the 'political wing', and these issues become determining of movement behaviour.

⁷ Gandhi was prepared to threaten hunger strike – and therefore pogroms in the event of his death – to refuse recognition to *dalits*, ex-'Untouchables', in their claim for separate representation; King's leadership was far more contested at the time than it has become in self-congratulatory establishment mythology.

⁸ I note, with George Orwell, that the only consistent pacifist is an anarchist. Logically, any statist consents at some level to the use of violence; indeed almost all statist political positions justify the overthrow of other

hence variable phenomenon, one whose widespread use is normally (even in social movement waves) primarily in the hands of the state, and one which needs to be understood if it is to be contained and constrained: if we are to be able to change the world without getting shot.

I. Why do states not kill so many of us, any more?

Participants and students of social movements are regularly presented with what is sometimes called “riot porn” in the shape of videos of supposedly violent street clashes. I put “supposedly” in there because our images of violence are often unrealistic: actual violence at protests is typically in part at least a matter of custom and practice, in which some weapons are deemed legitimate and others are not, some targets acceptable and others not, and so on (and indeed much debate revolves around these two aspects, in relation to both police and protestors)⁹. By comparison with “social” riots, few if any summit protests in the global north – and few enough anti-austerity protests – are truly violent, and their categorisation in this way marks more their politicisation (and the importance of attempts to delegitimise the adversary) as well as the *relative* legitimacy of *both* sides in the equation (not least, the class status of many of the participants).

Along with “riot porn” goes what to my mind is the more politically problematic genre of “repression horror”, in which this or that dimension of state repressive capacities and actions is brought out – often with a nominally rational analysis under which a strongly emotional dimension is buried. With authors like Wineman (2005) and Jones (2003), I want to suggest that there is often a strong component of displacement here – speakers’ and authors’ own traumas (whether at the hands of the police or in childhood) are seeking validation of their (justified) loss of trust in the world by aiming to present a picture of the state as not only malevolent but omniscient and omnipotent – a kind of latter-day Gnosticism which Philip K Dick’s later novels turned into art.

I have gone through my own phase of fascination with repression horror, at a young age but in an earlier period – reading first-hand accounts of torture and disappearances in the Latin America of the 1980s, Solzhenitsyn’s collection of experiences of Stalin’s gulags, and the overshadowing

forms of regime under certain circumstances, and there are few actually-existing states which do not trace their origins to precisely such events. This is not intended as a critique of authentic pacifists, but as a criticism of the (intentionally or unintentionally) hypocritical use of ‘non-violent’ rhetoric when what is meant is rather the support of *one* kind of violence rather than another. Conversely, the construction of situations in which it is possible to act non-violently is of great importance to any serious strategy for social change – once it is realised that this is not simply a matter of individual morality.

⁹ Here I want to enter a caution against the use of the language of “militarisation” when describing contemporary trends in protest policing. There is no doubt that the word describes something real, but when contrasted with with – to take three examples – the use of cavalry against democratic protestors at “Peterloo” in Manchester in 1819, the (contested) proposition that Haussmann’s remodelling of Paris was designed to facilitate the use of artillery and cavalry against urban uprisings, or the creation of ad hoc military units to terrorise Ogoni protestors in the Niger Delta in the 1990s, the concept’s limitations become clear: the primary goal of so-called “militarised” police forces is not in fact the use of lethal force. Scholl (2012: 197-8) discusses a literal militarization of protest policing, when Swiss military at the 2003 G8 summit were issued with live ammunition and instructions as to when it could be used on protestors, including unarmed ones.

There are of course genuine instrumental concerns involved – both of a tactical nature and in relation to intimidation – but the symbolic dimension, of the display of power and the kinds of masculinities involved, is at least equally significant. Here I think Martin Shaw’s (1991) observations about the changing role of warfare in western Europe are useful: as the proportion of people who have ever been in the military, let alone at war, declines, so the symbolic relationship between military and society changes, with a certain kind of militaristic fantasy life among men who will never, themselves, experience combat.

experience of fascist Europe, with its extermination camps, mass reprisals and torture chambers. There can be no serious doubt that – whatever the viciousness of contemporary policing and security apparatuses – we are not in remotely these kinds of situations.

