



School of Sociology and Public Policies

Protest Policing in Portugal: perception of legitimacy toward police
intervention (2010-2014)

Diogo Felipe Silva Pereira

Project submitted as partial requisite to obtain the degree of
Master in Political Science

Supervisor:
Guya Accornero, Invited Assistant Professor (ISCTE-UIL)
Integrated Researcher (CIES-IUL)

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Acknowledgements

Completing this master thesis would not have been possible without the support of many people. Education is never the result of the student alone. Had it not been my family and friends, my teachers and my colleagues, and the opportunities our educational system provided me with, this journey would have been much more arduous.

My first and most important acknowledgement goes to Professor Guya Accornero. During these two years you were supportive, patient and always willing to share your experiences and ideas. That gave me the confidence and trust to keep going.

I also wish to deeply thank the activists and policemen that so kindly took time to share their stories with me. Thank you to João Labrincha, Raquel Branco Freire, André Ferreira, Leandro Souto and João Torrado, for sharing your experience as protesters. Thank you to the Polícia de Segurança Pública's officers José Ferreira de Oliveira, Sérgio Felgueiras, Paulo Rodrigues, Artur Pestana and Bruno Prata. Your contribution to this study was priceless. The Direcção Nacional da PSP, ISCPSI, ASPP/PSP and CGTP-IN are also to be thanked for their availability and facilitation of the interviews.

Thank you to my friend Ana Vaz who, with due diligence and an extraordinary patience, proofread this thesis.

I want to thank my family for the support, and my friends for listening to my countless divagations. Thank you to Paulo Cruz for helping me unblock methodological approaches. Thank you, Raquel Nunes for the words of encouragement. Thank you Pedro for being a steady support in my life and always being willing to discuss and share ideas.

I dedicate this research to Professor Britta Baumgarten. Thank you.

Abstract

Conflict between police and demonstrators influences the way citizens perceive security forces and the democratic institutions. Often, when police needs to resort to coercive force to keep public order, it means the failing of upholding the state's duty to protect its citizens. Protest policing is therefore subject to the attention of scholars and researchers from fields of studies going from social movements to police studies. Nevertheless, literature has been lacking in addressing the dynamics of the Portuguese protest policing. The recent protest cycle from 2010 to 2014 spiked scholars' curiosity towards the subject, maybe due to its nature, counting with an exponentially high number of protest events and the appearance of new actors with new ways to organize and mobilize. This master thesis aims to understand another dynamic of this protest cycle: the perception protesters and police officers have of police intervention. This aim will be pursued through the analysis of one hundred and seventy-eight (178) protest events in Lisbon, that allowed to identify the actors, motivations and targets involved in protest, as well the role of police. The completion of five (5) interviews to protest promoters and to four (4) police officers will allow to paint the actors' perception of legitimate police intervention.

Key terms: protest, protest policing, social movements, legitimacy

Resumo

O conflito entre manifestantes e Polícia influencia a forma como os cidadãos entendem a Polícia e as instituições democráticas, visto que o uso da força pode significar o quebrar da missão que o Estado tem de proteger os cidadãos. Não é por isso de admirar que a manutenção da ordem pública seja um tópico de tanto interesse para a literatura, intercalando-se com movimentos sociais, estudos policiais, entre outros. No entanto, a literatura tem falhado em incluir na sua análise o caso português, talvez por durante muito tempo não existir uma tradição de protesto regular. O mais recente ciclo de protestos, de 2010 a 2014, veio mudar essa perspetiva, com o registo de milhares de protestos e o surgimento de novos atores de contestação. Esta dissertação de mestrado tem por objetivo comparar e compreender a perceção que manifestantes e policias têm da ação policial neste ciclo, ao mesmo tempo que caracteriza o ciclo com base nos seus atores, motivações e alvos, bem como o papel da polícia. Este objectivo é alcançado através da análise de 178 eventos de protesto em Lisboa, bem como através de entrevistas a 5 promotores de eventos e 4 agentes de polícia.

Palavras-chave: protesto, manutenção da ordem pública, movimentos sociais, legitimidade

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Abbreviations

APCT - Associação Portuguesa para o Controlo de Tiragem e Circulação/ Portuguese Association for Printing and Distribution Control

ASPP/PSP - Associação Sindical dos Profissionais da Polícia/PSP / PSP Police Union Association

CGTP - Confederação Geral dos Trabalhadores Portugueses - Intersindical Nacional / General Confederation of Portuguese Workers

CI - Corpo de Intervenção - PSP/ Riot Police

COMETLIS - Comando Metropolitano de Lisboa - PSP/ Lisbon Metropolitan Command

EEC - European Economic Community

GaR - Geração à Rasca

GJM – Global Justice Movement

GNR – Guarda Nacional Republicana/ National Republican Guard

GODIAC – Good Practice for Dialogue and Communication research study

ICT - Information and Communication Technology

IGAI – Inspeção-Geral da Administração Interna/ General Inspection for Internal Affairs

NATO - North Atlantic Treaty Organization

OSCE/ODIHR – Organization for Security and Co-operation in Europe / Office for Democratic Institutions and Human Rights

PAGAN - Plataforma Anti-Guerra, Anti-NATO/ Anti War, Anti-NATO Platform

PEA - Protest Event Analysis

PNR - Partido Nacional Renovador/ National Renovation Party

PSP - Polícia de Segurança Pública/ Public Security Police

QSLT - Que Se Lixe a Troika! / Hell with Troika!

RASI - Relatório Anual de Segurança Interna / Annual Internal Security Report

SMO - Social Movement Organization

UEP - Unidade Especial de Polícia - PSP/ Police Special Unit

UIR - Unidade de Intervenção Rápida - PSP/ Rapid Intervention Unit

WTO - World Trade Organization

INTRODUCTION

The 2008 financial crisis and the rise of harsh austerity measures shook European political life, especially that of countries like Portugal that were submitted to *Troika's*¹ financial aid program from 2011 to 2015. Portugal, a southern European country with a tradition of “few mass street protests” (Baumgarten, 2013b) saw a rise in public protest and contestation of the financial austerity measures. Accornero and Ramos Pinto suggest a revision of the idea of the Portuguese as mild-mannered people (Accornero and Ramos Pinto, 2015) that resulted from decades of “strong political disaffection associated with low levels of all kinds of political participation, including voting in elections, resorting to conventional forms of political action or engaging in unconventional civic activism” (Magalhães, 2005: 988 *apud* Accornero and Ramos Pinto, 2015: 498). The Portuguese saw a “multiplication of protests, from fairly ephemeral ‘media-friendly’ actions to more low-profile but enduring conflicts, such as a dockworkers’ strike lasting months” (Accornero and Ramos Pinto, 2015: 493). In this cycle the anti-austerity movements became the social fuel to engage thousands of citizens in street protests, hundreds of them directly involved in what was called the ‘new new’ social movements (Alberich Nistal, 2012, Feixa et al., 2009, Fonseca, 2012 *apud* Accornero and Ramos Pinto, 2015: 92).

Portuguese literature is prolific on the rise and grow of these new movements (see the work of Accornero 2015, 2016 or Baumgarten, 2013). Nevertheless, not much attention has been paid to the protest policing component of this cycle of protest. The existing literature on this tends to be based on studies elaborated by the police itself, which misses the connection between both social movements and the police. Namely, what is missed is an analysis of the ways new contentious actors bring new challenges to the police, and how these two parts interact.

With the evolving conceptualization and structuring of the modern State, the monopoly over the use of legitimate coercive power as described by Marx Weber (1919) is defined and accepted as one of the state’s premises. Preserving public order remains a primary function of the State, but the power to keep it has been delegated to the police only since the 19th century (Mansley, 2014: 4). Police role and its self-view on that part has also evolved throughout the decades, as Diego Palacios Cerezales (2011) puts it when analyzing the Portuguese police intervention from the 1826 constitutional monarchy until democracy. Nowadays, police is very different from its 19th century military predecessors.

¹ Commonly known as Troika, the term was popularised by the media to reference to the decision group formed by the European Commission, European Central Bank and the International Monetary Fund responsible for the financial bailout to European countries due to the European Sovereign Debt Crisis. The bailout lasted four years from June 2011 to 2015. The intervention is regarded as having had serious economic and social consequences to Portuguese society. With unemployment rising and strong austerity measures being imposed, the Portuguese engaged in a cycle of public contestation against these austerity measures and loss of living conditions.

These changes are not anchored only in the technical advancements and organizational improvements of the police force, but also in the importance modern Western societies assign to political rights. The right to protest and its performance has suffered significant changes, causing all interacting stakeholders to modify their behaviour. In the Portuguese case, that behavioural change can be seen on the influence Polícia de Segurança Pública's (PSP) view of its own role as a legitimate safeguard affected protest policing.

As changes in policing are the reflection of the society in which they happen, it is clear why della Porta and Reiter (1998: 1) view "protest policing as a particularly relevant issue for a thorough understanding of the relationship between social movements and the State". Following this argument, this master thesis aims to understand what protesters and police officers perceive as legitimate police action, and how that perception is influenced by police intervention. On the other hand, the study also explores if and how protest policing methods were influenced by the perception protesters had of police action.

This research is guided by the following question: "How do police and demonstrators interact and how does police intervention influence the demonstrators and police's perception of legitimate police action?". The study proposes the following objectives:

1. To explore the perception of legitimate police intervention amongst PSP officers in the context of a political protest;
2. To analyse the perception of legitimate police intervention amongst protesters in the context of a political protest;
3. To understand how protest policing methods were influenced by the perception protesters had of police action.

Further on, these objectives allow to deepen the understanding of the Portuguese police intentions in managing their role as social peacekeepers in times of unusual circumstances in Portuguese society: an unprecedented volume of protest events (Baumgarten, 2013).

The research methods used to respond to these objectives were the Protest Event Analysis (PEA) methodology and interviews to relevant actors. The first method covered the content analysis of Portuguese press, resulting in the creation of a protest events database for Lisbon between 2010 and 2014. The database was later used to compile data regarding the actors, motivations and targets of protest. The interviews to protest promoters and to policemen aimed to collect first-hand knowledge of the events occurring during the protest cycle, namely regarding the interaction between both actors and the interviewees' perception of police action.

The first part of this master thesis offers context on the Portuguese protest cycle under study, as well as its definition. The second part covers the literature review of theoretical and historical context on protest policing in Europe and in Portugal. The

Portuguese context also englobes the legal aspects of protest and structure of the Portuguese Police. The third part reflects on the methodology used. The fourth part consists of the case study of the Portuguese protest cycle from 2010 to 2014.

PART I: CONTEXTUALIZING THE PORTUGUESE PROTEST CYCLE

Definition of the protest cycle: beyond anti-austerity

Given the above question, this research will focus its analysis on the most recent Portuguese protest cycle, looking to anchor the search for legitimacy as a driving aspect of police's protest policing in maintaining the public order in Lisbon. Setting the research parameters, and particularly the timeframe for the protest cycle, helps to have glimpses of how this cycle happened.

The study is restricted to protests in the country's capital Lisbon, the background for some of the major demonstrations of the referenced cycle. The restriction to Lisbon allows a better control of the research focus, ensuring the feasibility of the methodology used. The only police organization analysed in this study is PSP because it is the organization with jurisdiction over urban areas. The study's time frame is set between 2010 and 2014. The 5 years long cycle of protest - defined as "a phase of heightened conflict and contention across the social system' involving, among other features, 'a rapid diffusion of collective action from more mobilized to less mobilized sector' (Tarrow 1998: 42) *apud* Accornero and Ramos Pinto, 2015: 494" - is initially and partially defined by resorting to the anti-austerity social movements' study field. Here, Baumgarten (2013b) defines one of the first large protest events of the cycle as happening on 12 March 2011, known as *Geração à Rasca*² (GaR), and built on by Accornero and Ramos Pinto (2015) when setting the cycle of protests between 2010 and 2013. However, to build a comprehensive understanding of the evolution and characteristics of policing, the protests' motivation was dissociated from the cycle of protest.

² *Geração à Rasca* is the name of the first demonstration of the cycle and of the social movement organization (SMO) organizing it. GaR was completely independent from old actors and parties and was later transformed into the social movement organization M12M - Movimento 12 Março, responsible for organizing and participating in other major demonstrations, such as the ones organized by another SMO called QSLT - Que Se Lixe a Troika. It is important to note that during this cycle the appearance, merger and disappearance of SMOs was common, resulting in sometimes more and sometimes less fragmented movements, potentiated by experiments in organization and events (Baumgarten, 2013b).

