

15. Repression in the Neoliberal University

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On November 9, 2011, when students attempted to set up an Occupy encampment in the main plaza of the University of California (UC) Berkeley campus, in order to protest rising tuition fees and the *de facto* privatization of the University, they were met with heavily-armed police in riot-gear. The police jabbed protesting students and staff with batons and pulled protesters by the hair. A little over a week later, on November 18, police officer Lieutenant John Pike pepper-sprayed seated student demonstrators at UC Davis campus, causing outcry across the US.

The University administration responded to the uproar by quickly disowning and distancing itself from the violence. UC Davis Chancellor Linda Katehi expressed her “sadness.” Chair of the University’s Board of Regents Sherry Lansing said she was “shocked and appalled” by footage of the police actions.¹ President Yudof declared himself “appalled by [the] images” and said, “We cannot let this happen again.”²

Despite these disavowals and statements of regret, it has become clear that the University administration played a key role in the move toward a violent crackdown on protest. The repression stemmed directly from the University’s determination not to have Occupy-style protests on campus. Two days before the Berkeley occupation, Chancellor Robert Birgenau sent a letter to the campus community stating that “destructive” or “disrupt[ive]” activities, including “occupying buildings [or] setting up encampments... will not be tolerated.” He would not allow any activities that might “disrupt with anyone’s ability to conduct regular activities - go to class, study, carry out their research, etc.”³ Even in the face of widespread outrage following the violence against protesters, Birgenau defended his “no encampments” policy on the grounds of the “hygiene, safety, space, and conflict issues that emerge when an

encampment takes hold and the more intransigent individuals gain control."⁴ Such concerns about "intransigence," he suggested, had proven well-founded: "It is unfortunate that some protesters chose to obstruct the police by linking arms and forming a human chain to prevent the police from gaining access to the tents. This is not non-violent civil disobedience."⁵

Katehi was similarly concerned to prevent the Occupy movement taking hold on the Davis campus. For her, Occupy conjured images of chaos and debauchery:

We were worried at the time about... [non-affiliates] because the issues from Oakland were in the news and the use of drugs and sex and other things, and you know here we have very young students... we were worried especially about having very young girls and other students with older people who come from the outside without any knowledge of their record... if anything happens to any student while we're in violation of policy, it's a very tough thing to overcome.⁶

Davis's Vice-Chancellor John Meyer said,

our context at the time was seeing what's happening... in other municipalities across the country, and not being able to see a scenario where [a UC Davis Occupation] ends well... Do we lose control and have non-affiliates become part of an encampment? So my fear is a long-term occupation with a number of tents where we have an undergraduate student and a non-affiliate and there's an incident. And then I'm reporting to a parent that a non-affiliate has done this unthinkable act with your daughter, and how could we let that happen?⁷

The Davis administration seem to have been working with a view of their role in relation to students as *in loco parentis*, a view combined with a conception of the campus as an environment insulated from the outside world, and sexually charged anxieties about the supposedly chaotic character of the Occupy movement.

A detailed report into the Davis pepper-spray incident by former California Supreme Court Associate Justice Cruz Reynoso finds that the administrators' concerns about safety "were not supported by any evidence."⁸ It finds the same about the police officers' claim that they feared violence from the student protesters who had gathered around

them while officers awaited transport for people they had arrested. Pike felt that he was justified in using pepper-spray because the seated protesters were, from his point of view, preventing officers from leaving with their prisoners. The investigation by Kroll Inc. (which informed the Reynoso Task Force), however, found no basis for the idea that students would forcibly prevent officers from leaving. Kroll note that the very fact that Pike was able to step over protesters in order to target pepper-spray into their faces shows, to the contrary, the lack of physical resistance that police faced.⁹