More importantly for our emotional response to “repression horror”, these repressive regimes *did not last*. They are gone, and we are still here. Indeed in many ways their reliance on coercion rather than consent was a key element in their long-term delegitimation. As Victor Serge showed (1926), writing about the Tsar’s Okhrana, in its day a byword for the 19th century police state, all the surveillance in the world did not in fact prevent the Russian revolution; and it is doubtful whether in that sense the *scale* of repression and surveillance has ever prevented uprisings. In fact the common-sense finding of the sociology of revolutions (that too little repression or too much are both dangerous to a regime’s survival chances) suggests rather the opposite.

What is violence?

Ireland has its own (still largely unacknowledged) mass participation in and awareness of a large-scale carceral complex of Magdalen asylums into which relatives were sent, industrial schools with which children were threatened and clerical sexual abuse which was “contained”. Lethal violence this was not, in most cases, but abusive and traumatic violence it most certainly was. Paradoxically, popular memory in the South largely treats this *actually* violent past as peaceful, a gentler if poorer age (and thus manages the difficult reality of past collusion), while seeing the Irish *movement* experience as particularly violent, symbolised by the self-congratulatory identification with peace, Gandhi and King on the part of figures like Bono.

While, as noted, Irish republicanism (and for that matter Irish loyalism) are relatively unusual among contemporary European social movements (other than some forms of fascism) in the extent to which their discourse is oriented around deaths and killing, Ireland is not a particularly violent place as far as movements go. This seems counter-intuitive, and I want to offer some quantitative evidence.

In the popular uprising of 1798, part of the same wave of “Atlantic Revolutions” as the US, France and Haiti, between 15 and 30,000 people were killed; there is a mass grave on a tram line I take and strings of barracks built across the mountains where I go walking; two years later, politicians were bribed to give up the Irish parliament and enter a union with Britain. There is no question that this was a violent event in any definition.

By contrast, the “Easter Rising” of 1916 – centrepiece not only of nationalist martyrology but also of contemporary Irish attempts to attack revolutions as inherently violent – saw some 450 deaths. The first *day* of the battle of the Somme, a couple of months later, saw about 27,000 deaths.

The Irish War of Independence and the Civil War which followed saw about 1330 and 927 deaths respectively. By contrast, the Algerian war of independence saw between half a million and a million deaths. If it is shocking to watch contemporary film of British auxiliaries burning places I know, the horror is out of all proportion to *The Battle of Algiers*¹⁰.

Similarly, the Northern Irish “Troubles”, which have led to the conflict being perhaps the best-studied of all time (certainly in terms of the number of researchers proportionate to the population), 3523 people are reckoned to have died in the period 1969-1994, an average of one death every two

¹⁰ Contemporary arguments about the legitimacy of the War of Independence have come to revolve around the interpretation of the deaths of 17 paramilitary police in or after a shoot-out and of 13 Protestant men, whether as informers or on sectarian grounds.

or three days. The Vietnam War, which lasted slightly longer (1945-75), saw between two and four *million* deaths; the Sri Lankan conflict, which lasted about the same period (1983-2009), saw perhaps 80 - 100,000 deaths.

The (justified) horror felt at events in Northern Ireland in fact reflects a deep civility: the fact that every death is felt closely and personally. The most traumatic single event, the killing of 14 civilians by British paratroopers in 1972, remains (rightly) condemned as an atrocity. By contrast, at My Lai alone, between 347 and 504 civilians were murdered by US soldiers¹¹.

The Irish experience is a particular one; but comparable narratives could be constructed for other European contexts. Earlier I discussed the example of Italian shock at the death of Carlo Giuliani in 2001 by contrast with the scale of killing in the *anni di piombo* which concluded not twenty years earlier; if we compare those in turn with the scale of internal violence between 1943-5 there is again a massive gulf.

Two final, linked examples. In 1968, there was a hotline between the prefect of police in Paris and the leaders of the "May events". Three people died in total, towards the end of the events in June. By contrast, in the Paris massacre of 1961 a still-uncertain number of Algerian demonstrators (between 40 and over 200) were killed by French police. I have already mentioned the levels of violence in the Algerian war of independence (like the Irish war, taking place within the then territory of the nation-state rather than an imperial possession).