From a protest policing perspective, the cycle is not entirely set in the anti-austerity movement, even if largely based on it. Ferreira de Oliveira (2015: 466) refers the PAGAN³ protest against NATO in November 2010 as one of the major protest events happening under PSP's jurisdiction for years. Following this logic, resorting to the Internal Security Annual Reports (RASI) from 2010 to 2016 helped mapping the use of PSP's means and effectives in major operations under the right of Protest and Assembly (Decreto-Lei nº 406/74) across the country.

The compilation of this new data made the definition of the beginning of the cycle of protest possible. In 2010 there was a registered increase of 306,6% in police operations when compared to 2009; in 2014 - defined as the end of the cycle - there was a recorded drop of 34,7% in police operations from 2013 to 2014 and a drop of 30,3% to the following year.

Year	No. of major police operations	No. of deployed police officers	Variation of no. of police operations against previous year (%)	Variation of no. of deployed police officer against previous year (%)
2009	167	3500	-	-
2010	679	6514	306,6%	86,11%
2011	702	9277	3,4%	42,42%
2012	3012	16672	329,1%	79,71%
2013	2859	31257	-5,1%	87,48%
2014	1866	16521	-34,7%	-47,14%
2015	1300	15948	-30,3%	-3,47%
2016	920	9638	-29,2%	-39,57%

Table 1 - police operations in Portugal under the protest and assembly right (2009 - 2016). Source: RASI 2009 - 2016

2010-2014: the Portuguese protest cycle and its main actors

As seen above, the protest cycle starts in 2010 with the anti-NATO demonstration in November as one of the first major events (Ferreira de Oliveira, 2015: 466) and ends in 2014 after the significant decrease of contentious actions, namely those motivated by the austerity measures. The cycle joined new contentious actors and many established players such as Precários Inflexíveis⁴, trade unions and left-wing unions personalities, and even local government members. If we look at the anti-austerity demonstrations, the first stage of

³ PAGAN, or Anti War, Anti-NATO Platform, is a Portuguese anti-military movement integrated in the international platform 'No to War, No to NATO'. It was formed in late 2009 to promote non-militarist alternatives to NATO and protest against the NATO Summit occurring in Lisbon in the next year.

⁴ Precários Inflexíveis is a social movement organization close to the Portuguese left-wing party Bloco de Esquerda that aims to protect the rights of precarious workers.

the cycle starts a few months earlier in March 2010 with the calling of a general strike in July 2010, reaching its peak on 12 March 2011 with the demonstration organised by the social movement organization (SMO) *Geração à Rasca* (Cardoso *et. al.*, 2017: 409). This particular SMO started as a response to “the raising costs of life, austerity measures on health, education and total lack of work perspectives, while seeing emigration rising”⁵ and precariousness. This event inaugurated another characteristic of this protest cycle: its forms of mobilization, such as digital platforms allowing for more interconnectivity with national and international movements. Social media platforms such as Facebook were the central stage for mobilizing these demonstrations (Cardoso *et. al.*, 2017: 409) and served also “grievances and identity articulation” (Accornero, 2017: 201). In the months following the *Geração à Rasca* demonstration, Lisbon was the stage of an ‘acampada’ similar to those happening in Spain. From 12 to 15 May 2011 in Rossio, Lisbon⁶ citizens gather in assembly both to discuss amongst them - protesters gathered in a forum style debate to decide the future of the movement -, but also to convey a message of ‘true democracy’ and against the ‘financial dictatorship ruling democracies’ to the Government, international institutions and people overall.

The cycle was punctuated by two other major events after the June 2011 elections, organized by a New SMO⁸ representing the aggregation of several other movements: *Que Se Lixe a Troika!*⁹ (QSLT). These ended up being two of the biggest demonstrations in Portuguese history (Accornero and Ramos Pinto, 2015: 500). The first occurred on 15 September 2012 with reports of 500.000 participants and leading to other demonstrations across the country (Baumgarten, 2013b). The second was on 2 March 2013, also spread by several Portuguese cities. After these, the protest cycle started showing signs of slowing down (Accornero and Ramos Pinto, 2015), and “social movements stopped working together to fight austerity”¹⁰.

This protest cycle seems to be influenced by international protests - there are common motivations between the Portuguese and other countries’ protests (Baumgarten, 2013b, Ramos Lima and Artiles, 2014). Nevertheless, the Portugal-specific discourse and the State as target still prevail (Baumgarten, 2013a: 469), specially due to the “overwhelming predominance of labour-initiated” protests (Accornero and Ramos Pinto, 2015: 501).

⁵ João Labrincha, founding member of the social movement organization and demonstration *Geração à Rasca*, interviewed in Lisbon on the 27 March 2018.

⁶ Part of a larger international protest movement, the *Acampada no Rossio* happened also a few days in June 2011. With time the movement was dissolved but local assemblies remained.

⁷ Manifesto, available at <https://acampadalisboa.wordpress.com/manifesto/> [31 March 2019]

⁸ The term New SMO refers to the new contentious organizations appearing in this protest cycle, e.g. GaR and QSLT, making a distinction with older contentious actors such as Unions.

⁹ *Que Se Lixe a Troika!* was a social movement organization resulting of the attempt to

¹⁰ André Ferreira, activist and lawyer regarding his perception of the evolution of the protest cycle. Interviewed in Lisbon on the 12 March 2018.

The demonstrators' identity, not clearly anchored in a left-right axis but concerned with subjects as democracy or their economic present and future (Estanque, Costa, Soeiro, 2013, della Porta, 2015, Nez, 2016), resulted in the demonstrations drawing attendance and support from several society sectors from SMOs, parties, occasionally the trade union CGTP, and even institutional actors (Cardoso *et. al.*, 2017: 410).

But who are the protesters, why do they protest, and against whom? Appendix C through Appendix F outline the protest actors, their targets and motivations from the analysis of one hundred and seventy-eight (178) protest events during a five (5) year period. Individually, the New SMOs emerge as the most active group with a total of forty-four (44) events organised, followed by Unions with thirty-six (36) events and the Public Sector with 30 events.

Mine is not the first database built for this protest cycle. Accornero and Ramos Pinto's (2015) study presents a similar one. Overall, both databases lead to the same conclusions: Labour motivated protesters are responsible for the majority of the events that occurred (thirty (30) Public Sector, fifteen (15) Private Sector, thirty-six (36) Unions, twelve (12) Law Enforcement).

The main target of protest is, with a significantly higher number of events, the Government with one hundred and nine (109) events in the selected time period. Government is followed by Political Institutions with twenty-two (22) accounted events. The most common motivations for protest are Social issues with fifty-nine (59) events, Labour issues with fifty-four (54) events and Political claims with twenty-five (25) events. If matching motivations with targets, Government was mostly targeted due to Social issues with forty-two (42) events, followed by thirty-eight (38) events related to Labour issues. These findings confirm the theories of Baumgarten (2013a) and Accornero and Ramos Pinto (2015) about the national character of reivindications and targets.

PART II: LITERATURE REVIEW AND THEORETICAL FRAMEWORK OF PROTEST POLICING

In literature, protest policing has been addressed through a multidisciplinary approach which pays its contribution to disciplines as sociology, social movements studies, and police studies, amongst others. This combined perspective gives the field the ability to look to the constant mutation of its subject as an interconnected web of realities. This literature review explores concepts such as legitimacy, protest, social movements and public order to understand the dynamics involved in constructing the perception of legitimate protest policing that protesters and police officers have. These dynamics are important

because the acceptance of a certain police action is linked to that person's understanding of whether or not the action is legitimate. This can then impact the entire relationship between protesters and police.

When policing a protest, one of police's goals - and challenge - is to keep public order with the voluntary and lawful collaboration of protesters (Maguire, 2016, Ferreira de Oliveira, 2015, Felgueiras, 2016). Therefore, legitimacy will be at the core of the connection between authorities and citizens. In the early 20th century, Weber (1919) conceptualised the way in which state authorities gained legitimacy to practice their authority. He theorized that legitimacy could come from traditional, charismatic or legal sources. This theory is, to date, the basis to study police legitimacy (Jobard, 2012) and the use of force by the State.

But in the view of whom should coercion be legitimate? Palacios Cerezales (2011) resorts to historical sociology to argue that coercion should be legitimate not in the view of its target, but in view of those who hold "other resources of power and can help the one claiming legitimacy to impose itself" (2011: 17); so legitimacy depends on the solidarity between several society sectors. From that logic, there is a notion that "leaders and authorities are effective to the extent that they are perceived as having legitimate authority and acting in accordance with prevailing norms of appropriate conduct" (Jost and Major, 2001 *apud* Johnson, Kuhns and Maguire, 2014: 949). In other words, authorities only have the legitimacy that citizens give them "within a socially constructed system of norms, values and definitions" (Suchman, 1995 *apud* Johnson, Kuhns and Maguire, 2014: 949).

Legitimacy can be perceived differently, depending on whether it is being viewed by protesters, the state or the general public. That means that what is perceived as legitimate police action in one instance may not be in another, considering that "the legitimacy attributed to police action is permanently subject to negotiation and redefinition given the complex relationship among policing, conflict and violence" (Reiner, 2006 *apud* Soares et. al., 2018: 28).

The study of psychology of authority compliance plays an important role in understanding legitimacy. Maguire (2016) steps away from the theory that people comply with authority because they are afraid of the consequences – deterrence theory – to support the theory that perception of legitimacy plays a decisive role. In his view, legitimacy is the broad judgments people make about institutions, such as the police or the government: if their conduct is correct, right and appropriate. "When the police are viewed as corrupt, brutal, or inept, citizens are unlikely to view them as legitimate sources of authority" (Maguire, 2016: 89)¹¹. Also Felgueiras (2016) mentions the importance the perception of a

¹¹ The author accompanies legitimacy with the concept of procedural justice. As a brief note, he claims that when interacting with police, people often separate the fairness of the outcomes from the procedures to reach those

legitimate police action has during protests. An action that is viewed by protesters as legitimate is less likely to result in confrontations. He adds that policing methods based on dialogue policing and communication enhance the protesters' perception of legitimacy and facilitate policing.

On a micro-level of interaction, Soares et. al. (2018) present a very interesting study about the psychology of protest actors. They look at protesters and police officers' subjective recognition of legitimacy and moral disengagement in the Portuguese anti-austerity protests to conclude that both these groups attribute different meanings to values as protection, public order and liberty. This seems to tap into the morality of agency and both groups' perception of legitimacy. The authors state that police officers can disengage from the moral burden of repressive actions by transferring the responsibility to a higher authority. In their study, both protesters and police officers believe that blame and dehumanization of protesters promotes police repression. On the other hand, they find that police officers have a more active moral agency when they establish empathy with demonstrators, i.e, "empathy can lead to questioning the role of violence and repression" (Soares *et al.*, 2018: 33) because police officers relate to the situation or condition of those who are protesting.

The institutional response to protest depends on the democratic institutions' understanding of the democratic relationship between the state and the citizens, and what they view as lawful forms of protest. Sometimes governments and law enforcement might have a different understanding of what is and what is not lawful. Generally speaking, demonstrators can resort to a vast repertoire of action from petitions, to street demonstrations, to boycotts, to occupation, gatherings or strikes (della Porta and Diani, 2006) among other more brutal performances, even resorting to what some regimes – democratic or not – might consider illegal or violent forms of protest. Therefore, contentious actions are nonconventional or noninstitutionalized forms of political engagement aimed at challenging the status quo (Tilly & Tarrow, 2008) and "in which actors make claims bearing on someone else's interests, in which governments appear either as targets, initiators of claims, or third parties" (Tilly, 2008: 5), these being governmental or non-governmental groups. With time, it seems that protest became "the central form of action, mounted routinely to demonstrate a claim before the public", being at the same time "orderly, theatrical and peaceful" (Tilly and Tarrow, 2015: 16).

