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**Commissioned Paper:  
The Developing Role of Private Security in  
Public Order Policing**

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## **The developing role of private security in public order policing**

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## Executive Summary

This Expert Report provides a summary of the relationship between private security and public order policing in the Anglo-American context from the 1700s through to the present-day. Both historically and contemporaneously the deployment, interrelationship, and functions of public and private policing often overlap.

The most profound shifts in the organization of public safety have come on the heels of public order debacles following widespread and destructive rioting. There is considerable discussion in the archives of political theory and governance about the correct response to these uprisings in both the European and later North American context.

Whereas the English policing system had all but abandoned its private roots by the end of the 19<sup>th</sup> century with the advent of a professional constabulary, in North America the political and economic context was far less developed. Industrialists took it upon themselves to use henchmen and deputized private police to put down labour unrest, sometimes rather brutally, in contradistinction to established public policing in Europe. This posed significant challenges to state legitimacy, particularly in the United States.

By the end of WW2 the dominant form of policing for maintaining public order was public. Nonetheless, there were ample signs that the private security sector was about to undergo an important resurgence in the latter 20<sup>th</sup> century. Alongside the re-emergence of private security was an apparent re-evaluation of public order approaches. The terrorist attacks on the United States on 9/11 significantly accelerated the ramping up of the security-industrial complex. Private security had witnessed an expansion in

both size and responsibility since the 1960s. Private guards were now patrolling large swaths of urban and commercial settings, while also undertaking security for key infrastructure and mega-events. Over the last half-century, the private sector has become not only more important in the everyday policing of citizens but its relations with the public police have become far more entwined with the rise of neoliberalism and the war on terror.

During the Toronto G20, private security was enmeshed with both the military, provincial, federal, and Canadian security establishment. The groundwork for such a relationship had already been laid through formalized public/private partnerships such as the Toronto Association of Police and Private Security and the Canadian Bankers Association.

It appears that in contradistinction to the G20 and after decades of increased integration between security services, the military, and intelligence including the private sector, the Ottawa convoy protest did not trigger an intelligence-led nor integrated approach that would have involved the private security sector. The limited available secondary information indicates that the general lack of preparedness by the Ottawa Police Service and its lack of communication and coordination with other intelligence and policing services until the very late stages of the occupation similarly estranged Ottawa's private security sector.

The development of ready-made public-private policing networks have the potential to spontaneously expand the intrusiveness and intent of emergency security measures, affecting citizen privacy, liberty, and freedom from surveillance and coercion.

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## Introduction

This paper will review the historical development of public order policing in relation to private security. The binary of “public versus private” in the context of policing can often be distracting, sometimes hiding more than it reveals (Rigakos, 2005). Both historically and contemporaneously the deployment, interrelationship, and functions of public and private policing often overlap (Button, 2003; Jones and Newburn, 1998; Klare, 1975; Shearing and Stenning, 1983; South, 1984). Nonetheless, the public-private distinction can also be revealing as it conditions the intent and context for public order policing. Indeed, the state’s historical response to emergencies and its understanding of the role, function, and legitimacy of police throughout the western world has been hardened by the juxtaposition of public versus private policing.

State formation itself, *raison d’etat*, the rule of law, notions of justice and protection of citizen rights have their theoretical and conceptual concretization in discussions about *police science* in the late 17<sup>th</sup> through early 19<sup>th</sup> centuries (Foucault, 2003; Neocleous, 2000b; Rigakos et al., 2009). Much of the discussion surrounding what the state may or may not do revolves around its responsibility to its subjects and its duty to protect property and persons while safeguarding the interests of the sovereign. Not surprisingly, these seminal discussions related not only to the broad project of a police science (Delamare, 1722; Sonnefels, 1765; von Justi, 1756) but also to the specifics of organizing populations and the most favourable institutional formation for policing, ensuring the welfare and security (Petty, 1927) of the sovereign’s subjects and (later) the republic’s citizenry.

The most profound shifts in the organization of public safety have come on the heels of public order debacles following widespread and destructive rioting. There is considerable discussion in the archives of political theory and governance about the correct response to these uprisings in both the European and later North American context. Central to the state response has been a consideration of the role of private and commercial actors in both the preparation and response to labour, and other political unrest. Indeed, a defining characteristic of contemporary institutional policing arrangements has been the state’s reaction to failures in public order policing and, in particular, the role of private security during such unrest.