The idea that the crowd were hostile and potentially violent was the officers' "*subjective belief*."¹⁰ This pattern of stereotyping protesters as chaotic and violent, and this characterization justifying the use of force against them was evident also when, a few months after the Berkeley and Davis incidents, the UC Regents met on the UC Riverside campus. The UC Board of Regents is an exclusive politically appointed body, composed largely of members of California's politically-connected business elite, which oversees and makes policy for the entire University of California system. Again, when students and staff gathered to protest increases in tuition fees, they were met with extremely repressive and violent policing. In addition to campus police, hundreds of Riverside County Sheriffs were brought onto campus, raising tensions in what had been an entirely peaceful protest. Police then proceeded to strike and jab students and staff with batons and to fire paint-balls into the crowd at close range. In contrast with the incidents at Berkeley and Davis, the administration responded defensively to complaints about the police action. UC President Mark Yudof responded to complaints made by faculty by asserting that the demonstrators were an "angry mob" who "provoked the response from the police."¹¹ The fact that demonstrators blocked exits, preventing Regents and staff from leaving the building, constituted, in his view, "mob" behavior. And the fact that nine officers were injured was further evidence marshaled in the depiction of protesters as unreasonable. Some perspective on this latter fact is provided by the University newsletter, which notes, "Nine UC police officers sustained injuries, including bruises, cuts, and scratches. None required major medical attention."¹² Apparently, cuts and scrapes incurred by police officers in the course of repressing peaceful protest provide unquestionable justification for that repression. Photographs and testimony from protesters involved in the events at Riverside suggest a non-violent festive atmosphere, until the arrival of large numbers of police with drawn batons changed the atmosphere to one of fear and outrage.¹³

In his letter, Yudof insists that "The right to peaceful protest on all

our campuses must be protected” and that “free speech is part of the DNA of the University of California.” But, the overall tenor of Yudof’s letter is that disruption caused to senior administrators fully warranted the police response. Police repression seems to be the default response when administrators feel what Birgenau called a loss of “control,” or disruption of the “regular activities” of the organization.

At Davis, Katehi described her immediate concern as being for the protection of supposedly vulnerable female undergraduates from supposedly dangerous ‘non-affiliates’. But her antipathy toward protest on campus would also seem to derive from a view that political activity threatens the mission of the university. Athens-born Katehi played a significant role in the abolition of asylum for Greek universities. This meant lifting restrictions on police access to campus that had underpinned the freedom of Greek students and scholars since the downfall of the military junta in 1974. In 2010-2011, she served on an “International Committee On Higher Education In Greece,” and co-authored its report that provided the rationale for ending university asylum.¹⁴ The report states: “Greek university campuses are not secure. While the Constitution allows University leaders to protect campuses against elements that seek political instability, Rectors have been reluctant to exercise their rights and responsibilities, and to make decisions needed in order to keep faculty, staff and students safe. As a result, University leaders and faculty have not been able to be good stewards of the facilities they have been entrusted with by the public.” A key justification for the end of the asylum law was that, according to Greek officials, “criminals had repeatedly taken advantage of this law during the protests against the Greek austerity measures,” in addition to reports of campuses as havens for drug-trafficking.¹⁵ There are striking parallels with Katehi’s anxiety about Occupy at UC: an idea of the campus being made unsafe by criminals or ‘non-affiliates’ and the paramount responsibility of administrators to maintain order on campus. But the report also suggests a deeper motivation to the shutting down of the encampment at Davis: a view of political activity as antithetical to, and potentially undermining, the proper activities of university campuses. Greek universities had suffered from “The politicization of the campuses - and specifically the politicization of students - [which] represents a beyond-reasonable involvement in the political process. This is contributing to an accelerated degradation of higher education.”¹⁶ Instead of fostering oppositional politics, the report’s authors urge Greek universities to become “engines of innovation and economic development,” encouraging “entrepreneurship” so that graduates “innovate” and “start their own

businesses”¹⁷ Katehi and her co-authors’ desire to end the ‘politicization’ of the Greek university was part of proposals to implement a neoliberal model of the university in which academics are disciplined through “measur[ed] performance” and the goal of education is primarily constructed in service of business.¹⁸ As sociologist Panagiotis Sotiris notes, this neoliberal model is also an authoritarian one “without democratic procedure and participation and without strong and politicized student and faculty movements.”¹⁹ It is a corporate model of top-down management, at odds with the conception of the university as a public sphere. It aims to construct a university appropriate to what Slavoj Žižek calls “a depoliticised technocracy in which bankers and other experts are allowed to demolish democracy.”²⁰