Fillieule e Jobard (1998: 90) define political protest in a more practical way: it is the occupation of public spaces by non-governmental actors with the objective of advancing political demands, gain benefits or celebrate. Regarding who demonstrates, Favre (1990)

outcomes. People may be upset with a police action, e.g. being arrested, but still "viewing the behaviour of the officer who made the arrest as fair and respectful" (Maguire, 2016: 88).

categorizes the typical actors in four groups with distinct interactions and dynamics between them: Demonstrators, Forces of Order, Press and Public (Tilly and Tarrow, 2015: 99).

Let us look at the demonstrators through the lenses of the social movements' studies. The appearance of social movements seems to date back to around the mid-nineteenth century Great Britain. These are characterized by "the sustained, organized challenge to existing authorities in the name of a deprived, excluded or wronged population" (Tilly, 1995: 144 *apud* Filleule and Accornero, 2016: 1). Their growth has been hand in hand "with the development of state building and nationalization, capitalism, urbanization and print capitalism" (Anderson, 1991, Gellner, 1983, Tilly, 2004 *apud* Filleule and Accornero, 2016: 1).

Today, della Porta (2015: 161) refers that social movements are different from other collective actors because they have "dense but informal networks", where "individuals and organisations while keeping their autonomous identities, engage in sustained exchanges of resources oriented to the pursuit of a common goal". These fluid entities are composed of more or less institutionalised actors (Accornero, 2016) and their enjoyed autonomy requires constant negotiation between them.

For many years there was a clear distinction between the American and the European approach to social movements, that has now faded. The Americans, for example, started deconstructing the idea of social movements as irrational phenomena when faced with the spread of mobilization amongst large segments of society around the Vietnam War (Filleule and Accornero, 2016: 4). In Europe, the focus was in the structural causes of social movement – however hard it was to aggregate the European experience in one tendency (Filleule and Accornero, 2016: 6).

Della Porta, Peterson and Reiter (2006) explore the transnationality of social movements by taking a multidisciplinary approach. The authors contend that the 1980s America saw an increased institutionalization of social movements that ended in the 1999 Seattle protest against the WTO. But it had already birthed a global justice movement aimed to denounce the lack of legitimacy of supranational institutions. This renewed protest wave has perhaps its most significant piece in creating the mindset for international collaboration and revindication seen in the 2010 protest cycle and the so called 'new new social movements' characterized by transnational connections and demands (Estanque, Costa and Soeiro, 2013, Baumgarten, 2013b, Accornero and Ramos Pinto, 2015).

"From Tunisia to Egypt, from Greece to the United States, passing through Portugal or Spain - the collective action intensified, spread, new forms of action and new organizations emerged, with common references at a global level and dynamics of solidarity that occur on the scale of the nation state, but remain connected internationally in real time by the Internet space." (Estanque, Costa and Soeiro, 2013: 2)

The 'new new social movements' connection to international events is potentiated by the internet, specially social media platforms, visible in the posters and banners of some Portuguese demonstrations: "Less Ireland, more Iceland" in a clear reference to the 2011 Icelandic protest cycle (Estanque, Costa and Soeiro, 2013: 2); or in the importation of "forms of action, like the occupation of public space [camping in Square Rossio], [where] the Spanish manifesto was read out loud to those assembled at the occupation" (Baumgarten, 2013a: 465).

Nevertheless, Baumgarten (2013a: 459) highlights that even if social movements across the world refer to each other "the actual movements cannot be regarded as a global social movement. Their aims are too diverse and, apart from the numerous informal ties established between them and punctual cooperation there is no established structure of cooperation".

Public Order is a key component of the dynamic between policing and legitimacy. It is a concept defined by the "absence of all material perturbation or the absence of disorder" (Ferreira de Oliveira, 2015: 32). Public order imperative and prohibitive nature regulates the vital interests of a given society in a given period (Ferreira de Oliveira, 2015: 25). In other words, the interpretation of public order is changeable.

Public order is a constructed concept determined by factors such as political regime, political context or societal norms. Society and political actors' tolerance of repression of protest in the name of public order changes and sometimes "the political cost of repression is close to zero, and other times provokes high mobilization of opposition forces" (Palacios Cerezales, 2006: 1, 2011). It is linked to the importance society and some groups give to public order and targets. Some will have a looser perspective of public order, conflict and disorder, while others will have a stricter understanding on 'rules and order'. The subjectivity of legitimate police action is obvious when civil society groups tolerate police violence "as a response to groups known by their violence, or groups like neo-Nazis opposed to the values of democracy", but at the same time do not tolerate violence "when it is directed toward targets regarded like equals [e.g. students]" (Soares et. al. 2018: 33).

On a more theoretical note on how different actors understand public order and legitimacy, Janjira Sombatpoonsiri (2015) exposes the contractarian vs. non contractarian theories. Contractarians like Arendt (1970) advance that the state has a contract with its citizens. If violated, government can be contested. On the other side, non-contractarians – or law and order hardliners - say that the State's reason to exist is to provide citizens security. Since protest can pose a threat to that mission it is legitimate to control it. This last argument seems to find more sustenance in authoritarian governments and dictatorships. By this logic, democratic regimes should use less force and repression against protesters, "principally due to their observance of human rights principles and the existence of political infrastructure

governing police accountability” (Sombatpoonsiri, 2015: 104). Nevertheless, democratic regimes are also vulnerable to oscillations in the handling of protest between “heavy-handed and tolerant approaches”. In order to comprehend the oscillation between the two approaches, the author raises a very valid argument, until now not taken into account in the protest policing models of della Porta (1998, 2006) or Filleule and Jobard (1998): the “politics of legitimacy” can influence policing methods. Protesters that are successful in raising the political cost of repression of their protest by winning general public support, might face less forceful police, as it puts additional attention and scrutiny on police. This argument reflects Palacios Cerezales’ (2006, 2011) theory for public order enforcement, that legitimacy depends on the solidarity between different society sectors.

Governing and keeping public order imposes a fine balance between defending order and defending citizens’ rights. Often the question is: until where are governments willing to sacrifice citizens’ rights to uphold the public order, and vice-versa? Are these two aspects incompatible? Palacios Cerezales (2006, 2011) claims that even though controlling a situation and public order is fundamental for states, repression comes with a heavy political cost: to harm a citizen means failing the duty to protect. The political cost is variable and subjective, depending highly on political context such as nature of protest, social background and citizenship of the victims. Sometimes the “cost of repression is close to zero, and other times provokes high mobilization of opposition forces” (Palacios Cerezales, 2006: 1). Failing to handle the situation and to restore public order also has political costs: government fails to deliver its compromise with its governing functions, legality and the rights of third parties. This is what the author coins as the public order dilemma. States’ solution to the public order dilemma is to reduce both costs, without the reduction of one meaning the rise of the other. To reduce the first cost, of repressing, governments resort to ‘technical solutions’: the use of non-lethal techniques of protest policing. This means that while police still have the same capability to resolve a situation quickly and efficiently, it is less likely to cause injuries or deaths.

These techniques were improved throughout the decades (Palacios Cerezales, 2006, 2011, 2015) and include, amongst other, the modern protest policing methods in use today, as exposed in the next chapter. To reduce the second cost, of not repressing, the democratic regimes institutionalized some forms of non-violent protest. Framing into law protest forms like peaceful demonstration, gatherings or strikes - that authoritarian regimes would view as disorders (Palacios Cerezales, 2006, 2011) – reduced the number of events that would potentially require police handling or repression.

There is a clear distinction between the authoritarian and the democratic understanding of public order. In the first, public order is connected to the maintenance of the State’s authority, and it can be anchored in legal and ideological principals that

understand “the law as the basis of society’s structure” (Paolo Ungari *apud* Accornero, 2013: 94)¹². In the second, public order reflects on the wellbeing and freedom of citizens, deeply anchored in a State committed to serve this balance (Ferreira de Oliveira, 2015: 35 and Jean Rivero *apud* Ferreira de Oliveira, 2000: 22). Portugal serves as a good example of a country that transitioned from an authoritarian to a democratic understanding of public order in the last decades. In the current democratic panorama, the task to “guarantee public order and tranquility”¹³ is trusted to the several law enforcement with the additional responsibility of ensuring civil liberties and rights – that is why the responsible for keeping order should not use methods that jeopardize people’s life or dignity (Ferreira de Oliveira, 2015: 39). In practice, this is not always observable. In Portugal à Coronhada (2006) Palacios Cerezales provides an extraordinary account of decades of protest policing. He demonstrates that even in democracy, despite significant improvement with the adoption of newer and more engaging models, more institutional control over police forces and the use of less lethal forms of crowd control, police can still resort to violent and perceivably unproportional means to restore public order.

Now we see how protest policing results of several dynamics, and that its study counts with the contribution of different fields. Firstly anchored in the field of police studies, where authors such as Bailey (1986), Munir (1977) or Black (1980) formulated typologies of police intervention, interaction and tactics (della Porta 1998), protest policing can be summed up as “the police handling of protest events – a more neutral description for what protesters usually refer to as ‘repression’ and the state as ‘law and order’” (della Porta 1998: 1). Protesters determine their perception of State reaction towards them from the way police handles protest (*idem*). The same happens with police, which is deeply affected by waves of protest (Jane Morgan, 1987 *apud* della Porta 1998: 1) – this is a key issue for police’s self-definition.

The reaction police assumes has varied greatly across the decades, political regimes and geographies. Even though internal changes play a crucial role in changing a policing method, this is also deeply affected by variables such as the protest cycle circumstances,

¹² One interesting view on public order in authoritarian regimes, namely fascist ones like the Portuguese Estado Novo, is that these regimes tend to resolve conflict and dissidence through norms. Hence, the law acts as an instrument of repression when codifies ways to deal with dissidents, such as exile or arrest. The repression the Portuguese students suffered in the late 1960s is example of that. Students had the right not to fulfil their military obligations in the Portuguese colonial war, that change in 1969 when students considered as agitators lost that right (Accornero, 2013: 103). These regimes still allow arbitrariness in their handling of dissidence and of protest: repression can vary in degree, form and target, and do not necessarily follow patterns.

¹³ Lei Orgânica da PSP, with jurisdiction to act in urban areas. Lei nº 53/2007, Artigo 3º, número 2, alínea b), DR 168 Série I 31 Agosto 2007

past knowledge and experience and the nature of social movements involved in the protest – more or less institutionalized, more or less violent, etc.

The works of della Porta et al. (1998, 2006) Filleule and Jobard (1998, 2016), McPhail et al. (1998), Reiner (1998), Mansley (2014) or the GODIAC research project¹⁴ (2013) are good examples looking to analyze methods of transnational protest policing during the past decades. della Porta (1998) presents a typology model, like Filleule and Jobard (1998), where interaction defines the style of policing. In della Porta's model a series of changeable variables characterize the style: 'brutal' vs 'soft', 'repressive vs. tolerant', 'legal vs. illegal', amongst others. Around the same time McPhail et al. (1998 *apud* Mansley 2014: 11) distinguish the styles between escalated force – the intolerance for disruption – and negotiated management – the search for negotiation. The latter prevails amongst European police (Felgueiras, 2015), especially after the Swedish police started deploying communication or liaison agents to negotiate with demonstrators in 2001 (Mansley 2014, Felgueiras 2015).

With a better understanding of the role of police, a higher public scrutiny and better policing tactics, protest policing keeps evolving, but not in a similar way – it still seems to depend on aspects earlier pointed out by della Porta (1998, 2006): police culture, organization, public opinion, law and political power. For example, the presence of media can be a deterrent to less correct police action. Filleule and della Porta (2014: 26) mention that police officers are aware that media presence constrains their action and available options – from deployment of means, as they tend to want to be less visible, to resorting to police charges.

A final aspect to consider is the weight the study fields of crowd psychology and social identity have on the construction of protest policing models. The field studies how crowds behave and are influenced, looking too to understand how individuals act in a crowd environment. External influences perform an important role in this aspect. police intervention can be the necessary element to unite a group and spark violence. Hence, police is more likely to peacefully control a crowd if policing via non-violent or non-invasive techniques. Filleule and Jobard refer to the 2005 work of social psychologists Reicher and Adang, where the presence of any violence brings cohesion to a group, with the aggressor being seen as the common enemy. For example, police using violence or not communicating their intentions can risk undermining its legitimacy and result in protesters responding with aggression. On the other side, the demonstrators' perception of the legitimacy of police action is enhanced by the application of tactics that reward communication and the use of

¹⁴ Good Practice for Dialogue and Communication is an European research investigation project coordinated by the Swedish police.

strategic force instead of indiscriminate repressive action (Filleule and Jobard, 2016, Felgueiras, 2016).