On the other side of the Iron Curtain, the Prague Spring of 1968 saw 72 deaths during the WTO invasion and no executions. The Hungarian uprising of 1956 had seen over 3,000 deaths and several hundred executions. As in Italy, we could extend the picture further to include the wartime experience of anti-partisan killings in France or Eastern Europe, again confirming the historical picture.

What does it all mean?

The use of lethal violence on the part of states (and indeed protestors) in the context of social movements and revolutions has declined dramatically in Europe, then, particularly but not only western Europe, over recent decades (and perhaps, as in Ireland, over a longer timescale). This is not a natural fact or an achievement which can be taken for granted; nor - as our past history and behaviour elsewhere highlights - is it down to any particular virtue of Europeans.

If this situation is to be maintained, it needs first to be understood. This is particularly important for social movement participants in situations of serious challenges to the status quo, which present the most likely contexts for large-scale lethal violence. Movement participants are the most typical victims in these contexts and have both direct and indirect interests in containing and constraining the use of lethal force by the state. I am therefore concerned to understand how we can change the world without getting shot, and my comments here are grounded in my own involvement in attempts to constrain state violence against social movements.

One obvious way of explaining these changing levels of violence is in terms of overall military power, and there is of course some force to this interpretation. Deaths during the Resistance were in many cases (not all) highest during the period in which Allied armies were actively contesting the terrain in

¹¹ Just to reiterate, this is not in any way to justify killings in Northern Ireland, on any side: it is to ask what constrained them from becoming worse. I talked recently to an individual who had been on three separate death lists run by different organisations, which is a horrifying thought. At the same time, the salient fact is that none of those lists were in fact activated; they might have been.

question and supporting resistance groups. In 1968, Czech protestors understood (after 1956) that there would be no western intervention, just as the French Communist Party's passivity in the same period is often ascribed to the calculation that there was no prospect for an actual revolution in the face of US military presence in western Europe (and that a semi-autonomous French military was better than full integration into NATO). On this analysis, levels of violence in the repression of movement upsurges would be a simple function of their subordination to formal armies, or at most a reflection of the extent to which movements have a chance of winning. This simple analysis breaks down, however, when we consider the difference between levels of violence during the collapse of regimes in 1989 and those of 1943-5; or, come to that, the relatively low level of lethal violence in movement contexts *after* the end of the Cold War.

No doubt other military-centred explanations can be concocted, but I want to propose that the cliché that "power comes out of the barrel of a gun" falls down as an analysis as soon as we ask "yes, but who is holding the gun and where are they pointing it?" The pan-European wave of revolutions from 1916-23 which saw the emergence both of independent Ireland and of the Soviet Union arose out of precisely such a breakdown of military control, most visibly of course on the Eastern Front; but as we know the German Empire too was brought to an end by councils of soldiers and sailors as much as of workers. Coercion, in other words, depends on consent; and 1989-90 gives us a particularly clear example of this.

In 1989, elites across much of the state socialist world faced large-scale protests which threatened to topple their power entirely. In considering their options, one central question was "what happens if we order police, or troops, to fire and they refuse to do so?" This question was arguably answered most directly at the Berlin Wall, when armed intervention would have been necessary to prevent the wall being breached. There can be little doubt that the calculation made in most East European states – that the largely conscript police and army would have refused to fire on the crowds and that rulers would have had to pay a far higher price for the attempt – was correct.

Ceausescu demonstrated this in Romania, in the violence particularly of the secret police and thugs against the movement, and his summary execution. Indeed as Meissner (1996) shows, the Chinese Politburo was equally split in terms of decisions around the popular uprising in Beijing and elsewhere: it was by no means a given that the PLA would be willing to engage in the military reconquest of working-class Beijing, and it was only by bringing the last surviving hero of the Long March together with a rural regiment which had been cut off from news for two months that the operation was (in their terms) successful.

Coercion – lethal or otherwise – depends on consent; and a serious explanation of the decline of lethal violence against protestors needs to focus on politics, not simply wargaming.

II. Why *don't* they just shoot us?

Crucial to understanding levels of violent coercion, then, is understanding the changing nature of consent. Experience shows that social actors are often willing to kill when what they understand as their vital interests are seriously threatened; this is paradigmatically the case of state and other elites in moments of potential social transformation. Such groups control large bodies of specialists in the deployment of both lethal and sub-lethal violence, and are often happy to sanction lethal violence when they expect to be successful in its use, as in wars abroad; and to tolerate regular police killings of disadvantaged or minority youth. To this extent I am happy to concur with the “repression horror” genre; there are, and will continue to be, elements within the state who would sanction large-scale killing if they felt it to be in their interests¹².

