

**Report on the Level of Paramilitary Response and Loss of Democratic
Rights During the Seattle Round of the World Trade Organization
Ministerial**

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The National Lawyers Guild, WTO Legal Group**

“He said future WTO meetings should either be held in countries with military governments or in democracies where cities ‘can bring in 5,000 to 10,000 officers.’”

Reporter Mike Barber quoting Assistant Seattle Chief Ed Joiner.
Seattle Post Intelligencer, December 8, 1999, page A 6.

November 30, 2000

INTRODUCTION

In Yugoslavia, almost a year after the WTO held its historic meeting in Seattle, thousands of people gathered in the streets. They were outraged by a few petty despots who thumbed their noses at democratic process. Tens of thousands strong, these outraged citizens stormed a heavily defended meeting place, braved tear gas and rubber bullets and shut down an undemocratic process. The voices of the establishment and politics and the media found this as a cause for exalting the power of democracy. Even Dick Cheney found it a cause for celebration.

One year ago, something similar happened in Seattle. Tens of thousands of citizens, concerned about an undemocratic institution managed by a few individuals who thumbed their noses at democratic process, blocked the streets and shut the despots down.

Ironically, many of these same voices that are trumpeting what took place in Yugoslavia, have expressed a “Never Again” attitude about Seattle style demonstrations here in the U.S.

In accounts of this event given by law enforcement, there’s little or no mention that only a few dozen of the 50,000 or more of the demonstrators took part in any property destruction whatsoever. There’s no mention that two thirds of the delegates found the process at the Ministerial to be undemocratic and refused to go along. And there’s no mention that potentially lethal force was used on literally thousands of people throughout the Ministerial – some of it hours before any of the famous window breaking had taken place.

Instead, they paint a picture of uncontrolled rioters, hooligans and anarchists taking over the streets of a serene, well managed town. Their regrets are that the use of force could not have been greater. Organizers of demonstrations that have followed in the U.S. have been harassed and targeted, their operations shut down before they have a chance to get the word out. Tactics practiced by law enforcement have ranged from fabricating a fire hazard and shutting down an activist organizing center in Washington D.C. to fabricating a bomb scare in a space used by the Independent Media Center and the Shadow Convention in Los Angeles. When tear gas and rubber bullets are used, it’s referred to as “sparingly.” Seattle has simply become something that won’t be allowed to be repeated. As such it’s become an excuse for an unprecedented wave of repression

This report will look at the trends that created the dynamic that took place in Seattle and made the mass response that took place there both welcome and necessary.

At the core of what happened is the simple fact that the World Trade Organization is one of the least democratic institutions that exist on the planet. It is attempting to create a world where the corporations have unlimited powers – a world where the most basic protections on health, safety, environment, workers rights, quality of life, can be removed as “barriers to free trade.” The WTO is one of several organizations that are moving us to a “global village” where the bulk of us live in ghettos and a few very wealthy individuals drive in armored limousines from one fortified enclave to the next.

To affect this “vision” we are witnessing a world where those in the armored limousines view political dissent, crime, and terrorism as essentially interchangeable components of what they term “asymmetrical warfare.” As a result, the functions of private security, policing, the military and spying are becoming increasingly combined. As the Seattle case study shows, one of the first targets and casualties of this increasingly integrated paramilitary corporate apparatus is free speech and dissent.

Consider that the following occurred during the 1999 Seattle demonstrations against the WTO:

- Capitol Hill, the densest urban neighborhood North of San Francisco was subjected to a paramilitary occupation. There are reports of residents being attacked by masked police in their restaurants, businesses, front yards, and their homes, even when no demonstrators were in sight.
- Tens of thousands of people, some demonstrators and some bystanders, were subjected to potentially lethal chemical exposure in what one physician has deemed the largest ever experiment in chemical effects on a modern civilian population.
- Many people suffered serious injuries from the use of “less-lethal” weaponry. Teeth were knocked out. Eyes damaged. Key Martin, a longtime activist, who suffered from Aids and Asthma, seems to have died as a result of complications from the less-lethal agents used. His death in turn raises questions about the ability of certain physically vulnerable people, such as those with Aids or the elderly, to even attend political demonstrations.

What brought us to this point?

Historical Background of Corporate Hegemony

Conflicts between democratic ideals and corporate desires are nothing new. Consider the role price gauging policies of the East India Tea company played in fomenting the American Revolution and it’s obvious that much of this revolution was about keeping monopoly power, whether by king or corporation, from going unchecked.

The corporations behind the WTO are the same ones that have built the most corrupt monopolies on the planet. Well over a hundred years ago, the owners of the same fortunes that still dominate our economy fortunes, called “robber barons” by the critics of their time, took part in power grabs centered on the building of the railroads. During these times there were huge financial scandals that involved funneling enormous sums of money into non-existent projects. There were also huge give-aways of land and the resources on that land as part of the railroad construction. This enabled the few families who profited from the railroads’ construction to build many more industries. These new franchises included mining operations, timber companies, residential land developments and banks to finance these operations. Look at the names of a few of the timber

companies created during this time such as Georgia-Pacific and Louisiana-Pacific and the connection becomes obvious. Families to profit from this included Morgans, Rockefellers, Vanderbilts and Mellons. The power of these corporations was enormous, and because of the increasing power of technology, unprecedented. Before the turn of the century, these corporations were even granted legal status as human beings. (See Robber Barons, Josephson; America's Fifty Families, The Rich and the Super Rich, Lundberg; Railroads and Clearcuts Draffan)

The families themselves, like ancient medieval royalty, made political alliance and arranged marriages. After World War I, many of them began to gather into institutions called "think tanks." Representatives of the different fortunes would meet with the leading politicians and academics they funded. They would discuss ideas for moving forward, and they would come to consensus on ways they could move forward. Working through their members that consensus would be exported. Politicians would implement it as policy. Academics, journalists and even some "community leaders" would act as the politicians' cheerleaders, creating the appearance of a spontaneous popular groundswell.

The most influential of these think tanks was the Council on Foreign Relations. Initially it was born out of the circle of JP Morgan and his banking empire. As Morgan declined somewhat, that power shifted to a circle dominated by the Rockefeller family whose circle included Citibank, Chase Manhattan, and every gas station with a red white and blue logo. Prior to and during World War II, institutions that were conceived by the Council on Foreign Relations included NATO, the National Security Council, The Central Intelligence Agency, The World Bank, the International Monetary Fund, and the General Agreement on Trade and Tariffs. The leaders of these institutions were predominantly officers, board members and major shareholders of the same few corporations run by the same few families. Since many of these individuals dominated the cabinets of Presidential Administrations and both houses of Congress, it was pretty easy to turn these corporate desires into U.S. government policy. (Korten, When Corporations Rule the World Ch. 9; Minter and Shoup, Imperial Brain Trust.)

The Role of the WTO in a Corporate World Government

The WTO was officially established as part of the Uruguay Round Agreement of GATT in January 1995. It now has more than 130 nations.

The WTO was nominally chartered as a dispute resolution organization. The problem is it is an organization with no real oversight or accountability, and a process that favors the most powerful corporations. Each country that signs on to the Marrakesh Agreement (which brought the WTO into existence) gives up its ability to preserve and enforce its own laws. The WTO is governed by "dispute resolution panels. Typically, a panel consists of three "trade experts" selected by the WTO Secretariat from a list created and maintained by the WTO. The qualifications to be on the list relate solely to having experience in international trade relations as an academic or a government official. A panel member need have no understanding of why a country might heavily regulate or ban particular products, of the environmental or social concerns underlying a particular law

Panel members' inherent bias for trade over governmental interests serves merely as the background for a system of rules and procedures that sacrifice the most basic elements of democracy and human rights to a primacy of trade in commodified goods. At the outset, all submissions to the panel, and the proceedings themselves, are secret. No one is allowed to participate except representatives from the participating countries. The WTO denies even the citizens of a participant country the right to review their own government's submissions. The only public result of a WTO panel decision is the opinion of the panel itself, written by the panel.

In health and safety, a product may be developed and immediately introduced, and may only later be banned or restricted if a country can prove the existence of health or environmental risks. By then, of course, the worst damage may already have been done.

Second, products must be treated "equally" by a country's trade laws, without regard for how or where the product was made or harvested. A tee-shirt made in a sweatshop or by child labor is the same as one made by union workers. Tuna caught in purse seine nets that kill thousands of dolphins are the same as those caught by methods that do not endanger dolphins. Economic sanctions against an inhumane government, such as the sanctions against apartheid-era South Africa, are not acceptable under the WTO regime.

Finally, even if a country is able to prove that a product is unsafe, even if a product is shown to be somehow physically different due to its method of production, the WTO Agreement requires that a country use the "least trade-restrictive" means to accomplish its non-trade-related (environmental, human rights, health and safety) purpose. Again money, not safety or effectiveness, is the bottom line.

Once a panel makes its decision, there are only two ways it may be changed. The losing country can appeal--which means a three-member panel is formed to review the legal issues addressed by the original panel. Or, the decision can be overturned by the unanimous vote of every member country of the WTO--including the country that won the dispute. It is not difficult to understand why no decision has ever been overturned by that unanimous vote.

Once the decision has been made to subjugate human rights to trade, all that remains is enforcement. The losing country in a WTO dispute has only three choices: change its laws in accordance with the dictates of the panel pay monetary sanctions to the winning country, or allow the winning country to impose retaliatory trade sanctions.

What this means in practice is that any international corporation that was prohibited from doing what might be reasonably considered a hazardous practice anywhere on the planet, need only find the government of one country to come forward and present a complaint on their behalf. A business that produces a food prepared with dangerous, carcinogenic, or poisonous chemicals can bring a challenge. So can a corporation that employs eight-year old children who work 20-hour days who lived in cardboard boxes. So can the manufacturer of flimsy houses that tended to collapse or cars that tended to explode.

Under the regulations of the WTO any protections against these or other practices could be viewed as barriers to “Free Trade.”

In practice this has meant successful challenges to:

- The U.S. Clean Air Act
- Protections on Dolphins and Sea Turtles,
- Guaranteeing 30 day shelf life for meat
- Banning hormone tested beef
- Labeling of genetically modified food
- Bans on asbestos.

These are the issues that brought tens of thousands of people to Seattle to protest the WTO Ministerial Meeting. This is why environmentalists, indigenous peoples, anarchists, labor unions, social justice activists, and church groups all find common cause against the WTO: because it threatens by the very structure of its existence every aspect of the values that make human beings and their relationship with the earth something more than the dull collision of objects in a dead universe: the inherent value of the ecosystems of the Earth, and the worth of human beings for their qualities that cannot be bought and sold.

Early Local Opposition to WTO Policies in Seattle

Long before Seattle was officially being considered as a destination for the WTO, members of the community were meeting with elected officials and expressing their outrage with it and the institutions it was allied with.

In 1997, President Clinton had begun pushing the expansion of the North American Agreement on Free Trade (NAFTA) and something called “Fast Track.” NAFTA was a “free trade” agreement among the North American nations that allowed such things as large trucks with lower safety standards to drive on our highways. “Fast track” enabled the President to pass these “trade agreements” unilaterally, limiting Congress’s input to a simple yes or no vote. Concerned citizens who understood the implications of this met regularly with their elected officials, including Congressman Jim McDermott, who was to become a champion of the WTO.

In the spring of 1998, the Organization of Economic Cooperation and Development (OECD) met in Paris. One of the most dangerous things to have emerged from these meetings was the Multilateral Agreement on Investment (MAI). Similar to the WTO, the MAI was a 39-nation agreement that eliminated local decision making and gave increased rights to the world’s largest corporations. The only reason the public became aware of the MAI was that concerned citizens in Paris released the complete document of the MAI over the Internet. If they hadn’t, it might still be secret.

Around the world, concerned citizens began to meet with their elected officials, warning them of the danger of the MAI. In Seattle, representatives of labor, environmental and

other public interest groups met with most if not all members of the King County Council and the Seattle City Council. The citizens informed these elected officials of the loss of local control the MAI would bring. They also told the officials some of the ways this loss of control would adversely affect the basic issues of livability and quality of life.

Their efforts began to pay off. In late October of 1998, five members of the King County Council introduced and passed a measure against the MAI. King County Councilman Larry Gossett stated, "Local governments should have the right to set hiring goals for women and minorities without the threat of foreign litigation hanging over our heads. Council member Brian Derdowski called the MAI "NAFTA on steroids."

Seattle City Council passed a similar ordinance opposing the MAI in April of 1999 - mere weeks after Seattle was officially selected as the site of the WTO Ministerial, and most members of the Seattle City Council were first officially notified of the WTO's impending visit.

The WTO was Brought to Seattle in an Undemocratic Manner

To all available evidence, the Mayor and others including the Seattle Host Committee, who worked to bring the WTO Ministerial to Seattle, sought to control negative publicity, by keeping the matter secret until Seattle had been selected and locked in as the site. According to a tentative time-line prepared by the Seattle City Council's WTO review committee, most members of the Seattle City Council were not aware of the impending visit until after it had been locked in place.

Citizen groups that monitored "free trade" became aware of the possibility of a Seattle Ministerial as early as November of 1998. Concerned citizens recall meeting with Pat Davis and other staff members of the Seattle Host Organization as early as February of 1999. During those meetings, the citizens expressed concern over the same types of issues they had concerning the MAI.

On August 30, 1999, the WTO came under official scrutiny. Two members of the King County Council, Rod McCenna and Chris Vance, attempted to pass an ordinance welcoming the WTO. They were met by a broad coalition of labor, environmental groups, human rights groups, animal rights public health and local small business advocates who filled every seat in the chamber and overflowed into the halls. Members of the Seattle community gave impassioned testimony challenging the legitimacy of the WTO as an institution and the wisdom of bringing this organization to Seattle. The first version to pass the council by a vote of 7-4 deleted all references to fair trade and merely welcomed the WTO as they would any other visitor. On September 7, members of the council added amendments attempting to correct the organization's unjust practices. Five council members felt these improvements didn't go far enough and still voted against it.

THE WTO IN SEATTLE

Seattle as a Model of a New Type of War

Some recent studies have come out pointing to the Seattle WTO Ministerial as a prototypical example of what is being called “asymmetrical warfare.” According to these reports, “asymmetrical warfare” is the war of the future. It’s found in a world where nationalities are obsolete. The many printed analysis say the scope has shifted from wars between nations to warfare between gangs and political factions. Under asymmetrical warfare, wars on crime, drugs, and political dissent are all lumped together under the larger rubric of war. Political dissent and revolution are looked at as criminal acts based on opportunism. The primary field of conflict is urban terrain, or in plain English, cities.

As Seattle is being held up as the prototype of this type of “war” incredible tactical, and even militaristic characteristics are being attributed to the protesters. This has led to justifications of sophisticated weaponry against these protesters as the new norm. As the protests that took place in Seattle are being held out as a “new” type on a national level, it has led to law enforcement being ever more ready to resort to heavy handed tactics and to use potentially lethal force, when it is not called for.

What Happened and What Didn’t

The first thing to come to mind for most people when they hear about the WTO in Seattle is the demonstrations that took place in the street, and the response they received from the police.

It is first worth noting that the majority of activities held by the protesters consisted of peaceful demonstrations and well attended teach-ins. The peaceful protests brought in tens of thousands of people, as did the march on November 30. The teach-ins were held by some of the world’s leading thinkers including Ralph Nader and Vandana Shiva.