PART III: METHODOLOGY

Given the theoretical concerns and the aims previously specified, this study was developed resorting to two main methodologies: Protest Event Analysis based on one (1) national press publication during the selected timeframe; and nine (9) in-depth interviews to police officers and citizens directly involved in the organization and control of public demonstrations during the same timeframe. The combination of both methodologies allows for the creation of a multisectoral understanding of the events conditions and actors involved in the studied protest cycle and in the construction of legitimacy perception in the view of the involved players. In the first place, it was important to build a protest database that would help characterize the protest cycle, hence the choice of the PEA method. In the second place, it was important to collect first-hand knowledge on the relationship between protesters and police through personal interviews, particularly because these were conducted three to eight years after the examined events.

Protest Event Analysis (PEA) is a type of content analysis that “allows for the mapping of the occurrences and characteristics of protests across geographical areas, across issues/movements and over time” (Hutter, 2014: 2). The method can resort to several content sources. For this study, the same source as Filleule and Jimenez (2003) or Accornero and Ramos Pinto (2015) was used: newspapers. The main objective being to list and categorize the protest events occurred in Lisbon from 2010 to 2014.

Filleule and Jimenez’s (2003) work provided great insights on how to select the best newspaper. They reinforce the importance of quantity and quality for a trusted press source. Hence, this study adopted criteria of quality (be a credible source and not regarded as a tabloid), reach (have a national cover and distribution) and topic (produce generalist content). Equally important was that the newspaper had a daily printing and easily accessible records. The Portuguese Association for Printing and Distribution Control – APCT circulation records for the 3rd bimester of 2012¹⁵ helped to build the six (6) top distributed daily newspapers: two (2) news aggregators, one (1) tabloid and three (3) high quality daily newspapers with national reach. The newspapers meeting the quality criteria were *Jornal de Notícias* with 123,082 prints in circulation, *Público* with 46,325 prints in circulation, and *Diário de Notícias* with 44,706. At the time of this research *Público* was found as the best

¹⁵ 2013 Annual Internal Security Report (RASI) mentions 2012 as the year with more relevant police operations under the ‘protest and assembly’ category, hence choosing 2012 as the year to benchmark the newspapers circulation.

and most easily accessible record. It was therefore the newspaper of election. Besides that, it had a good reputation regarding media coverage of social and political events in a factual, non-biased manner, covering potential doubts on that field.

The next step was to construct a database of protest events; analysing the Sunday, Tuesday and Friday editions of *Público* for articles mentioning protest events in Lisbon from 1 January 2010 to 31 December 2014 (categorized in Concentrations or Demonstrations). 178 protests were typified during the 5 year cycle according to Category, Actor, Target, Issue, Number of Participants, Police Force involved, Number of police Officers, Violence, Violence Instigator, Violence Method, Arrests and Number of Injuries.¹⁶ Appendix G presents the selected events for analysis across the 5 year period, respecting diversity criteria in the Actors involved, the concerned Issue, level of Violence and Arrests.

This method does not provide all the event in the protest cycle, but the trajectory of the events along the time. It also does not give full information on the profile and motivation of the movements, amongst other qualitative details. For a future study, this limitation could be tackled by including the analysis of other documents for selected events. For example, the access to official police reports would allow a deeper analysis of the specific protest events where police action or any violence had been found. Crossing the reports, accounts and interviews could help build a better picture of protests in Portugal and how police keeps public order. In most of the events collected, the press source did not present enough data to precise if, how and why violence or police action started.

From the analysis of the selected protest events, a semi-structure interview script was built: one version to be applied to the citizens responsible for organizing protest events and one version for police officers. The semi-structured interviews had the purpose of gathering 'first-hand knowledge' of the actors active during the protest cycle. The interviews were conducted between March and July 2018.

To represent the activists, I interviewed 5 individuals from new contentious actors (PAGAN, Geração à Rasca and Precários Inflexíveis), the political party Partido Nacional Renovador (PNR) and the trade union CGTP-IN.

The 4 PSP officers interviewed were as heterogeneous in careers and rank at the time of the referred cycle as I could possibly manage. All interviewed officers had active experience in protest policing complemented by being in the field, operational, intelligence or high-level supervision. The first officer was part of PSP's Corpo de Intervenção and of the police union. The second was assigned to the COMETLIS Operational Department. The remaining two occupy managing functions at PSP's National Direction and have extensive academic background in the study of public order maintenance in Portugal, bringing valuable

¹⁶ For the detailed categorization of the events, please refer to Annex G.

insight on the theoretical approach PSP has towards protest policing. Anonymity was not required.

Considering the abovementioned, the method is limited by its scope as it was not fully representative of the Portuguese territory and population. For future reference, this research can be expanded to the entirety of the territory and the interviewees' profiles diversified. While the applied methodology focused in the most essential actors - protest promoters and police officers - a bigger representativity could be achieved by including other protest intervenients, such as members of the media, civil authorities, and protesters not responsible for promoting the event.

PART IV: PROTEST POLICING IN EUROPE

Policing the Union: the European protest policing methods

It is interesting to look at the European case because it seems to be a consensus, or at least tendency, to implement similar styles of protest policing. The current pattern points to the adoption of more moderate and negotiated police models (Filleule and Jobard, 1998, 2016, Felgueiras, 2015) that even so might still result in the temporary distress of the citizens' rights to protest. That can be, as explained, acceptable under certain circumstances, but it comes with a moral and legitimacy cost to the police at the eyes of the protesters and social movements.

Police tactics in Europe started to become softer in the beginning of 1980s as a reaction to the increasing scrutiny by several society sectors and the loss of support and legitimacy of 'escalated forces' techniques. (McPhail, Schweingruber and McCarthy *apud* Felgueiras, 2016). Until then, in the 1960s, resorting to methods of an escalated force was common among European police forces. These styles were characterised by a negative view of the protesters, little or no communication and escalating use of force (GODIAC, 2013b). The new paradigm required police forces to reflect on how they understand their role and protest policing (Felgueiras, 2016).

It is possible to find a history of collaboration across borders, specially within EU member-States, to pursuit common goals and safety. This collaboration became even more important with the appearance of transnational threats like terrorism, and the creation of the borderless Schengen area. Nevertheless, there is no doubt protest policing in the EU is a national competence.

Reiter and Filleule (2006), explore – before the 2008 crisis and subsequent rise of transnational social movements – how EU countries developed their approach to public order policing. Security, freedom and justice as EU policy objectives were inscribed in the

1999 Amsterdam Treaty (Reiter and Filleule, 2006: 148). A common EU approach started to be informally outlined in the mid-1990s, somewhat prompted by football hooliganism, but also applicable to street demonstrations. With time, and to respond to challenges like the end of borders in the Schengen space, the EU created and adopted common practices and institutions to facilitate and coordinate the work between the several countries, such as the Schengen Information System. In theory, these allowed for the easy exchange of information and quick mutual collaboration, even though it faced several difficulties. Several EU Summits along the years are the example of the failed communication and collaboration (Reiter and Filleule, 2006).

Since the early 2000s, the Global Justice Movement lead to an acceleration of the EU collaborative response. The special interest these activists took in targeting the European Council, which they deemed the less democratic of the institutions, made them a threat to the EU institutions. They did not seem to pose a great risk to the European institutions (della Porta, 2006); in fact, these activists' high identification with Europe is of great importance for the development of the EU (Reiter and Filleule, 2006: 156). Nevertheless, the heterogeneity of the GJM at a national level complicates police work, often facing radical groups and lacking information.

The European transnational policing is apparently concerned with the civil liberties and rights of its citizens but its application is sometimes dismissed. This exposes one of the flaws in the common European systems, caused by the "purely intergovernmental character of EU police cooperation" and that results in situations that "greatly complicate the citizens' ability to single out those politically and juridically responsible for restrictive measures and to find redress" (Reiter and Filleule, 2006: 161). There are reports from the European Parliament, a body that cannot do much more than recommend courses of action, inciting accountability, caution and respect for democratic rights, but these recommendations are not often taken seriously by the European Council (Reiter and Filleule, 2006).

Operationally, one can see how the European countries move their policing strategies towards a model based in de-escalation techniques, facilitation of street protests and processions, increased communication with demonstrators in all stages and the use of strategic intervention to restore order (Filleule and Jobard, 2016, Felgueiras, 2016). Let us take the results of the GODIAC - Good Practice for Dialogue and Communication (2013) project; a study conducted together by 20 European partners, amongst which 12 police organisations and 8 research organisations, with the purpose to "identify and spread good practice in relation to dialogue and communication as strategic principles in managing and preventing public disorder at political manifestations". The project analysed policing methods

in 9 different EU member-States between 2010 and 2012¹⁷. The results granted a current overview of the European landscape. The study distinguished between three main coexisting categories, as summarized by Felgueiras (2016: 35): 1) policing based on escalation of force (such as the 3D strategy of dialogue, defuse, defend), 2) policing organised to strategically incapacitate harmful participants, and 3) policing based in negotiated management.

The models started receiving more widespread attention after the Swedish police deployed liaison agents to negotiate with protesters in 2001 (Mansley 2014, Felgueiras 2015).

Protest policing à la française: diverging from the European model

Other models and tendencies are found amongst European countries. The contrast of the French model confirms the general tendency of other countries. According to Filleule and Jobard's work about French protest policing (1998) it is possible to find accounts of police officers "not considering the operation a success without experiencing some kind of physical confrontation" or "having evened the score". Nevertheless, their superior officers know they should avoid the use of force to keep the control of the situation, and resort to several techniques as negotiation, collecting information and keeping distance from the demonstrators. Throughout the entire operation, the French police attitude is one of superiority and of 'us versus them'. The authors advance the idea police does not feel the need to gather legitimacy to intervene, as it is already legally granted. This notion of legitimacy acquired via law is still present in security forces across Europe and in Portugal. But one of the differences regarding older models is that today police has a different understanding of the crowd. Demonstrators were before "people who have taken leave of their senses" (1998: 85); dangerous people that need to be controlled. Today, the overall European and Portuguese consensus is to understand crowds as a rational collective (Felgueiras, 2016) with legitimate demands.

Filleule and Jobard (2016) leverage their previous work to compare the French policing policy with European tendencies, in special the German 'de-escalation' method. The authors example the contrast with a technique used both in France and in most European countries: tactic removal of harmful individuals. In Germany, Sweden and – as supported by the interviews – in Portugal, the tactic is used to swiftly remove individuals, preventing armful actions and solidarity from the crowd towards the wrongdoer, hence de-escalating. The French use it to "raise numbers of arrests" (Filleule and Jobard, 2016: 4), resulting in the

¹⁷ For a complete understanding of the GODIAC project consult the project's Field Study Handbook and Recommendations (2013) published by the Swedish police - polisen.

increase of situations where a potential conflict with demonstrators can develop, potentiating escalation of conflict. Another differencing aspect is the use of communication: Germany uses advanced communication techniques to control and inform demonstrators of what is happening – and potentially raising the legitimacy of their actions – whereas the French tend to avoid communicating with protesters.

Scrutiny as deterrence: international understanding on policing policies

The interconnectivity we experience as a global society and the constant claim for more transparent, democratic and reliable institutions translate into public and institutional scrutiny of police action and strategies. Police is not always successful in the peaceful control of protest and can sometimes fail to advance best practices. In an European context a search for consensus and harmonization of best practices seems to exist, upholding protesters' rights to free and peaceful assembly, both at an institutional and civil level. The European Parliament decided in early 2019 on resolution 2019/2569(RSP) with the adoption of text P8_TA-PROV(2019)0127 regarding the right to peaceful protest and the proportionate use of force. With this resolution, the European Parliament tries to set international scrutiny and pressure on the policing policies, calling EU Member-States to “ensure that the use of force by law enforcement authorities is always lawful, proportionate, necessary and the last resort”, highlighting the importance of scrutiny and the role journalists and press have on reporting cases of disproportionate violence. The resolution also exhorted EU Member-States to reduce the use of certain non-lethal weapons for crowd control.