This paper will focus on the role and response of private policing to public order incidents including labour unrest and riots since the 1700s in the English, American and Canadian contexts. It is divided into five sections. The first deals with the formative logics of policing in the face of significant public order challenges and rioting in the English context up to the mid 19<sup>th</sup> century. The second section focuses on industrial unrest in North America and the effect of post-colonial urbanization and industrialization through to the 20<sup>th</sup> century that posed both echoes of policing challenges in England and France as well as unique crises of legitimacy for an emerging state apparatus in both Canada and the United States. The third section concentrates on the maturity and then recrudescence of private security after the Second World War in into the latter parts of the 20<sup>th</sup> century under the advance of global neoliberalism, mass private

property, and accelerated capital accumulation. The fourth section examines the role of private security for public order policing in the aftermath of 9/11 that had both symbolic and structural effects on the relationship between public and private policing under the umbrella of the 'war on terror.' Finally, this paper turns to two very recent Canadian case studies of the role of private security during public order incidents: the Toronto G20 and the Ottawa convoy siege.

## **1. Private policing and the foundations of public order**

It is a generally accepted historical milestone that the first organized, salaried, centralized and professional police were formed in metropolitan London in 1830. Operating out of Scotland Yard the new police are cited as the forerunners of the contemporary Anglo-American policing system. Of course, both French and other continental forces were already well-established many years prior (Emsley, 1999) and the English themselves had been experimenting with colonial forms of policing for quite some time both overseas and closer to home with paramilitary Irish and Scottish constabularies. Moreover, night watchman, parish constables, marching watches, special constables as well as a very robust private policing system comprised of both unofficial "thief takers" (McMullan, 1995) who played both sides of the law and deputized "inspectors" operating out of the Bow Street (Critchley, 1967) office under Magistrate John Fielding had already been in place since the mid-1700s.

While there is some debate amongst historians about the particular catalyzing forces that gave birth to the Metropolitan Police, such as the political manoeuvring of Home Office Minister Robert Peel, the relative persuasiveness of police advocate Patrick Colquhoun, and the extent to which English subjects accepted the presence of the "Bobbies" based on class position (Emsley, 1991; Reiner, 1978; South, 1987; Storch, 1975), there is far more agreement on two interrelated factors that directly affect our understanding of public order policing. First, that the existing patchwork of 18<sup>th</sup> century watchmen, constables, thieftakers and patrols were wholly inept at mounting a coordinated response to rioting and, second, that this was most clearly exemplified in the catastrophic failures of the existing system to deal with the Gordon Riots of 1780 that led to days of bloodshed, an assault on the House of Commons, attacks against Members of the House of Lords, the near occupation of the Bank of England and breaches of Newgate Prison, New Prison, Fleet Prison and the Clink.

It was only after the military was called in, leading to the death of 285 rioters, the wounding of 200 more and the arrest of some 450 others that calm was finally restored. Yet the unrest left an indelible mark on Londoners and stoked fear among the British aristocracy and the emerging bourgeois class. There were calls for a centralized policing system and widespread criticism of the makeshift array of police and private thieftakers that patrolled London. The broadsheets of the time recounted how one night watchman rang his bell and called out the hour oblivious to the fact that the Bow Street police office was burning in the background.

A few years later the *London and Westminster Police Bill* was designed to establish nine police divisions in London consisting of a force of both mounted and foot constables including

divisional chief constables in turn responsible to a head constable. The force would be overseen by three commissioners appointed by the government. According to Critchley “the Bill was poorly presented and abysmally managed in Parliament” such that it was withdrawn and a repurposed version applied to Dublin with far less opposition (Critchley, 1967: 20-1).