The most striking images to come out of the Seattle WTO Ministerial are of heavily armored police. Their faces are hidden behind gas masks and protective shielding. They carry bizarre, but very lethal looking weapons. Ominous, hallucinatory clouds of smoke surround them.

All around the armored figures, people are falling, their faces contorted in expressions of pain and anguish.

There is a deeply ingrained human tendency to magnify the strength, and power of one’s enemy after a conflict. It is the stuff of the most primal myths, legends and stories of all cultures. In the aftermath of the Seattle WTO Ministerial, there have been innumerable accounts from police of the invincible enemy that was fought and met on the streets of Seattle. Reports by Robert Oedenthal, the Emergency Response Institute, McCarthy and Associates and the Seattle Police Department describe the demonstrators of Seattle as a well disciplined force, with lifetimes of tactical experience and flawless lines of communication. They regularly probed the police lines. They reported back their

information to a central command. Even the inane questions posed by disoriented looking individuals were part of a larger plan to outflank the police.

There are also economic and political reasons for the police consultants to magnify the strength and organization of the demonstrators. Law enforcement is big business, and a tremendous growth industry at that. Magnifying the capabilities of one's opponents is one way to insure a continuing and healthy budget.

The accounts of the demonstrators as a hierarchical paramilitary organization that run through these reports, is of course, absurd.

While the demonstrators were fairly well organized, many of the organizers of the civil disobedience were young, in their teens and early twenties. Also, many of those who were spokespeople and lead organizers, had never been to a large demonstration in their lives

SPD at WTO: Too Many Weapons, Too Little Training

For the demonstrators, the dominant picture of the police is of an efficient, paramilitary force. In fact, the police at the WTO Ministerial were under-trained, often green officers. SPD Assistant Chief Joiner admitted at one meeting prior to the Ministerial that about a third of the officers in the SPD had only been on the force two years or less. Most of these police had never been to a large demonstration either.

In Seattle witness accounts abound of police fumbling with their weapons and receiving most of the impact themselves. There are stories of police fumbling with tear gas grenades in their heavily gloved hands, dropping the grenades and gassing their own line. There are accounts of volleys of tear gas being fired, only to have the wind carry it back at the police. The police "afteraction" reports lists police experiencing everything from chemical burns to heart problems.

In some respects, the police were like the grunts in Viet Nam. They were put there to fight an unpopular war. They were ill-equipped and ill-trained. The psychological toll on these officers was enormous. After the WTO there are even anecdotal reports of officers on Prozac and undergoing therapy. Ultimately the police themselves became victims of the dynamic created by the WTO.

The Demonstrators' Actions Were Not a Surprise – Inability to Gather Intelligence Was Not an Issue

One of the most constant refrains of the Politicians and law enforcement personnel who led the preparations for the WTO Ministerial is that they had no idea what was going to happen. Often this has been blamed on the inability of the police to gather intelligence. This has been blamed on an ordinance that prohibits the police from gathering information without suspicion of criminal activity. A constant refrain is that the police need greater capabilities to spy on political dissidents.

The facts show police were well aware of what was going to occur.

As early as April, organized labor promised to deliver 50-100,000 people. The stories of the upcoming demonstration appeared in the most official news organs that exist in the United States including The Wall Street Journal and The New York Times. Many began to predict that this would be the protest of the century.

As the event moved forward many of the leading organizers began to call for “shutting the WTO down.” Activists held training workshops in “direct action.” These workshops were well publicized with articles appearing in major news organs. The activists communicated with each other over the Internet, and set up web sites. These web sites were open to all and read by many. Captain Jim Pugel of the Seattle Police Department makes reference to monitoring these sites often and early in his reports. Since Pugel was one of the officers in charge, clearly the SPD was aware of this buildup.

Even with this much being acknowledged, the continued refrain is that these police leaders and politicians believed the calls for an actual shut down of the WTO were just so much rhetoric. This line loses all credibility when you look at this section of an interview with Captain Jim Pugel in an online newspaper for law enforcement officers:

“Before the conference, Seattle PD heard that they were going to “harden” themselves with pipes and Kryptonite locks to form virtually immovable lines. Here protesters place their arms in construction-grade metal devices called “sleeping dragons.” Inside they affix their wrists with locks to pieces of rebar, welded vertically within the pipes. Thus a string of protesters can chain themselves into a virtually a steel wall that is almost impossible to easily break through. (The commanding officer) says the protesters also were expected to drive cars into intersections and puncture tires to obstruct traffic and thus add to the stalemate.”

Clearly these were people who were not here merely to hold up signs and chant slogans while the meeting they protested went on unimpeded. Clearly the SPD knew this before the event. Moreover the records show that the SPD was never prevented from obtaining warrants by court order and did in fact do so for the WTO.

Those weighing in on this matter should also consider the way that agencies with fewer controls in these areas have behaved. Los Angeles Police for example, have frequently complained about limits on their ability to gather Intelligence, (Asst. Chief Robert Vernon, LA Justice, 93-107.) Yet the record shows a consistent pattern of abuse. Mike Rothmiller, a former detective with the Los Angeles Police Departments Organized Crime Intelligence Division (OCID) claimed that LAPD used OCID to do little more than track politicians and celebrities who were perceived to be potential political problems. (Rothmiller, L.A. Secret Police, Simon and Schuster, 1992.)

There were other indicators of what might be expected at the Seattle Ministerial. For example the McCarthy report mentions that a member of the International Association of Chiefs of Police placed the probability of violence occurring at the Seattle Ministerial as 8.5 on a scale of 10. (McCarthy 19.) Though the details of the reasoning behind this have not been made available to the writers of this report to review, other tools may help us analyze what this response was based on.

Dr. Karl Seger is the contract writer for the textbook used in the terrorism counteraction course for the U.S. Army Military Police School. **Dr. Seger lists the following as the Number One factor for indicating that a General Threat exists:**

“Political – Unpopular, repressive or corrupt government.”

In other words, bringing in an unpopular, undemocratic institution is the best way to create a security risk.

(Seger, Antiterrorism Handbook, p. 90, Presidio Press. 1990.)

Highly Publicized Threats that Never Panned Out

Things began to heat up as the event neared. In the weeks and days immediately before the Ministerial, there were scattered reports from the Seattle Police of property damage.

One pattern that seems to have emerged is the police identifying potential high level threats that never panned out. For example, the police reports make several mentions of possible Molotov Cocktails. Molotov Cocktails are a crude homemade explosive, usually associated with the stereotypical Anarchists of the 1920s. For some reason, no actual Molotov Cocktails ever seemed to have materialized from the Seattle Police. Later during the protests, police grew anxious when they found all the materials that could potentially have been used for the construction of home made explosives missing from the shelves of a Capitol Hill grocer – it turned out the grocer had merely pulled them from the shelf. This has not prevented police in Seattle and other cities now anticipating WTO type demonstrations from imposing security measures in anticipation of their appearance, as when the police in Washington D.C. “proactively” closed down a location used by the demonstrators for organizing. Or when the LAPD closed down a location where the Independent Media Center was broadcasting a daily television feed. (See Side bars)

On the night before opening ceremonies, the Seattle Police closed down the Convention Center, the site of the Ministerial. All of the Trade Ministers and the world’s finest reporters were evacuated from the building. The afteraction (sic) report of the SPD team assigned to this detail states their concern was a door that had appeared to be forced open and damaged. The report states they then spent about three and a half hours “sweeping” the building. At this time they were approached by a U.S. Secret Service Agent who dutifully informed them that the door had probably been damaged during an earlier “sweep.” The SPD officers then did a perfunctory completion of the sweep and re-opened the building.

On November 29, Captain Pugel had dinner with a “leader” of the RUCKUS Society; a meeting preserved in the commander’s afteraction (sic) report. The RUCKUS Society member had reportedly asked if they could arrange a plan for the thousand or so people who had wanted to perform civil disobedience. The police commander had felt it would

tax their resources too much. At which the leader of the RUCKUS Society had reportedly smiled and said that they could make other plans.

The Battle of Seattle:

The Stuff of Modern Legend

November 30 began as a sort of pageant. It was early in the morning. Thousands of people assembled. Most of them wore exotic costumes. Some dressed as jugglers and clowns. Others were dressed as sea turtles, butterflies and trees. One man was dressed as a superhero with a dollar sign across his chest and long johns under boxer shorts. The demonstrators carried colorful banners. They pulled parade floats with giant cartoon puppets representing caricatured aspects of corporate greed.

The demonstrators stopped at pre-selected intersections. Some of them took out pipes and used them to link arms. Most linked arms and became enormous human chains blocking anyone from entering or leaving.

Most of these people hadn't met before and most of the groups were only vaguely aware of each other's existence. This caused complications in what "riot consultant" Robert Oedenthal describes as a well-orchestrated force. For example, members of the Independent Media Center found themselves having to explain what the IMC was when they tried to get through the demonstrators' lines.

Still, the thousands of demonstrators were succeeding in stopping the delegates from attending the Ministerial.

The Police Had Planned to Use Less Lethal Weaponry

It is the theory of this report, that because of the unchecked growth of the military industrial complex, especially in the area of law enforcement, and because of the undemocratic nature of the WTO and its policies, the response of the police to the thousands of successful demonstrators, became almost inevitable. This was something that unnecessarily endangered the demonstrators, the police and most of the area's residents.

The afteraction (sic) report of the King County Sheriff's Office says this about the Seattle Police Departments response: "(They) expected 50,000 demonstrators - their plan was to use tear gas and lot of gas."

While the numbers of the police officers facing the seemingly endless number of protesters seemed meager, their weaponry appeared frightening. All wore full body armor. There were plastic looking pieces that covered their torsos. They wore pieces of body armor wrapped around their legs and arms. They looked like villains in a sci-fi movie. Their boots looked like those worn by the oversize shoes of the English comic-book character Judge Dred. The armor concealed their faces and made them look like a cross between Star Wars Imperial Storm Troopers and Robby the Robot from the movie

Forbidden Planet. Some carried rubber bullet guns that looked like a black super-soaker. Others carried twelve gage pump shotguns. Others carried hand held rocket launchers configured like revolvers, but carrying projectiles the size of a beer bottle. Many carried cans of pepper-spray the size of fire extinguishers.

Articles in the Wall Street Journal and The Stranger had stated some of the weapons that would be used. It was still a shock to most of the demonstrators to see them deployed so quickly.

**“I was working in Ryker’s Island when they broke up a prison riot. The police there wore nothing like what I saw in Seattle. This is nuts.”
Former Counselor at Ryker’s Island**

The actual training the police had had with these intimidating weapons was minimal. In fact, it appears that any training the police had prior to WTO was minimal.

An online newspaper published for police attributes the following remark to a Seattle Police Officer:

“We had only very basic riot training, such as forming a line, locking with sticks, strikes to use with the sticks, lethal and non-lethal strikes.” The officer states they could have used more training in the use of gas masks, to cite one example.

Another officer had this to say:

“We received an 8-hour block training a month prior to WTO. It was a refresher course at best and allowed us to work on our formations...The real lack of training came at the supervisory level. There was no refresher class for supervisors. Most went to the same class as the line officers and were ill prepared. The lack of confidence in our leadership only grew from these classes. They showed us how untrained we were and how vulnerable we were.”

Recently released videotapes of police training sessions held on November 19, confirm these assertions. In these videotapes, the police have trouble maintaining their most basic formations or mastering the baton strokes that they are apparently being shown for the first time.

From the first, it was clear that despite the apparent lethality and formidability of the weapons they carried, the police had no idea as to how to handle the numbers of demonstrators they faced. Despite the chaotic nature of the demonstrators, their lines were succeeding in blocking the entrance or exit of delegates and reporters. As the demonstrators had openly promised for months, the WTO was being shut down.

The first reactions of the police seemed to be borne more of frustration than an attempt to achieve an actual tactical objective.

At the front door of the Sheraton, police carrying submachine guns on loose straps around their backs, entered in the crowd and began attempting to wrestle the demonstrators back.

At seemingly random points the police rode in on armored vehicles the size of Chevy Suburbans called Peacekeepers, firing rubber bullets and pepper spray. It was like a moment from ancient history. There had been a Roman Emperor named Hadrian. During the days of this empire's fall and decline, he'd ordered his legionnaires to attack the sea. The centurions and legionnaires had beaten at the sea with their swords and spears, the water had flowed and retreated and at the end of the day Hadrian had given his proud soldiers medals.

It seemed a repeat in ancient history. As the dozen or so police flailed out madly with their less lethal chemical instruments, there would be no more movement of the thousands in the crowd than if a foot kicked into the sea. Because of their sheer numbers, none of the protesters could practically retreat, so instead they flowed back in around the police. The police would flail around a little more and then disappear, only to reemerge at another edge of the crowd.

An afteraction (sic) report by Lt. Neil Low, a commanding officer states that at least three police were themselves injured by pepper-spray during these first forays:

“Two of my officers were overcome by spray, unknown whose it was, became sick and vomited.”

Another officer became “contaminated” and “suffered great pain.”

Purple Haze

CS and CN gases were developed as weapons of war. CN was used by numerous militaries during World War I, and was part of the reason for the ban on chemical weapons that followed this war. CS was developed more recently and rated ten times more powerful by its manufacturers. It was first used by the U.S. military during the Viet Nam War. When these chemical agents began to be deployed against domestic dissidents, the term “tear gas” was coined as a form of spin control.

“Tear gas” was used against the N-30 demonstrators around 10 AM. About an hour later it had been used on thousands, perhaps of tens of thousands of people.

An afteraction report by the Seattle Police estimates that there were between 5,00 and 10,000 demonstrators, reporters, medics and legal observers standing on the single block of Sixth Avenue between Union and Pike. The police might have issued a warning through their Jack-in-the-Box bullhorns. It's inconceivable that most in the crowd in front of the Sheraton Hotel heard it. For those who did, movement was an impossibility, so tightly were the people packed.

When the gas came, those in the front of the crowd bore the worst of it. Most of the crowd seemed to stand still as the first clouds of gas moved through the crowd, they had no idea what tear gas was. Despite the afteraction report's mention of the thousands of demonstrators with gas masks there were precious few who'd had any protection. This is borne out by the photographic and video record of the event. Much of the protest leadership had discouraged talk about the police use of these weapons because of the fear that it would scare people away. As the week wore on the demonstrators developed a suitably improvised rag-tag set of protections that fit the ambience of their costumes. They wore swim goggles, ski goggles and paint masks. It was trial and error with whatever was available, especially after the actual gas masks were made illegal. Somehow the rumor started that toothpaste protects ones membranes and people began applying this under their eyes – later some people found out the hard way that this actually held the irritants there longer.

The police moved forward, just behind the clouds of tear gas, clearing the entire street in front of the Sheraton Hotel. It was reminiscent of the sort of warfare that took place during World War I. Soldiers advancing slowly through gas filled trenches. Victories measured in lengths of a few hundred feet.

For the next several hours, there were occasional skirmishes. Mostly the two strangely clad groups stared at each other.

The Broken Window Theory

The images and stories of broken windows have come to dominate much of the discussion of what took place during the Seattle WTO Ministerial.

For many, there is the impression that the police use of the CS, CN, and OC gases, Concussion Grenades, Wooden Dowels and Rubber Bullets was a reaction to this destruction of property. Records of police, the media and witness accounts all show clearly that the police had deployed all of this less lethal weaponry long before any of this property destruction had taken place. Moreover, to all accounts, none of this weaponry was ever employed in the areas where this property destruction took place.