The EU Handbook (Murdoch and Rocher, 2010) was agreed upon and implemented within the Council of Europe. The document outlines what the police approach at international events should be, including methods such as guaranteeing the protection of peaceful demonstrators, encouraging police proactivity to initiate dialogue and prevent dangerous situations, and when possible showing low visibility and having high tolerance for peaceful protest. The OSCE/ODIHR (2010) also published extensive guidelines on freedom of assembly and its handling by states, reinforcing principles as proportionality, non-discrimination, transparency and accountability of institutions. It also suggests guidelines for protest organizers incentivizing contact with the police and the respect for lawful and peaceful assembly.

In a more technical police aspect, the GODIAC project (2013) recommends that polices share knowledge with all participating law enforcements to ensure a correct understanding of the event and policing strategy; that communication is present at all stages of the event – even in more difficult situations - with organizers, protesters and the public to avoid misunderstanding and to reinforce the police action legitimacy. To ensure

communication, polices are advised to deploy professional, ethnically diverse and specialised liaison and communication units.

GODIAC also recommends efforts to facilitate the protest and meet demands of the organisers, as to be seen as “supporting collective aims can make the difference between escalation and de-escalation”. And finally, to use differentiation, addressing dangerous participants individually without aggravation or harm to others, not avoiding, if needed, to send clear signals of what is and what is not tolerated. These and other best practices aim to help police keep control of an event without resorting to force at the same time as boosting their legitimacy to intervene. Together, these documents help setting international standards and expectations for national and transnational policing methods, likely pressuring law enforcement and States to institutionalise more protest forms and adopt less repressive protest policing methods.

PART V: PROTEST POLICING IN PORTUGAL

A brief history of police and protest policing in Portugal

Similarly to other European states, Portugal did not have a so called ‘police force’ before the late 18th century. Until then there were multiple attempts to organize men, civilians or the military to patrol and control the territory, especially in Lisbon which even saw municipal polices. After *Intendente* Pina Manique, the father of Portuguese police, took office in 1780, the notion of police and policing saw a new dynamism and moderate organization. Later, the liberal revolutions also brought new ideas for the existing police bodies, such as the separation of the executive, administrative and judicial duties and the creation of a unified police spread across the territory - this last project would only be achieved with the creation of the Guarda Nacional Republicana in 1911¹⁸ (Palacios Cerezales, 2015).

In 1867, in the midst of social and political changes, the Corpo de Polícia Civil in Lisbon and in Oporto, two independent police bodies, appear. These would spread to other district capitals in the following decade and would be consolidated until the end of the century. With the transition from a monarchy to a republic, a national gendarmerie – GNR – was created with the mission of taking the republic to the entire country. The civil police would also be rethought, but it was only in 1935 that all the different district polices were aggregated into what is known today as PSP (Palacios Cerezales, 2015).

¹⁸ For more on the history of the Portuguese police apparatus see the work of Diego Palacios Cerezales (2015).

PSP evolved significantly in the last century¹⁹. This police force is liable for ensuring security conditions for citizens to use their rights, liberties and guarantees and to keep public order and peace, as stated in PSP's Organic Law. Now over 150 years after its foundation, the institution has been agile to adapt to the political and regime conditions Portugal experienced in the last century.

The fascist regime that haunted the country for 41 years resorted to police oppression to “not allow contestation” and “ensure the compliance with the regime's repressive policies” (Sá Jorge, 2014: 1). After the Second World War, Estado Novo realized the growing attention to its policing tactics and tried to rebrand the police as benevolent and helpful. The reappearance of social contestation in the 1960s coined the security forces as an instrument of repression. In demonstrations, such as those of students, it was common to see police brutality and violence in acts of unmeasured and unsanctioned force against demonstrators, almost as a telling of a police subculture of violence (Cerezales, 2011, 2015, Accornero, 2016).

The police and the country are not the same: public order and protest policing in democracy

With the arrival of democracy in 1974, the security forces had to change. The police that served the dictatorial regime had now the purpose to serve the people and democratic institutions but could not keep the same structure. The changeover to democracy was not easy for the police, with serious doubts about their potential role in the transition and new democratic order being surrounded by suspicions of a ‘fascist’ alignment. For that moment, they were to remain with a low profile, awaiting reorganization, while starting an internal transformation process. It was in early 1976 that the police forces seem to have been consolidated.

The first reorganization came in May 1974 with the dissolution of a much hated and repressive part of PSP, the Companhia Móvel, also known as ‘riot police’, eventually reorganized into what we today known as Corpo de Intervenção. (Cerezales, 2011, 2015). The next decades saw the complete reorganization, internal transformation and attempts to change the relationship between police and citizens. The influence of foreign models, as well as “some humanitarian concerns and the security forces wishes for professionalization” had an important role in the definition of the Portuguese style (Palacios Cerezales, 2011: 17).

¹⁹ PSP, short for Public Safety police, is a civilian security force founded in 1867 with executive, administrative and judicial activities. Separated in distinct organizations under the name of Civic police Body, it patrolled Lisbon and Oporto, but it was soon replicated in other districts. In the two main metropolises it was specialized in administrative, fiscal and criminal policing, while the municipal polices focused on patrolling. It's unified in 1935 and assumes a relevant role in repressing dissidents and crowds during the Estado Novo dictatorial regime (Palacios Cerezales, 2015, Accornero, 2013).

Organized under the Lei Orgânica 53/2007 de 31 de Agosto, Polícia de Segurança Pública “guarantees the security conditions to allow the exercise of rights and freedoms and the respect for citizen’s guarantees”²⁰ and “guarantees the order and public tranquility”²¹.

PSP’s structure is decentralized to facilitate police work but it is coordinated at a national level by the National Direction. The operational structure is then organized in 1) Unidades de Polícia, divided in police territorial commands – these can be regional, metropolitan or district commands – responsible to ensure the coordination of operational police duties in the territory.²² And in 2) Unidade Especial de Polícia (UEP)²³. Designed to respond to more complex police situations, - e.g., protest policing, highly violent situations or personal protection services – this Unit incorporates the a) Corpo de Intervenção (CI), b) Grupo de Operações Especiais, c) Corpo de Segurança Pessoal, d) Centro de Inativação de Explosivos e Segurança em Subsolo, d) Grupo Operacional Cinotécnico²⁴.

In terms of maintaining and restoring the public order, the most visible body is the Corpo de Intervenção. However, this operational subunit is a reserve force under the orders of the PSP’s National Director, to be resorted to in protest policing situations, or when facing exceptional violent situations, among other tasks²⁵. In practical terms the CI will be the second to act in demonstrations or exceptional violent situations under the command of the territorial police authority, who coordinates with the strategic command on the ground. PSP builds a structured response according to violent escalation, meaning the first police units to be deployed to a demonstration will be the several Unidades de Intervenção Rápida (UIRs), who constitute part of the metropolitan territorial divisions and are viewed as an “agile and flexible first resource unit to perform activities as patrolling or protest policing”²⁶. These teams are allocated and coordinated according to the strategic command’s assessment needs for a said event, prepared and debriefed. The CI, as a reserve unit, will be deployed if the risk of threat or the violence escalates. A CI team is typically protected with military grad material. These officers have access to extensive information gathered before and during the demonstration event and are prepared to respond to any crisis occurring in a focalised manner and primarily without resorting to violence.

²⁰ Intend A, Number 2 of Article 3 of Lei 53/2007, 31 de Agosto

²¹ Intend B, Number 2 of Article 3 of Lei 53/2007, 31 de Agosto

²² The Metropolitan Command of Lisbon (COMETLIS) is responsible for the overview of any protest event in the area.

²³ Chapter 3 of Lei 53/2007, 31 de Agosto

²⁴ The third branch of PSP’s structure is composed by the educational establishments.

²⁵ Article 42 of Lei 53/2007, 31 de Agosto

²⁶ Transcript from interview to police Officer allocated to COMETLIS Operational Department from 2011 to 2015.

Now, the responsibility of keeping public order is attributed to the territorial Chief of police where the protest event is being held²⁷. During an event, a command post will be set up near the protest location. This not only allows a close contact with the event, but also a better understanding of the protest's evolution. The command post is under the Chief of police's responsibility and can count on other police forces, authorities and institutions. Article 36 of Lei 53/2007, de 31 de Agosto defines their responsibilities as a) ensuring dialogue with the organizers, b) deploying tactical decisions, c) using force and d) keeping the order. The Chief of police is the ultimate authority to decide on the organization, means and measures to be taken to ensure police's objectives.

Joining the EEC in 1986 also allowed the security forces to exchange and learn with other European polices on these tactics, while developing their own internal mechanisms to control and prevent police abuse. From time to time, news reports on accusations of racist behavior and excessive use of violence plague the Portuguese police (Palacios Cerezales, 2015), but are now closely scrutinized by citizens armed with cameras, government and crucially independent institutional organizations. Examples of these are PSP's Deontology and Discipline Council or the IGAI, the entity responsible for investigating and controlling police activity. Looking back a few decades, Sá Jorge (2014: 25), writing in 2014 mentions that in the past 23 years there was no record of deaths or seriously injured during the policing of protest events, reflecting on the evolution of police non-lethal techniques and self-control.

The police methods are evermore based in learned experience and scientific methods. As Sérgio Felgueiras (2016: 41) writes, "a police practice without science and a science divorced from the practice, are true constraints to the guarantee of a democratic society's fundamental freedoms". In this sense, police activity relies not only on the blind following of the Law but also on protest policing best practices, often anchored in the best collective international understanding explored earlier.

A change in attitude in the understanding of public order and towards police role is also noted, as there was still a strong distrust resulting of years of repressive use of force. Proximity policing, models of de-escalation, and stronger communication were some of measures taken. These also lead to an increase of police legitimacy perception in their operations (Felgueiras, 2016).

²⁷ The competence to keep the public order and protest policing is attributed based in territorial jurisdiction, namely to Polícia de Segurança Pública in urban areas and to Guarda Nacional Republicana outside urban areas. As this study focus on urban areas, it will only approach PSP's organization.

Assembly and demonstration in Estado Novo and Democracy: a view on public order

The works of Accornero (2016) about the 1960s students' movements and of Palacios Cerezales (2011, 2015) about the maintenance of public order and the police are indicative of how the legal framework around public order and protest policing changed. Actions such as demonstrations, strikes, gatherings and other forms of protest, considered as legitimate in democracy "are usually considered illegal under authoritarian rules", and in Portugal such actions, "could ultimately lead to imprisonment for political crime" (Accornero, 2016: 6-7).

The Portuguese authoritarian regime often enforced public order by repressing the dissidents and political activists against the regime in various manners, such as resorting to the use of violence to repress demonstrations (Accornero, 2016: 7). As seen, the security forces made such efforts to uphold the public order in the name of the regime's apparatus that were considered "the first shield of the regime" (Ribeiro, 1996: 245 *apud* Sá Jorge, 2014: 12). The population was distrustful and resentful of police.

To ensure a proper transitioning of the security forces to democracy, it was necessary to break with the previous legal framework and create a new one, more fitting of the new liberties. Still in 1974, the Decreto-Lei nº 406/74 is enacted, consigning the right to assemble and demonstrate. In 1976, the Constitution of the Portuguese Republic further reinforced this²⁸. This right represents the collective exercise of a freedom, one of the means to sustain the democratic use of freedom of speech (Ferreira de Oliveira, 2015: 235) and it is still used today. It also shed new light on the understanding of public order, as it made lawful the demonstration and gathering of people that in the previous regime were deemed as illegal. As it would be expected, these new rights were accompanied by restrictions to ensure a balance with the need to keep public order²⁹.

De-escalate, de-escalate! Finding a model to protest policing

The Portuguese police is generically similar to the other European police forces. It now looks to "adapt to the Portuguese society transformations, while struggling with limited resources and institutional inertia" (Palacios Cerezales, 2015: 303).

The modern understanding of police action resides in the application of comprehensive interaction with protesters and communication, in order to avoid misunderstanding and potential confrontation (Ferreira de Oliveira, 2015: 82). There is no

²⁸ Article 46^o of the Constitution of the Portuguese Republic, 1976.

²⁹ This is a complex discussion, but as a brief note it is possible to agree on two restrictions to these rights: the necessity of protesters to give a two days notice to local authorities before any protest event, and the restrictions police and military personnel face in participating in demonstrations (see Clemente Lima, 2006 and Ferreira de Oliveira, 2015).

need to go into detail about the practical aspects of police strategy, but it is anchored in a technique that resorts to five (5) escalation levels of intervention and coercion from cooperation to confrontation (also understood as maintenance of public order). Police will work and decide the level of their intervention according to the risk assessment, often reacting to the demonstrators' actions. Whenever possible they resort to negotiated management methods to keep their intervention in the lowest level possible (Ferreira de Oliveira, 2015). To achieve these, they resort to several techniques - discussed in this paper - that often start before the event.