This does not necessarily mean that deep within the gormless figures who appear on our television screens is a dark heart yearning after mass slaughter; rather that many elite members subscribe to a “hard-headed” analysis which in practice over-emphasises the effectiveness of force, and see themselves as standing to gain by doing so; and under the right circumstances they may be able to persuade other elites to follow them – as we often see in the case of “interventions” abroad. The sharp decline in state killing of movement participants therefore requires genuine explanation, particularly in a period when (a) protest policing is now moving away from what have been described as negotiated models to more aggressive and confrontational ones and (b) European states are facing a massive crisis of legitimacy and governability linked to austerity.

To answer my own question: they would shoot us, if they thought it would work, that it would benefit them, and that they could convince enough of the people who would need to be convinced in order to make it happen. To return to the *Berlusconi's Mousetrap* analysis: if the state killing at Genoa had been more successful, it would have been repeated and multiplied¹³. Put another way, contemporary European states feel that killing protestors would lose them allies and legitimacy.

Along with the obvious contextual factors, then, the strongest explanatory feature – and the one which underlies the long-term trend, and explains the ability of European movements from 1999 to 2013 to repeatedly challenge states on global justice, war and austerity with only a single death – is the calculation on the part of elites that those other groups whose consent is necessary for the successful use of force are not willing to give it. If, as Gramsci puts it, hegemony consists of consent (of some social groups) armoured by coercion (of others), we have to add that consent is required in turn for the deployment of violence.

Matters are of course a bit more complex than that. The hegemonic alliances which underpin the day-to-day operations of power have exit costs: to deny the legitimacy of state killing visibly involves such costs, and we can see how hard it often is to withdraw support from wars abroad, let alone to challenge police killings of protestors or disadvantaged youth. Thus it is possible for an adventurist

¹² As with Wank and Winter (this volume), I take a Gramscian perspective, which sees the state not as monolithic but as one of the key areas within which hegemonic alliances take shape, and on occasion change.

¹³ I take an example from my own experience, of acting as media spokesperson for the 2004 EU summit protest in Dublin. Here the state sanctioned the use of substantial numbers of military and armed police, deployed the riot squad at the march's assembly point with orders to disperse protestors, generated a number of damaging smears including charges of arms dumps, plans for arson and chemical attacks, attempted to organise the closing of city-centre businesses for the weekend, and highlighted the ordering of body bags and the clearing of hospital wings: all the preparations, in other words, for what could have been a far more violent repression. If they were not able to unleash this at the time – or to bring substantial charges against participants afterwards – it was because they felt unable to get sufficient support for doing so. As their experience of police violence backfiring in 2002 suggests, they were almost certainly right in this.

use of force, if quickly successful, to gain retrospective support from subaltern groups within the alliance who would prefer not to leave it.

At the same time, power arrangements come to an end precisely when sufficient groups *do* withdraw from such alliances and withdraw their previous, more or less enthusiastic or resigned, consent to being “ruled and governed in the old way” (to quote Lenin on revolutions). For this reason, elites regularly consider the use of lethal force to be a step too far which might either jeopardise their own position by delegitimising it (in a case where movements are not yet strong enough to topple them) or backfire by raising the costs of their own defeat (in a case where movements seem likely to succeed)¹⁴.

This is an important fact for movement actors, both because it makes possible an analysis of how movements can constrain state use of lethal force etc. *without* buying into discourses of state legitimacy (elevating legalism, media work, “nonviolence” etc. above actual mobilising capacity) – but also because the dismantling of hegemonic alliances and the construction of new counter-hegemonic ones is central to the process of social transformation. In other words, the strongest armour against repression which a movement can have lies in its own allies and in its ability to detach those who have previously been allies of the current dispensation.