Despite fears of another insurrection and ongoing rioting in the intervening years the British establishment was slow to implement a government-subsidized policing system. Possibly due to the fact that the rioting was largely provincial during the war against revolutionary and Napoleonic France from 1795-96 and then again from 1799-1800, and despite the fear of English Jacobin unrest, there was a general xenophobic reticence to implement any system of order maintenance that mimicked the French policing system. As a result, organizations such as The Associations for the Prosecution of Felons made up of “local worthies, usually gentlemen, farmers and tradesmen” would pay a small subscription to finance the investigation and prosecution of persons that committed criminal acts on or against their property. Sometimes, these prosecutions would take place against less fortunate competitors or, would employ private thieftakers who would themselves be involved in London’s criminal underground, cashing in on bounties and rewards by turning in their own criminal accomplices and competitors. In such a policing chaos, notorious characters such as Jonathan Wild, self-proclaimed “thief taker general”, would prowl the streets of London flanked by paid henchmen looking to enforce the law for the highest bidder (McMullan, 1995).

It was almost 20 years after the Gordon Riots, under new stipendiary magistrate Patrick Colquhoun that the first reported antecedents for our policing system were developed. Unsurprisingly, it was a private police force, set up by a group of West India merchants aimed at protecting their goods from theft on the Thames. The *Thames River Police Act* included the creation of a paid constabulary that instituted the earliest examples of workplace surveillance, access and egress control, the dispensation of salaries and the routine patrol of quays and docks for the purposes of mitigating losses (Emsley, 1991).<sup>1</sup> It was a quintessential early police office akin to the Bow Street office, paid for by the merchants themselves but sworn to uphold the public office of constable. From the outset, the first machinations of order maintenance and prevention in the face of public order was met with a private solution that only became fully public and incorporated into the London Police years later. By 1827 the Thames Police consisted of seven land constables and 64 river constables. Most importantly, however, “[w]hen it was considered necessary both these men, and the various other constables and patrols established in the metropolis, could be summoned to assist with crowd control” (Critchley, 1967: 21).

By 1867, the new professional police had largely replaced the watch and parish constabularies, spreading from the city of London to surrounding boroughs and throughout the English

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<sup>1</sup> The Marine police were to enforce strict rules of conduct and monitor the river’s proletariat by implementing dress codes, paying ‘lumping rates,’ managing accounting, determining wagelessness and stopping illegal activities on London’s shipping lane. They did so by applying themselves to the apparent trivialities of order maintenance: no frocks, wide trousers, jemmies, or hidden pockets were allowed on board boats; any on-the-job takings were forbidden and confiscated.

countryside. Much of this early adoption was as a result of the Poor Laws that criminalized vagrancy and idleness throughout the countryside and, not surprisingly, instigated a litany of riots and uprisings across the country. Many of the new police were paid for through the machinery of the Poor Law. Soon after the London police appeared, the guardians of the Blything Union, Suffolk, formed a paid, mounted police. Three metropolitans were hired to watch the beerhouses. They gathered information as to the 'haunts of suspected characters', and observing the 'habits of such as were vicious' after the riots against the poor laws. Another Suffolk union near Ipswich also got three metropolitans after anti-poor-law disturbances and paid them out of union funds (Storch, 1989: 117) . Very early, rural parishes would contract with Metropolitan police to investigate crimes.

After a brutal robbery and murder in the spring of 1834 in Stow-on-the-Wold, the divisional magistrates brought down a London policeman who solved the crime. Private associations, formerly created to hire private thieftakers on retainers, were now formed to hire police. While the new police were welcomed by the industrial and merchant classes, they were initially despised by radicals, Chartists and unions labelling them "despotic", a "threat to rights" (Critchley, 1967: 40) and as a standing army for the propertied classes. In fact, only three years after their inception, the London police came under attack when Sgt. Popay was caught infiltrating the National Political Union, posing as an artist. A London mob responded by stoning and stabbing three Bobbies – one of whom died. The courts originally ruled the killing a justifiable homicide until it was later successfully appealed. Much of the bitterness against the new police could be attributed to the fact that they were placed among the working classes to monitor all phases of working-class life – including trade union activity (Storch, 1975: 117). When it appeared that control of local councils by Chartists and sympathizers would result in the police being under the direction of radicals, in 1839 the Whig government took the drastic step of taking direct control over the police in Birmingham, Bolton and Manchester. In the case of Manchester, the government imposed the *Manchester Police Act* to ensure the long-term regional administration of policing service and to pre-empt smaller boroughs with radical elements from ever again taking control of the police (Joyce, 1993).