The negotiated management method requires a global approach prior, during and after the event in Portugal. The stages of a demonstration security operation are research and processing, planning, execution and debriefing (Elias and Pinho, 2012: 46). Intervening to reinstate the public order is just part of the approach, and only when necessary and strategically targeted. (Ferreira de Oliveira, 2015: 334). PSP is organized to work based on risk assessment, which allows police to adequately allocate the correct volume of means and avoid under or over deploying officers. If police appears as ostensive, it might risk aggravating the demonstrators and even lead to confrontation. Demonstrators, when in group, can associate more closely with it, hence the importance of understanding the social interactions within the crowd and differentiating between different actors. (Ferreira de Oliveira, 2015, Felgueiras, 2016, Filleule and Jobard, 2016).

The most recent Portuguese protest cycle, as seen before and explained later, brought significant obstacles to PSP, especially when it came to the nature of the protesters and the difficulty in communication. These might have affected the initial police response and the application of the negotiated management model when it came to communication. Police made an effort to collect and analyze available information, namely on open sources like social media, with the intent of reaching contact with the promoters. In this protest cycle, the police also had to adapt the operational planning and execution to the exponential growth of demonstrations and of participants verified (Elias and Pinho, 2012).

PART VI: PERCEPTION OF LEGITIMACY IN THE PORTUGUESE PROTEST CYCLE

Today, Portuguese police is aligned with European models and understands the democratic value of protest (Cerezales, 2006, Felgueiras, 2015). Its attitude towards protest policing is no longer one of seeing social movements as irrational and responding with escalated force when facing protest, but rather a way to practice democracy (Cerezales, 2006: 368), and adopting a negotiated management model.

First-hand accounts from the interviews conducted with protesters and police officers allowed to understand that PSP was influenced by the evolution of this cycle, and that it

might have re-adapted its policing practices towards a negotiated model that includes de-escalation techniques, more communication and promotion of police training regarding non-confrontational protest policing. There is also a clear change in the way PSP communicates to the broad public and a growing concern with its image as an open, peaceful and legitimate institution serving democracy. This last point was particularly tested during the protest cycle. The question is what perception demonstrators and police have of legitimacy, and to what extent they consider police action as rightful.

Actors' profile: protesters and police

Police officers and protesters represent the main actors of the protest events occurred in Lisbon in the selected period. Hence, and due to research limitations, my decision to not include the press, the public or public officials in the study.

Police's group is composed of four PSP officers, based in Lisbon at the time of the analysed protest cycle or performing essential part of their professional activity in the city. The Group is as heterogeneous as possible considering the complexity of the institution. It includes: one officer of the Corpo de Intervenção (CI) with union duties, one officer allocated to the COMETLIS and two officers that are part of the National Direction.

Protesters' Group is composed of three individuals that were in privileged positions within the organization of national New SMOs, namely of Geração à Rasca, Precários Inflexíveis and PAGAN. The Group also includes the CGTP-IN trade unionist responsible for demonstrations' security and police liaison, and the demonstration security responsible of the Partido Nacional Renovador (PNR).

Both Groups were presented with a script designed to 1) verify the subject's past and intervention in the cycle of protests; 2) get insights on the organization of an event - preparation, during and after stages; 3) explore the subject's opinion and understanding of major protest events during the cycle, and the cycle as a whole; 4) the relationship dynamics between the police and protesters.

Two perspectives: comparing protesters and police officers' perception

There are significant differences in the perception police and protesters have of protest policing. I will explore it through the interviews conducted with the two Groups. Recalling the study conducted by Soares et. al. (2018), one can find that both protesters and police officers tend to have subjective views on what is a legitimate protest and subsequent legitimacy to repress it, conditioned by factors as who the protesters are, the nature of the protest and, on the police side, the ability to identify empathically with the subject and

demonstrators. The authors mention that empathy seems to be key to discourage or prevent police repression as it humanizes protesters, especially if they “find themselves in similar conditions” shifting “from criminals, to citizens participating in the political process” (Halpern & Weinstein, 2000 *apud* Soares et. al., 2018: 33). This protest cycle saw increased contentious actions from police officers, with several trade union demonstrations happening across the country. The interviews did not mean to verify this argument, yet ‘being in the same social conditions’ i.e. being protesters – might have influenced the protest policing method to reinforce the line of negotiated management and nonconfrontation that was already being implemented. The accountings from one police officer refer to protesters as “workers defending their rights”³⁰, indicating this idea while conveying an understanding of the protesters’ motivations and their legitimacy.

All interviewees had a clear understanding of what was supposed to be police’s role in a demonstration: guarantee the safety and normal development of the demonstration, and therefore, citizens’ right to demonstrate, without interfering in a way that can constrain these rights. At the same time, it is established that a demonstrator’s right to protest does not include harmful or violent tactics. The police’s position can be summed as: “that is the attitude that should exist in keeping public order, a balanced and cautious management, without need to resort to the use of force”³¹.

As expected, the interviewed police officers see their role as one of “safeguarding democracy” and they show a deep knowledge of both the legality on which a demonstration can be held and citizens’ rights. They also point out that the best possible outcome for a demonstration is “police not being mentioned in the news”³², meaning that their operations did not required any kind of intervention. When it comes to legitimacy, their perception is based on the legal understanding, past experience and if the mainstream public opinion will see an intervention as rightful: “police is there to support the protesters in their objective of using the streets to revendicate” and that “the fact of having legitimacy, doesn’t mean it can use force in any form”³³. This idea will be developed later on.

Protesters: a multitude of actors

Baumgarten (2013b) shows that not only the new social movements call for demonstrations, “the trade unions called for their own protests” and became “more open to some of the activist groups” which resulted since 2011 in “general strikes accompanied by

³⁰ Paulo Rodrigues, police Officer allocated to the Corpo de Intervenção and President of the union ASPP/PSP. Interviewed in Lisbon on 9 April 2018.

³¹ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP. Interviewed in Lisbon on 9 April 2018.

³² Artur Pestana, police Officer allocated to the Operations Department of COMETLIS. Interviewed in Lisbon on 11 June 2018.

³³ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP.

demonstrations” (2013b). This intertwine of the new SMO with the older contenders was crucial for the development of the protest cycle.

The protesters’ group heterogeneous composition required the division in two separate subgroups: the ‘new contentious actors’ (or SMOs) and the ‘more established actors’ (trade unions and parties). Older contentious actors, such as trade unions and parties have a more positive understanding and implicit trust on police’s performance as they learned throughout the years how to better interact and how to control security aspects of their own demonstrations. This is reflected on their perception of legitimacy to intervene. None of the subgroup’s interviewees referred to have witnessed confrontation between police and protesters inside their agreed demonstration space and time frame, only outside or after their controlled demonstration: they seem to understand police intervention inside their demonstration space as a sign of lack of control and failure to ensure their protesters’ safety. The trade unionist professionalism results in “not wanting police inside the demonstration, [they] are the ones solving the problems” by making “the necessary arrangements to make sure there is no confrontation inside the demonstration” and that police “accompanies [the demonstration] from the outside”³⁴.

Older contentious actors accept police intervention better but avoid it with measures to control their demonstration space, particularly resorting to their own security forces, and attempting to anticipate any negative interaction. The party member recalls how they “make an effort to identify and remove people that did not seem to fit in”³⁵. The concern with contra-demonstration and external dangers comes from the nature and past experience of contestation to these protesters’ actions. Police, today, is seen as a potential resource to fall back into in case of need.

The new social movements’ protesters are less comfortable and understanding of police action but rely more on police escorting and action to protect their demonstrations. They seem to maintain a cordial relationship with the police, while not trusting it. According to them, the relationship erodes as the protest cycle evolves. They state that this happens because police is aggressive and manipulative during demonstrations, and tries to undermine their movements. They concede police little legitimacy to act. One of the new social movements organizations’ organizer recalls their first demonstration: “we were convinced that police would protect us [from the skin heads], we were naive. We warned the police and they said they couldn’t intervene”³⁶. Not seeing their expectations met might have

³⁴ João Torrado, former trade unionist at CGTP-IN, responsible for security. Interviewed in Lisbon 12 March 2018.

³⁵ Leandro Souto, former PNR National Advisor and responsible for security. Interviewed in Lisbon on 16 February 2018.

³⁶ Raquel Branco Freire, movie maker and former activist at Precários Inflexíveis. Interviewed in Lisbon on 21 March 2018.

degraded trust in the police as a facilitator, making the police more of a peril to the demonstration than a potential resource. Because the new social movements organizations do not have the same control and experience as the older contentious actors to maintain the demonstration safe, relying on police would be more crucial. One of the organisers confesses that he was afraid something would have gone wrong with security and that he would be 'responsible' for potential harm or death.

The New SMOs members mentioned several times that PSP's position and attitude towards them became harsher and more aggressive throughout the protest cycle, culminating with the clash on the evening of 14 November 2012. Three interviewees believe there was a change in police method from the first demonstration, known as Geração à Rasca in March 2011, to the following where the police moved from being "respectful and diligent" to actively trying to undermine the demonstrations. They share accounts of police sponsored "provocative elements" including "undercover police, infiltrated and people pretending to be drunk"³⁷. Looking back, they see police performance as "manipulative": they were at the same time "extremely nice and cordial"³⁸ and "destabilizers that tried to turn the movement against itself"³⁹, becoming more inflexible once in control of the situation. The most flagrant protest event where those tactics seemed to have been applied was 14 November 2012 when police withstood around 2 hours of protesters throwing rocks at them. The protesters involved claim that people in complicity with the police instigated the violent acts as a way to legitimize a violent intervention. Again, on 15 October 2011, the demonstrators are distrustful of police and believe to have been manipulated to invade the Parliament stairs, hence giving law enforcement the legitimacy to intervene.

When asked if these accountings were in line with the police method used from 2010 to 2014, all police officers denied it and reinforced that police reacts according to each scenario: "there was an effort to adapt to the circumstances"⁴⁰. They only admit to having adapted their action during the protest cycle as part of the normal process to evaluate and improve operational efficiency: "there was never a change in procedures. There were adjustments, like in all policings, but not concrete changes in the structure or procedures"⁴¹.

Table 2 categorizes the different actors' perception towards police performance during the protest cycle into positive, neutral or negative. Institutionalized protesters choose more positive or neutral expressions to characterize police performance, while the protesters tend to have a harsher and more negative attitude. Police officers choose mostly positive phrasings.

³⁷ João Labrincha, founding member of the social movement organization Geração à Rasca.

³⁸ João Labrincha, founding member of the social movement organization Geração à Rasca.

³⁹ André Ferreira, activist and lawyer.

⁴⁰ Sérgio Felgueiras, Deputy Director for Education, PSP. Interviewed in Lisbon on 6 July 2018.

⁴¹ Artur Pestana, police Officer allocated to the Operations Department of COMETLIS.

Type of actor	Attitude		
	Negative	Neutral	Positive
Protesters			
Union		“doing their duty”	Positive Attitude Discrete
Party			Prepared Impartial Discrete
New SMO	Reactive Inexperience	Present	
New SMO	Ideologically oriented Inconsistent Aggressive		
New SMO	Inefficient Agenda oriented Heavily muscled		
Law Enforcement			
police Officer COMETLIS			Fast Efficient Discrete
police Officer / Unionist		Aware of its role	Patient Coordinated
Senior police Officer		Implicit legitimacy	Adaptable Looking for legitimacy
Senior police Officer			Aware Mediator between State and citizens Laudable work

Table 2 - Attitude towards police performance during the protest cycle (2010-2014). By the author.

There are common aspects between the two subgroups when it comes to their interaction with the police. The first is regarding police work: most of the interviewees highlighted the positive preemptive approach. According to them, before an event – even if not officially communicated through the established channels – PSP contacted the assumed event organizer in an attempt to create a dialogue and ease the development of the event: “there are meetings with police, by their request. But we also have interest that it happens. I remember that many years ago this contact did not exist”⁴². This is in the interest of both the organization and the police. The interviewees of the New SMO highlighted authorities wanting to understand the conditions of the event, such as expected number of people or route, but also the organizing movement itself: “police invited us for a meeting to get to know us and our intentions, but they already had information on us.”⁴³ As the trade unionist interviewed and that who organised demonstrations since 1979 recalls, this approach of contacting the organisers and creating a rapport seems to be fairly recent.

