

CIVIL DISOBEDIENCE GUIDE

– quoted, compiled and edited from guidelines from ACT UP-NY
and THE WAR RESISTERS LEAGUE

from the NONVIOLENT WAYS PROJECT

Direct Action Guidelines

1. Peacekeepers can't guarantee the safety of participants

2. We try to protect each other at demonstrations by setting up a support and advocacy structure that can react quickly if problems should arise or if arrests occur

3. At an action, we ask that participants act with loving and caring gestures. Actions that endanger the physical well-being of other demonstrators include:
 - a) physical violence directed against others, including the police, spectators and other members
 - b) actions that cause panic such as running and throwing rocks
 - c) bringing weapons or anything that can be construed as a weapon to the demonstration site; weapons include but are not limited to: guns, knives, nail files, mace, letter openers, scissors, etc.
 - d) bringing recreational drugs to the demonstration

4. We ask that anyone or any group considering acts of property alteration (i.e. graffiti) commit such acts openly, taking responsibility, and taking care that these acts endanger no one. If secrecy is necessary, the action should not occur.

History of Mass Nonviolent Action

The use of nonviolence runs throughout history. There have been numerous instances of people courageously and nonviolently refusing cooperation with injustice. However, the fusion of organized mass struggle and nonviolence is relatively new. It originated largely with Mohandas Gandhi in 1906 at the onset of the South African campaign for Indian rights. Later, the Indian struggle for complete independence from the British Empire included a number of spectacular nonviolent campaigns. Perhaps the most notable was the year-long Salt campaign in which 100,000 Indians were jailed for deliberately violating the Salt Laws.

The refusal to counter the violence of the repressive social system with more violence is a tactic that has also been used by other movements. The militant campaign for women's suffrage in Britain included a variety of nonviolent tactics such as boycotts, noncooperation, limited property destruction, civil disobedience, mass marches and demonstrations, filling the jails, and disruption of public ceremonies.

The Salvadoran people have used nonviolence as one powerful and necessary element of their struggle. Particularly during the 1960s and 70s, Christian based communities, labor unions,

campesino organizations, and student groups held occupations and sit-ins at universities, government offices, and places of work such as factories and haciendas.

There is rich tradition of nonviolent protest in this country as well, including Harriet Tubman's underground railroad during the civil war and Henry David Thoreau's refusal to pay war taxes. Nonviolent civil disobedience was a critical factor in gaining women the right to vote in the United States, as well.

The U.S. labor movement has also used nonviolence with striking effectiveness in a number of instances, such as the Industrial Workers of the World (IWW) free speech confrontations, the Congress of Industrial Organizations (CIO) sitdown strikes from 1935-1937 in auto plants, and the UFW grape and lettuce boycotts.

Using mass nonviolent action, the civil rights movement changed the face of the South. The Congress of Racial Equality (CORE) initiated modern nonviolent action for civil rights with sit-ins and a freedom ride in the 1940s. The successful Montgomery bus boycott electrified the nation. Then, the early 1960s exploded with nonviolent actions: sit-ins at lunch counters and other facilities, organized by the Student Nonviolent Coordinating Committee (SNCC); Freedom Rides to the South organized by CORE; the nonviolent battles against segregation in Birmingham, Alabama, by the Southern Christian Leadership Conference (SCLC); and the 1963 March on Washington, which drew 250,000 participants.

Opponents of the Vietnam War employed the use of draft card burnings, draft file destruction, mass demonstrations (such as the 500,000 who turned out in 1969 in Washington, D.C.), sit-ins, blocking induction centers, draft and tax resistance, and the historic 1971 May Day traffic blocking in Washington, D.C. in which 13,000 people were arrested.

Since the mid-70s, we have seen increasing nonviolent activity against the nuclear arms race and nuclear power industry. Nonviolent civil disobedience actions have taken place at dozens of nuclear weapons research installations, storage areas, missile silos, test sites, military bases, corporate and government offices and nuclear power plants. In the late 1970s mass civil disobedience actions took place at nuclear power plants from Seabrook, New Hampshire to the Diablo Canyon reactor in California and most states in between in this country and in other countries around the world. In 1982, 1750 people were arrested at the U.N. missions of the five major nuclear powers. Mass actions took place at the Livermore Laboratories in California and SAC bases in the midwest. In the late 80s a series of actions took place at the Nevada test site. International disarmament actions changed world opinion about nuclear weapons.

In 1980 women who were concerned with the destruction of the Earth and who were interested in exploring the connections between feminism and nonviolence were coming together. In November of 1980 and 1981 the Women's Pentagon Actions, where hundreds of women came together to challenge patriarchy and militarism, took place. A movement grew that found ways to use direct action to put pressure on the military establishment and to show positive examples of life-affirming ways to live together. This movement spawned women's peace camps at military bases around the world from Greenham Common, England to Puget Sound Peace Camp in Washington state, with camps in Japan and Italy among others.

The anti-apartheid movement in the 80s has built upon the powerful and empowering use of civil disobedience by the civil rights movement in the 60s. In November of 1984, a campaign began that involved daily civil disobedience in front of the South African Embassy. People, including members of Congress, national labor and religious leaders, celebrities, students, community leaders, teachers, and others, risked arrest every weekday for over a year. In the end over 3,100 people were arrested protesting apartheid and U.S. corporate and government support. At the same time, support actions for this campaign were held in 26 major Cities, resulting in an additional 5,000 arrests.

We also saw civil disobedience being incorporated as a key tactic in the movement against intervention in Central America. Beginning in 1983, national actions at the White House and State Department as well as local actions began to spread. In November 1984, the Pledge of Resistance was formed. Since then, over 5,000 people have been arrested at military installations, congressional offices, federal buildings, and CIA offices. Many people have also broken the law by providing sanctuary for Central American refugees and through the Lenten Witness, major denomination representatives have participated in weekly nonviolent civil disobedience actions at the Capitol.

Student activists have incorporated civil disobedience in both their anti-apartheid and Central America work. Divestment became the campus slogan of the 80s. Students built shantytowns and staged sit-ins at Administrator's offices. Hundreds have been arrested resulting in the divestment of over 130 campuses and the subsequent withdrawal of over \$4 billion from the South African economy. Central America student activists have carried out campaigns to protest CIA recruitment on campuses. Again, hundreds of students across the country have been arrested in this effort.