The window breaking took place more than two hours after the police had fired their rubber bullets and an hour after the first major volley of tear gas.

Most witnesses agree that there were a relatively few number of people involved in the window breaking, perhaps two to three dozen. This number can be contrasted with the estimated 50,000 demonstrators who took part in the Labor March that same day. One witness later commented that most of the people with ski masks seemed to be young women. Other witnesses describe some of the worst offenders as the same kids they see hanging around that area, during most days of the week. Police reports, news reports and witnesses all state that the only thing that limited the damage done were the demonstrators who stood between the window breakers and their targets. The afteraction (sic) report of one commanding officer states that some of the Sergeants wanted to move forward and make arrests, but were stopped by their commanders. Another afteraction

(sic) report states that the police stood there with the understanding that they would intervene if the demonstrators were actually attacked.

Some Representative Incidents

The general dynamic that occurred for the next few hours was of encounters where the police, unsure of what their weaponry did, and overwhelmed by the numbers of demonstrators, reacted in ways that seem to make no consistent sense. This adds credence to the theory that many of the actions or lack of actions that occurred were due to a lack of direction from command support.

At Sixth and Union around 2 PM, police, surrounded about a dozen demonstrators sitting on the ground. The demonstrators and the police line are on the south corner of the intersection, so it is not clear what is gained by singling them out. Nonetheless, the police form a skirmish line between the hundreds of demonstrators on Sixth Avenues, just South of Union. The police proceeded to separate the demonstrators by plying them apart with their batons, and applying the batons to pressure points. There is a lot of use of pepper spray, often applied continuously into the demonstrators' faces, from mere inches away. As the court observed in the recent Headwaters decision, this use of pepper spray, and waiting for it to take effect, seems to have complicated and prolonged what should have been a simple arrest procedure. One by one the demonstrators are separated and formally arrested. The entire procedure takes almost half an hour.

At the Hilton Hotel, police are temporarily stifled by a group of demonstrators blocking the door. Without putting away their weapons, police charge into the group and begin wrestling the demonstrators away. Video shows at least one of the officers firing a 12 gauge shot gun, presumably with less lethal ammunition, while standing among the people being fired at. Another officer wrestling with the protesters wears what appears to be a Heckler and Koch 9mm machine gun around his waist. Fortunately, no one grabs for it.

At Fourth and Pike witnesses report a police officer fumbling with a tear gas grenade and dropping it at his feet, gassing the entire line of officers. When the demonstrators laugh, the police get angry. Demonstrators report that the police then throw a dozen or so gas grenades at them.

Several demonstrators report talking the police at Sixth and Pike into taking off their gas masks, on three occasions

Was the Chemical Gassing Necessary?

Sometime after 4:00, there was a feeling amongst many of the demonstrators that they should probably call it a day. At the intersection of Sixth and Pike a demonstrator spoke over a loudspeaker system they'd used for most of that day. His words were to the effect that he couldn't tell the other people there what to do, but they'd stopped the meeting and he was for going home. The crowd thinned gradually. At about 4:45 PM perhaps a third to half the crowd of demonstrators had left.

At the East corner of the intersection, a demonstrator used the amplification system in a police car to tell the demonstrators to allow the police to pass if they need to.

Then the police who were standing on Sixth Avenue in front of the Sheraton Hotel facing Pike Street took a few steps forward.

The demonstrators' mood changed suddenly. They did nothing to attack the police, but there was a definite feeling of anger in the air. They two groups stood facing each other.

“In conclusion, wish to state that all efforts should be made when the use of gas is contemplated to supply plenty of it.”

-Military Aid in Civil Disturbances, General Douglas MacArthur

If Seattle Police had run out of chemical crowd control agents earlier in the day, it wasn't because they hadn't planned on using any. Planning reports indicate that the SPD Commanders thought they'd had enough "tear gas" on hand for several days of moderate use, or a full day of heavy use. Their early estimates also note that they had difficulty estimating how much tear gas would be needed because it had been so long since anyone had used the stuff. Reports from the police and the media indicate that sometime on November 30, they ran out of tear gas and that they flew to Montana with members of the National Guard, to purchase some more. They returned with 3,300 pounds of "less lethal" munitions including more "tear gas." The period where these officers were gone probably corresponded with the period when chemical agent use subsided and the interaction between the police and demonstrators became confined to long stand-offs and occasional minor skirmishes.

Routing the Clowns and Butterflies

Now, from the Easterly direction of Seventh Avenue, moving down Pike Street, came the flash of concussion grenades and the startled cries of demonstrators. Tear Gas filled the air as a group of demonstrators east of Sixth Avenue began to move in a westerly direction. Then the main group of demonstrators began to walk east to Pike Place Market. Lines of armored police followed behind them throwing tear gas and flash bang grenades at the demonstrators. Some walked, some rode in the armored "peacekeepers."

One SWAT training officer observing video of this afterwards remarked that the police seemed to be having "too much of a good thing."

A police video shows demonstrators driven by an intersection by blasts of concussion devices and tear gas. "That was sweet!" the videotape records an officer exclaiming.

None of the afteraction reports made available to this group through public disclosure seem to list who ordered this tear gas fired.

They arrive at Pike Place Market. The merchants' wares - fresh fruit and vegetables, seafood and smoked meats all acquired instant cayenne flavoring and loads of inorganic chemical preservatives.

Throughout downtown there are scattered standoffs. Angry crowds, including people who hadn't been at the event, stare at the armor-clad, faceless police. One side has advanced weaponry, the other doesn't.

In an email chat-room reserved for members of law enforcement, one officer states that by the end of the day they'd discovered that five officers equipped with tear gas and rubber bullets could turn back hundreds of demonstrators. So it goes.

Paramilitary forces drive the demonstrators out of downtown Seattle. Gasping sea turtles drop their shells. Paper mache butterflies fall to the pavement. The demonstrators flee from the downtown core.

Capitol Hill

“Troops will be disposed with the object of...(2) Driving the mob into or through the district of the city where looting is the least profitable and where destruction of property incident to military operation will be reduced to a minimum and preferably fall on the rioters or the class of people composing the rioters....”

- Basic Field Manual, Vol., VII, Part 3, “Domestic Disturbances,”

- General Douglas MacArthur

- (See Seldes, You Can't Do That (1938) pp. 194-203, Witness to a Century (1987) pp. 79-83.)

The armored forces with their bizarre exploding smoke weapons chase the routed circus. Imperial storm troopers follow the coughing red eyed people in clown-suits, red eyed people in costumes walking on stilts and dragging giant puppets.

As they retreat, the diminished numbers of protesters find their numbers swelled by the residents of the neighborhoods they pass through. Some of the people arriving are curious. They've never seen anything like this before. Some are indignant at the arrival of a paramilitary Darth Vaderesque force entering their neighborhood. Some are passing through and merely want to reach their homes. Some sit in restaurants or shop, either oblivious to what is going on, or perhaps trying to be.

The police fire off tear-gas, throw concussion grenades and shoot rubber bullets.

Statements of witnesses declare the following:

One person marked as a National Lawyers Guild “legal observer” is struck in the head by a round the manufacturer describes as capable of causing “trauma” and “death” if aimed at that region of the body. The observer slumps to the ground, bleeding.

A medic is shot below the eyes with a trauma inducing projectile. The projectile is designed by its manufacturer to be fired into an area of the body with large muscle mass such as the thigh or buttocks. The manufacturer states that shots to the head may cause trauma and death.

A man is tear gassed while standing with wife and child. Later he describes indiscriminate violence by the police, and police physically attacking people who were already running away.

A Capitol Hill resident witnesses the tear gassing of a professional video news photographer and the drive by pepper spraying of bystanders.

Another witness states he heard noise and went to investigate. He experienced and witnessed tear gas, rubber bullets and pepper spray. He helped several people including a reporter and a couple out for dinner into his building, away from the tear gas.

Two women state that they were standing in front of their apartment with four other residents. Their account is as follows: They were the only people on the street at the time. Without warning a line of police charged at them from Pine Street. They ran inside but were pepper sprayed as they went into the building. They went to their first floor apartment where they went to the window and began to call for the police to leave. Then the police pepper sprayed their window

The Forbidden Zone

The governing law regarding free speech during large demonstrations is Collins v. Jordan. It had been cited to the police both verbally and in written communication by members of the National Lawyers Guild Seattle Chapter months before the Ministerial. This law holds that entities such as the City of Seattle have an obligation to maintain channels for protest to be heard by their intended audience. The City of Seattle and those working with her choose to disregard this and openly violate the U.S. Constitution.

On the second day of the Seattle Ministerial, the paraders returned to downtown. The protesters are shadowed, then encircled by the police. There is something called a curfew zone. Or maybe it's a no protest zone. What are its boundaries? No one can say for sure. When has it been declared? More annoying questions.

The line touted by government was that this was an unanticipated emergency, and the plans immediately improvised.

The report of the Public Safety Committee states that this was an option discussed by the SPD and Mayor Schell on November 10. There is nothing that precludes the possibility that it was discussed even earlier.

On the morning of December 1, the police intercept several hundred paraders in front of Westlake Plaza. Those wanting to be arrested are told to go to one area of the Plaza. Those concerned about the arrestees' safety are led to a spot on the sidewalk alongside the holiday shoppers where they can watch. The sitting protesters sing songs. Most of them go limp, and are carried off by the police one by one. There are perhaps 150 people willing to be arrested. The entire arrest process takes perhaps forty-five minutes, and the people there willing to be arrested are all handcuffed, sitting in buses.

Then the police turn to the observers, the photographers, the people with video cameras, and another round of arrests begins.

Also arrested that day are many of those there to clean up the city from the day before. They carry brooms and paint brushes. Later reports by some members of law enforcement describe these as "weapons."

At 0756 hours a command is heard over the police radio concerning the National Lawyers Guild legal observers: "take the notes from them and get em outta here."

Later that day there is another march. Again the tear gas, rubber bullets, pepper spray, and concussion grenades fly. One after action report by the SPD attributes the use of fifteen concussion grenades to a single incident. The manufacturer instructions on the tear gas, written in manuals no one's apparently read instructs that targets are to be left a clear exit path. The demonstrators are herded from one barrage of tear gas to the next with no clear path of escape.

It is not immediately apparent what law enforcement agencies are involved. It seems to be a mix, with different agencies trying simultaneously to achieve different goals. Some try to arrest. Some try to use the weapons. The result is chaos.

The demonstrators improvise. Some find gaps in the police lines. Some are able to find refuge in the residences and buildings in the area. Hundreds more are arrested.

One witness states he observed and experienced indiscriminate tear gassing and firing of rubber bullets, at peaceful protesters, bystanders, shopkeepers, and commuters. He states he was stopped by police and hit with a baton when trying to reach a friend in asthmatic distress.

Plucking Dissidents Off the Street

One credentialed member of a Non Governmental Organization (NGO) left a meeting with White House Officials and Trade Ministers. When the meeting ended this individual saw a few friends and began to tell them what was being discussed inside. As this person was talking, a group of masked police officers with no badges showing, rushed at the group. The masked police singled this person out and pulled them away. Their official WTO credential and briefing papers were confiscated. Like a familiar scene in Chile, or El Salvador, they were hauled off to an undisclosed location.

Videotape of a police training session on November 19, 1999 seems to show them practicing this very maneuver.

Ritual Dominance Behaviors of the Police

With the protesters now in disarray, the police began to utilize tactics animal behaviorists say are intended to establish dominance without killing members of their own species. They postured. They made loud noises. They charged forward making what sounded like primal screams. Lines of police stood tapping their riot batons on the ground in what t.v. news stations described as a “ritual” behavior. In other parts of the city police marched forward, lifting up their legs, and banging them down with a loud crashing sound. This was all accentuated by the strange costumes they wore. Their use of devices that created loud explosive charges and blinding bright flashes accentuated this even further.

Are You Guys Out to Get Me?

One witness states that he left his downtown work at 3:30 that day. Aware of what had been going on, he states he asked an officer if it was safe to leave. The officer reportedly stated that it was a peaceful protest and no tear gas would be fired. The witness states he had walked a few blocks and was hit with CS gas. As he turned to leave, he was disoriented by some concussion grenades, and hit again with gas. He then returned to his place of work and disposed of his ruined contact lenses. He tried to leave again at 5PM, but was again gassed. Later that evening, he returned to his home at Capitol Hill. Here he witnessed police shooting rubber bullets and tear gas at residents and into a business. Standing near his home he was shot with rubber bullets.

Capitol Hill - Part II

As night falls, the armored troops again enter Capitol Hill, the densest population center on the West Coast north of San Francisco. More tear gas. More concussion grenades. More pepper spray. More rubber bullets.

One witness states that she was returning from a meeting. She saw no protesters, only police spraying tear gas. She sees police attack people who were clearly residents when no protesters were present, and then she was tear-gassed herself. Afterwards, she complained of anxiety and difficulty concentrating.

“MacArthur recommends that... “Armored cars will be especially valuable in riot duty... the hand grenades he recommends are especially those filled with chemicals.”

**- George Seldes on General Douglas MacArthur’s training manual
Military Aid in Civil Disturbances.**

One witness states he was standing in front of his own house with four other people. Then police told him to go home. He stated that this was where he lived. He was pepper sprayed in the face. He asked for badge numbers and was sprayed in his face again.

Another witness states she was dining in a restaurant when police and National Guard began gassing the street. She witnesses the police strike and kick man who fell to ground.

According to one witness it is two in the morning and people are singing Christmas Carols to the police. They are in the middle of Silent Night when the last barrage of less lethal weaponry begins.

The Clampdown

Now the streets are filled with armored troops.

Downtown Seattle looked like a picture from San Salvador. People passing through are stopped, frisked, shoved and according to some witnesses, cursed at by the armored police. The only people allowed into the downtown core are those with the official badges of the World Trade Organization.

One woman states she was turning the corner on Fifth and Pike when a police officer grabbed her. The officer shoved her and began to shout obscenities. She told the police officer that she was pregnant and just passing through. She states that the Officer shouted an obscenity, then pepper sprayed her. Some days later she was still suffering ill effects.

In The Jails

By the accounts of numerous witnesses, there were patterns of mistreatment and abuse that continued in the jails. Much of this seems to have been compounded by the fact that many of those processing the arrestees were only officers in training.

There are numerous complaints of pepper spray used to extract protesters from buses.

There is at least one arrestee who suffered a broken arm from what appears to be improper handling.

Numerous arrestees complain of being subjected to sudden and extreme changes in temperature in their jail cells.

There are several witnesses attesting to cloth saturated with pepper spray being left over the face of one demonstrator.

There are several that state that they witnessed or experienced systematic infliction of pain by the police.

Most of those arrested are not processed within the seventy-two hours required by law.

Analyzing the Response that Occurred in the Context of a General Climate of Diminished Resources and Rising Militarism

The use of force that occurred in Seattle is hardly unprecedented.

The sort of paramilitary reaction that occurred in Seattle is typical of the sort of reaction that has been used by the institutions like the World Bank, IMF and WTO from their inception. It is a reaction that has been experienced in the world's poorer countries. It has been experienced in this country's poorer neighborhoods. It is typical of the way institutions such as multinational corporations treat the Third World. It is typical of what happens when things get so out of whack that corporations can look at people as a "resource."