Despite protestations by leftist groups and a deep distrust and hostility from workers, the new police eventually became as ubiquitous and as identifiable with British culture as the crown itself (Loader and Walker, 2001). This was a relatively rapid ascent into popular acceptance. Over the course of only four decades the local "bobby" became an everyday part of British life and had replaced the retainer systems and dependence on private police up to the late 18<sup>th</sup> century. This change was facilitated by the need to maintain a non-military force that could rapidly deploy in order to put down riots. Despite the fact that the new police were assigned to various rural, urban and borough offices, they were nonetheless part of a centralized and coordinated system of deployment in the face of potential civil unrest or emergency. Thus, a major catalyst for the development of the English public order policing system was the perceived ineffectiveness and insular nature the private and hybrid forms of policing that preceded it.

## 2. Industrial unrest and a crisis of legitimacy

Whereas the English policing system had all but abandoned its private roots by the end of the 19<sup>th</sup> century, in North America the political and economic context was markedly different. Nascent state legislatures and poorly financed town and city administrations with little to no tax revenue were poorly equipped for the flood of immigration, urbanization, rapid industrialization, and the concomitant unrest that this would entail. As a result, industrialists took it upon themselves to use henchmen and deputized private police to put down labour unrest, sometimes rather brutally, in contradistinction to established public policing in Europe.

In the American context, labour disruptions produced experiments with private policing such as the Coal and Iron Police, who worked directly for industrial interests and were often brutal in their methods of strike-breaking and unscrupulously infiltrating and undermining worker associations (Friedman, 1907). As American railroad baron and financier Jay Gould once put it: “I can hire one half the working class to kill the other half.”

While the RCMP was ‘getting their man’ north of the 49<sup>th</sup> parallel, Allan Pinkerton was conducting investigations that led him across the United States and into Canada. In 1868, Pinkerton and his men tracked the infamous Reno Gang from Indiana to Minnesota and on to Windsor, Ontario. He arrested the train robbers and delivered them up to New Albany, before the Indiana Vigilance Committee caught up with the culprits and exacted vigilante justice, hanging all four Reno gang members (Adler, 2000). The Burns Detective agency has a similarly illustrious past, acting as a national detective agency long before the country could mobilize its own investigative bodies.

Dubofsky and Dulles (2004) argue that the depressions of the 19<sup>th</sup> century increased workers’ persistence to form and sustain unions but the response to their efforts to obtain recognition was hostile, resulting in open warfare between workers and employers. Throughout this period, workers received no support from either federal or state governments, or from the courts. Conversely, factory owners were endowed with the power to use police and military troops as well as private security – including the notorious Pinkerton Detective Agency (Morn, 1982; Hogg, 1944) against the labour unrest. In the U.S., the 19<sup>th</sup> century was marred by violent encounters between workers and police forces— often private, and often with the help of the military.<sup>2</sup>

This was perhaps most clearly evidenced in the brutal violence exhibited during the Homestead massacre instigated by the Pinkerton Detective Agency on behalf of Carnegie Steel in 1892. Three-hundred Pinkerton men set upon the strikers from barges pulled by tugboats on the Monongahela River and the two groups exchanged gunfire. The strikers used ancient guns and even a repurposed cannon while the Pinkerton men, funded by Carnegie Steel and working at the behest of anti-union zealot Henry Clay Frick, were equipped with Winchester repeating

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<sup>2</sup> To name a few: Tompkins Square Riot (1874), Haymarket Square Riot (1876), Great Railway Strike (1877), Rolling Mills Workers Strike (Bay View Tragedy) (1886), Sugar Cane Workers Strike (1887), Homestead Strike (1892).

rifles. When the dust had settled, 12 people were dead and the National Guard had to deploy 8,500 troops to secure the private guards who were being bludgeoned by the strikers after their surrender (Krause, 1992). The Homestead strike was only one of many brutal engagements between hired henchmen or the military to subdue workers during the late 19<sup>th</sup> century. While Carnegie Steel eventually succeeded in crushing the union, public opinion turned against Frick and the Pinkertons. Twenty-six states subsequently passed laws outlawing the use of hired private union-busters like the Pinkertons (Dubofsky and Dulles, 2004).