Nonviolent direct action has been an integral part of the renewed activism in the lesbian and gay community since 1987, when ACT UP (AIDS Coalition to Unleash Power) was formed. ACT UP and other groups have organized hundreds of civil disobedience actions across the country, focusing not only on AIDS but on the increasing climate of homophobia and attacks on lesbians and gay men. On October 13, 1987, the Supreme Court was the site of the first national lesbian and gay civil disobedience action, where nearly 600 people were arrested protesting the decision in *Hardwick vs. Bowers*, which upheld sodomy laws. This was the largest mass arrest in D.C. since 1971.

Political Analysis

Power itself is not derived through violence, though in governmental form it is usually violent in nature. Governmental power is often maintained through oppression and the tacit compliance of the majority of the governed. Any significant withdrawal of that compliance will restrict or dissolve governmental control. Apathy in the face of injustice is a form of violence. Struggle and conflict are often necessary to correct injustice. [editor's emphasis]

Struggle is not easy, and we must not think of nonviolence as a "safe" way to fight oppression. The strength of nonviolence comes from our willingness to take personal risk without threatening other people.

It is essential that we separate the individual from the role she/he plays. The "enemy" is the system that casts people in oppressive roles.

Nonviolent Response to Personal Violence

Nonviolence focuses on communication:

1. Your objectives must be reasonable. You must believe you are fair and you must be able to communicate this to your opponent.
2. Maintain as much eye contact as possible.
3. Make no abrupt gestures. Move slowly. When practical, tell your opponent what you are going to do before you do it. Don't say anything threatening, critical, or hostile.
4. Don't be afraid of stating the obvious; say simply, "You're shouting at me," or "You're hurting

my arm."

5. Someone in the process of committing an act of violence has strong expectations as to how his/ her victim will behave. If you manage to behave differently - in a nonthreatening manner you can interrupt the flow of events that would have culminated in an act of violence. You must create a scenario new to your opponent.

6. Seek to befriend your opponent's better nature; even the most brutal and brutalized among us have some spark of decency which the nonviolent defender can reach.

7. Don't shut down in response to physical violence; you have to play it by ear. The best rule is to resist as firmly as you can without escalating the anger or the violence. Try varying approaches and keep trying to alter your opponent's picture of the situation.

8. Get your opponent talking and listen to what s/he says. Encourage him/her to talk about what s/he believes, wishes, fears. Don't argue but at the same time don't give the impression you agree with assertions that are cruel or immoral. The listening is more important than what you say - keep the talk going and keep it calm.

-- Adapted from an article by Markley Morris

Practicing Nonviolence

"Without a direct action expression of it, nonviolence, to my mind, is meaningless." -- M.K. Gandhi

Practice is a key word in understanding nonviolence. A nonviolent approach assumes that people take active roles, making choices and commitments and building on their experience. It also presents a constant challenge: to weave together the diversity of individual experiences into an ever-changing vision. There is no fixed, static "definition" of nonviolence.

Nonviolence is active. Although to some the word nonviolence implies passivity, nonviolence is actually an active form of resistance. It analyzes the sources of institutional violence and intervenes on a philosophical and political level through direct and persistent actions.

Gandhi's vision of nonviolence is translated as "clinging to truth" or sometimes "truth force", which includes both determination to speak out even when one's truth is unpopular, and willingness to hear the truth of other people's experience. He also defined two other components of nonviolence: the refusal to harm others and willingness to suffer for one's beliefs. Many activists who adopt nonviolent tactics are reluctant to accept these aspects philosophically, or to prescribe them to others. For example, Third World people in the U.S. and other countries are often pressed to use violent action to defend their lives. Some feminists point out that since our society pressures women to be self-sacrificing, the decision to accept suffering is often reinforcement of women's oppression rather than a free choice.

Jo Vellacott, in her essay "Women, Peace and Power", speaks of violence as "resourcelessness" - seeing few options, feeling like one's self or small group is alone against a hostile or at best indifferent universe. Many societal institutions and conventions, despite their original intention to benefit at least some people, perpetuate this violence by depriving people of their lives, health, self-respect or hope. Nonviolence then becomes resourcefulness -- seeing the possibilities for change in oneself and in others, and having the power to act on those possibilities. Much of the task of becoming effectively nonviolent lies in removing the preconceptions that keep us from seeing those resources. Undoing the violence within us involves challenging myths that we are not good enough, not smart enough or not skilled enough to act. The best way to do this is to try it, working with friends or in small groups at first, and starting with roleplays or less intimidating activities like leafletting. As confidence in our own resourcefulness grows, we become more able

to support each other in maintaining our nonviolent actions.

Anger and emotional violence

Getting rid of the patterns of violence that societal conditioning has placed in us is not always a polite process; it involves releasing despair, anger, and other emotions that haven't been allowed to surface before. The myth that emotions are destructive and unreliable prevents us from trusting our own experience and forces us to rely on rigid formulas and people we perceive as authorities for guidance. Most of us have been taught that expressing anger especially provokes disapproval, invalidation and physical attack, or else will hurt others and make us suffer guilt. This conditioning serves to make us both repress our own anger and also respond repressively to each other's anger.

Anger is a sign of life. It arises with recognition that injustice exists and contains the hope that things can be different. It is often hard to see this clearly because, as Barbara Deming says, "... our anger is in great part hidden -from others and even from ourselves -and when it is finally allowed to emerge into the open -- this pride -- it is shaking, unsure of itself, and so quick to be violent. For now it believes and yet it doesn't quite dare to believe that it can claim its rights at last."

To make room for a healthy expression of and response to this anger, it helps to create a general attitude of respect and support. Verbal violence -- snide or vicious tones, interrupting, shouting down or misrepresenting what people say -- is the antithesis of respect and communication. When people sense this happening, they should pause and consider their feelings and objectives. Clearing the air is especially important when people are feeling defensive or threatened; developing a sense of safety and acceptance of our anger with each other helps us concentrate all our emotional energies towards constructive, effective action.