What happened during the Seattle WTO Ministerial, when the police exposed tens of thousands of people to potentially lethal agents and invaded the densest population center on the West Coast north of San Francisco, is that the Third World got a lot bigger.

Institutions that create undemocratic financial policies, must by their nature, rely on undemocratic means to maintain their policies and practices. Petty thugs have bodyguards to protect them. Corporations and Countries that profit and rely on inherently unjust practices, require strong, constant and heavy-handed military presence.

The marriage of greedy corporations and military conquest is one of the oldest in recorded history. One can pick the opening of the American Continents as an arbitrary starting point for the purpose of illustration. One need only look at the literally millions of slaves and corpses created in the name of Trade by the likes of the Hudson Bay Company, East India Tea company and others that committed genocide on multiple continents, wiping out Native Americans Nations, enslaving other Nations in Africa. in their efforts to acquire a larger share of profit. These were the early American examples of what is now euphemistically called "free trade."

Fortified Limousines Riding Through the Rest of the Global Village

One of the best explanations of the dynamic which is creating institutions such as the World Trade Organization, and the paramilitary presence they inevitably bring with them is The Coming Anarchy published in the February 1994 edition of The Atlantic and recently expanded into a book. Author Robert Kaplan describes the plundering of the world's resources that are taking place, from the loss of half the world's top soil to its ever diminishing supply of drinkable water. With the collapse of the world's ecology, will eventually come the collapse of most of the world's economy. As this occurs, the poor will continue to grow in raw numbers and percentage of the human population. The

“global village” will become divided. Most of it will be ghettos. The privileged few who own most of everything that can be owned will try to find ways to hold onto what they’ve got. They will ride around in armored limousines as they drive from one fortified suburban enclave to the next.

Author Kaplan writes this report from the vantagepoint of “those of us inside the stretch limo,” (p. 44). He analyzes the changing state of warfare, relying on prominent military historian Martin Van Creveld, and his book The Transformation of War. The following are the highlights:

- 95% of the Earth’s population growth will take place in the poorest places in the globe.
- Future wars will be based on community survival and environmental scarcity.
- State armies will shrink, gradually being replaced by private security.
- Existing distinctions between war and crime will break down as they have in Lebanon, El Salvador, Peru or Columbia.
- War will be more likely to take place among groups of people formally considered civilians. Hence the military must prepare to wage war upon what are presently considered civilian populations.

The model put forward by Van Creveld and supported by Kaplan is also that being put forward by the Chicago based Emergency Response Institute (ERI). The ERI has recently put out several reports describing what took place in the streets of Seattle during the WTO Ministerial and more recently during the World Bank/IMF protests as examples of “asymmetric warfare.” “Asymmetric warfare” is the wave of the future, the ERI would have us believe, and what took place in recent U.S. protests is little different from the Somalia, Lebanon, Kosovo or Panama.

Kaplan’s prescription is to unify intelligence agencies such as the CIA with the military. This is a dynamic mirrored in law enforcement circles through programs such as “community policing” where an intimate knowledge of the community by law enforcement, is being paired with increased tactical capabilities

The other factor in Kaplan’s prescription is realizing that as we move to a globalized society, it is the corporations that have the true power.

Applying this social dynamic to the Seattle WTO Ministerial goes a long way to explaining the mentality that had law enforcement protecting delegates and exposing thousands of Seattle residents to CS, CN, OC and other potentially lethal agents.

Another factor that puts the dynamic creating the spectacle of repression and paramilitary response that accompanied the WTO Ministerial in Seattle is that the military itself is an industry and a source of pecuniary income for the wealthy few. Despite the fact that it’s been more than fifty years since the U.S. military engaged in all out battle with anything resembling an evenly matched opponent, we are still living in a war time economy. What saved the U.S. economy from the Great Depression was World War II. What kept it

going afterwards was the Cold War. With the end of the Cold War, the military industrial complex has had to focus on new targets. Part of this focus has been “terrorists.” Part of this has been “the war on crime.” Part of this has been “the war on drugs.” Part of this has been the war on “political extremists.” And as the police and military become more interchangeable this industry spreads into things like the building of prisons where major military contractors including Bechtel, the largest privately held company in the U.S. become builders of prisons.

All of these can be code words for waging war on civilian populations, as described by ERI, Van Cleverd and others. Acknowledging this drive to militarization provides insight into the militarized police response that took place during the WTO.

Militarizing Main Street – The Third World’s Getting a Lot Bigger

Another dynamic that must be examined to understand what took place during the Seattle WTO Ministerial is the creation of an ever-larger paramilitary force to control the domestic population. This has been borne of the factors described by Kaplan and Van Creveld above including diminishing resources, the dissolving of boundaries between war on foreign states and war on political dissidents and crime, as well as the self-perpetuating nature of the military industrial complex.

The use of a paramilitary force to keep political dissidents and even the general population in line is something puppet dictators in Third World nations have used for years. It’s allowed them to loot their own countries, put a little bit of money in their pocket, and help the world’s wealthiest corporations, the true beneficiaries of WTO policies, accomplish whatever they feel is needed.

In practice this has meant such things as the murder of outspoken religious leaders in places like El Salvador, the murder of labor leaders in Chile and the wholesale massacre of populations as in Indonesia and East Timor.

Some Earlier Domestic Paramilitary Police Actions

The use of the U.S. military against U.S. citizens is hardly unprecedented. The following just serve as a few of the better-documented examples:

- In 1914, National Guardsmen broke a strike at a Standard Oil owned Mining facility in the town of Ludlow. They did so by firing machine guns into the tents occupied by the striking miners and their families. Thirteen people, mostly women and children died, scores more were injured. (For point of reference, Standard Oil and its satellites were key players in the discussions that created GATT, the IMF and the World Bank in the 1940’s.)
- In 1932, at the height of the depression, a group of starving World War I veterans came to Washington D.C. with their wives and children in tow. They numbered more than twenty thousand. They had no work, no food, and no place to live. They hoped that they could collect a bonus promised them by the government when they’d served their country as soldiers in what had been history’s bloodiest war. The U.S.

government responded by sending out four troops of calvary, four troops of infantry, a machine gun squadron and six tanks. Soon the streets of Washington D.C. were filled with tear gas. Casualties followed. This domestic force was led by several who would go on to become top military commanders including Patton, Eisenhower and MacArthur.

- In the 1940's the entire Japanese population was forced to abandon all their worldly possessions and relocate to camps. Barbed wire and armed guards surrounded the camps. It was similar to Rex 84 Bravo, the scenario envisioned in the 1980's by Oliver North for locking up political dissidents in the event the U.S. again found itself experiencing dissent during a military conflict.
- In the 1960's and early 1970's many of the most repressed minority groups began to acquire a sense of pride in their cultures and history. Many of them had been sent to fight in a pointless war in Vietnam. They came back realizing that they were a group of victims being used to fight more victims. Groups like the Black Panthers developed programs that fed and educated their impoverished communities. The response of the government was predictably brutal. Simultaneous military attacks were staged on the different headquarters of the Black Panther organization. In the case of at least one chapter in Chicago, the chapter's members were surreptitiously drugged before the forces of the law broke in and machine-gunned them as they slept. In South Dakota, members of the American Indian Movement armed with antiquated rifles designed to hunt small game, faced a well-armed military force that included helicopters and armored personnel carriers.
- On May 13, 1985 the Philadelphia Police ended a long, politically uncomfortable standoff with the African American back to the land group MOVE. Move occupied a small row house. Police used tear gas, water canons, shot guns, Uzis, M-16's, M-60 machine guns, a 20mm anti tank gun and a 50-caliber machine gun. Police filled the home with tear gas and fired over 10,000 rounds. When this was insufficient to force out the people inside, a helicopter dropped an incendiary device. The blaze was allowed to spread consuming not only the MOVE house, but all 60 homes on the block. Eleven people, including five children died in the inferno. There were two survivors, one of them an infant who was carried out.
- Under the guise of the "war on drugs" the National Guard was given increased powers. These powers enable the Guard to be used routinely against the domestic population. Among the areas hardest hit were the parts of Northern California and Southern Oregon called the "Emerald Triangle." Routinely now, people in these areas find their homes invaded. Troops in camouflage uniforms, carrying M-16s and supported by helicopters hold families at gunpoint. Furniture and other property are destroyed. Dogs and livestock are shot. Some of these people do grow marijuana. The majority of them are loggers with nothing left to cut or farmers with nothing profitable left to grow. This has been going on since the mid 1980's.

- An avowed “White Separatist,” Randy Weaver, found himself and his family laid siege by hundreds of paramilitary agents in his remote, plywood shack. Facing questionable charges from the Bureau of Alcohol Tobacco and Firearms, Weaver had refused to plea bargain his charges by infiltrating a “White Separatist” organization. Camouflaged snipers who hid in the woods killed his dog and fourteen-year old son. His wife was killed when a sniper’s 50 caliber bullet exploded her head as they prepared the son’s body for burial. For those unfamiliar with weapons, this is the same caliber bullet as that used by the Macaw Indians to kill a whale. Vicky Weaver’s head exploded with such force that Randy Weaver was injured by the flying fragments of her skull.
- In Waco Texas, hundreds of armor-clad federal agents laid siege to half-constructed combination church and community center. During the initial siege federal agents broke through doors and windows, and helicopters passed overhead firing machine guns. Records available later show that the agents only withdrew when they ran out of ammunition and negotiated a cease-fire and retreat. For long weeks, the members of the religious community were subjected to loudspeakers that blasted sounds of rabbits dying in slaughterhouses as they watched the corpses of neighbors killed in the earlier shoot-out decompose. Tanks circled their property, driving over their vehicles. After some six weeks the facility, seventeen children inside, was filled with tear gas – a highly incendiary substance outlawed by the Geneva Convention, and a favorite tool of law enforcement. The plywood structure burned quickly. Survivors recall that many who tried to exit the burning structure were fired upon. Thermal imaging of film taken during this time seems to confirm this.

What distinguishes these from what took place in Seattle is that all these actions took place against populations that were marginalized socially, geographically or economically. During the Seattle WTO Ministerial this same dynamic was openly applied to a major middle-class population center of the United States. It was not only an effective way of telling the people that the rules had changed. It was setting a precedent about the use of potentially lethal military force against any population.

Say Goodbye to Posse Comitatus

The United States has a protection against the use of federal troops for civilian law enforcement. The Posse Comitatus Act of 1878 makes it a crime to do so. The intent behind this is that the military is there to deal with foreign enemies, usually with a lethal response. Police, by contrast are members of the community and there above all to protect life. The two are hence incompatible.

What has happened is that as a result of political expediency, the judicial, legislative and executive branches have increasingly blurred the lines between police and the military.

For example 10 USC 375 only limits the use of military to actual engagement of troops in the field. This means that that the most elite “Special Forces” military units including the Navy Seals Team 6, Delta Force and the Special Service (SAS) routinely train both federal and police SWAT Teams. These “Special Forces” not only are allowed to conduct

training they can also appear on site and act as “consultants” at every stage of the action, even writing action plans that supercede those of their law enforcement counterparts.

Under 10 USC 372, the military forces can also provide any piece of military equipment deemed necessary. The only caveat is that military personnel cannot operate this military equipment.

Under 10 USC 373, the military are authorized to train the law enforcement on any piece of their equipment, such as the tanks that were used at Waco.

Also under recent exceptions created under the “War on Drugs” members of the National Guard may be brought in directly.

FBI Hostage Rescue Team (HRT) founder Danny Coulson seems to have grasped some of the implications of this blurring of the lines between military and law enforcement. Then FBI Director William Webster and Coulson had observed an early training session of Delta Force. Coulson who describes the FBI’s involvement in the 1973 Wounded Knee siege as “disastrous” (Coulson, No Heroes, pp. 136-37) describes the following exchange:

“Webster nodded sagely and took a closer look at the array of guns and gizmos. There seemed to be something missing. He turned a puzzled face to Major General Richard Scholtes, commander of the Joint Special Operations Command, who oversaw Delta, SEAL Team Six and other DOD counterterror activities.

‘I don’t see any handcuffs,’ Webster said.

‘We don’t have handcuffs,’ Scholtes responded crisply. ‘It’s not my job to arrest people.’

Oh? Oh! Webster’s eyebrows curved like the St. Louis arch as the realization dawned that once the military was called in, the situation would most assuredly be resolved with bullets, and there might be no one left to be taken to jail. It conjured up a nightmare scenario that could make Kent State look like a picnic.”

(Coulson p. 139)

In point of fact, these military units may be overruling their civilian counterparts once called in. Evidence of this is shown by examination of the testimony by Attorney General Janet concerning the disaster that occurred at Waco. Reno first described the role of the President as being limited like a World War II general who was not expected to exercise constant oversight. Reno also acknowledged that though the FBI had conceived the April 19th assault of the Branch Davidian’s plywood structure with military tanks, the actual implementation which began a few minutes after the tanks were first deployed, was the work of Delta Force. “In effect Delta Force’s recommendation was carried out.”

(Kopel and Blackmun, No More Wacos, pp. 84-87)

There is certainly evidence that a similar dynamic was taking place in Seattle. Evidence of Federal involvement in the Seattle Ministerial is there as early as July 16th article in The Wall Street Journal. This article quotes SPD spokesperson Carmen Best as saying,

“The police department has set up a WTO planning commission, which is coordinating with the U.S. Secret Service, the Federal Bureau of Investigation, the State Department, Federal Emergency Management Agency, The Bureau of Alcohol, Tobacco and Firearms and *numerous other law enforcement types.*” (Emphasis added.)

An article in The Seattle Weekly published two weeks after the ministerial, states that Delta Force members were on the street in civilian garb mingling with demonstrators. The Delta Force members may not have only been in charge of much of what was going on in the streets, but according to two sources, were those who pushed the hardest for the crackdown that occurred on the streets. (SW, “Delta’s Down with it.” Rick Anderson, 12/23/1999, p. 16.) Certainly the response that occurred on November 30 where thousands were exposed to chemical agents and almost no one arrested mirrors Coulson’s and Webster’s impressions of Delta’s operating style.

Community leader Harriet Walden, one of the founders of the group Mothers for Police Accountability made remarks to this effect at a community dialogue with Seattle Police Chief Norm Stamper:

After the crackdown began, every press briefing was held in the federal building. The local authorities were not in control.

This conclusion is mirrored by experience of members of the local chapter of the National Lawyer’s Guild. NLG members received a short letter from Captain Linda Pierce a few days before the WTO Ministerial. Captain Pierce’s letter included the following acknowledgment:

“While we appreciate your interest in ensuring individual First Amendment expression, it is important to note that security issues are paramount and are often dictated by federal agencies responsible for event security.”

In essence, the letter is saying, what we locals think or want doesn’t matter. The Feds are in charge.

What this Portends

Every honest examiner of what took place during the Seattle WTO Ministerial has an obligation to look at the implications of this large a use of a military force against a domestic population. If allowed to go unexamined it will become the new benchmark. The willingness of police forces to utilize paramilitary “less lethal” weaponry against citizens in subsequent events, such as the apolitical Mardi Gras, and the attempts by police to limit the debate to how the demonstrators could have been more effectively contained, only illustrate this fact.