The entrance of the U.S. in WWI created the conditions for organized labour to be officially recognized as an important player within the national economy. The *Clayton Act* (1914) exempted unions from prosecution under the anti-trust laws in recognizing the right to organize and to bargain collectively. President Wilson also established a National War Labour Board (NWLB) in 1918 to serve as a final court of appeal to settle all industrial disputes if they could not be solved through other means. These developments resulted in a gradual rise of wages and an increase in union membership to over a million from 1916 to 1919. However, when wartime restraints were removed and the NWLB was disbanded, the contest between the workers and employers started anew. 1919 witnessed industrial strife on a scale greater than the country had ever experienced. There were more than 3,500 strikes that were joined by over 4,000,000 workers (Dubofsky and Dulles, 2004: 221).

Recall that when class hegemony appeared to be slackening, English legislation introduced in 1859 took the unprecedented step of seizing control of policing out of the hands of the local authorities of three large industrial cities: Birmingham, Bolton and Manchester. The Whig government feared Chartist disorder and a sympathetic local government (Emsley, 1991: 41). The move to a police that would follow capitalist demands would thus be repeated in Canada and the United States over half a century later when local police forces failed to crush labour unrest, or in some cases, simply refused to deploy or joined the strike. During the 1919 Winnipeg General strike, the local police resolved to join rather than fight the workers. The RCMP was summoned, and with the assistance of hastily sworn-in 'specials' promptly and quite brutally smashed the strike. While many of these specials were returning military veterans, it was not lost on the government that the use of the Canadian military in Vancouver to suppress a general strike in the previous year, had resulted in only enraging the labour movement. The army had ransacked labour offices and thrown organizer Victor Midgley out of a window and forced him to kiss the British flag. The RCMP was later involved in similar violent strike breaking in Estevan Saskatchewan at the Souris coal field where they shot and killed three strikers and wounded eight others. A monument bearing the inscription "murdered in Estevan, September 29, 1931, by the RCMP" still stands in Bienfait cemetery. There are a litany of other examples of the RCMP being used as the police force of last resort throughout Canadian labour history (Brown and Brown, 1978).

American industrialists eventually began to employ state police, and in many instances they would seek to legislate their own private forces (see Couch, 1981; Weiss, 1978). As noted, clashes between private police and strikers were violent and lethal and the local militia were not always reliable allies. When the local sheriff, the local police, and a company's own private

police appeared insufficient to control striking workers; the company would ask local authorities to demand state militia but they often found that these militia were sympathetic to the strikers. Militia from Pittsburgh refused act against their fellow citizens during the Great Railroad Strike of 1877. In Martinsburg, West Virginia, the local militia refused to ride a train operated by non-union labour (Robinson, 1978: :135).

In a move reminiscent of England a century earlier, when private security companies such as the notorious Pinkerton Detective Agency (Morn, 1982) proved too controversial and local guardsmen proved too unpredictable by galvanizing further resistance (Hogg, 1944), states across the union began to move to state-level law enforcement in an effort to create a more centralized, less locally dependent, and 'professional' service (Couch, 1981). In the same way it was clear to workers and political agitators in nineteenth century London, it was not lost on American labour activists of the day that the legislative move towards the use of state "troopers" and "rangers" was a direct threat to their ability to mobilize. The police in Buffalo during the late nineteenth century did everything they could to smash union organizing, including stopping strikes and breaking up workers' meetings. The Broadway Market Riot, in the heart of the Polish community, broke out after a police charge stopped a labour meeting. Police reinforcements were called to quiet the disturbance. Radical working class meetings could not even start as the police blocked the entrances to rented halls (Harring and McMullin, 1975: 12).

Like their French, English and Irish brothers, the American labour movement was plainly aware of the role of these new state police. When the state of Illinois had before it a Bill to create a similar force, the labour organizations mobilized. The Illinois State Federation of Labor, under John H. Walker, sent a circular to all local unions: 'No more deadly menace to American institutions has ever crept into our government than the so-called 'constabularies' that have been created in several states where the corporation interests dominate and control. They are really armed government strike-breakers, kept for the purpose of crushing the workers into submission, preventing their organizing or improving their wages, hours, conditions, or treatment, against the wishes of the despotic interests' (as cited in Bechtel, 1995: 68). Walker argued to the state legislature that the proposed state police were just another example of the 'science of camouflage' by which anti-labour measures were made to appear as though they were *intended to serve the common good* (Bechtel, 1995: 70). Beginning in 1917, eight attempts were made to establish a paramilitary police in Illinois, ostensibly to undertake public order activities, but all attempts were heavily opposed by unions and eventually failed.