"Non-violence is the constant awareness of the dignity and humanity of oneself and others; it seeks truth and justice; it renounces violence both in method and in attitude; it is a courageous acceptance of active love and goodwill as the instrument with which to overcome evil and transform both oneself and others. It is the willingness to undergo suffering rather than inflict it. It excludes retaliation and flight."

-- Wally Nelson, conscientious objector, civil rights activist, and tax resister

Nonviolence Training

Historically, nonviolence training was used extensively during the civil rights movement, in Gandhi's campaigns in India against the British, and in recent years in the struggles against nuclear technology, against U.S. policy in Central America and Southern Africa and for the rights of farm workers, women and people with AIDS, to name a few.

The purpose of training is for participants to form a common understanding of the use of nonviolence. It gives a forum to share ideas about nonviolence, oppression, fears and feelings. It allows people to meet and build solidarity with each other and provides an opportunity to form affinity groups. It is often used as preparation for action and gives people a chance to learn about an action, its tone, and legal ramifications. It helps people to decide whether or not they will participate in an action. Through role playing, people learn what to expect from police, officials, other people in the action and themselves.

Nonviolence training can range from several hours to several months. Most typical in the United States are sessions that run up to eight hours and have 10-25 people with two trainers leading the discussion and roleplays. Areas covered in a session include:

- History and philosophy of nonviolence, including role plays on the use of nonviolence and nonviolent responses to violence.
- Roleplays and exercises in consensus decision making, conflict resolution, and quick decision making.
- A presentation of legal ramifications of civil disobedience and discussion on noncooperation and bail solidarity.
- Exercises and discussion of the role of oppression in our society and the progressive movement.
- What is an affinity group and what are the roles within the group.
- A sharing of fears and feelings related to nonviolence and nonviolent action.

Dr. Martin Luther King, Jr. wrote that the philosophy and practice of nonviolence has six basic elements.

First, nonviolence is resistance to evil and oppression. It is a human way to fight.

Second, it does not seek to defeat or humiliate the opponent, but to win his/ her friendship and understanding.

Third, the nonviolent method is an attack on the forces of evil rather than against persons doing the evil. It seeks to defeat the evil and not the persons doing the evil and injustice.

Fourth, it is the willingness to accept suffering without retaliation.

Fifth, a nonviolent resister avoids both external physical and internal spiritual violence- not only refuses to shoot, but also to hate, an opponent. The ethic of real love is at the center of nonviolence.

Sixth, the believer in nonviolence has a deep faith in the future and the forces in the universe are seen to be on the side of justice

Affinity Groups & Support

Affinity groups are self-sufficient support systems of about 5 to 15 people. A number of affinity groups may work together toward a common goal in a large action, or one affinity group might conceive of and carry out an action on its own. Sometimes, affinity groups remain together over a long period of time, existing as political support and/or study groups, and only occasionally participating in actions.

If you are planning to do civil disobedience, it is a good idea to either form an affinity group or join an already existing one. Affinity groups serve as a source of support and solidarity for their members. Feelings of being isolated or alienated from the movement, the crowd, or the world in general can be alleviated through the familiarity and trust which develops when an affinity group works and acts together. By generating this familiarity, the affinity group structure reduces the possibility of infiltration by outside provocateurs. However, participants in an action should be prepared to be separated from their affinity group.

Affinity groups form the basic decision-making bodies of mass actions. As long as they remain

within the nonviolence guidelines, affinity groups are generally encouraged to develop any form of participation they choose.

Every affinity group must decide for itself how it will make decisions and what it wants to do. This process starts when an affinity group forms. If a new person asks to join an affinity group, she/he should find out what the group believes in and what they plan to do, and decide if she/he can share it. Some groups ask that all members share a commitment to feminism, for example, or to nonviolence as a way of life. Others, which have specifically formed to do a particular action, might have less sweeping agreements.

A group cannot hope to reach consensus decisions without having some base of agreement. Once a base is agreed upon, working out the details of specific issues and actions is not as difficult as one might expect, providing that there is a willingness to go along with a good idea, even if it is someone else's. If you find that you cannot work effectively with your group, it might be better to try to find another one.

Affinity groups for mass actions are often formed during nonviolence training sessions. It is a good idea to meet with your affinity group a few times before an action to get to know them if you are not already friends, and to discuss issues such as noncooperation and relationship to the legal system, the role your group will play (in a large action), etc. After an action, it is also helpful to meet with your group to evaluate and share experiences.

Roles Within the Affinity Group

These roles can be rotated:

- Facilitator(s), vibes-watchers.
- Spokesperson to convey affinity group (A.G.) decisions to core support and other A.G.'s in a mass action.
- Support person(s) once you take on this responsibility, you should see it through.

Support

The role of support in a civil disobedience action is crucial. Support people accept the responsibility of being a visible, involved contact to the outside once a member of the affinity group is arrested. They are the personal extension of the care and concern an affinity group shares among its members, an extension of the need all the participants have to see that individuals who participate in nonviolent direct action are not isolated, neglected, and overburdened because of their political statement.

It can be hard for you to decide whether to do civil disobedience or support. It is strongly encouraged that those considering doing support go through nonviolence training. In making the decision, you could consider how each role would affect your family, job, and other commitments, as well as your legal status (i.e. being on probation, not being a U.S. citizen, etc.). During and after a mass action, be sure to stay in touch with support people from other affinity groups, for information sharing and emotional support.

Before an Action:

Help the affinity group decide upon and initiate their action, provide physical and moral support, and share in the excitement and sense of determination.

- Know the people in your affinity group by name and description.
- Know where people who are arrested are likely to be taken.
- Make a confidential list with the following information:
 - Name of arrestee
 - Name used for arrest
- Whether or not individual wants to bail out, and when.
- Who arrestee would like contacted and under what circumstances.
- Special medical information or other special needs info.
- Whether the individual plans to cooperate, and in what ways.
- Whether the person is a minor.
- Whether the person wants/needs a lawyer.

For a mass action:

- Know who the support coordinators are.
- Know the phone number of the action office.
- Be sure the group fills out an affinity group check-in sheet.
- Be sure your name, phone number, where you can be reached, and how long you will be available to do support work are written on your affinity group's list.