UC administration trumpets California’s higher education and research institutions as modeling the ‘entrepreneurial’ university through university-industry links with science and technology “spin-off” firms that make the university an “economic engine that is driving the future” for the state of California.²¹ But this neoliberal model is overlaid on a public university, with a historic notion of education and research as a public good, as codified in the Master Plan created in 1960 by University President Clark Kerr. This far-reaching plan established tuition-free higher education, and a framework through which California’s youth could access higher education en masse. As *The Economist* points out, this framework has, to a large extent, been undone and the public university is now, in effect, being privatized. Since 2010, the state has contributed less than half the cost of an undergraduate education, and state funding continues to fall. *The Economist* notes that “In some ways, California has now inverted” the priorities embodied in the Master Plan, so that “Spending on prisons passed spending on universities in around 2004.”²²

The attacks on UC students by militarized police are indicative of this inversion of priorities in California, which has left its education system trailing and has massively expanded its prison-industrial complex.²³ As Dylan Rodriguez, a Professor of Ethnic Studies at UC Riverside, points out, the actions of Lieutenant Pike were entirely continuous with the routine violence of the American police against the poor and communities of color, those who are “least likely to send their young people to places like UC Davis.”²⁴ Students resisting neoliberalism found themselves facing the same kind of violence routinely used by the American state apparatus against the poor. The violent repression of protest is part of the structural violence of the imposition of neoliberal ‘shock doctrine’ in California, as the effective privatization of the public university steals the future of California’s

youth. UC Davis English professor Nathan Brown, who has been a trenchant critic of the administration's role in the Davis pepper-spray incident, argues that "Police brutality is an administrative tool to enforce tuition increases."²⁵ The manifest brutality of the police, however, became a source of embarrassment for the University administration. The administration must navigate the deep divide between their neoliberal agenda and surviving (albeit weakened) notions of education as a public good and of the university as a public sphere that has a key democratic function as a site of unfettered rational public discourse.

Although this conception of the University as a public sphere and public good is continually being undermined by the administration's neoliberal agenda, these ideas cannot be entirely jettisoned without a significant weakening of the University's institutional legitimacy. (See also Whyte, Chapter 3 and Robinson, Chapter 4.) This continuing legitimizing function of public values for the University is made evident in the draft report on the policing of campus protest prepared for Yudof in the wake of the Berkeley and Davis incidents by UC Berkeley Dean Christopher Edley, Jr. and the University's General Counsel Charles F. Robinson, and recently made available for public comment. The report represents much more nuanced thinking about protest and policing than hitherto displayed by the University administration. It focuses on civil disobedience and recognizes the legitimacy of non-violent civil disobedience as a form of protest that has a deep history at the University of California and as a legitimate form of political expression. They call for policies on free expression "to recognize explicitly the important and historic role of civil disobedience as a protest tactic."²⁶ They write of the "importance to university life of expressive protest activity."²⁷ Civil disobedience, they state, "is not generally something to be feared and will not necessarily require force in response."²⁸ The report's recognition of the historic legitimacy of civil disobedience is framed within an understanding of the public university as an institution that has a special significance in relation to broader democratic free expression of ideas.²⁹ Edley and Robinson call on the administration to shift their "mindset" away from one "focused... on the maintenance of order and adherence to rules and regulations" toward an understanding of civil disobedience as expression in the context of the University as a "community" based on "peaceful discourse."³⁰

The report implicitly rejects Birgenau's view of the demonstration at Berkeley by urging that new guidelines "should specify that administrators will not authorize any physical police response against protesters non-aggressively linking arms unless the protesters were significantly interfering with the academic mission of the campus."³¹

And Edley and Robinson reject the exclusionary stance of the Davis administration toward 'non-affiliates.' They write that "as a public institution, barring non-affiliates from campus is usually inappropriate, as well as physically all-but-impossible for most of those portions of our campuses designated as public forums for free speech activity."³² Edley and Robinson's conception of the University as a public sphere not only underpins the legitimacy of civil disobedience on campus; it is also important for the legitimacy of the university as an institution. The report can be seen to be motivated by the administration's recognition that violent police attacks on demonstrators on campus seriously undermine relationships within the University between administration, staff and students and between the University and the broader public on which the institution still depends and which it is still supposed to serve. Edley and Robinson repeatedly emphasize dialogue and communication as the key to avoiding conflict and the use of force against protesters, and perhaps to avoiding civil disobedience altogether.³³ Recognizing that the University cannot resort to force against protesting students and staff and members of the public without generating massive outcry and weakening the institution's public legitimacy, Edley and Robinson appeal to values of dialogue and community as the key to avoiding a rerun of the chaotic scenes at Berkeley and Davis last year.