The second refers to most actors considering police follow up during the demonstration as positive. One New SMO’s organizer recalls being particularly pleased with the help received at the beginning of its first demonstration:

⁴² João Torrado, former trade unionist at CGTP-IN, responsible for security.

⁴³ João Labrincha, founding member of the social movement organization Geração à Rasca.

“We were waiting at Avenida da Liberdade at 15h and there was almost no one there, so I said to the police officer that we would only occupy one lane. Their response was no, that we should wait. The metro stations were full of people heading there and they were going to shut down the road”⁴⁴.

The trade unionist has a similar opinion of police diligence to facilitate traffic and parking. He makes a point to note that when engaged in confrontation or tension, PSP worked to facilitate and accompany the demonstration and uphold the protesters’ right to demonstrate in safety.

The third common aspect is that discretion is a key-factor. Even though police presence is appreciated to help transmit a sense of safety, police intervention can be excessive or at least perceived as ostensive. This visibility is negative to the demonstration and its expected outcomes. “If [a protester] sees a police line leading the parade they won’t feel comfortable”⁴⁵, affirms the trade unionist. There is a fine balance between PSP facilitating the protest and interfering with the protesters’ right to demonstrate. In a similar way, demonstrators do not feel safe when police officers wear military grad paraphernalia, as it inspires fear.

Police: “we are the mediators between State and citizens”⁴⁶

Analyzing police’s perspective on its own role is simpler. The four police officers interviewed share the same general ideas: police as a defender of citizens’ rights and a facilitator, a keeper of public order, acting within their legitimate duty and very much aware of the effects that an unrightful intervention would have on their reputation. “Our experience with crowds was that of controlling football supporters. We understood that managing a football supporters group was not the same as managing a demonstration of workers defending their rights”⁴⁷, says the officer from CI-PSP and unionist. PSP’s experience with protest policing since the late 1990s was with football supporters. The previous experience and knowledge police has of protest is crucial to the definition and understanding of their style of protest policing. della Porta (1998, 2006) presents the notion of ‘police knowledge’ as “how the police perceive their role and the surrounding Society”, and more “the images of protesters developed by the police, especially their views of the new actors emerging” (della Porta, 2006: 6). The protest cycle also meant a change in the police’s image of protesters

⁴⁴ João Labrincha, founding member of the social movement organization Geração à Rasca.

⁴⁵ João Torrado, former trade unionist at CGTP-IN, responsible for security.

⁴⁶ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP.

⁴⁷ Paulo Rodrigues, police Officer allocated to the Corpo de Intervenção and President of the union ASPP/PSP

from “football supporters” to “workers defending their rights”⁴⁸, and subsequently their policing style.

The new type of protesters - fairly new to the contentious scene and mobilizing via social media - leads the police to “adapt to the circumstances” and resulted in a less hasty and calmer approach to protest: “we understood people were protesting within their right. If it were a few years before maybe we would have reacted right away [when provoked], instead of waiting”⁴⁹. Education and training became essential to quick and meaningful adaptation to the new challenges, and to change the police officers’ perception and reaction to protesters. PSP now invests more in education and practical training of police officers in legal, constitutional and citizenship matters. As an example, the CI officers handling protest policing tend to have a higher education than the average street officer.

The policeman also mentions that police was not “entirely prepared to that kind of demonstrations”⁵⁰ resulting in interventions that were highly scrutinized and criticized by the media, the public and the organization itself; while another officer states that “often [police] did not know with whom to talk, [the organizers] were unknown”⁵¹. This lack of information brought difficulties - even if police got to know them via social media – as they had to learn how to deal with ‘faceless’ groups, a gigantic task when compared with events organised by the professionalized traditional contentious actors like unions or parties. The resource for mobilization and organization via social media seems to have affected the relationship between police and protesters as it disrupted the obtainment of information about contacts with the event promoters. As a result of the new circumstances, police adapted its tactics during the protest cycle: “for example towards the end, we felt the need to deploy more officers”, says the agent. The two accounts match the perception the New SMO organizers had of police action: not prepared at the beginning and more present towards the end.

Table 1⁵² and Figure 1 represent the correlation between the number of relevant protest events with the number of allocated police officers.

⁴⁸ Paulo Rodrigues, police Officer allocated to the Corpo de Intervenção and President of the union ASPP/PSP.

⁴⁹ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP.

⁵⁰ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP.

⁵¹ Sérgio Felgueiras, Deputy Director for Education, PSP. Interviewed in Lisbon on 6 July 2018.

⁵² The data set represents protest policing by all national law enforcement and in the entirety of the Portuguese territory. PSP is highlighted as responsible for 2813 actions out of 3012 in 2012. For more details consult the RASI reports from 2009 to 2016.

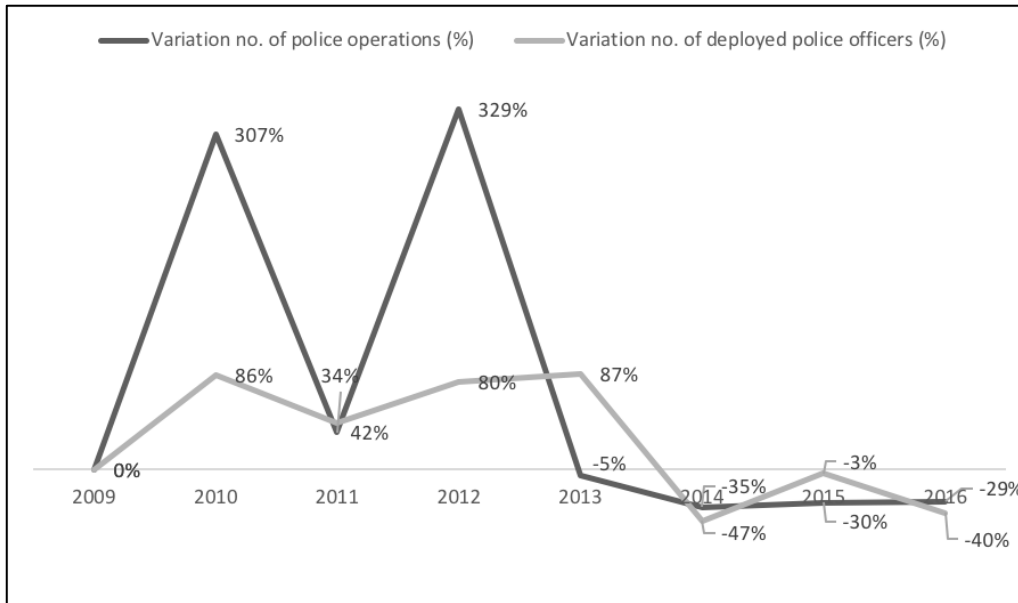


Figure 1 - Evolution of police operations and deployed police officers (2009 - 2016)

The analysis presents two aspects: 1) PSP's resources allocation initially accompanied the growth of protest events in the territory; the growth trend of both variables is the same from 2010 to 2012; 2) PSP deviated from a confluent trend from 2013 onwards, reinforcing the logic that resources' allocation is also based on previous experiences. From 2012 to 2013 protest events decreased by 5,1%, but police officers allocation grew by 87,48%. After 2013 resource deployment decreased at a slower rhythm than that of the protest events. The data indicates that security forces allocated more means than necessary after 2012 and felt the need to maintain a stronger presence than before, especially if considering that 2012 was the year with the largest demonstrations. A note is to be made that without more insightful data, this analysis does not comprehend other potential justification factors.

From PSP's perspective, the legitimacy to intervene is always implicit: "police only reacts after provocation and in the terms of the law". Even so, police learned and adapted to the new dynamics by reinforcing their legitimacy to act. Several of the police officers report a generalized 'necessity to seek legitimacy' and that intervening was a last resource⁵³. The 'rain of rocks' of 14 November 2012 is a good example. Police was not legally required to endure around 2 hours of rock throwing, but they knew that "they had to exhaust all resources before intervening"⁵⁴. The police officers also mention that it was important to transmit to the public the idea that police did not want to charge against people. So, PSP

⁵³ Another idea is that the lack of proper protection equipment can cause a hastier intervention, as police officers on the ground often are not equipped to resist more aggressive actions.

⁵⁴ Paulo Rodrigues, police Officer allocated to the Corpo de Intervenção and President of the union ASPP/PSP.

took great care to ensure a positive and neutral image of the institution: if the public had a negative perception of their work, their future operations would be more difficult.

Police officers are aware of the scrutiny they are subject to by the government, internal audit processes, and mostly by the media and broad public. The coverage given by the media inevitably influences the perception the broader public has of police action (Pais *et. al.*, 2015: 509), and can lead to consequences in the way protesters act and interact with the police in a demonstration. “Confrontation between protesters and police receive more news cover” although often “the reasons behind police action, and that could support its necessity, are less covered in the news” (Pais *et. al.*, 2015: 508). The author’s study finds that even if “journalists try to present information with neutrality”, the general tone when talking about police action is negative.

At the same time, PSP wanted to transmit the message of being autonomous and working towards protecting citizens’ rights. A central opinion of the New SMO actors refers to police action as being under government control. When faced with this question, the police officers denied any interference from the government, reaffirming their independence. Nevertheless, police officers were aware of this connotation with political control; one of them refers that being perceived as the “strong harm”⁵⁵ of the government was not good for their work. It was also clearly against the legitimacy of their work. To be perceived as an instrument of the state is to be seen almost as the enemy, which might more easily trigger protesters to not cooperate and even act with violence. Police officers prefer to see themselves as having “helped keeping social balance and peace”⁵⁶ and safekeeping the state.

In terms of communication, the effort to create bridges with protesters in all stages of the event is notable. As described, this task is easier when dealing with older contenders – there is already past experience and knowledge – than with New SMO. One of the police officers details the process of reaching out and negotiating with protesters prior to an event, sometimes having to resort to intelligence and investigative work to reach out to the event’s promoters: “the demonstration needs to be communicated to the Town Hall that will communicate it to us, but sometimes that doesn’t happen”, so it is necessary to resort to other means: “sometimes we know about the demonstration prior to the notice, via open sources like social media; we have the Intelligence Department (Núcleo de Informações do COMETLIS) that’s always alert.”⁵⁷ police then initiates conversations with the promoters to understand their goals, the intended route, participation expectations and other information.

⁵⁵ Paulo Rodrigues, police Officer allocated to the Corpo de Intervenção and President of the union ASPP/PSP.

⁵⁶ José Ferreira de Oliveira, Deputy Director for Human Resources, PSP.

⁵⁷ In this work, it is not possible to deal also with this aspect, but it is relevant to mention here the fact that changing in organization and mobilization processes, particularly with a stronger use of digital tools, also pushed

During the event – the same officer says – there is always “negotiation and we try to make people understand that the police is not there to restrict liberties, but to guarantee their safety with little inconvenience to others”. The interviewed protesters also mention the attempt to negotiate and communicate, although it was often perceived as a manipulation attempt. Nevertheless, it is important for police authorities to engage in communication and collaborative approaches, resorting to the “use of less impactful means” and “privilege negotiation instead of confrontation”⁵⁸.

CONCLUSIONS

Since 2010, Portugal experienced an intensification of protest unseen in decades. Many Portuguese took to the streets to call on political institutions and show their discontent with the economic crisis and lack of political responsiveness to their needs. In doing so, the Portuguese – some aware, some not – inaugurated a new cycle of protests that had serious and long-lasting implications in the way social movements and protest policing are practiced and perceived in Portugal. The research explored the relation between legitimacy and protest policing, seeking to understand what perception the actors involved in protest and public order maintenance had of police action.

My conclusions argue that this protest cycle saw some *premieres* in the Portuguese protest scene. Until then, protest – beside the sports related events – was dominated by older contentious actors, more familiarized with protest practices and police. In 2010, we saw the appearance of New SMO, often much less experienced in leading and handling protest. Police officers from almost every law enforcement also participated in protests. The existence of grievances with the political power over labour issues often led police unions to organize their own protest. At the same time, police labour conflicts with Government might have contributed to a softer and less violent approach – as police had more difficulty in transferring the onus of their actions to a higher authority, hence disengaging from the violence – and unwillingness to be associated with Government policies.