During an Action:

- Know the boundaries of arrest and non-arrest areas, if applicable.
- In a mass action, give emergency info about yourself to another support person.
- Bring paper and pen, and lots of food for yourself and people doing civil disobedience (CDers).
- Hold ID, money, keys and any other belongings for CDers.
- Keep in touch with CDers for as long as possible, noting any changes in arrest strategies, etc.
- Once arrests begin, write down each individual's name, and the time and nature of the arrest, the activity of the person arrested, the treatment of the arresting officer (get the badge number, if possible), and who is noncooperating.
- At least one support person from your affinity group should stay at the place of arrest until all members of your group are arrested, and at least one should go to where those arrested are being taken as soon as the first member of your group is arrested.

At the Courthouse: (if that's where CDers are taken)

Be present during arraignments, and try to keep track of the following info for each person in your group. During a mass action, call this info into the office.

- Name of judge or magistrate.
- Name of CDer (Doe # if applicable).
- Charge
- Plea (Not Guilty, Nolo Contendre, Creative Plea, Guilty, etc.).
- If found guilty, sentence imposed.
- If not guilty:
 - Amount of bail, if applicable.
 - Whether the person pays bail or not.
- Date, time and place of trial.
- If there's a lawyer in the courtroom ask her/his name.
- Any other info that seems relevant.

After the Action:

- Call whoever needs to be informed about each person who was arrested.
 - Go to trials or any other appearances of CDers; help with rides.
 - Help gather information for pro se defendants.
 - In a mass action, be sure to let the office and/or support coordinators know when/if you have to leave town and give them all relevant info about the people you've been supporting.
- If CDers are in jail, it is important for someone to be near a phone so that call from jail may be received. You will probably be the go-between for your A.G. members who are not jailed together, as well.
- Contact the office (in a mass arrest) about people in jail and where they are being held.
 - Be prepared to bring medication to the jail site for who ever needs it, and follow up on whether or not it has been administered.
 - Visit your group members in jail, and pass on any messages.
 - Take care of plants, pets, cars, etc., for CDers.
 - Write letters to the people in jail; organize a support vigil in front of the jail.
 - Be there to pick CDers up when they are released from jail.
 - Support other support people -working together will ease the load.

-- Nancy Alach

Steps to making a Campaign

Most movement programs revolve around organizing single, unrelated events-demonstrations, forums, whatever. Were these activities strung together in an integrated fashion- building on one another -- the impact and potential for success would be magnified dramatically. Such is the advantage of campaign organizing.

The campaign provides an escalating series of actions over a period of time focused on a target in order to achieve specific goals. Persistence and a systematic approach are key ingredients of a campaign.

All this is not to say demonstrations should not be organized on individual dates like Hiroshima Day (August 6), International Women's Day (March 8), Martin Luther King Day, and so forth. But, when possible, actions which are part of campaigns can make a stronger statement.

Planning a Campaign

While a demonstration takes a good deal of careful planning, a campaign requires considerably more attention.

The first step is to do the basic groundwork of selfeducation on the issues and problems to be combated. This can be accomplished through research, study groups, workshops, and conferences.

The next step is to decide where to focus our initial efforts. What you need to find are weak points in the opponent's "armour," which will provide levers or handles to focus criticism and action.

During one phase of the Indian campaign for independence from Britain, Gandhi selected the British monopoly on salt as the focus for a campaign. At first this appeared to be an insignificant issue to worry about, compared with independence itself. But because salt affected everyone on this rather hot subcontinent, because its cost was a hardship on the masses, and because it was relatively easy to manufacture (and thereby violated the salt laws), it became an ideal symbol of

why independence was being sought. The British viewed the Salt Campaign as "nothing less than to cause a complete paralysis of the administrative machinery." In retrospect, the year-long campaign was the most spectacular effort in the 28-year struggle for independence.

The United Farm Workers grape boycott is another example of a well chosen campaign in the struggle to win union recognition and better conditions for farm workers.

One of the most important steps in a campaign, after determining the target or focus, is to choose the short range goals. Long range goals are easy, e.g., world peace or an end to sexism. But sometimes if short range goals are not clearly defined, then the campaign could be stalled. Short range goals should be winnable within the near future (providing a boost and the encouragement needed to keep your group moving toward the longer range goals), measurable (you ought to be able to tell when you have accomplished them), set on a timetable to allow for periods of evaluation, be a significant step towards the long range goal(s).

For example, in opposing the establishment of a Junior ROTC unit in a local high school, your medium (or short) range goal might be to prevent the unit from setting up. A short range goal could be getting the local paper (or student body) to come out against the unit. An example of something which is not a short range goal would be the holding of a forum or having a picket. These represent vehicles toward your goals, rather than goals themselves. Saying that a short range goal is "to educate the student body" has little value as a goal unless it is measurable (e.g., a poll or vote).

In setting goals, you might consider establishing a bottom line on what is acceptable, to guard against being coopted into ending the campaign without making any fundamental change.

Analysis

After the goals have been set, an analysis should be made to see who the participants in the campaign are and how they can aid the campaign. Who do you need to participate if the campaign is likely to succeed? Who is on your side now? How are those people reached? Write, call, or visit the community groups which are likely to be sympathetic: cooperatives, clinics, some veterans groups, women's groups, Third World groups, student groups, religious organizations, women's groups, and so forth.

Who are the opponents? How can they or their supporters be won over or neutralized. In the example above, the opponents might be the school board or principal. The supporters of the opponents might be the community, PTA, local paper, or clergy.

After this analysis, a plan of action set on a timetable is needed. This plan of action should be in a step-by-step escalation. Escalation is necessary if the pressure on opponents needs to be increased. This does not necessarily mean the previous level of activity is abandoned, but simply that an escalated stage of activity is added to the previous stages. For example, education should be a constant and complementary component of every campaign- never being abandoned. In the campaign above, the first level of action is to approach the school board and ask them to turn down the JROTC application. Should that fail, set up study commissions to analyze the value of a JROTC unit; solicit outside opinions; hold, public forums; write letters to the editor; etc.

Should an escalation be necessary, picketing, leafleting, or boycotts might be next. Beyond that, demonstrations, marches, and rallies could be organized. Then, perhaps, a student strike, and maybe carefully chosen civil disobedience actions.