However, standing in tension with this kind of appeal to public-sphere values in the report is a competing technocratic-bureaucratic language of "the *management* of... protests."³⁴ While recognizing the legitimacy of civil disobedience to the extent of calling for "recognition" of its "important" role in the University, the report also emphasizes that civil disobedience entails breaking rules and is disruptive to the institution, and therefore must involve "consequences" for those engaging in it, including "legal consequences."³⁵ (See also Anderson, Chapter 16.) This is ultimately a report written for the University administration, embodying an institutional interest in maintaining the current social and authority relations of the University, handling dissent with minimum friction, and maintaining administrative control. The report's recognition of the legitimacy of civil disobedience is tied to an interest in rendering civil disobedience compatible with the bureaucratic structures of the University as an organization. Civil disobedience is recognized so as to be routinized and made subject to bureaucratic procedure. The report recommends establishing an "event response team on each campus to plan and oversee the campus response to demonstrations."³⁶ It is desirable that this team should "Identify and contact members of the demonstration group - preferably one or more group leaders - in advance of the demonstration to establish lines of

communication.” The aim should be to “understand the protesters’ concerns and objectives” but also to “explain the ground rules” such as regulations about where and when protest gatherings are allowed to take place.³⁷ The University should “Establish a mediation function at the campus or regional level to assist in resolving issues likely to trigger protests or civil disobedience.” It should also “Consider deploying this mediation function as an alternative to force, before and during a protest event.”³⁸ The mediators should be trained in “communication techniques” that will “de-escalate tensions.”³⁹ Here, dialogue appears as a set of techniques for integrating protest in such a way as to render it manageable by the campus bureaucracy.

Despite the emphasis on dialogue, there remains the recourse to force by those in power, in this case the University administration acting through the University’s Police Department.⁴⁰ The report calls for “limit[ing] the use of force against protesters” but qualifies this with “wherever possible.”⁴¹ “Force,” or in other words violence by the authorities, is still available when protest goes beyond the limits of what the institution is willing to tolerate.⁴² While not ruling out the use of police violence, the Edley-Robinson report seeks to rationalize it by subjecting it to rationalistic procedures. Instead of the kind of overt police brutality seen at Berkeley and Davis, the report recommends “that campus police utilize hands-on pain compliance techniques before pepper spray or batons whenever feasible.”⁴³ For example in a situation such as at Berkeley when protesters “are non-aggressively linking arms and when the event response team has determined that a physical response is required, principles should specify that administrators should authorize the police to use hands-on pain compliance techniques rather than higher levels of force... unless the situation renders pain compliance unsafe or unreasonable.”⁴⁴ The report advocates the development of a “response continuum” whereby there are consistent protocols across the UC campuses for what level of force is employed in relation to different kinds of protest action or resistance.⁴⁵ There should be consistent system-wide guidelines for which “less lethal” weapons such as pepper-spray can be used by campus police forces.⁴⁶ It advocates “targeted” arrests aimed at particular individuals rather than “mass arrests [which] can substantially escalate tensions.”⁴⁷ And the report recommends documenting what takes place, using “neutral observers” and videotaping protests, something that could be a check on police action, but also clearly has the potential to be used against demonstrators.⁴⁸

Where chaotic acts of violence by police create a crisis of legitimacy for the institution, the bureaucratic response is to seek to rationalize the

use of violence, subjecting it to procedure, “accountability” and “audit,” and rendering it consistent.⁴⁹ In this way, the institution retains the ability to clamp down on protest, but in a way that is defensible as measured, consistent with procedure, and as having followed attempts to engage protesters in dialogue. The management of protest uses dialogue or mediation, but always with the option of a resort to, and escalation of, violence by the authorities. But now this escalation is a rational application not of chaotic ‘violence’ but of ‘force’ measured to achieve a desired outcome. This is the rationalized violence of ‘pain compliance’.