So, while it is very much true that private policing had all but been abandoned in Europe by the middle of the 19<sup>th</sup> century and yet emerged as a dominant form of public order policing in the United States a half century later (until similar issues of political expediency emerged), it nonetheless also seems that the public versus private dichotomy is less illustrative of police functionality than of state legitimation. In his historical examination of private detective industrial policing in the US from 1850-1940, Weiss (1978: 63) argues that "the public/private distinction can be seen as bogus" even though "this arrangement has had decided benefits in upholding the interests of capital". Similarly, in his analysis of the Coal and Iron Police, Couch

(1981: 90) asserts that the move to state policing was as a result of the need to “guarantee stability of class and property relations” when the company cops proved too controversial. In the end, public and private police have historically been used interchangeably in the American pacification of the working class (Rigakos and Ergul, 2013). In Canada, the RCMP’s use of ‘specials’ in lieu of the local police during the Winnipeg General Strike was nonetheless facilitated alongside support by the wealthy Citizen’s Committee of 1000 which was closely linked to the Borden government and had financed the infiltration, agitation and replacement of the strikers. Thus, at a pivotal moment in Canadian history, the state intervened to suppress a General Strike but, unlike the United States, it already had at its disposal a federal policing service that could be deployed to accomplish the job.

### **3. The re-emergence of private security under neoliberalism**

By the end of the Second World War the dominant form of policing for maintaining public order, putting down industrial unrest, and the general pacification of the population was practically and conceptually, a public policing responsibility. Noted police sociologist Robert Reiner has argued that from about 1867 to about 1967 the police were in a type of “golden age,” (Reiner, 1998) by which he does not mean beyond critique or controversy, as many minority populations, leftist organizers and civil rights activists would readily attest, but rather that public policing had become the *de facto* form of policing. Nonetheless, there were ample signs that the private security sector was about to undergo an important resurgence in the latter 20<sup>th</sup> century. Private security companies during the 1960s and 70s began to re-emerge and take a more active role in the infiltration, documentation, and surveillance of workers, students, and political agitators (Klare, 1975; South, 1984). Yet, it was not until the 1970s and into the 1980s that police researchers began to notice that the private security industry had overtaken the public police in North America (Rigakos, 2000b; Shearing and Stenning, 1982; Spitzer and Scull, 1977) and only a few decades later, most of Europe (de Waard, 1999; Jones and Newburn, 1995). Since the late sixties, the number of private security personnel relative to public police officers has been consistently higher in Canada (Sanders, 2003; Swol, 1999), Britain (Jones and Newburn, 1995), the United States (Cunningham, Strauchs, and Van Meter, 1990; Kakalik and Wildhorn, 1971) and many European nations (de Waard, 1999). In the U.S., it is estimated that private security outnumbers public police employment by at least 4:1, comparably higher than most western nations (de Waard, 1999).

Alongside the re-emergence of private security was an apparent re-evaluation of public order approaches (strategies and tactics) that police employ to manage and control mass demonstrations. Police researchers have noted that the turbulent 1960s and 70s saw Western governments increasingly using aggressive (“heavy-handed”, “escalated-force”) measures when attempting to manage left-wing mass demonstrations (e.g. Anti-Vietnam and the civil rights movements) (Ericson and Doyle, 1999; Fernandez, 2008; Waddington, 1991). Others have argued that after the 1970s there was a move towards less coercion in Western Europe and North America (See for e.g.: Della Porta and Reiter, 1998; King and Brearly, 2005; McPhail, Schweingruber, and McCarthy, 1998). These researchers suggest that in the 1980s and 1990s the public police tended to employ ‘softer’ tactics oriented towards minimizing the use of force

in their management of protests: often referred to as the “negotiated management model” or the “liaison approach”. This purportedly softer form of protest policing relies on communicative rather than coercive intervention, flexible rather than strict law enforcement, and liaising/negotiation with moderate protest event organizers. Some critical scholars, however, dispute the claim that softer tactics supposedly superseded coercive measures throughout 80s and 90s (Ericson and Doyle, 1999; Gordon, 2006; Panitch and Swartz, 1993).