Organizers should not lightly go from one level of a campaign to the next. Each stage should be evaluated and considered seriously. Remember, shifting to the next stage does not mean activities at earlier levels should always be forgotten (e.g., going from picketing to a sit-in does not necessarily mean picketing should be discontinued).

Step by Step Escalation in a Nonviolent Campaign

Investigation and Research

Checking facts and allegations; building an airtight case against opponents and preparing for countercharges

Negotiation and arbitration

Meeting with opponents to settle conflict before going public; ultimatum issued before moving to next level

Public forums, letters to editor, etc.

Basic public education on issues

Picketing, leafleting, etc.

Public contact with opponents

Demonstrations, rallies, marches

Show of strength by maximizing numbers

Limited strike

Involving those immediately affected

Boycott

Against company or product in question, if appropriate

Limited noncooperation

By those most immediately affected

Massive illegal actions

Noncooperation, civil disobedience, direct action

General strike

Establishing a parallel government

Analyzing a Campaign

This outline is an expansion of an outline used by Joan Bondurant in her analysis of Gandhian campaigns. It can be used either in evaluation of a campaign or in preparation for a campaign.

1. Dates of the Campaign

2. Goals

Long range

What were the ultimate goals being sought?

Short range

What goals were set?

Were they achievable?

Were they measurable? Can you tell if they've been accomplished? Would reaching them have brought the campaign measurably closer to the long range goals?

Timetable

Was a timetable set to allow for periodic measurement of progress of the campaign? What was it?

Bottom line

Were there any minimum acceptable goals set in advance, so as to avoid being compromised or coopted?

3. Participants

Who was on "our side" at the beginning?

Who was needed if the campaign was likely to succeed?

How could those people we needed have been reached?

Was there a core of people organized and prepared to stay with a sustained campaign so as to provide continuity?

4. Opponents

Who were the opponents? Who was calling the shots in opposition to the campaign?

Was it necessary to win over or neutralize supporters of the opponents in order for the campaign to succeed?

How were supporters of the opposition won over or neutralized?

5. Organization and Constructive Work

What was the organizational structure to carry out the campaign?

How were decisions made?

How was the campaign funded?

Were there parallel institutions to replace those being opposed or any constructive work done during the campaign?

6. Preparation for Action

What research and investigation was done?

Education? Public forums? Mass media?

Training for the main actions?

Was there adequate preparation for anticipated repression (jail, levies, violence)?

7. Preliminary Action

Were approaches made to opponents? Negotiation and arbitration? Petitions or letters?
Was an ultimatum issued? If so, what was the response?

8. Action

What forms of action were used: picketing, leafleting, marches, etc.? Was it necessary to escalate to a higher level of struggle?
Why and when? Were there strikes, boycotts, or limited noncooperation?
Did the campaign escalate to civil disobedience, mass noncooperation or some form of mass direct action? Why?
Why did the action end when and where it did?

9. Reaction of opponents

Were participants jailed? Beaten? Repressed?
Property seized?
Lies spread? Media blackout? Intimidation? Ridicule?
Concessions or coopting attempted? Was campaign basically ignored?

10. Results

Were the short range goals achieved?
Any progress made towards the long range goals?
What happened to jailed or injured people?
Was property returned? Amnesty? Did any of the opponents lose support?
Any property destruction by participants?

11. Analysis

Were appropriate tactics used at appropriate times?
Was the best target chosen?
Was the timetable realistic?
Did the campaign meet the timetable? If not, why not?
Was consciousness raised among the general public?
Did the actions clearly communicate the myths, secrets, and realities of the issues and society?
If short range goals were not achieved, why not?
How could the campaign have been improved?
If there was property destruction, did it help or hinder the campaign? Was the organizational structure adequate to conduct the campaign? Was the decision making responsive to participants?
Were there problems in making decisions or lack of decisiveness? Who had the initiative during the campaign?
Were there any surprises which hurt or helped the campaign?

Consensus Decision Making

What is consensus?

Consensus is a process for group decision-making. It is a method by which an entire group of people can come to an agreement. The input and ideas of all participants are gathered and synthesized to arrive at a final decision acceptable to all. Through consensus, we are not only working to achieve better solutions, but also to promote the growth of community and trust.

Consensus vs. voting

Voting is a means by which we choose one alternative from several. Consensus, on the other hand, is a process of synthesizing many diverse elements together.

Voting is a win or lose model, in which people are more often concerned with the numbers it takes to "win" than with the issue itself. Voting does not take into account individual feelings or needs. In essence, it is a quantitative, rather than qualitative, method of decision-making.

With consensus people can and should work through differences and reach a mutually satisfactory position. It is possible for one person's insights or strongly held beliefs to sway the whole group. No ideas are lost, each member's input is valued as part of the solution.

A group committed to consensus may utilize other forms of decision making (individual, compromise, majority rules) when appropriate; however, a group that has adopted a consensus model will use that process for any item that brings up a lot of emotions, is something that concerns people's ethics, politics, morals or other areas where there is much investment.

What does consensus mean?

Consensus does not mean that everyone thinks that the decision made is necessarily the best one possible, or even that they are sure it will work. What it does mean is that in coming to that decision, no one felt that her/his position on the matter was misunderstood or that it wasn't given a proper hearing. Hopefully, everyone will think it is the best decision; this often happens because, when it works, collective intelligence does come up with better solutions than could individuals.

Consensus takes more time and member skill, but uses lots of resources before a decision is made, creates commitment to the decision and often facilitates creative decision. It gives everyone some experience with new processes of interaction and conflict resolution, which is basic but important skill-building. For consensus to be a positive experience, it is best if the group has 1) common values, 2) some skill in group process and conflict resolution, or a commitment to let these be facilitated, 3) commitment and responsibility to the group by its members and 4) sufficient time for everyone to participate in the process.

Forming the consensus proposals

During discussion a proposal for resolution is put forward. It is amended and modified through more discussion, or withdrawn if it seems to be a dead end. During this discussion period it is important to articulate differences clearly. It is the responsibility of those who are having trouble with a proposal to put forth alternative suggestions.