For protesters, this rationalization of institutional response is double-edged. It does imply a check on the actions of police to the extent that it means a set of rules to which protesters and their allies can appeal in disputing excessive police actions. The Edley-Robinson report’s recognition of civil disobedience as political expression and the report’s language of ‘dialogue’, ‘communication’ and ‘mediation’ could signal a greater institutional openness and willingness to engage with protesters. However, it holds the danger of protest becoming a routinized and managed affair, stripping civil disobedience of the very disruptive and spontaneous qualities that make it powerful.⁵⁰ This is the power that Judith Butler refers to when she writes: “Their bodies are their last resource and their most important resource—and it is the power they have... So bodies in the street can stop traffic or bring attention that [there are] very basic needs to be satisfied, including shelter, food, employment, and freedom of mobility and freedom of expression.”⁵¹ Managed protest is in the interests of the bureaucracy, but is this kind of protest likely to change anything? A key part of what participants have found uplifting about the Occupy movement, and what has provoked the violent repression by authorities from federal and state governments to city and campus police, has been the way in which it has taken place outside the established institutions. Arguably, the movement’s promise and its threat have derived precisely from its being *unmanageable*. Being managed entails being controlled and subordinated. The managers reserve the right to determine what they consider “tolerable,” when dissent has gone too far, and when the time has come for “pain compliance” and an escalation of the “force continuum.”

The contradiction in the Edley-Robinson report is the social contradiction between its image of the University as a dialogic community - “literally and figuratively a community of students, faculty, and staff” - and the reality of the transformation of the University of California on a neoliberal model.⁵² This model points toward exclusion and inequality, rather than community. Drastic fee increases exacerbate class inequality in access to higher education. Many potential students

are put off or priced out of higher education, forced into debt, or are trying to study while holding down full-time or near-full time jobs in order to make ends meet.⁵³ While fees are increased, a growing managerial class of senior administrators see their pay boosted.⁵⁴ Rather than serving the California public, the University is increasingly oriented to the needs of private business, whether pharmaceutical, biotech and agro-business companies, computer and electronics firms, or weapons manufacturers. Most fundamentally, UC is presided over by a body - the Regents - that is composed primarily of members of the 1% whose ability to represent the public interest in a public university is highly questionable.⁵⁵ It is a hierarchical and unequal structure antithetical to genuine dialogue. A report calling for reform of the Regents notes: "When Regents speak, they demonstrate a patronizing tone... [This] condescension is built into the Regental structure. Because they are unaccountable, Regents and their appointees face no recourse for their condescension."⁵⁶

The Edley-Robinson report epitomizes the tension between the impulse toward recognizing the legitimacy of protest within the University as an aspect of the University's place within the democratic public sphere and the competing impetus to manage dissent within the context of a depoliticized and unequal neoliberal university. The way in which the University is more and more an adjunct of private business and an instrument of class exclusion rather than mobility and opportunity should lead us to expect the coercive management of protest to take precedence over dialogue, shaping the form and context of communication and setting its parameters. The purest expression of neoliberal management is pain compliance.

Notes

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- 1 'Chancellor calls for task force to review Friday arrests', 19 November, 2011. <http://news.ucdavis.edu/search/news_detail.lasso?id=10083>; 'Regents chair Lansing with a message to UC community', 21 November, 2011. <<http://www.universityofcalifornia.edu/news/article/26709>>
 - 2 'President Yudof Responds to Campus Protest Issues', 20 November, 2011. <<http://www.universityofcalifornia.edu/news/article/26702>>; 'Yudof meets with chancellors, outlines action on protests', 21 November, 2011. <<http://www.universityofcalifornia.edu/news/article/26708>>
 - 3 Quoted in http://en.wikipedia.org/wiki/Robert_J._Birgeneau [accessed July 5,