In this understanding, a regime of accumulation (such as neoliberalism, Fordism, state socialism or fascism) relies on the organisation of hegemony behind a leading group. Subaltern members of the alliance vary in their degree of enthusiasm and the benefits they accrue by supporting it, but their situation as contributing consent is noticeably different to those groups who are handled through coercion. Within capitalism, there are of course some important regularities: the state apparatus, and the social groups staffing it, *have* to be part of a hegemonic alliance, as does at least some major fraction of capital, while it is almost always the case that the lumpenproletariat’s consent is not required, and there are often ethnic minorities in a similar situation¹⁵. One way of thinking about the difference between regimes of accumulation is in these terms: for example, a salient difference between the alliances underpinning fascism and postwar welfare states is the extent to which working class organisations were the object of coercion in the former and a central part of the alliance of the latter.

Lash and Urry’s *The end of organized capitalism* (1987) is a powerful analysis of the problem of changing hegemonies in relation to the end of the Fordist / Keynesian years in five major capitalist states – a situation which parallels what we might expect the end of neoliberalism to look like. In some cases the most important defections (or “disorganisation” as they put it) came from below, in the form of a radicalised workforce pushing beyond conventional corporatism and newer social movements posing claims which could not be resolved within Keynesian managerialism. In other cases the most important defections came from above, in the form of corporate or state elites calculating that the exit costs from corporate arrangements were less than the costs of remaining.

We have to understand, obviously, that in all these cases there were competing factions – of managers, union leaders, politicians, movement organisers – of which perhaps the best-documented are the struggles within the UK Conservative party and the US Republican party which brought us Thatcherism and Reaganism. We can add other dimensions: the role of foreign military supporters

¹⁴ It is however important to note that in *some* forms of state crisis, leading groups can entrust the deployment of coercion to new social actors around whom a new hegemonic alliance is then built; this is one way of understanding the rise of fascism in a context such as Italy in the early 1920s, and of some military coups. Of course such strategies entail huge risks and a massive loss of power for existing elites, and an important question to be pursued is the circumstances under which elites are likely (or able) to take this option.

¹⁵ This helps to explain why state killing of rioters and “terrorists” remains possible.

(Gorbachev's 1988 speech refusing to continue underwriting East European leaderships with tanks; Latin American dictatorships becoming an increasing embarrassment to US elites as well as a barrier to capitalist development); or the conflicting positions within the military and security forces which are routine in such situations (and were very visible in Egypt in 2011), with competing factions but also the different political orientations of, for example, secret police as against ordinary police, or elite professional military units as against conscript formations.

In fact, one of the best opportunities to observe the difficulty of sustaining effective coalitions for the exercise of coercion is in the west's recent wars in the Middle East and Arab World, in Afghanistan, Iraq, Libya and Syria. Here we could see in 2001-3 the progressive defection of European allies (and the costs to Blair and Aznar of remaining loyal supporters), the withdrawal of once-loyal Middle Eastern allies, but also changing views within the US military, increasing US public and media scepticism about the war, its motivations and costs, and eventually the collapse of what was initially a near-complete pro-war front in the Congress and Senate. Similarly too, the recent defeat of the UK government by its own party members over intervention in Syria was illuminating to watch.

Neoliberalism's little problem

A decision to shoot to kill against protestors on European streets would require a great deal of consent – not only at this elite level of politicians, media and military / police forces, but also among those popular groups who hitherto support the general status quo (with whatever level of grumbling and opinion politics, but who do not fundamentally question its legitimacy or actively seek another kind of regime or form of society). Such a decision could of course be sprung on these leading and subaltern groups whose consent to neoliberal "business as usual" is usually a given; that no European state has tried this, irrespective of the difficulties it has found itself in, speaks volumes about the thin ice they understand themselves as standing on.

To some extent, as I have written elsewhere, this is a constitutive problem for neoliberalism. Mid-century arrangements in a range of regimes of accumulation (fascist, welfare state, state socialist) entailed *both* a large-scale and visible process of redistribution in return for consent *and* mass participation in often highly-pillarised social formations, defined mostly on class, political and religious terms. All of this made it possible both for one part of the population to support a high degree of repression of the other (as in fascism) and for an alliance between the leaderships of competing groups (e.g. the Italian *compromesso storico*) to enable the unleashing of state violence against third parties (something which of course remains possible in relation to minority or external ethnic groups, and whose starkest recent European example is the war in ex-Yugoslavia)¹⁶.