The fundamental right of consensus is for all people to be able to express themselves in their own words and of their own will. The fundamental responsibility of consensus is to assure others of their right to speak and be heard. Coercion and trade-offs are replaced with creative alternatives, and compromise with synthesis.

When a proposal seems to be well understood by everyone, and there are no new changes

asked for, the facilitator(s) can ask if there are any objections or reservations to it. If there are no objections, there can be a call for consensus. If there are still no objections, then after a moment of silence you have your decision. Once consensus does appear to have been reached, it really helps to have someone repeat the decision to the group so everyone is clear on what has been decided.

Difficulties in reaching consensus

If a decision has been reached, or is on the verge of being reached that you cannot support, there are several ways to express your objections:

Non-support ("I don't see the need for this, but I'll go along.")

Reservations ("I think this may be a mistake but I can live with it.")

Standing aside ("I personally can't do this, but I won't stop others from doing it. ")

Blocking ("I cannot support this or allow the group to support this. It is immoral." If a final decision violates someone's fundamental moral values they are obligated to block consensus.)

Withdrawing from the group. Obviously, if many people express non-support or reservations or stand aside or leave the group, it may not be a viable decision even if no one directly blocks it. This is what is known as a "lukewarm" consensus and it is just as desirable as a lukewarm beer or a lukewarm bath.

If consensus is blocked and no new consensus can be reached, the group stays with whatever the previous decision was on the subject, or does nothing if that is applicable. Major philosophical or moral questions that will come up with each affinity group will have to be worked through as soon as the group forms.

Roles in a consensus meeting

There are several roles which, if filled, can help consensus decision making run smoothly. The facilitator(s) aids the group in defining decisions that need to be made, helps them through the stages of reaching an agreement, keeps the meeting moving, focuses discussion to the point-at hand; makes sure everyone has the opportunity to participate, and formulates and tests to see if consensus has been reached. Facilitators help to direct the process of the meeting, not its content. They never make decisions for the group. If a facilitator feels too emotionally involved in an issue or discussion and cannot remain neutral in behavior, if not in attitude, then s/he should ask someone to take over the task of facilitation for that agenda item.

A vibes-watcher is someone besides the facilitator who watches and comments on individual and group feelings and patterns of participation. Vibes-watchers need to be especially tuned in to the sexism of group dynamics.

A recorder can take notes on the meeting, especially of decisions made and means of implementation and a time-keeper keeps things going on schedule so that each agenda item can be covered in the time allotted for it (if discussion runs over the time for an item, the group may or may not decide to contract for more time to finish up).

Even though individuals take on these roles, all participants in a meeting should be aware of and involved in the issues, process, and feelings of the group, and should share their individual expertise in helping the group run smoothly and reach a decision. This is especially true when it comes to finding compromise agreements to seemingly contradictory positions.

Legal Issues/Risking Arrest

The decisions that we make are political, not legal. The reaction of the government to what we are doing, to what we stand for, will also be political. We can have quite an impact on what happens to us in jail, in court and during processing, if we are prepared. It can be as important a part of our nonviolent opposition as anything that comes before the arrest.

In a large demonstration, the police may separate us from each other, breaking up affinity groups' and possibly isolating individuals. In order to maintain our spirits and effectiveness, we must develop an ability to deal with the legal system, while trusting in the solidarity of other demonstrators. Solidarity is, in reality, more a state of mind that unites us through a long struggle than a specific course of action that everyone follows. Solidarity does not demand that everyone make the same choice in every situation. It is an internal force within each of us and among us as a group. It is our commitment to one another and to our common cause; it is our dedication to support one another and to pursue our common goals at all times, in every situation, to the best of our ability. Solidarity cannot be broken by courts, jails or other external forces. If we hold fast to it, it is ours.

Our approach to the legal system is up to us. We retain as much power as we refuse to relinquish to the government -- city, state or federal.

The criminal "justice" system functions to alienate and isolate the accused individual, to destroy one's power and purposefulness and to weave a web of confusion and mystification around any legal proceedings. If we are well prepared for our contact with this system, we can limit the effect it has upon us, both personally and politically. It is extremely important that we be firmly rooted in our own spirit and purposes, our commitment to one another and history and tradition of social struggle of which we are a part. We should try to maintain our nonviolent attitude of honesty and directness while dealing with law enforcement officers and the courts.

Nonviolent action draws its strength from open confrontation and noncooperation, not from evasion or subterfuge. Bail solidarity, noncooperation and other forms of resistance can be used to reaffirm our position that we are not criminals and that we are taking positive steps towards fleeing the world from oppression.

Discuss the issues raised in this legal section with your affinity' group -- particularly noncooperation and your attitude toward trials. Think out various hypothetical situations and try to understand how you will respond to these situations.

Some demonstrators refuse to cooperate partially or wholly with court procedures; they refuse to enter a plea, to retain or accept a lawyer, to stand up in court, to speak to the judge as a symbol of court authority (but rather speak to him or her as a fellow human being), to take the stand or question witnesses. They may make a speech to those assembled in the courtroom or simply lie or sit on the floor if they are carried in, or attempt to leave if not forcibly restrained. The penalties for such noncooperation can be severe, because many judges take such action to be a personal affront as well as an insult to the court. Some judges, on the other hand, overlook such conduct, or attempt to communicate with the demonstrators.

Physical noncooperation may be sustained through the booking process and through court appearances; it may continue through the entire time of one's detention. This might involve a refusal to walk, to eat, to clean oneself and one's surroundings. It may even lead prison officials to force-feed and diaper the inmate.

Another form of noncooperation is fasting -- taking no food and no liquid except water, or perhaps fruit juice. While abstaining from food can be uncomfortable and eventually risky, abstaining from all food and liquid can be extremely dangerous almost immediately. Five or six days is probably

the longest a human can go without liquid before incurring brain damage and serious dehydration. Usually authorities watch persons who are "water fasting" closely and take steps to hospitalize them before serious consequences occur, but no demonstrator can ever count on such attention and should therefore be prepared to give up the fast or perhaps be allowed to die, as did several Irish freedom fighters during the HBlock hunger strike in 1981.