What has in fact been happening in the last decade is that the capability to wage war on the domestic population has increased several folds. Much of the money that went to the military now goes to National Guard Units. These units are functionally the same as the

military. They have been called to serve in Panama and the Persian Gulf. Arguably the training, level of equipment and level of recruits they receive is superior to that of their counterparts in the regular military. Indeed many of these National Guard Units routinely best their military counterparts in staged competitions. The difference is that the National Guard may be used against the domestic population.

The police too have become militarized. There are euphemisms like the “war on crime” and the “war on drugs.” Their result has been an increased police force with many more and newer officers using weapons with higher capacities, and having less training and street experience behind them. There has been an increase in the number of paramilitary SWAT and SERT units. In large part because this is where the federal funds are, small town police forces apply for and receive grants for SWAT teams, not basic items such as police cars. One recent academic study found that nearly 70% of the cities with populations under 50,000 had paramilitary units. For cities with populations over 50,000 the number jumped to 90%.

Much of this rise in the militarization of the police has occurred alongside the growth of something called “Community Policing.” Discussions of community policing are usually dominated by touchy-feely terms of “community involvement.” Neighbors are encouraged to be the eyes and ears of the police in the community. They are encouraged to report any “suspicious” persons and events and to work with the police in eliminating these elements. What in fact “Community Policing” accomplishes is that the police, particularly the paramilitary police described above, are given eyes, informants and unchecked entry into the community.

Portland, Oregon is one of the national models of “Community Policing.” It has hosted several national conferences on the subject and two of its chiefs were among the three finalists for position of administering the allocation of the 100,000 new police created by the federal crime bill. A closer look at this program reveals how closely it is intertwined in the community. Figures in a study conducted by the Portland City Auditor’s office revealed that under community policing, the number of patrol cops actually went slightly down, while the number of those involved in Tactical Operations went from two to fifty-six officers in the space of a little over three years. Also the person who was “Lieutenant in charge of Community Policing” inevitably became the “Captain in Charge of Tactical Operations.”

Just to clarify, “Tactical Operations” is the division that runs the paramilitary team that knocks down doors, dresses in camouflage, drives armored cars, and carries AR-15’s and H&K submachine guns. This is also the division of the police that can confiscate property. This is part of the “asset forfeiture” fund mentioned in the 1993 Federal Crime Bill that created 100,000 new police on the streets. “Asset forfeiture” refers to property taken through drug and other crime related seizures by law enforcement. In effect, the police are expected to become self-funding through the confiscation of private property. One obscure ordinance passed by Portland City Council enabled this branch of the police to work with the National Guard to compile a database of property owned in Portland under the guise of a “War on Drugs.”

Why “Community Policing” is most relevant to the Seattle WTO Ministerial can be found in remarks by one of the program’s founders. Lee Brown a former Multnomah County Sheriff, New York police Commissioner and Clinton Drug Czar wrote this in a history of “Community Policing” intended for members of the law enforcement community. Brown begins by looking at “shortcomings” to the police response that occurred during the protests of the late 1960’s and early 1970’s:

“(these shortcomings) came into sharp focus by the middle 1960’s and early 1970’s when riots and protests exploded with rampant regularity across America...questions were raised about the apparent inability of police to prevent or at least control such outbreaks.”
(Perspectives on Policing, U.S. Department of Justice, September 1989.)

In other words, “community policing” was put into place to answer the question: how can the police more effectively eliminate dissent, or if that is not possible, control it.

To place this trend in perspective, imagine the political furor in the U.S. if this document could be attributed to the domestic policies of say Fidel Castro or Saddam Hussein.

More Cops, Less Training

Community Policing also brought with it a mass of new hires. There is no objective evidence anywhere that supports that bringing more cops on the street limits crime. FBI Statistics prove that there is no correlation with having more police and a lowered crime rate. That information is being ignored and more and more police are being hired.

In most police departments, new recruits have swelled the ranks, and sometimes even form a majority of the police on the street. In Seattle, one third of the police have been on the force for less than two years. This has brought a concern noted by many police commanders and police union leaders, that with the increasing numbers of new recruits, police cannot be and are not being adequately trained.

Robert Vernon, Retired Assistant Chief of the LAPD writes the following in his book LA Justice:

“I also called the (Christopher) Commission’s attention to our training problem in the LAPD. Our hiring schedule was (and is) controlled completely by the politicians and the city administrative officer.... (T)hese leaders mandated our hiring to go from zero growth to adding several hundred in one year. To make political points with the people, they actually began seeing who could add the most officers to our authorized strength. The result was that in recent years of heavy hiring, we hired too many too quickly.

When I joined the department and graduated from the academy, I was assigned to work with an 8-year veteran. I soon learned that it took several years of experience to become an effective officer. When we shifted into heavy hiring mode that wise practice all but disappeared. Today it’s not unusual to have a rookie working with a training officer who has all of 18 months’ experience. The sharper recruits often find themselves working a 1-person car-on their own-near the end of their probationary period. This is another reason we’re not adequately passing on the principles of police professionalism.”

(Vernon, LA Justice p. 120)

A similar dynamic pervades the dynamics of training special units such as SWAT teams. FBI Hostage Rescue Team (HRT) founder, Danny Coulson describes a situation in which he was assigned to handle a prison disturbance with members of several local police SWAT Teams. Coulson writes:

“We were asking a lot of the SWAT agents. We’d had years to practice these skills. These men had days – maybe hours.”

(No Heroes, Coulson, p. 357)

An even worse dynamic seems to have occurred in Seattle during the WTO Ministerial. Many of the police from outside the Seattle area seem to all available evidence, to have been called in at the last minute and received no training whatsoever on the less lethal weaponry.

What often becomes a substitute for that training is the preconception that the officers have when they begin the job. Usually these preconceptions come from television and movies. These works of popular fiction feature continuous images of the police actively engaging in direct physical acts such as gun fights and car chases on an abnormally regular basis.

These factors go a long way to describing the enthusiasm and irregularities displayed by numerous officers deployed during WTO Ministerial. Scenes such as occurred after the December 1st labor march where demonstrators were inexplicably driven from one barrage of tear gas to another, or Capitol Hill where less lethal weaponry was fired into empty streets, make a lot more sense in light of these factors.

Consider also that as the training levels are going down, the capacity and lethality of the weaponry by these officers are increasing. Where they once had very accurate six shot revolvers whose barrels formed a natural extension of their hands, the standard issue weapon is now a semi-automatic 9mm Glock that carries anything from 17 to 30 rounds in a clip. To accommodate the extra bullets, the Glock is built with a diagonal handle, so that the barrel does not form a natural extension of the forefinger when it is clasped in a person’s hand, as it would with the standard issue service revolvers.

Police Being Trained to View the Public as a Threat

Also consider that a dominant factor in police training is to have officers assume the worst about a person. Police are trained to view nearly every movement that a suspected person makes as a threat. They are also taught to respond to that threat with a necessary amount of force.

One of the greatest illustrations of this is found in Sgt. Stacey Koon’s book Presumed Guilty; The Tragedy of the Rodney King Affair. Sgt. Koon was the LAPD officer in charge of the pursuit and arrest of Rodney King on March 3 of 1991. In the opening chapter Sergeant Koon gives a step by step analysis of the pursuit and stop of Rodney King. Every moment on the famous videotape is explained as the police doing exactly

what they were trained to do. The following are some of the more illustrative examples from Sgt. Koon's detailed narration:

"After the second TASER King continued to right himself. In an instant he was on his feet. His arms outstretched, King rushed Officer Powell. If he had wanted to escape, there were plenty of avenues available. He could have fled across the street into the crowd of bystanders, or to his right into the park. But King didn't do that. He chose to collide into Officer Powell, and the two grappled for a split second. That's why all of the officers present interpreted it as an assault on a policeman instead of a chance to escape. Powell was terrified; police officers get scared, too. He defended himself with his metal PR 24 baton..." (p.40)

"Then the officers stepped back to evaluate the effect the blows were having on the suspect. That's strictly procedure, because it gives the officers an opportunity to determine whether the suspect intends to comply. More importantly, the pause gives the suspect an outlet to avoid any further blows by obeying the command to prone out, hands behind the back. These pauses are known as "pulsations" in police language. Yet they are interpreted by many viewers of the videotape as policemen simply taking turns beating an innocent suspect. That wasn't the case. They were following my orders and strict procedure; deliver the baton blows, then back off to see what effect they're having on the suspect..." (p.42)

"...in one of the more tense moments that is captured in stark clarity on the Holliday videotape, King began rolling toward Officer Wind. Wind backed quickly away. He knew what was happening. Rodney King was doing the "Folsom Roll." To the casual viewer of the videotape, it appeared as though King were rolling away from the officers in an effort to avoid getting hit. But he wasn't being hit at the time. King wasn't avoiding blows. He was rolling *toward* Officer Wind- he was doing the "Folsom Roll." Any LAPD cop who's dealt with ex-cons is familiar with the "Folsom Roll." Prisoners at California's Folsom Prison and correction units in other states have been photographed teaching it to one another in the prison yard. It's a technique for disarming an officer while proned out on the ground. The idea is to roll into an officer and tangle up his legs, then reach up and grab a gun belt and holster while the officer is off-balance. Then the officer is downed and the suspect has the weapon." (pp. 42-43)

This provides insight into why the officers were acquitted the first time – they were conducting the entire operation by the book.

A similar dynamic took place in one of the models of "Community Policing." A Portland Police officer pursuing a suspect fired twenty-seven shots. Gerald Gratton had been observed carrying a gun, which he immediately dropped. The officer pursued Gratton through a residential neighborhood, shooting wildly. Since his Glock only carried 17 rounds, he even reloaded his clip. Though initially dismissed the officer was reinstated. The decision described the pursuit in detail and how every move by Mr. Gratton, was a potential threat to the life of the officer. When Gratton crouched, when he held up his hands, every move mirrored something that the officer had been trained to respond to as a potentially lethal attack. A more recent example of this sort of shooting is the Diallo shooting in New York.

A similar dynamic seems to have applied during the WTO. One of the few of the approximately 600 arrestees to make it to trial was Eric Larsen, manager of a local cafe, a photographer and a poet. The videotape of the King County Sheriff's Office used in the

trial, shows that Larsen was subjected to several distinct blasts of pepper spray. King County Sheriffs dutifully explained the whys of this. When Larsen wiped at his eyes, or held out his hands to block a stream of the spray, or bent over slightly with his arms at his side, every one of these was a potential chance for Larsen to attack the few dozen armored officers he faced.

Larsen was acquitted of all charges including resisting arrest.

Other police videos support this view of a police force being trained to expect the worst from the demonstrators. For example video of the police training on 11/19 shows the police divided into two groups one being the protesters. The “protesters” do things such as hurling large chunks of debris at the other officers.

There is also a tape provided by one of the police agencies where they receive a morning briefing. “They will try to provoke you,” warns their commander.

Most ominous is an assessment hinted at in some of the police reports, that a certain number of police casualties would have been acceptable. Even if this assessment was only a rumor circulating among the police officers, the fact that it had credence, as all evidence suggests, is indicative of the officers’ mindset.

Police Viewing Themselves as Outsiders in a Hostile Community

What has changed is that police, who were once taught to protect life, are now focused on making it home from the hostile environments they patrol. It is part of a larger rubric similar to the changed training methods in the military that brought increased killing rates from American Troops in Vietnam. Once the enemy is dehumanized it becomes a lot easier to kill if deemed necessary. Police come to view themselves as being in a position analogous to “the lost patrol.” Trapped behind enemy lines with no one but each other for support.

The dynamic of police as outsiders, is revealed in a recent interview with Philadelphia Police Chief Ed Timoney. Timoney describes his investigation of a 1994 gunfight he had investigated while a chief in the New York Police Department. The gunfight had lasted ten minutes; the police had shot 258 rounds of ammunition. Four people were killed including an innocent bystander who was shot by a police bullet. The casualties also included a pregnant woman who was left alone to bleed to death in a nearby restaurant. Timoney states that he conducted his investigation to determine how these officers defined their jobs as members of the police department. What he found disturbed him deeply:

“She was dying, she was pregnant, and the cops went out – they ran away. And the more we spoke to cops the more we heard, ‘Hey, listen, my main function is to protect my partner. That’s my main job.’ This kept coming across every cop. ‘My main job is to protect my partner and make sure I go home every night.’ And we had to say: ‘That’s not why we hired you! Implicit in all this is that it is a dangerous business. You may get shot. You may be called upon to make the ultimate sacrifice. But I didn’t hire you to protect your partner. I hired you to protect the public.’

And the more I thought about it, the more I realized: Something's switched. Something's changed. I didn't think I would have given that answer as a young cop."

The Last Cop in Camelot, Tom Junod, Esquire June 2,000, p116.

This sort of insularity is something that can and does pervade to the highest levels of police organizations. New York's Mollen Commission, one of the most in depth analysis of police misbehavior conducted in recent years observed the following:

"...the Department allowed its own systems for fighting corruption virtually to collapse. It had become more concerned about the bad publicity that corruption disclosures generate than the devastating consequences of corruption itself. As a result, its corruption controls minimized, ignored and at times concealed corruption rather than the devastating consequences of corruption itself....This reluctance manifested itself in every component of the Department's corruption controls from command accountability and supervision, to investigations, police culture, training and recruitment."

(Mollen Commission Report 7/7/1994, pp2-3)

Smart Cops Realize This Puts Them in Danger

The more experienced cops realize that these dynamics ultimately make their own job more dangerous and create unnecessary friction in the community. Moreover, these policies may themselves create the very criminals that they are nominally there to protect the community from.

Portland Police Officer Thomas Mack, a representative of the Police Officers Union, has been one of the more candid critics of the effect community policing has had on officers ability to perform their jobs. When Portland experienced its first fatal shooting of an officer in nearly two decades Mack made remarks to a reporter attributing the officer's death to the lack of training officers were receiving. He said "it should be a wake up call." (Oregonian 7/21/97, PDXS Vol. 7, No. 11) More recently, Mack has come under fire for his criticism of the Portland Police Bureau's use of "less lethal" beanbag rounds, on May 1st. Mack stated the policies were unsound and being forced on the street officers from their commanders. He'd also made these statements about a "Gang Enforcement Program" to a panel of leaders assembled by the police chief:

"When you talk about a popular thing, gangs are becoming bigger because they are popular. I want you to understand part of the approach we're taking may be a reason for that. When you put a special unit together and special uniforms and special cars and call it "gang enforcement unit," the little kids who are wannabes and are not quite sure look at it and go these "G's" these "little G'd" and "OG's," these big guys they must be important because the police are putting together a special unit to fight them. I want you to think twice about making the gang unit bigger and bigger and bigger, because what you seem to be doing, looking at the stats here is making the problem bigger and bigger."

(Statement of Officer Tom Mack to PPB Chief's Forum, 10/24/94, Portlandian Vol.I, No.3)

It takes little imagination to apply this same dynamic to the relationship between the authorities and the Anarchists. By drawing so much attention to these groups, members of law enforcement have become these groups' best recruiters. By describing disruptive

tactics that the demonstrators *might* use, certain members of law enforcement make their appearance on the street inevitable.

