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The Contemporary Protest Movement

Posted By [Timothy Zick](#) On September 10, 2007 @ 12:30 pm In [Civil Rights, Constitutional Law](#) | [4 Comments](#)

In a book I have tentatively entitled, *The People Out of Doors: The First Amendment, The Expressive Topography, and the Preservation of Public Liberties*, I examine the many limitations on contemporary political protest and other First Amendment activity in public places. One of the things I thought much about while I was writing the book was the continued relevance and salience of the traditional public protest in an era of hyper-technology. In this weekend's New York Times *Magazine*, Michael Crowley touches on this theme in a [piece](#) ^[1] about the methods and effectiveness of the anti-war protest movement. Crowley's principal focus is on modern-day methods of protest and, in particular, protest organizing. As he reports, protest repertoires like conference calls, lobbying, and mass emails are replacing the public demonstrations, door-to-door canvassing, and street theatre used in earlier social and protest movements. Crowley wonders whether technological advances in communications and organization will actually create a more effective protest movement than existed, say, in the Vietnam era. He seems skeptical — and with good reason. Thus far, despite organizational improvements, fundraising successes, and regular access to legislators including House and Senate leaders, the anti-war movement has achieved little tangible progress in halting the war or bringing home the troops.



Crowley's piece highlights two substantial errors that contemporary protest and other social movements seem vulnerable to making. The fact that, as Crowley states, "[t]he Internet, not the street, not the campus, is the fundamental component of today's anti-war movement" portends a premature abandonment of the streets and other public places. The Internet is a necessary tool for organizing, raising money, and conveying messages. Indeed, no contemporary protest movement can succeed unless it harnesses the benefits of bandwidth. The first error, however, is to assume that the Web can replace tangible places of protest, and that democracy-by-technology can replace on-the-ground grass-roots activity. The "virtual march on Washington," staged online by one of the principal anti-war movement organizers, could not produce the solidarity or impact of a real march on the Capitol. Nor can online polls and petitions replace more embodied forms of protest and protest organizing. As I argue in the book, the people cannot effectively self-govern solely by sitting in front of computer monitors and typing on keyboards. Although they did not ultimately produce legal reform, last summer's immigration protests showed how a tangible public presence can attract attention and at least start a national dialogue. By contrast, who watched or even noticed the "virtual marchers"? Anti-war protest organizers have not yet entirely abandoned traditional protest repertoires. But they are moving in that direction. The people must continue to assemble "out of doors," both in the physical/tangible sense and in the sense that they occupy spaces outside mainstream political institutions.

The second error relates to the difficulty in situating a movement "out of doors," in the sense that it is truly removed from institutional politics. Political scientists have shown that particularly since the 1970s, the act of protesting has itself generally been institutionalized. Changes in public permitting laws and methods of protest policing are largely responsible for this phenomenon. Protest *organizers* have also been co-opted. Organizers now regularly meet with police and arrange in advance such things as arrests, the location and contours of demonstration zones, and parade routes. What is happening, as Crowley's article shows, is that the organizers of protest movements are becoming further integrated into the core political establishment. As one principal organizer put it: "Last time [it] was done in the

streets. People were concerned about civil society breaking down. You have to play in politics, which is something we do very explicitly." Disruption and contention, two of the principal assets used in prior social and protest movements, are being replaced by polite entreaties and cooperation between protesters and legislative staffers. The absence or rancor, passion, and genuine protest (properly targeted, in the case of the current war, at *both* parties) indicates that protest organizers have not only been institutionalized, but in fact are in danger of being captured — by the very political process that has thus far produced the "endless war" movement members decry. "Playing in politics" is fine up to a point; indeed, it is sometimes strategically necessary. If they continue down the present path of institutionalization, organizers will occasionally win the war of words with slicker media campaigns, more precise polling, and coordination of political messages with legislative allies. Without an effective "out of doors" protest movement, however, the Bush Administration will win the political battle over the war.

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