There are other forms noncooperation may take and other reasons for it to occur. The refusal to give one's name undoubtedly springs from a desire to resist and confound a system that assigns criminal records to people, that categorizes and spies upon them and that punishes organizers and repeat offenders more strenuously. It relays a message that none of us should be singled out: we'll be doing this again and again.

Many nonviolent activists, however, acting with the openness and confidence that characterizes and strengthens nonviolent action, do not choose to hide their identities. They may still noncooperate, however, by refusing to reveal an address, or by refusing to promise to return for trial, increasing the burden on the courts to quickly deal with the demonstrators and enhancing their solidarity and strength as people working together, filling the jails.

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## Legal Flow Chart

### **The Legal Process**

The legal system's terms and mystique create an impression of complexity and unapproachability. But, with a little study and thought, the legal process can become manageable and less intimidating and isolating.

Throughout the legal process, we have the right of choice. This is very important. When we understand the steps, the choice, and the effects of those choices, then we are in a position to make decisions as to what we want to get involved in, and what we want to avoid. there are many levels of commitment possible; we must individually choose our involvement according to our own situation.

The material below shows the legal process schematically. As mentioned above, there are certain steps involved, and choices that can be made at each of these steps. let us now go through the steps and briefly talk about the choices.

### **Warning**

Usually, but not always, immediately prior to arrest a warning will be given by the police to demonstrators, They will say which law(s) is (are) being broken and will say that anyone remaining will be arrested. The charges may include: disorderly conduct, trespass, resisting arrest, and obstruction of government property.

### **Choices**

To stay and be arrested or to leave

### **Arrest**

You will be taken to transportation vehicles (may be handcuffed, frisked, walked with escort, carried on a stretcher, dragged/carried)

### **Choices**

To cooperate and walk or to non-cooperate and go limp so that you have to be carried. Or to flee if left unguarded and unidentified.

### **Processing and Booking**

Placed in a holding area (don't expect meals, phone calls, bathrooms). Sometimes cells have pay phone, so you may want to bring quarters. Photographed. Fingerprinted. Pockets emptied. Strip searched (unlikely but a possibility). Asked for information. You are only required to give name, address, and ID. You don't have to give Social Security number, but many people do anyway since it's easy for this to be found out.

You may be given a summons, Desk appearance Ticket (DAT) that gives you the charges and court date and then released. Or you may be held till you are arraigned be a judge

### **Choices**

To be willingly fingerprinted, etc. How much personal information you give. ACT UP usually tries to decide this collectively in advance, particularly so that no one is singled out for being too queer, HIV positive, etc.

### **Arraignment**

Appear before a judge and answer to charges (guilty, not guilty, nolo contendere, mute). You can request that charges be dropped. If you plead guilty it might be for a fine of an Adjournment in Contemplation of Dismissal (ACD) where there's little or no punishment so long as you don't get busted in a certain time period. Or, schedule another court date/trial.

### **Choices**

To answer charges, respect authority, or to get through the process as quickly as possible.

### **Trial**

same as above

**Note:** You don't need a lawyer for this, but it is always helpful to have a legal aid or sympathetic lawyer to guide you through the process. For major actions, plan in advance to have legal aid on site of action and with you through the arrest, etc.

### **Advantages/Disadvantages to Disclosing Your Status when Arrested**

When a person is arrested, if s/he informs the authorities that s/he has an infectious disease such as tuberculosis or an active HIV-related infection, s/he is separated and will not be placed in a cell with other arrested people. If the defendant is physically handicapped, s/he will not be placed in a a cell with other arrested people

Advantages/Disadvantages to Disclosing Your Status: If you are on HIV meds, the only way that you are going to be able continue your doses is if you notify officers when you get to the Police Precinct or Central Booking. As the process can take some time, you should do this as soon as possible. Remember that the arrest to arraignment process can take up to 24 hours, which is several potentially missed doses of medication, so you should seriously consider speaking up so as to stay on your medication regimen. The disadvantages of disclosing your status include the possibility of harassment from officers or other inmates if the officers disclose the information.

At the precinct or Central Booking: If you have your meds in your possession they will be taken from you and "vouchered." An officer will fill out a voucher form, and it will include contact information for your doctor and pharmacy. You should be asked if you need to take your meds at the precinct or Central Booking, but know whether or not they ask you should let them know. If you ask to take your meds, the police will call EMS. An EMT will do an assessment and transport you (and the voucher form if you filled it out) to a hospital (usually the closest HHC emergency room) for evaluation by a doctor. You will not be permitted to take the meds that you had with you. If you can get in touch with friends or family who can bring medical information (doctor and pharmacy) to the precinct or Central Booking, they should do so. It is not a good idea for them to bring meds at this point.

At the hospital: A doctor will assess your condition. He or she might contact your doctor, or might just go ahead and write a prescription for the meds that you say you are taking. Either way, the doctor should write you a prescription for enough meds to last you through to the end of the arraignment process (24 hours). The prescription will be filled at the hospital pharmacy. If the hospital pharmacy does not have the meds, then the contact information on the voucher form will be used to contact your pharmacy. At this point, you might have to speak up and push to have someone make the call, either the doctor, the EMT, a social worker, a family member, or whomever you can get.

Potential Problems: At the precinct or Central Booking, the officers might discourage you from going to the hospital. They might tell you that it will delay the arraignment process and you will be there "for days". This is not true. Going to the hospital to get your essential medications will not delay the process or keep you in the system any longer. The arrest to arraignment time of 24 hours is the same, and it is very important that anyone on medications not miss doses.

Advocacy: [HOLLAND PEACEMAKERS – HERE WE WILL NEED TO INSERT PHONE NUMBERS OF LOCAL ADVOCACY AND LEGAL SUPPORT ORGANIZATIONS AS WELL AS COURT AND POLICE NUMBERS]

written by: Steven Nesselroth FIRST DRAFT 3/2000

### **Pleas in Court: What They Mean**

Almost immediately after arrest a defendant will be brought into court for an arraignment. At the arraignment the defendant is read her rights and is informed of the charges against her. At that time she will be asked how she pleads to those charges. She can make several responses:

1. **GUILTY:** By entering a plea of guilty, a defendant is admitting her guilt, thereby forfeiting her right to a trial. In such cases a defendant will simply be sentenced by the judge, though she may have to return to court at a later date for sentencing.