As it would be expected from reviewing existing literature, it is possible to conclude that police and protesters have different perceptions of what entails legitimate police action. Protesters understand the role of police and the positive impact that collaboration might have to their event, dialogue is welcomed, and cordiality is always present. Notwithstanding, their relationship is approached with caution and a certain suspicion as police can quickly be

for an updating in policing protest, with an increased need of the use of ICT in the management of public order” (della Porta, 2015, Accornero, 2017). Quote by Artur Pestana, from the Operations Department of COMETLIS.

⁵⁸ Sérgio Felgueiras, Deputy Director for Education, PSP.

seen as the enemy and as not acting rightfully. There is a balance between wanting safety and not wanting police control or intervention. Old contenders, such as parties or unions, tend to trust police more and to more easily work with them than the New SMOs. This happens even though the former is less prone than the latter to recognize the added value of having police escorting a demonstration, preferring to implement their own security measures.

Police was not initially prepared to face such a protest wave. The frequent anonymity, decentralized nature of the protest promoters and organization via ICT imposed great constraints to police operations prior to the event. That said, there was an evolution in approaching the situation and in the police's policing method, as it adopted stronger outreach and communication strategies to contact and follow up with the promoters prior and during events. As an example, the analysis of the RASIs indicates a clear learning from past events; as we can see that the deployment of officers was not proportional to the number of protests.

Police authorities place a great importance on the perception the public opinion has of the institution and its handling of protest events. Firstly, any action taken in a protest context should be planned to be received as legitimate to the eyes of protesters and, most importantly, of the public opinion. Secondly, police does not want to be perceived as an oppressive force willing to strip protesters of their right to protest and assembly. Police believes that their future action and reception by protesters is heavenly linked to their performance in the previous encounters and in the building of a relationship of trust and legitimacy that should not be broken. The authorities went to great extents to convey this message, as it is the example of enduring violent aggression from protesters on the demonstration of 14 November 2012. These actions reflect an evolution towards the negotiated style putting communication with protesters and the de-escalation of conflicts first. This research could not address the evolution of police's protest policing style and techniques – a topic that deserves future analysis, yet the influence and alignment with European best practices is already perceptible.

Finally, regarding the first research objective of establishing if Portuguese protest policing was driven by a search for perception of legitimacy: the evolution in policing style that the police undertook, as well as its efforts of communication, negotiation and defense of a good public image lead me to confirm the importance of the subject for the policing strategy. Notwithstanding, it appears the strategy was not entirely successful when concerning protesters. The accounts collected do not show protesters nurturing more than institutional respect and cordiality for the police. The different protesters groups vary on the degree of legitimacy they attribute to police presence and action, but overall, they do not find police intervention to demobilize rightful. This leads them to not have a positive image of

neither protest policing, nor of police itself. One can assume this is the natural stance of protesters claiming against political institutions and that they will perceive police as an instrument of those institutions but considering the effort made to deflect that opinion it is relevant to note the adjustment in perception.

This master thesis is one of the few research projects approaching the policing of protest in Portugal. In that context, this is the first original research on the topic of protest policing during the recent Portuguese protest cycle and the perception of police action both among activists and policemen. It also stands as one of the rare research papers in international literature on protest policing in the context of the anti-austerity movements.

Even though this research is anchored in the work of previous scholars and connected to the existing literature on the subject, it has limitations. Firstly, the lack of literature about protest policing in the Portuguese case. The existing literature, even if of great insight, is very focused either on understanding social movements, or revolving around police studies, overlooking the interconnectivity of both social movements and police, particularly during the most recent protest cycle. Literature on Portuguese protest policing also seems to overlook the importance and the impact this protest cycle had on the way police understands and applies protest policing techniques.

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Appendix

Appendix A. Number of protest events per type in Lisbon (2010 -2014)

2010		2011		2012		2013		2014		Total
Protest Events										
P	C	P	C	P	C	P	C	P	C	
23	6	27	14	35	12	28	8	18	7	
29		41		47		36		25		178

P – Parade; C - Concentration

Appendix B. Number of protest events per actor (2010 – 2014)

	2010	2011	2012	2013	2014	Total
Protest Actors	Protest Events					
Public Sector	3	4	10	8	5	30
Private Sector	3	4	5	2	1	15
New SMOs	9	13	11	7	4	44
Unions	4	9	9	9	5	36
Law Enforcement	6	3	1	1	1	12
Parties	1	2	1	0	2	6
Students	2	2	5	2	3	14
Citizens	1	4	5	7	4	21
Total	29	41	47	36	25	178

Appendix C. Number of protest events per target (2010 – 2014)

	2010	2011	2012	2013	2014	Total
Target of Protest	Protest Events					
Political Institutions	6	4	6	5	1	22
Foreign Institutions	5	0	2	0	0	7
Government	15	28	26	20	20	109
Presidency	0	2	3	4	0	9
Troika	0	2	3	3	0	8
Local Power	1	0	6	1	0	8
Private Companies	1	2	0	2	1	6
Other	1	3	1	1	3	9
Total	29	41	47	36	25	178

Appendix D. Protest relation between actors and targets (2010 – 2014)

Protest Actors	Target of Protest								Total
	Political Institutions	Foreign Institutions	Government	Presidency	Troika	Local Power	Private Companies	Other	
Public Sector	2	0	22	2	0	4	0	0	30
Private Sector	0	0	8	0	0	1	5	1	15
New SMOs	11	5	19	2	5	1	0	1	44
Unions	3	0	27	4	2	0	0	0	36
Law Enforcement	2	0	10	0	0	0	0	0	12
Parties	0	1	3	0	1	0	0	1	6
Students	1	0	10	1	0	0	0	2	14
Citizens	3	1	10	0	0	2	1	4	21
Total	22	7	109	9	8	8	6	9	178

Appendix E. Motivations for protest per actor (2010 – 2014)

Protest Actors	Motivations						
	Political	Social	Labour	Environment/ Animal Welfare	Student	Other	Total
Public Sector	3	4	21	0	1	1	30
Private Sector	0	1	14	0	0	0	15
New SMOs	11	20	2	7	0	4	44
Unions	4	23	7	0	0	2	36
Law Enforcement	0	3	8	0	0	1	12
Parties	2	2	0	0	0	2	6
Students	0	3	1	0	9	1	14
Citizens	5	3	1	0	3	9	21
Total	25	59	54	7	13	20	178

Appendix F. Motivations for protest per target (2010 – 2014)

Protest Actors	Targets								
	Political Institutions	Foreign Institutions	Government	Presidency	Troika	Local Power	Private Companies	Other	Total
Political	8	5	6	4	0	1	0	1	25
Social	5	0	42	2	8	1	0	1	59
Labour	3	0	38	2	0	4	6	1	54
Environment/ Animal Welfare	3	1	2	0	0	0	0	1	7
Student	2	0	8	1	0	0	0	2	13
Other	1	1	13	0	0	2	0	3	20
Total	22	7	109	9	8	8	6	9	178

Appendix G. Summary of selected events for interview analysis (2010 – 2014)

Date	Location	Weekday	Type Protest	Actors	Actors Category	Motivation Category	Target Category	No. Protesters	No. Police Operatives	Violence	Violent First Actor	Method	No. Arrests	No. Injured	Injured	How
29/05/2010	Lisbon	Saturday	D	CGTP-IN	Union	Social	Government	150000		No						
20/11/2010	Lisbon	Saturday	D	MOC, WIR, Bombspotting, OFOG, C.A.G.A.	SMOs	Political	Foreign Institutions	60		No			42			
12/03/2011	Lisbon	Saturday	D	Geração à Rasca	SMOs	Social	Government	150000		No						
04/06/2011	Lisbon	Saturday	C	Movimento Democracia Verdadeira já	SMOs	Social	Government	100		Yes	Police	Police charge	3	Unknown	Protesters	Police baton
15/10/2011	Lisbon	Saturday	D	15 Outubro	SMOs	Social	Government	30000		Uncertain						
22/03/2012	Lisbon	Thursday	D	Workers/Citizens	Citizens	Social	Government			Yes	Rogue protesters		1	3	Journalists	
15/09/2012	Lisbon	Saturday	D	Several SMOs and citizens	Social Movement	Social	Troika	300000		Yes	Protesters	Vandalism				
14/11/2012	Lisbon	Wednesday	D	CGTP, Several SMOs	Union	Social	Government			Yes	Protesters	Disobedience, object throwing	21	Unknown	Unknown	
02/03/2013	Lisbon	Saturday	D	Que Se Lixe a Troika	SMOs	Social	Government	170000		No						
15/06/2013	Lisbon	Saturday	D	Teachers	Public Sector	Labour	Government	50000		No						
21/11/2013	Lisbon	Thursday	D	Police	Law Enforcement	Social	Government	12000		Yes	Protesters					
10/07/2014	Lisbon	Thursday	D	CGTP-IN	Union	Labour	Government	40000	20	No						
27/09/2014	Lisbon	Saturday	D	PNR	Parties	Other	Other		20	No						

Appendix H. Interview script applied to police officers and protest promoters

	Objectives	Question Protesters	Questions Law Enforcement
Context	Create a contextual framework for both police and protesters and the event.	Have you participated in protest events? If yes, was it within a movement?	Please describe your career inside PSP. More specifically between 2010 and 2014.
		Please describe the movement and your role.	What's your experience with protest events?
		Why have you joined the movement?	Have you joined a protest as a protester?
Before Event	Define organisation before event	How do you decide to use a demonstration as a protest form?	How is an event prepared?
		How do you organize a demonstration?	Are the events always communicated to the proper authorities?
		At this stage, what's the interaction with police? And the civil authorities? And with media?	What's police interaction with event promoters? And the civil authorities? And with media?
		What's the expectation before the event for a promoter? And a regular protester?	What's the expectation before the event?
	Understand relationship between both actors		What's the technical preparation?
			How do you decide the means to deploy?
			What guidelines are passed to the on-site officers?
			Please guide me through PSP's structure for events.
During Event	Understand how an event is organised on the day	How does a protest unfold?	What are the objectives?
		Who is involved to make sure it goes as planned?	What can go wrong on a protest event?
		Please describe me the most impactful protest event you've witnessed.	What measures are taken to avoid it?
		As a promoter, what's your interaction with police during an event?	How are police organised during a protest event?
		Who is 'in control' during a protest event?	What's the interaction with protesters?
	Discover the dynamics that unfold in an event	Is there a follow-up with the promoters after the event?	Is there a designated point of contact?
			How do you decide to use force?
			What's the protocol for that?
			Is the use of force frequent?
			In your experience, are the officers prepared to deal with the pressure of this kind of event?

			How does an officer feel during an event?
			Please describe me the most impactful protest event you've witnessed.
			Who is 'in control' during a protest event?
			What is the role of civil and political authorities?
			Is there a follow-up with the promoters after the event?
police/ Protesters Relationship	Understand general and specific interaction dynamics between police and protesters	How is the relationship between protesters and police?	How is the relationship between protesters and police?
		How do you describe the proximity between both parts?	How do you describe the proximity between both parts?
		And the communication between both parts?	And the communication between both parts?
		How do you feel when facing a police device?	
		And when facing fully armed police officers?	
		Is it perceptible when police will act?	
Perception on police action	Understand actor's perception about police action and presence	What's the role of police during an event?	What's the role of police during an event?
		Describe me the overall police action.	Describe me the overall police action.
	Understand perception for overall protest event	If you had to resume that action to three words.	If you had to resume that action to three words.
		Do you believe police posture and action influences protester's behaviour?	Do you believe police posture and action influences protester's behaviour?
Protest Cycle	Map the protest cycle's evolution: demonstrations and changes in police action	How do you characterize the protest cycle 2010-14?	How do you characterize the protest cycle 2010-14?
		What was the new social movements role in the cycle?	What was the new social movements role in the cycle?
		What do you consider having been police position in the cycle?	What do you consider having been police position in the cycle?
		Has that position changed during the period?	Has that position changed during the period?
		If yes, how and why?	If yes, how and why?
		Where the changes positive or negative?	
		Who is responsible for the changes?	
Open Question	Allow interviewee to complete a thought.	Do you wish to add anything else?	Do you wish to add anything else?