- 2012].
- 4 'Message to Campus Community about "Occupy Cal"', 10 November, 2011. <<http://newscenter.berkeley.edu/2011/11/10/message-to-the-campus-community-about-occupy-cal/>>
 - 5 Ibid.
 - 6 Quoted in *UC Davis November 18, 2011 "Pepper Spray Incident" Task Force Report – "The Reynoso Task Force Report"*, p. 8. <<http://reynosoreport.ucdavis.edu/reynoso-report.pdf>>
 - 7 Quoted in *Reynoso Report*, p. 8. See also David Greenwald, 'Vanguard Analysis: Vice Chancellor Meyer's Critical and Fateful Decisions on Clearing the Tent Pave Way For Incident', *Davis Vanguard*, 12 April, 2012. <http://davisvanguard.org/index.php?option=com_content&view=article&id=5262:vanguard-analysis-vice-chancellor-meyers-critical-and-fateful-decisions-on-clearing-the-tent-pave-way-for-incident&Itemid=114>
 - 8 *Reynoso Report*, p. 9. See also 'The Reynoso Report: A Portrait of Administrative Malice, Stupidity, Incompetence, and Immaturity', *Reclaim UC*, 11 April, 2012. <<http://reclaimuc.blogspot.com/2012/04/reynoso-report-portrait-of.html>>
 - 9 Kroll, *Report Concerning the Events at UC Davis on November 18, 2011*, pp. 119-120. <<http://reynosoreport.ucdavis.edu/reynoso-report.pdf>>
 - 10 *Kroll Report*, p. 119 [emphasis in original].
 - 11 Mark G. Yudof to Charles Thorpe, 2 February, 2012. <<http://ucsdfa.org/wp-content/uploads/2012/01/let.pdf>>; 'Open Letter to the UC Regents: Police Violence at UC Riverside', 26 January, 2012. <<http://ucsdfa.org/open-letter-to-the-uc-regents-police-violence-at-uc-riverside/546>>
 - 12 'UC Regents Able to Meet at UC Riverside Despite Protests', *UCR Today*, 20 January 20, 2012. <<http://ucrtoday.ucr.edu/2177>>
 - 13 Diana Delgado, 'Occupy Riverside Student Injured by Police', *The Nation* Blog, 19 January, 2012. <<http://www.thenation.com/blog/165800/occupy-riverside-student-injured-police>>
 - 14 Mark Ames, 'How UC Davis Chancellor Linda Katehi Brought Oppression Back to Greece's Universities', *Naked Capitalism*, 23 November, 2011. <<http://www.nakedcapitalism.com/2011/11/mark-ames-how-uc-davis-chancellor-linda-katehi-brought-oppression-back-to-greece-s-universities.html>>; Panagiotis Sotiris, 'Linda Katehi and the neoliberal reform of Greek Higher Education', *Greek Left Review*, 24 November, 2011. <<http://greekleftreview.wordpress.com/2011/11/24/linda-katehi-and-the-neoliberal-reform-of-greek-higher-education>>
 - 15 *Report of the International Committee on Higher Education in Greece*, February 2011, p. 8. <http://www.tsoukalas.org/attachments/313/INTERNATIONAL%20COMMITTEE%20ON%20HIGHER%20EDUCATION%20IN%20GREECE_EN.pdf>; 'Greek University Asylum Abolished', *ScienceGuide*, 25 August, 2011. <<http://www.scienceguide.nl/201108/greek-university-asylum>>

- abolished.aspx> See also “Styx and Stones,” *Times Higher Education Supplement*, 24 May, 2012.
 <<http://www.timeshighereducation.co.uk/story.asp?storycode=420077>>
- 16 *Report of the International Committee*, p. 8.
- 17 *Report of the International Committee*, pp. 4, 5.
- 18 *Report of the International Committee*, pp. 10-11 (under the title “Enforce Accountability: Measuring Performance”).
- 19 Sotiris, “Linda Katehi”.
- 20 Slavoj Zizek, ‘Save Us From the Saviors’, *London Review of Books*, Vol. 34, No. 11, 7 June, 2012. <<http://www.lrb.co.uk/v34/n11/slavoj-zizek/save-us-from-the-saviours>>
- 21 UC San Diego Annual Report, 2012.
 <<http://www.annualreport.ucsd.edu/2012/economicImpact.html>> (Accessed June 18, 2012).
- 22 ‘Excellence for Fewer’, *The Economist*, 10 September, 2011.
<http://www.economist.com/node/21528635>>
- 23 Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007). The California Legislative Analyst’s Office notes that “[O]ver the past two decades, prison costs have increased... [with, among other factors,] increases in the inmate and parolee populations. Meanwhile, the state cost of educating university students has declined as the universities have enacted student fee increases that shift a portion of costs onto students”: ‘Prisons vs. Universities Proposal Would Unwisely Lock Up Budget Flexibility’, 26 January, 2010.
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- 24 Dylan Rodríguez, ‘De-Provincializing Police Violence: On the Recent Events at UC Davis’, *Race and Class*, Vol. 54 (2012), pp. 99-109, p. 104.
- 25 Nathan Brown, ‘Five Theses on Privatization and the UC Struggle’, *Keep California’s Promise*, 15 November, 2011.
 <<http://keepcaliforniaspromise.org/2186/five-theses-on-privatization-and-the-uc-struggle>> See also Jennifer Doyle, ‘Silent Majority: California’s War on its Students’, *Nation Blog*, 28 November, 2011.
 <<http://www.thenation.com/blog/164819/silent-majority-californias-war-its-students#>>
- 26 Christopher F. Edley Jr. and Charles F. Robinson, *Response to Protests on UC Campuses: A Report to President Mark G. Yudof*, 4 May, 2012, p. 12.
 <<http://campusprotestreport.universityofcalifornia.edu/documents/Robinson-Edley-Report-043012.pdf>>