Demonstrators engaged in civil disobedience sometimes feel that this is the proper plea to enter at the arraignment. By pleading guilty they are saying, "Yes I committed the act of which you accuse me. I don't deny it; in fact, I am proud of it. I feel I did the right thing by violating this particular law; I am guilty as charged." Mahatma Ghandi is one example of a civil disobedient who always pled guilty in court as a matter of principle.

2. **NOT GUILTY.** If a defendant pleads not guilty, she must be tried and convicted before she can be sentenced. The burden of showing guilt lies with the state; you are presumed innocent unless the state can prove your guilt beyond the shadow of a doubt. A defendant need not actually believe that she is not guilty in order to enter this plea.

Civil disobedients often believe that this is the proper plea to enter at arraignment. By pleading not guilty they are saying; "Guilt implies wrong-doing. I feel I have done no wrong. I may have

violated some specific laws, but I am guilty of doing no wrong. I therefore plead not guilty." Since this places the burden of proof on the state, charges may be dropped by the government before the case is tried. In rare cases a defendant may be acquitted (found not guilty) during the trial.

3. **NOLO CONTENDERE:** Nolo contendere is Latin for "no contest." If a person plead "nolo contendere: she forfeits her right to a trial and (as with a guilty plea) simply comes before the judge for sentencing. Some people feel that a nolo plea is a compromise between pleading guilty and not guilty. While not contesting the charges one is also not admitting guilt.

4. **Standing Mute.** Some people will not answer at all when they asked by a judge how they plead. They are usually civil disobedients who refuse cooperation with other aspects of arrest and courtroom procedures. In such cases a plea of not guilty will usually be entered for the defendant by the judge.

Such defendants felt that they should not have been arrested, do not belong in court, and only dignify the illegitimate proceedings by participating in them. Others may feel that the courts in this country, by their very nature, are oppressive institutions whose only legitimacy comes from the cooperation given them by the defendants; they therefore feel compelled to noncooperate with the proceedings. Serious consequences can result from noncooperation, including physical abuse by the police and additional jail time from the judge.

5. **Creative pleas.** Some defendants in political cases enter "creative pleas." for instance, when asked by the judge how she pleads, a defendant might respond: "I plead for an end to the arms race" (for a peace demonstration), or " I plead for an end to the laws making it illegal to be lesbian and gay" (for a queer civil rights action). In such cases a plea of not guilty will usually be entered for the defendant by the judge.

## **Jail Solidarity**

Jail solidarity may be defined as complete unity of purpose of those incarcerated or imprisoned. The ultimate objective of that unity is for everyone committing the same act to be treated equally and fairly in jail and in sentencing. Refusing citations, bail, fines, community service or probation keeps us together as a community with the potential for collective bargaining to meet that objective.

For jail solidarity to be most effective, the issues surrounding it must be addressed and resolved to the greatest extent possible before reaching jail. Jail authorities are not going to patiently wait for us to reach consensus on solidarity agreements before they start employing "divide and conquer" tactics to weaken our bargaining power.

One divisive tactic used by the prison/legal system is different treatment for certain individuals or groups. These people risking harsher treatment usually include noncooperators, repeat offenders, known organizers, people of color, lesbians and gay men. Discussions of solidarity should always include the issue of how to give these people the extra protection they need.

Coming to agreements about solidarity goals and tactics is a powerful but difficult process. To reach true solidarity with the greatest number of participants, people must have enough information and time to make wise decisions. Solidarity tactics that are employed successfully are empowering. Iii-considered, unfocused uses of solidarity tactics are less successful and drain our energies.

Some of the issues that cause the most controversy around solidarity include interpretation of the nonviolence guidelines, and under what circumstances, if any, we will keep solidarity with those who have previous records, are on probation or have not followed the nonviolence guidelines for that action.

People's motivations for participating in CD will affect their attitudes toward the police and jail guards. Some people are motivated to CD as a protest against the multiple structures in society which work together to create a weapons industry. The prison/judicial system is seen as one of these structures.

The effect of this political viewpoint on behavior in jail can be very dramatic. Often people refuse to cooperate with the authorities at all. Some ways they do this are by going limp during arrest, not abiding by prison regulations, and refusing to participate in arraignment. Some of these acts serve personal moral goals; others are initiated as levers to make the legal system mete out equal and fair sentences to all.

Another group may reflect a different set of motivations and approaches. For some people for example, their fundamental reason for CD stems from an awareness of the destructive power of nuclear weaponry. Their fear and outrage over these weapons may be their only motivation to do civil disobedience. Often these people will stress more of the need to communicate with the human beings behind the helmets, uniforms and roles. They will talk to the police, perhaps befriend the prison guards, and try to use persuasion and dialogue to raise questions about these roles.

The differences between these two approaches will frequently lead to conflict. The stress of the jail experience tends to intensify conflict but by discussing differences beforehand their effect on jail solidarity can be minimized. Conflicts that arise in jail must be acknowledged and deal with at the time or they may become divisive. Conflict is an expression of opposing viewpoints and should not be confused with violence.

Often it is not possible for everyone to agree to stay in jail for solidarity purposes. Sometimes there are people who question the need to struggle inside the jails when the action's primary goal is something else. Some people, because of outside responsibilities, cannot afford the time jail solidarity may demand. Others find jail conditions physically or emotionally intolerable. And still others take the political stand that we're more effective back on the streets encouraging other people to take a stand. Whatever the reason for not participating in jail solidarity individuals should make this information known beforehand since it may affect decisions of the group.

Those who must leave jail are not betraying the group -- there are many ways they can continue supporting those inside: by speaking to the media, to the movement and the public about conditions inside by fulfilling responsibilities for those inside, by carrying messages to family, friends, and employers.

Jail solidarity must never become coercive. In jail, solidarity is our strength and the strength of our solidarity comes from the free agreement of all who take part in it.

NONVIOLENT WAYS PROJECT

<http://www.spanweb.org>

<mailto:nonviolence@spanweb.org>

Rev. Wes Rehberg Ph.D.

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Mobilize for peace at the grassroots ...  
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