Neoliberalism cannot offer remotely as much to buy consent (indeed, right now its main argument often seems to be "the alternative is worse" or "trust us, there is light at the end of the tunnel") and does not have the same, compact and well-organised mass support base. To the extent that present-day consent is increasingly channelled through a consumption which is less and less a possibility for large sections of the population, and a mediatised politics of opinion and personality which is typically isolating in its effects on those who participate in it, this is not a formation which can readily and effectively deploy large-scale lethal violence. In this respect the Latin American experience of popular uprisings following the formal democratisation processes is instructive, not least the failure of the traditionalist attempt to unseat Chávez in 2002. The gulf between the events of 2002 and the coup against Allende in 1973 could not be more stark in this respect.

¹⁶ As Ingar Solty noted, these arrangements also entailed a subaltern, working-class nationalism which was more accepting of *raison d'état*.

In the European case, it is worth considering what might be the actual response – or more probably conflicting responses – of military and police leaders ordered to kill protestors. We can consider the wider context – of the absence of a Soviet threat with which anti-austerity protestors could plausibly be linked, the lack in most cases of an authoritarian movement leadership which could be credibly identified as having plans to take over the state and the decline in military funding – but we should also consider, as in Egypt, the extent to which different senior leaderships would jockey for position and consider the career implications of supporting a declining regime or offering their support to some alternative. One person's forced retirement is another person's opportunity for promotion, after all. I am not saying this to say that such action is inconceivable: rather I want to say that by understanding what makes it *hard* to imagine in the present climate we can think what we can do to make it *even harder* to conceive, in particular by those who might be in a position to carry it out.

The successful use of violence is not simply a matter of coercion but involves the successful construction of consent among a hegemonic alliance. Social movements do not hold most of the cards in this respect (almost by definition), but they nonetheless have strategic and tactical choices which can constrain or undermine states' ability to use violence (a point illustrated by the shifting boundaries over the use of force against social movements in Ireland in recent years: Ni Dhorchaigh and Cox 2011).

In the broader historical picture, it might be noted that the scope of "dual-power situations", such as the Zapatista enclave in Chiapas – now nearly two decades old – and in a more diluted way in a number of Latin American contexts, is somewhat startling. Historically, such situations have usually been resolved with extreme brutality in a short space of time, or have spread to topple the state. More broadly, the extent to which our movements have managed to delegitimize neoliberalism (starting from the expansion of the term itself), undermine its ability to successfully carry out its military programmes as originally planned, disrupt superpower control of Latin America and the Middle East, prevent the "leaders of the free world" holding summit meetings in central locations, and – in a number of European states – undermine the electoral legitimacy of the austerity programme – is quite surprising; it is particularly surprising that some aspects of this have been going on for over a decade. If it is not quite true that "we are winning", they have one hell of a problem, and part of that problem is expressed by their inability to wipe us off the streets (with the partial exception of the US after 9/11, where the key move was in fact disaggregating the global justice coalition). At most other periods in European history, this much of a challenge to core institutions of power could not have been sustained for this long, and would have been met with much more concentrated force.

III. Yes, but is this an adequate explanation?

Neoliberalism, of course, is as conjunctural an explanation as Cold War, and it is not clear to me that the break in state killings of protestors can be tied to 1979. In this third section I want to introduce a more speculative suggestion in relation to the bigger picture. There may be a longer secular trend underlying the decline in state use of lethal force against protestors, which is the slow increase in popular capacity to act as political subjects over the past quarter-millennium in Europe. I start by explaining what I mean here.

Following the English, American and French revolutions and the Irish uprising of 1798, it took well over a century for the European Right to accept that there was no way to restore an *ancien regime* situation of pure popular passivity under monarchical / imperial and clerical direction (cf also Solty, this volume). The shift occurs somewhere between Napoleon III's 'Bonapartism' in 1848-52, the rise of Boulangism and the Primrose League in the 1880s and 1890s, the development of fascism in the 1920s and 1930s and finally the Catholic Church's postwar commitment to democracy, in Europe if not in Latin America. An important intermediate stage in this process was marked by the two-step response to 1848 in many contexts, when an initial repression attempting a return to Metternich's Europe was followed in most countries, over a two-decade period by the construction of nation-states (rather than dynastic conglomerations) with constitutional monarchies and limited franchise aimed at buying in the 'national' middle classes (but not peasants or workers) in an expanded model of government.