- 27 Edley and Robinson, *Response to Protests*, p. 17.
- 28 Edley and Robinson, *Response to Protests*, p. 12.
- 29 Edley and Robinson, *Response to Protests*, p. 8-9, 19.
- 30 Edley and Robinson, *Response to Protests*, p. 5.
- 31 Edley and Robinson, *Response to Protests*, p. 37.
- 32 Edley and Robinson, *Response to Protests*, p. 6.
- 33 Edley and Robinson, *Response to Protests*, pp. 5, 13, 20, 21, 22, 37, 55, 62.
- 34 Edley and Robinson, *Response to Protests*, p. 9 [emphasis added].
- 35 Edley and Robinson, *Response to Protests*, p. 12, 16.
- 36 Edley and Robinson, *Response to Protests*, p. 39.
- 37 Edley and Robinson, *Response to Protests*, p. 55.
- 38 Edley and Robinson, *Response to Protests*, p. 61.
- 39 Edley and Robinson, *Response to Protests*, p. 62.
- 40 'The University of California Police Department (UCPD) is the police agency charged with providing law enforcement to the campuses of the University of California system.' <<http://en.wikipedia.org/wiki/UCPD>>
- 41 Edley and Robinson, *Response to Protests*, p. 2.
- 42 Edley and Robinson, *Response to Protests*, p. 77.
- 43 Edley and Robinson, *Response to Protests*, p. 38. 'Hands-on pain compliance' refers to techniques such as applying pressure to sensitive points on the body and applying twist-locks and wristlocks. On the use of pain compliance by police at UC Santa Cruz, see University of California Santa Cruz, *Senate Executive Committee Tent University Report*, 1 February, 2006, p. 2. <<http://senate.ucsc.edu/archives/campus-demonstration-response/TUSCreptSCP1479.pdf>> See also Richard Nance, 'Pain Compliance vs. Body Mechanics', *Officer.com*, 15 March, 2007. <<http://www.officer.com/article/10250067/pain-compliance-vs-body-mechanics>> For controversy regarding the use of pain compliance in policing anti-abortion demonstrations in the US, see "'Pain Compliance" -- New Sector Lodges Brutality Complaints Against Police', *The Seattle Times*, 14 January, 1990. <<http://community.seattletimes.nwsourc.com/archive/?date=19900114&slug=1050745>>
- 44 Edley and Robinson, *Response to Protests*, p. 39.
- 45 Edley and Robinson, *Response to Protests*, p. 78.
- 46 Edley and Robinson, *Response to Protests*, p. 82.
- 47 Edley and Robinson, *Response to Protests*, p. 63.
- 48 Robinson and Edley, *Response to Protests*, pp. 13, 89. The report does state that videotaping "should be conducted in a manner that avoids chilling speech" (p. 89).
- 49 Quoting Edley and Robinson, *Response to Protests*, p. 96.
- 50 Edley and Robinson acknowledge that "some believe an approach that asks protesters to work with the Administration is the antithesis of what civil disobedience is." They also insist that "This Report emphatically is not

- concerned with stopping protests, curbing criticism of the University, or discouraging debate about larger social issues”: *Response to Protests*, p. 9.
- 51 Judith Butler, quoted in Charlie Smith, ‘Feminist scholar Judith Butler foresees rising repression against protests in the western world’, *Straight.com*, 23 May 23, 2012. <<http://www.straight.com/article-692066/vancouver/prof-foresees-rising-brutalit>>
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