Part of Mack's reticence may stem from the increased fatalities that Community Policing brings with it. For example in 1993, annual statistics released by the Federal Bureau of Investigation show that Portland had the third highest per capita shooting rate of citizens by its own police. In 1997, for the first time in almost two decades, police officers were fatally shot. The case of the first officer, Thomas Jeffries is especially instructive. Jeffries pursued an armed suspect, who had shot at a child earlier that night. It was late at night; the area was a residential neighborhood. This was a situation where containment would have been ideal. Instead, Jeffries, separated from his partner, losing whatever advantage he had. During his last moments, he crashed through ten-foot hedges pinning his arms, and alerting the suspect through the rustling of leaves. This might work nicely on television but it was horrible in life. Jeffries was not the only PPB Officer to die that year. A few months later several officers conducting a "no-knock" drug bust failed to pay attention to a video camera mounted conspicuously outside the door. All three were shot. For one, a recently married female officer on her first drug assignment, the shooting was fatal. Another officer who was her trainer remained in critical condition for months.

MAKING THE USE OF LETHAL FORCE MORE PALLATABLE

The Human Aversion to Killing and Lie of “Non-Lethal” Weapons

“Blank cartridges should never be fired against a mob, nor should a volley be fired over the heads of the mob even if there is little danger of hurting persons in the rear. Such things will be regarded as an admission of weakness, or an attempt to bluff, and may do much more harm than good.”

General Douglas MacArthur, Military Aid in Civil Disturbances

One of the major things to come out of Seattle was a grudging acceptance of what are being referred to by some members of law enforcement as “non-lethal” weaponry.

In demonstrations that have followed the WTO Ministerial in Seattle, police seem more prone to using these weapons, then they were even a few months ago.

- In Mardi Gras in Seattle, hundreds of revelers in Pioneer Square received doses of pepper spray for reasons that remain unclear at best.
- In Washington D.C, during the meetings of the World Bank and International Monetary Fund, these weapons were employed on multiple occasions. The acceptance these weapons have gained is illustrated by the fact that many in the progressive community refer to these uses with terms such as “sparing” and “minimal.”
- Two hundred miles to the south of Seattle, the Portland Police fire “non-lethal” bean bag rounds from shotguns, during a small May 1st street demonstration. This is a first for the city George Bush Senior once dubbed “Little Beirut.”

No Normal Person Likes to Kill

To understand the attraction of what are now being popularly referred to as “non-lethal weapons,” it is helpful to understand the basic aversion to killing that is biologically hard-wired into most of the advanced life forms on this planet. Most of us who have been around a television set sometime in our lives have seen the nature documentaries where two members of the same species engage in very ritualized combat over territory, food sex, etc. Even the most vilified species on the planet have adopted these sorts of rituals. Piranhas establish dominance by swatting each other with their tails. Rattlesnakes wrestle with each other.

In the human realm these same habits are reflected in the anthropological documentaries most of us have also seen, where the warriors of two primitive hunter gatherer societies

stand in opposing lines, posture at each other, make loud noises and the like. When actual weapons such as spears and bows and arrows are employed, weapons these people use to hunt with and are indisputably competent with, the weapons inevitably miss their targets. The point is not to kill a member of one's own species but to vanquish the opposition through a show of force.

These same habits and aversion have directed the way most war has been fought in most of Western Civilization including the United States. While the popular image of warfare is of soldiers on both sides valiantly fighting slaying and triumphing over phenomenal odds, these are usually just tall tales of another primitive society. In nearly every case, the vast majority of soldiers who behaved competently in training were unable to kill their opponents. Firearms and lines of soldiers seem to have been more often used as means of intimidation. Most soldiers would do things such as load and reload their weapons or fire over their enemies' heads. A relatively small portion of the soldiers did the actual killing. These results are confirmed by numerous examples in history:

- In studies of the Napoleonic and U.S. Civil Wars it has been shown that lines of two hundred to a thousand men standing thirty yards apart and firing their muskets at an exposed enemy regiment produced kill rates of one to two per minute. For point of reference, these were weapons that could fire between one and five rounds per minute and would have an accuracy rate of 50%. This should have resulted in a killing rate of hundreds per minute.
- In World War Two, Army Brigadier General S.L.A. Marshall worked with a team of Historians both during and after the war. They conducted interviews with literally thousands of soldiers in more than four hundred infantry companies. The results they found were consistently the same: only 15 to 20 percent of American riflemen in combat in World War would fire at the enemy.

Interestingly it was found that those forces that were further removed from their enemy had far less difficulty killing. Bombers and even snipers had a much higher kill rate than their counterparts in the infantry who faced their opponents at close range.

Making Soldiers into More Efficient Killers

As members of the U.S. military have become more aware of these natural tendencies to avoid killing, the training of soldiers has been modified to result in higher killing rates. During Korea, figures gathered by Marshall indicate that about 55% of U.S. troops were firing accurately upon the opposition. In Vietnam it is estimated that 95% of the soldiers fired at their enemies. The methods used to accomplish this were based on desensitization, conditioning and denial.

The training camps of World War II and these later wars differed dramatically. Studies of the methods used in these camps show that use of the term "killing" was far more a part of the trainer's vernacular in the later wars. Also the targets more accurately resembled human beings. Where once soldiers practiced shooting bulls-eyes, they now practice on human shaped targets that pop out at them. Some of these targets are even

filled with jugs of red liquid to more effectively simulate a person being killed by a bullet. The point was to make the killing of what looked like a human being instinctual and reflexive.

There are also distancing techniques through mechanization. It's easier to kill another human being if you're looking through a simulator, scope, or any sort of device that makes them look less like a human being and more like a figure on the screen.

Another factor utilized is the use of pressure from leaders and members of a group. Two of the most famous experiments in the field of psychology help illustrate the methods used in the training of soldiers and more recently, police. In one experiment a person was told that they would be helping to administer an experiment. Their job, at the direction of a person in a lab coat, was to deliver shocks to a third party. In reality the person administering the shocks was the unwitting subject. The person in the lab coat and the person receiving the shocks were working together. As the experiment proceeded the person in the lab coat would direct the true subject to keep increasing the level of shocks administered. The simple mechanism of having an authority figure there, ordering the person on was enough to make the vast majority of the subjects continue to administer shocks long after they were aware that what they were doing would kill the person.

In practical matters, this resulted in the "improvement" of having more commanders in the field to urge on the troops.

Another experiment involved group psychology. Two groups of people were selected at random. One was told that they were guards, the others, prisoners. With no other stimulus, the two groups evolved distinct behavior patterns. The guards becoming ever brutal and enforcing each other's behavior.

This of course mirrors the sort of psychology that allowed U.S. troops to participate in events such as the massacre at Mai Lai. Stories also abound of troops shooting children, raping women, and executing entire villages. The point is that the group of soldiers engaged in acts that would have been individually repugnant and unthinkable to the vast majority as individuals.

Transferring Military Training to the Police

The reason this report examines the training methods of the military in such detail is that the training methods of the police have begun to resemble those of the military, especially as many of these police units train with and go into action with those of the military. Police shooting simulators, enormous video games, train police to reflexively shoot at human targets. Police sniper ranges also feature human figures with exploding heads filled with red liquid. Police gear including night vision goggles, gas masks, all serve to add another layer of distancing to what the police are doing.

The police have also utilized what has been learned from the field of psychology's most famous experiments. Where government has been cutting middle level management in nearly every field, the opposite is true of the police. Instead the trend has been to

increase the number of field commanders. This of course makes it more likely that police will be more likely to perform tasks that they consider repugnant such as tear-gassing members of their community. Consider the incidents at 6th and Pike where police were talked into removing their masks.

Consider also the analogy of gangs. Philadelphia Chief Timoney's remarks notwithstanding, there are numerous instances of police forming into gangs and performing acts as despicable as those of the worst of the troops in Vietnam. In New York the Mollen Commission reported them forming gangs, taking property from murder victims, selling drugs and even going into a brothel, chasing out the johns and raping the prostitutes. In New Orleans one officer was convicted of murdering someone informing on a drug dealer she worked for. In Portland, a survey by the city's Metropolitan Human Rights Commission found the thing that members of the city's minority population most feared was the police. There are of course no end to the number of citizens who have attended forums in the past year to speak about police abuse, not only in relation to the WTO but also among the poor and minorities as well.

In a military campaign these sorts of tactics can have a demoralizing effect on the native population. U.S. funded Institutions such as the School of the Americas even trains "police" in foreign countries to inflict these harms upon the domestic population. CIA distributed manuals give step by step instructions on how "freedom fighters" can do the same. One cannot help wondering if policing economically depressed communities has become an example of what Van Creveld and Stratton call "Asymmetrical Warfare" if these patterns of abuses are in some way deliberate as in many third world regions outside the U.S.?

The Correct Term is "Less Lethal"

One of the most efficient ways to get people to be able to inflict pain or harm is to build up denial mechanisms.

Most of the police in Seattle seemed to have believed that the weapons they had weren't capable of killing anybody. This is seen by the repeated referral to them as "non-lethal" rather than "less-lethal" weapons. The term "non-lethal" was used in some of the SPD training materials and in many of the officers' afteraction reports. It was even used by Chief Norm Stamper during WTO related Press Conferences when he acknowledged these weapons existence. Moreover the police officers are even forced to expose themselves to the effects of some these weapons. The authors of this report have been giving training videos that show the police pepper spraying each other. For most the atmosphere is jubilant, almost like a watching a frat party. The officers make jokes, and go through macho posturing routines.

Using these weapons themselves is probably a huge adrenaline rush. Like taking part in a furious snowball fight as a kid, the adrenaline is pumping, the other side says "ow," but it's all in good fun. The author of this report had the opportunity of joking with a police officer who was inside the Ministerial doing security. The officer was asked questions

about how quickly he'd be able to disperse the delegates with the same weapons he'd used on the demonstrators. The officer's face lit up as he joked about a smoke bomb here and a concussion grenade there. The point in relating this is not to condemn this officer but to realize that these weapons have a powerful intoxicating effect, especially if one's been raised on t.v. and video games, as so many have.

The problem is that the term "non-lethal" is a misnomer. These products' manufacturers refer to them as "less lethal."

In essence, these are weapons that can and have produced many fatal injuries. These have been documented in their use during war time, their use as weapons of "civil control" in other parts of the world including South Africa, Israel and Ireland and studies of their use domestically as part of law enforcement.

Indications are that a large part of the reason Seattle Police did not consider these lethal had to do with their training. This is indicated by its placement in the "use of force continuum." A use of force continuum is a guideline that tells an officer how much force is appropriate for a given situation, or put another way, how much force should be used to counter a specific type of threat. The rankings for these weapons provided by the manufacturer and the SPD in their training academy are quite different. The manufacturer rates these weapons in the same range as use of a gun or other potentially lethal force. The SPD rates them slightly above a verbal command.

Projectile Weapons

"... Plastic and rubber bullets were products of British colonial experience in Hong Kong where the flying teak baton round became the template for future kinetic weapons. The concept was one of a flying truncheon which could disperse a crowd without using small arms. They were however regarded as too dangerous for use on white people, so in 1969, Porton Down came up with a 'safer' version for use in Northern Ireland in 1970. Just as plastic bullets were considered too dangerous for use in mainland Britain until 1985 when they proliferated throughout the UK's police forces, so were baton rounds regarded as too dangerous for the residents of Northern Ireland but not Hong Kong. Now plastic bullets have been deployed in virtually every continent from the USA to Argentina, to South Africa..."

- **An Appraisal of Technologies of Political Control, page 22.**
- **European Parliament, January 6, 1998.**

There were several types of projectile weapons, used by the police during the Seattle Ministerial. These projectile weapons included:

- 12 gage pump action shot guns
- 37mm and 40 mm weapons that fired large versions of what were in the shot gun shells

Both of these fired a variety of projectiles including:

- 32 caliber rubber bullets
- 60 caliber rubber bullets
- wooden dowels
- leaded weights called “bean bags”
- a variety of chemical agents

There was also CO₂ powered launchers that fired individual .69 rubber spherical projectiles, or rubber bullets, at 350+ feet per second.

Additionally, exploding, “less lethal” grenades released some of these projectiles.

What makes these weapons less likely to produce lethal injuries is both the fact that ammunition that is propelled is physically lighter than that of the traditional firearms and that the explosive charge that propels this projectile is not as powerful as that is used for traditional firearms.

In theory, the smaller explosive charge delivers the projectiles at a slower speed. This less powerful charge is crucial to these weapons not producing fatalities. If a lightweight plastic munition is given a large enough charge it can easily be lethal. In fact some of the more popular “cop killer” bullets are made out of similar materials to some of the “less lethal” rounds. They are simply propelled with enough velocity to penetrate a “bullet-proof” Kevlar vest – it is similar to the way that a straw can penetrate a tree or a concrete block in a hurricane.

The smaller explosive charge is why none of these projectiles are dispensed from semi-automatic type weapons that rely on the charge’s backfire to cycle the next round into the chamber. The 37mm and 40mm mechanically load the next round in the manner of a revolver. The pump action shotguns require the user to manually cycle the next round in to the chamber. The rub is that the weapons still must have a sufficient charge to propel the projectiles as far as they are intended to travel. In practice what this means is that they are traveling at much faster speeds when they leave the muzzle, then when they arrive at the distance they are designed to hit their targets at.

Though there is some variation with the many types of cartridges and projectiles used, as a general rule they shouldn’t be striking anything closer than fifteen feet, or you’re risking serious injury, trauma and possible death.

Even at these distances, the manufacturer’s guidelines stress that there are limited areas of the human body that these projectiles are designed to hit with a minimum expectation of loss of life. These areas where these weapons can be shot are limited to the areas of large muscle mass which include the buttocks and thighs.

Some of the munitions, such as the cartridges with multiple rubber bullets, are not even intended to be fired directly at the target. Instead they should be fired at the pavement in front of a large crowd so that they will lose velocity as they ricochet up and hit their intended targets. This method is called “skip firing.”

The literature provided by the Armor Holdings Company, a manufacturer and distributor of these weapons warns:

“Avoid striking the head, neck groin and spinal area.”

Armor Holdings gives a very lengthy list of the possible injuries that can result from these weapons misuse, or even by chance if used correctly.

Shots to the head can result in

- “Concussion – Mild injury to the brain resulting in short term loss of consciousness and memory, headache and possibly vomiting.
- “Contusion – Bruising of the brain tissue or spinal cord, resulting in a loss of normal brain function to the affected area; may cause swelling hemorrhage, unconsciousness, and possibly death.
- “Fractures - may result in abrasions, contusions, lacerations or, (sic) avulsions to brain and spinal tissue requiring neurological and orthopedic remedies.
 - a) “Fractures to trachea and/or pharynx that could obstruct the airway.
 - b) “Fractures may effect the teeth, jaw, facial bones, nose, sinus cavities and auditory organs.

Shots to the chest can result in:

- “Mydrocordial Contusion – Bruising of the heart and surrounding tissue (thepericarium) resulting in tachycardia, arrhythmia, or weakening of the aorta or pulmonary artery that could result in tearing.
- Fractures to the sternum or rib cage that may cause hemothorax, pneumothorax, hemmorrhagic shock, or diagrammatic rupture; all of which are potentially fatal.

Shots to the abdomen:

- Depending on the force of the blow, the trauma can lacerate the liver spleen, rupture the stomach and bruise or damage the kidneys and intestines.

These are the instructions provided with the munitions by Armor Holdings Inc. It is hard to imagine how they could be more explicit. Yet it seems from an overwhelming body of evidence, that these warnings were routinely ignored.