This slow process marked a shift from the Right's historical goal of *demobilising* popular agency *per se* to the adoption of originally left-wing modes of popular organising under elite control (as a mode of government and not simply as in e.g. C18th Church and King mobs). In this respect Bismarck's Germany, fascism and postwar Christian Democracy all have in common a recognition that popular agency can no longer be erased and that some degree of broader popular consent is required by elites.

While such models as fascism and Christian Democracy represent a highpoint of the *institutionalisation* of popular participation in rightwing power, the disaggregation of mass parties in Europe in recent decades does not signal an end to the need for popular consent on the right. Rather, attempts are made to mobilise consent via media and opinion; in racism, moral panics and fear of crime; as consumers, and so on. At the same time, there is widespread awareness of the possibility of a more active and large-scale popular mobilisation (as Barroso recently said, the politics of austerity are reaching their limits); that in most countries ordinary people are not at present on the streets in large numbers is no guarantee that this situation will continue. Indeed, what any substantive history of Europe's last quarter-millennium shows is the repeated collapse of monarchies, empires, fascist and state-socialist regimes at the hands of their own populations, whether directly or indirectly (as in 1848).

Put another way, the virtual exclusion of lethal force from present-day conflicts over austerity may be one of the longer-term and unintended outcomes of what, drawing on Claudio Pavone (1991), we might call the European civil war between Resistance and fascism, a war whose greatest intensity perhaps lay in the period between 1916-17 and 1945-45 but which reverberates backwards to the repression of the Paris Commune and 1848, and forwards to the collapse of southern European dictatorships in the 1960s and 1970s and Eastern European ones in 1989-90. It is not that the underlying conflicts – above all, over class and power – have gone away: the present crisis is proof enough of that. It is rather that the lesson has been learnt (in practice if not in theory) that it is no

longer possible, in Europe, to govern without a broad degree of consent and legitimacy, and that lethal force against internal contenders jeopardises rather than reinforcing that¹⁷.

I said at the start that I did not want to offer an irenic narrative of Europe as uniquely blessed or of an inevitable march of progress. If I am right in this proposition – that the secular growth in popular political capacity in turn raises the bar in terms of the difficulty of governing without widespread consent, and hence of resorting to lethal violence against internal social movements – there are no doubt underlying causes in turn for that growth. These might include the experience of a *series* of continent-wide revolutionary processes reaching back to the 1780s, leaving as a sediment governing processes which have to engage with popular consent in particular ways (and are currently in crisis because of their failure to do so), as well as movement learning processes and, more broadly, popular histories of successful past struggles, revolutionary or smaller-scale in form (1968, the women’s movement and so on).¹⁸

The barriers holding back state violence against “internal” contenders are often not so effective once the contenders are “external”; European imperialism both enabled stronger state-making processes “at home” and created unresolvable problems “abroad” (as well as in parts of Eastern Europe), so that serious internal contestation of state boundaries (and the attendant scope for state violence) is a feature only of a few European states. Other conditions that might be suggested include economic development; the scale of popular education and self-education; and a history of redistributive politics which has routinely encouraged popular political participation. At this point, however, we move not only beyond the scale on which human lives can be measured but the scale on which political organisations can be considered actors. Over a 250-year period it is perhaps only the most broadly-defined of political traditions which have this honour (in the broadest sense, the forces of the left, understood as the constant pressure for greater popular political participation, however measured), and we move beyond the scale on which most of our political choices are made.

¹⁷ On the movement side, if groups such as the black blocs of the 2000s were considered violent, this narrowing of the concept represents a learning curve by comparison with the urban guerrillas of the 1970s, where precisely the same lessons were learned (Hamon and Rotman 1988).

¹⁸ It is perhaps no accident that it is Latin America, where independence movements go back to the early 19th century and popular movements for democracy, socialism and so on have repeatedly remade states (as in Europe, in alternation with right-wing coups and populisms), where social movements are currently making most impact.