Witness statements given to organizations including NLG, DAN Legal and others report police firing both from distances that are potentially lethal or trauma inducing, and shooting into parts of the body that are potentially lethal or trauma inducing. This is confirmed in photos and video taken by the press, members of the independent media center and hundreds of independent citizens.

One witness states that an officer pointed a large barreled weapon in their direction and shot them. At lease one of the projectiles seems to have struck them in the eye. Either

from the force of the projectile, or as a reaction to the pain, they fell back into a large metal box. This person suffered partial blindness, continued bleeding in the eye, and the possibility of a detached retina.

Another person states that they were struck in the face by the rubber projectiles and that they made holes as they passed through the area around their mouth.

Neither of these individuals or any of the others shot with these rounds was, according to available evidence, ever offered medical treatment by the police. In fact this is something that is mandated by the manufacturers, the trainers and the SPD's own guidelines. All of these require filling out a medical report each time a suspect is struck with one of these potentially lethal rounds. No completed forms of this type have ever been presented to this group.

One Los Angeles Sheriff's Department Deputy wrote in a chat line for members of law enforcement, during a discussion on Seattle:

"As a less lethal weapons tactics instructor, I was somewhat concerned with what I saw.

"Why were officers with less-lethal weapons engaging suspects while their partners watched? These personnel should have been behind skirmish lines.

"I also hope that 37mm Stinger rounds were not being fired into the faces of demonstrators as some still photographs suggest. Shooting these rounds above a suspect's waist is only an option at our agency in deadly force situations. Firing Stinger ordinance point-blank into someone's face escalates the chance of inflicting a lethal injury.

"I noticed officers were firing full-auto pepperball guns in addition to tossing CS grenades. It was not clear what they were hoping to gain—crowd dispersal or shepherding suspects toward an arrest area? In either case, it seemed like too much of a good thing.

Col. Ijames of the Springfield Missouri PD, a leading trainer and expert on the subject notes that at least six fatalities have occurred as a result of the use of these weapons in the United States, and an unknown number in Europe. Speaking in a recent training session, Ijames told the story of someone in Canada who was struck in the chest with a leaded weight known as a "bean bag" round. The lead projectile traveled through the suspect's chest cavity into their heart. "The subject was DRT – dead right there."

Ijames also stressed the need for prompt medical attention with anyone who is shot with any of these rounds:

"You can't see what's going on inside the subject. He may have internal bleeding. If he goes into the drunk tank and dies, you are going to be in trouble."

Additional complications in the deployment of these weapons has to do with the very nature of the situations in which they are deployed. In essence, the very nature of crowd control situations makes their deployment as practiced in a training situation, impractical. Simply put, with hundreds, or even dozens of people moving around in a close area, it is

impossible to factor in the distance, trajectory for each of the people so that the weapon may be fired in a “safe” manner. This is of course exacerbated with the grenades.

This inability to actually use the weapons in their intended manner is born out by studies after the extensive use of rubber bullets in Ireland. One report compiled by physicians in the early 1970’s includes documentation of the following as some of the injuries sustained from 90 patients who sought hospital treatment after being hit with rubber bullets:

- 32 fractures of facial bones
- 8 ruptured eye globes, all resulting in blindness
- 3 cases of severe brain damage
- 7 cases of lung injury
- 4 cases of facial disfigurement

This and similar studies have found that the majority of these injuries were caused not only by their being pointed at the wrong parts of the body, but being fired at far too close a distance. In another study done of 12 fatalities caused by these bullets, inquests found that six out of the twelve killed were not in any way involved in any civil disturbance, and seven of the twelve were children fifteen years or younger.

It was also found, that each time these weapons were used, they required a stronger response. As was found in a 1987 study conducted by the Richardson Institute at the University of Lancaster:

“The initial use of water canon thus gave way to the use of CS gas. This was augmented by rubber bullets which were then replaced by the harder hitting PVC variety, and in greater quantities. Further empirical work suggested...the resistance they bred led to a successive deployment of each subsequent and more violent phase of the low intensity conflict programme. **In effect they bred the dissent they were designed to ‘fix.’**” (Emphasis added.)

It was based on facts such as these that their use was banned by the European Parliament in 1982, and upheld as a recommendation in 1998. (An Appraisal of Technologies of Political Control, European Parliament, Luxembourg, January 6, 1998.)

Chemical Irritant Weapons

“On November 30 I observed police throw tear gas canisters at non-violent protesters...downtown. They were not... (warning) the crowds and people were taken by surprise. I had to assist an elderly man momentarily blinded by gas.”

“Around 8’O Clock PM, at my friend’s apartment on (Capitol Hill) I was inside the apartment – not even participating in the events. Watching t.v. coverage on Channel 5. Eyes started burning inside the apartment building. Realized it was tear gas. I went outside. Police outside. I complained to police about gas. Police said, ‘I don’t give a fuck. If you don’t want something more severe, go back inside your apartment.’...Gas continued inside for 2-3 hours. “

“Skin irritation, chest pain...am asthmatic have heart problem. Was involved in good dose of pepper spray...could not rest could not breathe. Used (respirator) machine (to breathe).”

- From Declarations collected by the Seattle National Lawyer’s Guild Data Collection Group.

Speaking before a recent panel at the Environmental Law Conference in Eugene, Dr. Kirk Murphy, a UCLA physician told those assembled that they were part of the largest experiment in chemical warfare in recent history. The reason Dr. Murphy was able to make this statement was that CN and CS gas fall into a sort of limbo where they are not subject to testing for their effects. They are not classified as weapons of war, though they have been used in warfare extensively.

Chemical Irritant Weapons were first introduced by Allied forces during World War I. They were intended to clear out German trenches so that the Allies could then machine-gun them. It was a weapon that remained popular with the Allies in the subsequent struggles they had with their colonies. The RAF dropped it on the Afghan trenches in the 1920’s. The French and Spanish used it in Morocco. The book A Higher Form of Killing provides this summary of the use and development of tear gas:

“The Geneva Protocol had laid down firm controls over the use of gas in war. But the use of chemical weapons, like tear gas, by domestic police forces was a matter purely for national governments. Both the United States and Britain had established factories to manufacture CN gas after the First World War, and the British were soon using the gas against rioters in the colonies. The weapon which replaced it, and was used in Vietnam, CS gas, (named after the two American scientists, Carson and Staughton who discovered it in 1928,) provides a near-perfect example of the way in which British chemical warfare research, despite its commitment to purely defensive purposes came to be applied to war.”

Britain realized the shortcomings of CN gas in the 1950’s in Korea and Cyprus. In particular, it was ineffective in controlling “rioters” who had only to close or cover their eyes to protect themselves from its effects. CS gas had the “advantage” of producing a far wider range of effects. These effects included making the victims’ eyes burn and water, their skin itch, their noses run, and inducing coughing and vomiting.

All of the above are complaints, not coincidentally, made by members of the Seattle Police Department in their afteraction reports.

The British first tested CS in Cyprus in 1958. Buoyed by the success of this, the British continued to use CS ‘in support of civil power’ as in when it was deployed in Ireland a few years later.

The U.S., under General Westmoreland, Commander in Chief of Operations in Vietnam, began to use CS Gas as early as 1965. Because of the deservedly horrendous reputation chemical and gas warfare had acquired, the term “tear gas” was first coined and U.S. Troops were specifically trained to refer to it by that term and that term alone. Literally thousands of tons of CS gas were dumped by the U.S. forces on the Vietnamese. Its purpose was to drive out those in hiding so they could be killed by machine guns and

carpet bombs. The CS gas doubtless mixed with defoliants such as Agent Orange and added to the literally millions of persons who's long term injuries may never be understood.

(A Higher Form of Killing, Robert Harris and Jeremy Paxman, esp. pp. 9, 44, 194-5, 233.)

The effects these substances have on humans and other living creatures are still not understood. A major portion of the notion of their safety comes from the belief that they will naturally disperse, so that persons will not be exposed to concentrated doses. This of course does not happen if the agents are used in a confined space, or are altered by such factors as weather.

All information provided on the safety of these agents to law enforcement comes from the manufacturers themselves. In many ways it is the ultimate WTO dynamic, as if the manufacturer of DDT or Thalidomide or Malathion were in charge of determining its products safety. The police rely on the manufacturers of these products for assurances of their safety, and the public in turn relies on police.

Compositions of these products all contain carriers and agents. As with the other weaponry examined, the lethality of each can vary depending upon the strength with it is mixed. Often it is the carrier that is the most lethal part of these weapons.

CN

CN is more commonly known by the brand name of its most popular brand, "mace." During instructions in its use, trainees are told that it is not a gas, but really small metal barbs contained in a carrier agent. According to one manufacturer the propellant in the Def-Tec formula used in Seattle added a methylene chloride a toxic substance used in paint removers as a propellant. OSHA classifies methylene chloride as a "potential occupational carcinogen." Both methylene chloride and CN are classified as hazardous materials that require notification of release. U.S. Army research shows that methylene chloride is, "reasonably expected to be a carcinogen." Both the U.S. Army and NATO have removed it from their arsenals.

CS

CS is also a solid that is mixed with pyrotechnic carrier agent and propelled through a pressurized aerosol. The basic instructions manuals supplied by the manufacturers and the Seattle Police Department require that any person or group of persons being sprayed with CS gas be given an exit path.

There is no doubt that these are potentially lethal substances. In an investigation of the Israeli Army, the United Nations determined that there were dozens of deaths resulting from application of CS on Palestinians in closed spaces. The substance also killed a large number of children in South Africa under apartheid. CS has been determined among other things to raise blood pressure, sometimes heart failure, so could be potentially be the cause of the heart problems experienced by the SPD officer mentioned in one of their afteraction reports. "Of particular concern," writes Harvard

epidemiologist Howard Hu, “are allegations that exposure to tear gas has been associated with increases in miscarriages and stillbirths.” Hu has also linked CS to chromosomal mutation – changes to the very structure of a person’s DNA. CS also particularly puts people with asthma, diabetes and heart conditions at greater risks. The Journal of the American Medical Association (JAMA) found that one exposure to respiratory irritants similar to CS have led to the development of ‘reactive airways disease syndrome’ – in layperson’s terms this has meant a prolonged cough and shortness of breath. The British medical Journal The Lancet called for CS Gas to be withdrawn from police until more research has been carried into health implications.

OC

OC (oleoresin capsicum, cap-stun or pepper spray) is made from extract of cayenne pepper. The substance gained popularity, because unlike CN gas, it did not merely incapacitate the person by causing great discomfort, it caused involuntary physical reactions. The fact that it caused involuntary physical reactions made more effective on persons on drugs, persons suffering from psychotic episodes, and animals whose nasal systems are different from humans. Pepper spray was first endorsed by the FBI in 1987 and trickled down to most of the other law enforcement agencies in the country. Thomas Ward the director of the FBI’s Quantico Firearms Training Unit, brought the weapon into the FBI’s arsenal and wrote the main study cited by law enforcement to defend its use. In February of 1996 Ward pled guilty to accepting a \$57,500 kickback from the pepper-spray manufacturer who was the leading supplier to the FBI making the entire certification of the substance suspect.

Some of the harshest criticisms of OC have come from Prison Guards and Police Officers, most of whom are required to have it sprayed in their eyes as part of their training.

OC may have some genuine utility for law enforcement, for example it does provide an intermediary use of force that might not otherwise be available. LA Chief Willie Williams, for example, states that had it been available at the time, it would have been used to contain Rodney King. But all objective criteria seem to prove that its use is becoming all too prevalent.

It is used routinely in prisons not only to extract troublesome prisoners, but also simply to quiet them.

In Northern California, it was applied by swabs to protesters’ eyes. The Court found that a reasonable person could conclude this was excessive use of force.

In Seattle, it was used repeatedly at close range on demonstrators on the street. It was also used in jail situations that from some witnesses’ statements, seem to resemble third world torture scenes, more than images of U.S. Justice

Like the other agents, OC has been linked to numerous fatalities. A 1995 article by the Los Angeles Times noted a minimum of 61 deaths linked with the use of OC by police in

the U.S.A. A study by the ACLU in the same year documented 27 deaths in custody over a two-year period because of the use of OC in California alone.

Methods of Dispersal – Varied and Inaccurate

There are several methods of dispersal for all of these agents.

There were cartridges fired from the 37mm launchers, and shotguns. These seem to have been filled mostly with CS gas, some CN Gas. The police seem to have used these to fire into the middle of crowds from a distance. Some of these cartridges contained combinations of these and other “less lethal technologies.” For example, the “barricade rounds” were designed to penetrate a heavy barrier, then release then chemical agent on the other side. Other cartridges combined the release of the chemical agents with that of rubber projectiles. Yet others released multiple containers that dispersed the agents to minimize the chance that they could be thrown back at the police.

There were grenades that could be thrown. These contained similar components to the cartridges.

There were paint-ball guns. These shot rubber containers filled with OC powder.

There were canisters the size of small fire extinguishers that were carried by officers. These seem to have been carrying OC, and sometimes a combination of OC and CN. The OC was dispersed in both the form of a mist and in the form of foam that according to training officers was far more potent.

There were portable fogger units.

All of these methods of dispersal encountered problems.

As reported above, police officers fired at themselves, dropped canisters at their feet, had gas blow back at them on the street and in buses of prisoners, and had at least one grenade explode in an officer’s hands.

The problems in dispersing these agents among large crowds were even worse. There was no way the police could separate who was being hit with these agents with any accuracy. They could not separate the old, the invalids, and the infants. They could not separate out those with heart conditions, diabetes, asthma or AIDs. They could not separate the bystanders from the demonstrators.

And they could not offer the medical aid they were required to once the gas was launched in large quantities.

Lethal Agents + Inaccurate Dispersal Techniques = Bad News

In the months leading up to the WTO Ministerial, Seattle officials explicitly played down the use of their weaponry. Mayor Paul Schell had even encouraged people to come do

their holiday shopping downtown on November 30th. He had stated that downtown would be the safest place in Washington to be that day.

In considering the effects these weapons had, look also at who some of the most vulnerable people subjected to these weapons were:

There were children and pregnant women.

Capitol Hill arguably the community most affected by these weapons of war, houses several retirement homes.

Perhaps most vulnerable, were the people with AIDS, there to protest the policies of the WTO – an organization that prevented the manufacture of less expensive treatments and vaccines. These may have been the people who suffered the worst effects from these agents. Many with this stigmatizing disease were forced not only to take time off of work because of the effects the gas had on them, but also to offer explanations to their employers and acquaintances.

There seems to be at least one fatality as a result of deployment of these “less-lethal” technologies during the WTO Ministerial.

Key Martin was a long time activist and video producer. He suffered from asthma and AIDS. This put him in a more vulnerable position during the Seattle WTO Ministerial. Those who were close to him attributed his recent death to complications resulting from these conditions and exposure to these toxic chemicals. That Martin had these pre-existing conditions does not make his death reasonable or even legally justified. Under the most basic precepts of tort liability, a defendant takes a victim as they are.

The implications of Martin’s death are far reaching. It is well known that the substance adversely affects those with AIDs. Consider that among the leaders of those activist groups the police had met with were leaders of AIDs groups including ACT-UP. Perhaps Martin’s death can be excused as a case of cognitive dissonance. Future deaths cannot be excused this way. Knowingly spraying these chemical agents into an infected population has to be recognized for what it is, a lethal use of force. It must also be acknowledged that if these chemical agents can be expected to be deployed with minimal warning those suffering from AIDs have effectively lost their right to free speech.

Given the numbers of children, old people and disabled present at this event the numbers could also have been far higher and indeed they may be. What has kept many of these people from coming out with their stories is that they themselves are undergoing feelings of post-traumatic-stress-disorder usually assigned to survivors of wars. The legal system itself also presents massive hurdles, hurdles few people have the resources to overcome. Some state frankly, that they fear retribution.

In the aftermath of the exposure to these weapons, questions are being raised about the origin and toxicity of agents that were employed. Some of these are questions that may

yield quicker answers such as where did the tear gas used after the SPD exhausted their initial supply come from and what was in it?

The other thing to consider is that many of the effects of these weapons are simply not known, especially since they have not been widely studied. Matters concerning the lethality of these materials may emerge over time as happened with symptoms associated Agent Orange and is happening now with the Gulf War syndrome. Ironically, should this occur, police officers that were affected may find themselves in a position similar to that of the veterans of these wars, relying on the protesters for information and support.

Ultimately, those in both the military and in law enforcement must look hard and honestly at the dynamic that took place in the streets of Seattle during the WTO Ministerial. They must look at the ever more militarized force they are creating, the effect it has on the citizens right to free speech, the effect it has on the safety of those who enforce the policies and the effect it is having on the very fabric of democracy.

In Seattle, there is a moral and legal obligation to set up long term monitoring facilities for those who were exposed to these lethal substances.

The Breakdown Inside The Ministerial

“It is a matter of record that, despite a year of hard preparatory work by the Chairman of the General Council, delegations and the Secretariat, the Ministerial failed to reach agreement either on the launch of a new Round of trade negotiations or on the other important points which had emerged in the course of the preparatory process. Furthermore, the WTO found itself at the centre of a wave of resentment against many aspects of the global economy, for which Seattle became a focus.”

Introduction to the Annual Report of the World Trade Organization

For much of 1999 the WTO operated as a leaderless organization. Perhaps it was the earlier protests the organization had brought that made it difficult to find someone to act as the organization’s titular representative. From about the time Seattle was announced as the site of the Ministerial, till September of 1999 when the visit, and collisions it brought with it were inevitable, a period of nearly four months, the WTO was a leaderless organization.

In September of 1999, Michael Moore, a politician from New Zealand, who’d been out of elective office for almost a decade was given the job. Moore had been a long time friend of WTO policies having represented New Zealand at the first APEC Ministerial Meeting and having been active in launching the Uruguay Rounds that created the WTO while New Zealand’s Trade Minister.

(Annual Report of the WTO, p.2.; Short Biography of Mike Moore WTO Home-Page, www.wto.org)

Moore met with some of the citizens of Seattle in early October, speaking before the Washington Council on International trade and at the University of Washington. During the question and answer periods Moore revealed himself as a belligerent, with a superficial understanding of the issues, and a willingness to lie, obfuscate, talk over people he disagreed with and ignore questions.

Perhaps Moore’s most ridiculous argument was when he claimed that it was a form of cultural imperialism to say that the citizens of countries with oppressive dictators might not want their despots. Wanting representative rather than corporate government Moore claimed was a form of imperialism.

It's fairly easy to see how an organization led by this individual would react when faced with pressure.

“Do you think this process broke down at any point?”

“This process didn't work at any point”

- exchange between reporter and Zimbabwe Delegate.

Faced with a tighter deadline and many already perturbed delegates it is easy to see how Director General Moore himself sowed the seeds for the meeting's destruction.

“We're a democracy and understand what democracy is all about.

This is not democracy this is just ridiculous.”

-Namibian Delegate

From conversations with and statements collected from delegates, Moore and the others in the WTO responded to these pressures by making the rules of the meetings ever more rigid. Meeting rooms were changed hurriedly and many delegations not notified. Some delegates found themselves barred from participation when they did find out about meetings.

“What has been going on in Seattle is a scandal. Developing countries that form more than two-thirds of the membership of the WTO are being coerced and stampeded by the major powers, especially the host country the US, to agree to a Declaration to which they were given very little opportunity to draft or consider.

“Most of the important negotiations have taken place in “green room” meetings where only a few countries are invited. Most of the developing country members of the WTO have not been able to participate. Even if a country is invited to a meeting on a particular issue, it may not be a participant in other issues. Many developing countries were not invited to any meeting on any issue at all.

“As a result most Ministers have been insulted by their not being able to take part in decisions that seriously affect their countries and people. Worse, they have had little chance to even know what is being discussed, by whom or where. Nor what the results of these discussions were.

“Also, the programme has been so crammed and tight that when the final draft Declaration is produced, Ministers and officials would hardly have any time at all to consider its contents.

“To expect them to ‘join in the consensus’ through the blackmail that otherwise the Ministerial Conference would be deemed a failure, is to impose a kind of blackmail.”

- Martin Khor, Director, Third World Network, 12/3/1999

Khor’s statement was echoed by two thirds of the delegates in attendance. The Caribbean Delegations, The Latin American Delegations, The African Delegations, all issued statements and or held press conferences where they condemned the process.

As the conference drew to a close the press had come back inside. As most of them were barred from most sessions, the 2,500 WTO accredited journalists had begun covering the streets of Seattle. The tear gassings, the arrests, the no-protest zones had become the main focus of some of the world’s top reporters.

General Director Moore had said there would be a final briefing on the WTO at 7:00 PM on Friday December 3. Hundreds of journalists arrived at the sixth floor Green Room. Lugging their heavy professional gear. Computers. Video Cameras. Bulky tri-pods. They staked out places and waited. And waited.

After a few hours a representative of the Ministerial rushed in. The meeting was happening right away on the fourth floor Green Room. Right away. Hurry Hurry! Run!

The hundreds of reporters packed up their bulky gear as quickly as they could. Then they made their way to the single escalator that was the only way to move between the floors of the convention center. Some months later during the April protests against the IMF and World bank in Washington DC, the Activists’ “Convergence Center” had been shut down when the Fire Marshall, citing overuse and lack of exit space, had declared it a fire hazard. One wonders how the Convention Center would have held up to such scrutiny.

On the escalators, the reporters crowded together, so many grains trying to get through a large funnel. These people were exhausted from a week of breathing chemical agents on the street and receiving what seemed like little more than hot air and obfuscation inside the WTO itself. There was palpable exhaustion painted on their faces. Many of their neat professional clothes were inundated with a mixed scent of cayenne and sweat.

When they arrived at the door to the fourth floor Green Room they were stopped. They waited. After a time it was decided that this meeting was only for delegates. And so the first of the reporters made their way from the door of the fourth floor Green Room. As others continued off the single escalator they too arrived and were disappointed. This scene continued for at least another twenty minutes. To their credit, none of these reporters broke any windows.

“The agenda thus far has seen us marginalized. This morning the African Delegation has put out a statement saying if our issues are not addressed before the declaration is actually out on the table we are going to withdraw our consensus because what’s the point of coming to the table in a negotiation process which is purportedly to support the development interest of all countries yet when they come to the table their interests are completely out weighed. If you really look at the agenda that some of the north countries are putting out, that’s the US, the European Union, Japan and Canada in particular, they totally ignore the issues of implementation , yet they want Africa to open up its markets...

“Also the preamble states that the WTO is about development. For us development is about alleviating poverty, it’s about insuring that human rights are upheld, its insuring that people are able to eat, its insuring that people are employed and well employed, and not exploited and its insuring that people have rights to services. And basically what this round is suggesting and proposing is that we sign these rights away in the interests of multinational corporations. And this is really the agenda. And we can confirm that this is the agenda, because any one of these US corporations who have paid \$250,000 US Dollars can have four representatives in the US delegation to actually influence the process. This system is no longer about rules, it’s about who has the money to influence trade policy in northern countries and it’s absolutely outrageous.”

**Mohau Pheko, African Woman’s Congress
Remarks made on 12/3/1999**

The Reporters had made the escalator circuit a few times and it was getting close to midnight. Now they were told that the conference was in fact over and Mike Moore would speak with them. The location was not the sixth floor where all their equipment was set up, it was the press briefing area in the middle of the fourth floor press area. Once again, the rag tag army of the world’s finest reporters funneled their many hundreds down the single narrow escalator.

The press area was an enormous cavern filled with rows of make shift cubicles freestanding computers and the like. The pathways between the obstacles were narrow and so the frenzied hurried press was again slowed.

The small area that was designated for the final WTO press conference could have fit perhaps fifty people. The reporters pressed in filling the small side room to many times beyond its capacity. Still the majority of their number were outside the small cubicle where Moore’s final remarks to the world were to take place.

To understand what happened next, it is important to understand the mindset the reporters had been put in. For most of the conference, they'd been denied access to any meeting of importance. Now, at the end of the event, they were stuck in a hallway, anxious, on assignment, and afraid they'd be scooped. And inside the small room, Moore himself was nowhere around. There were merely a lot of tired reporters, crowded together, breathing on each other.

Someone began to chant: "Mikey, come out and play."

The chant spread like wildfire. Where a few days ago had been an army of neatly clad professionals, now was a group of people outraged with what they had experienced from the World Trade Organization, and Director Mike Moore himself

Hurriedly the conference was moved back to the larger area on the sixth floor.

Once it started, the press conference quickly began to resemble the reception Moore had received at UW in October. The questions that reigned down on General Director Moore from the crowd during this final conference were the same asked by the demonstrators outside days ago and the majority of the delegates only hours and minutes ago. Moore was discomforted. Moore was confused. Every question seemed to make things worse.

Moore left the conference with many wondering if the WTO were now functionally dead.

CHAPTER Seven **Aftermath in Seattle**

In its aftermath the Seattle WTO Ministerial has left a legacy that must be addressed

The Citizens of Seattle have, by and large lost faith both with their police and with many of their elected leaders. In the weeks following the WTO hundreds of citizens gave complaints or public testimony to either the Mayor or the City Council in testimony that ran an unprecedented twenty hours.

The police seem to be pursuing a policy of damage control. They do not acknowledge that many, many of the citizens that they are sworn to serve and protect were harmed. The principle concerns expressed by the police are can they more effectively control dissent next time. Note for example their continued requests for increased intelligence gathering capabilities.

Obviously this is not a way to gain a community's trust. It is a way to occupy a hostile population. As has been shown by history's recent examples this usually makes things worse.

Presently much of the investigations that are preceding and the questions that are being asked have to do with moneys that were promised, and the lack of support by the largest Corporations such as Boeing, Weyerhaeuser and Microsoft in picking up the tab, as many thought they would. These are important questions both because there is a considerable amount of money at stake and because as a general matter of principal, these corporations must always be held accountable.

But there are deeper issues too. We need to look openly and honestly at the violations of human rights that occurred and have to look at them in the context of the increased militarization of our country, and the economic system that is making it necessary.

If the sort of human rights violations that had occurred in Seattle were attributed to Iraq or Serbia or Grenada - The tear gassing of thousands; The plucking of dissidents off the street; The torture of people in jail - It could easily serve as grounds for U.S. military intervention.

This report has discussed some of the ways individuals and institutions can go into denial. As an individual it can be uncomfortable to look honestly at what one has done. For an institution there can be the perception that examination can create more damage than the problem itself.

Retired San Francisco Police Captain Charles Beene, who has managed over a thousand demonstrations and parades notes in his book Police Crowd Control, that honest productive critiques by law enforcement have diminished because of fear of providing information to defendants. Beene writes:

“This is unfortunate as far as tactical planning is concerned. Anxious not to give the defense ammunition to use against them, many police departments, including the SFPD, have stopped preparing written critiques after demonstrations...

“Some form of critiquing past events is essential to improving future performance, however. For example, three actions caused a lot of turmoil with demonstrators in San Francisco in 1984, but using critiques we devised alternatives to minimize trouble at later crowd events.” (Beene pp. 75-76.)

Seattle cannot deny what took place during the WTO Ministerial. We have seen first hand the impacts of increasing corporate control, and the mechanisms of control it brings with it. We have seen the way it runs roughshod and destroys our democratic institutions. We have seen the way it treats our citizens.

If Seattle does nothing it will be seen as the response. People will come to accept loss of democratic institutions, loss of representation, loss of Constitutionally guaranteed rights. People will accept ever-stronger uses of force against our own population and ever-greater limits upon our basic freedoms to speak and assemble freely.

Because of this we need a response that stops these inroads on our most basic rights. We need to stop the militarization of our law enforcement and the blurring of the lines between crime and war. We need to stop subsuming our democratic rights and most basic safety measures to the immediate desires of the world's largest corporations.

SPECIFIC RECOMMENDATIONS:

- ✓ **The City of Seattle should explore as far as possible the role all federal law enforcement and military agencies had in the decision making process, both in terms of the planning and during the actual event. Any agency's refusal to cooperate in this investigation should be documented as part of the City's report, and legal methods of obtaining this information should be thoroughly investigated.**
- ✓ **The City of Seattle needs to set up a long term study of the effects that people exposed to these substances, including law enforcement, are experiencing. The results of this study should be made accessible to all interested members of the public, and should be actively distributed to other agencies considering the use of these substances and the manufacturers of these substances. In addition active treatment options should be made available to those suffering from effects of these substances.**
- ✓ **At a minimum, police should be properly instructed that every time they are deploying any of the "less lethal" weapons, it is an act with the same potential consequences as the decision to deploy a firearm. Consequently, use of any of these weapons should be limited exclusively to those circumstances when it is legitimate to use a firearm. Using these weapons to incapacitate an individual who poses an immediate threat of loss of life, may in some circumstances, be legitimate if the only other choice is a firearm. Using these weapons to break up any assembly, even if unlawful, should be recognized as an improper use of force and should be banned for all such purposes, unless there is an impending threat of loss of life, that cannot otherwise be avoided.**
- ✓ **The present blurring of the lines between military and police is a question of going too far and a violation of Posse Comitatus, the citizens' protection against the military. A hard look should be taken at the actual function of the special teams we have created for our police. The growth of these units should be frozen. Assessments should be done of these units' actual performance and effectiveness. Consideration should be given as to whether these units can be reduced or even disbanded.**
- ✓ **Analysis should also be done of the influence the training these special police units receive on the training of their officers. Are they for example, being given less emphasis on the preservation of life and more on the taking of it? Such factors should be analyzed and corrected.**
- ✓ **In the future, events that raise any considerations of public safety, and/or the abrogation of Constitutional Rights must be dealt with openly and democratically, with adequate participation from the public. It is unclear whether those officials responsible for bringing the WTO to Seattle knew of its**

volatility when they first issued the invitation - as is suggested in the recent report of WTO Accountability Review Committee Panel I - or if this was something that became clearer as they got closer to the event. In either event, once factors that threatened the safety, the lives and the Constitutional rights of many of Seattle's citizens became an integral part of the planning process just so the event could continue, the elected officials of Seattle had an obligation. That obligation was not to the event, but to their constituents, the citizens of Seattle, and to the Constitution itself. If there were still circumstances that prevented the City of Seattle from upholding its basic duties, it should have been readily apparent that having the WTO Ministerial in Seattle was simply not worth the risk. The City should have done as Mayor Schell later did with the Millennial New Years Eve party and simply ended the event before it began. To violate the U.S. Constitution and to use potentially lethal force against citizens who are not themselves threatening such force, is a violation of the most basic laws enabling us to maintain a free society.

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