Conclusion

The first stage of my argument proposed that over the past fifty years or so, European states have made less and less use of lethal force against social movements, despite the visible difficulty they are having in maintaining neoliberalism since the turn of the millennium and a turn towards more aggressive policing methods. The second stage of my argument offers an explanation for this apparent decline in terms of the difficulties elites experience in mobilising consent for lethal violence, and notes that movements can do something about this in terms of building their own alliances and attempting to detach members of currently hegemonic alliances. The third stage offers a non-conjunctural explanation in turn of why elites might experience increased difficulty in mobilising such consent in terms of a secular increase in popular political capacity – and hence an increase in the breadth of the coalition needed for the mobilisation of lethal force internally. Since the 1970s in particular this has proved extremely difficult in western Europe in particular, and has only been possible given very specific conditions. If so, this has important implications for the possibility of successful revolutionary movements in Europe today.

Benjamin Franklin is supposed to have said, at the outset of the American Revolution “We must all hang together; if not, we shall surely hang separately”. In many ways, though, there is much to be said for a situation in which it is possible to challenge states and global economic arrangements severely, perhaps even overthrow them, without the conflict being resolved by the *ultima ratio regum*; where the cost of being on the losing side is more likely to be imprisonment, exile, loss of employment than torture, executions and reprisals. This is probably particularly true for those of us who do not control armies and political police forces, and have no desire to do so.

If at one level Europe today (the continent as well as the proto-state) often seems a desperately undemocratic context, and levels of popular political participation seem abysmally low, at another level the possibility of improving both situations, and of achieving a more genuine form of popular political power, is improved by the difficulties that anti-democratic forces within the state experience in the resort to the gun. This should not be the only consideration of popular movements – I do not want to induce a new form of “repression horror” that paralyses us from acting – but it is nonetheless an important background dimension that we forget at our peril.

Constructively, if alliances consenting to coercion have to be constructed (and not only for the use of lethal force), movements which effectively pursue the goal of disaggregating these alliances and constructing alternative kinds of alliances from below – as any revolutionary movement needs to – are simultaneously narrowing the basis for the use of force against them. Another way of putting this is to say that when movements contest the legitimacy of violent policing – whether on the streets, in the courts, online or in the media – this need not, and should not, mean a capitulation to official definitions of legitimacy. What counts is the construction of alternative forms of legitimacy, a “good sense” rejection of state violence that is capable of gaining popular consent and enabling us to change the world without getting shot.

References

- Barker, Colin (2008, orig. 1987): *Revolutionary rehearsals*, Chicago.
- Cox, Laurence (2014): *Challenging toxic hegemony: repression and resistance in Rosspport and the Niger Delta*, in: *Social Justice* (forthcoming)
- Cox, Laurence / Gillan, Margaret (2014): *The birth of Indymedia.ie: a critical space for social movements in Ireland*, in: Meade, Rosie / Dukelow, Fiona, *Defining events: power, resistance and identity in 21st century Ireland*, Manchester.
- Della Porta, Donatella / Peterson, Abby / Reiter, Herbert (2006). *The policing of transnational protest*, Aldershot.
- Hamon, Hervé / Rottman, Patrick (1988): *Génération* (2 vols), Paris.
- Jones, Patrice (2003): *Aftershock: confronting trauma in a violent world. A guide for activists and their allies*, New York.
- Lash, Scott / Urry, John (1987): *The end of organized capitalism*, Cambridge.
- Meisner, Maurice (1996): *The Deng Xiaoping era: an enquiry into the fate of Chinese socialism, 1978 – 1994*, New York.
- ní Dhorchaigh, Ealáir / Cox, Laurence (2011): *When is an assembly riotous, and who decides? The success and failure of police attempts to criminalise protest*, in Sheehan, William and Cronin, Maura (eds.), *Riotous assemblies: rebels, riots and revolts in Ireland*, Cork.
- Pavone, Claudio (1991): *Una guerra civile. Saggio storico sulla moralità nella Resistenza*, Torino.
- Scholl, Christian (2012): *Two sides of a barricade: (dis)order and summit protest in Europe*, Albany, NY.
- Serge, Victor (2005, original 1926): *What every radical should know about state repression*, Oakland.
- Shaw, Martin (1991): *Post-military society: militarism, demilitarization and war at the end of the twentieth century*, Cambridge.
- Solty, Ingar (2014). [this volume]
- Wank, Lukas / Winter, Paul (2014). [this volume]
- Wineman, Steve (2003). *Power-under: trauma and nonviolent social change*, in: <http://www.gis.net/~swineman/> [accessed 6 November 2013]