Empirical examinations of police paramilitarism show that since 1960, the number of police services with dedicated paramilitary units in the United States climbed from 0 per cent to 89 per cent in 1995 (Kraska and Kappeler, 1997). The tumultuous anti-capitalist protests in Seattle, Quebec City and Genoa demonstrate that police forces are well equipped and willing to use whatever force is necessary to disperse crowds.

As they have throughout the history of policing, and in particular in the United States (Couch, 1981; Weiss, 1978), private policing agencies are increasingly tied to this trend in public order policing. Wackenhut Services offers high-grade paramilitary security for American facilities. In Aiken, South Carolina, they hold a contract for protecting the Savannah nuclear facility run by the U.S. Department of Energy. The private police force (accredited by the Commission on Accreditation of Law Enforcement Agencies) operates special response teams and a helicopter. The officers are equipped with military rifles and uniforms. They are prepared for anti-nuclear protests. More comprehensive contract security firms are also available that offer complete labour suppression packages. Under the guise of ‘asset protection’ Vance Security Services is a one-stop shopping pavilion for all the needs of an industrialist. This security firm offers riots squads armed with batons, shields, helmets, etc., monitors labour picket lines by video surveillance, and even conducts private investigations on labourers. After Vance has secured your facility, infiltrated your workers, and begun “photo-documenting”, they can even provide replacement workers. Their “workforce staffing team” provides temporary labour such as manufacturing and assembly workers, heavy machinery and precision equipment operators, warehouse and other distribution workers and forklift drivers who “take pride in exceeding productivity standards set by regular employees.” Other security firms, such as Intelligarde, Scott Security and London Protection International regularly engage in strike ‘protection’ duties. Special Response corporation specializes in labour disputes and offers military or police trained “disciplined” officers who may conduct photo surveillance and asset protection including planning for confrontations with unlawful pickets, compensation or identification for property of non-striking employees damaged during the strike, and provisions for recording working time and collecting pay. Gettier strike security offers similar services, including perimeter protection, video-taping picket lines, deploying strike dogs, and making sure scab labourers get into the facility. Other security agencies by-pass international laws by activating paramilitary and covert services to re-capture corporate hostages in overseas countries. Covert Recovery Service has operatives that are former soldiers in special services such as the CIA, Navy Seals, and MOSSAD. They brag: “diplomatic efforts fail, we never fail!” during their human ‘snatch; operations and specialized intelligence gathering. In this particular case, colonial protection and military muscle has been undertaken by private contractors on behalf of international corporations. Jemsec International Security offers counter-piracy teams that will

retrieve stolen cargo, escort ships, extract identified key figures and destroy boats and other vital equipment needed for the pirates to succeed. They will thus wage naval sabotage on behalf of private interest (see Rigakos, 2005).

Regardless of emphasis, since the late 1990s researchers have argued that the public police now tend to employ complex, hybrid approaches that also include (overt and covert) intelligence strategies and tactics in their attempts to control and manage mass protests. In particular, they argue that the anti-globalization demonstrations of the mid-1990s saw police adopt more aggressive, paramilitary measures alongside softer ones in order to manage mass convergences. For example, Ericson and Doyle (1999: 62) in their case study of the 1997 APEC protests in Vancouver found that the police reneged on a negotiated accord with student protesters as the RCMP made “illegal preventive arrests, censored peaceful expression and assaulted protesters who were already dispersing”. Based on participant-observations at large protests in the United States from 2001 to 2005, Fernandez (2008: 8) argues that police now depend on both “hard-line” and “soft-line social control” tactics in order to manage anti-globalization protests. King (1997) also recognizes that there are indeed two opposing trends emerging simultaneously in Canadian public-order policing: conciliatory and consultative methods, he argues, operate alongside increasingly militarized potential for confrontation. Later, King (2004) adds emphasis to intelligence gathering, contingency planning, and crowd management. Regardless of when this mixture of soft and hard-line tactics became the dominant tendency, most scholars studying anti-globalization demonstrations now recognize the multi-modal character of protest policing.

de Lint and Hall (2009) try to move beyond both the ‘return to coercion thesis’ and the ‘liaison approach’ by providing a what they believe to be a more nuanced notion called ‘intelligent control’. They provide a comprehensive historical analysis of protest policing that accounts for the development of both coercive and consensual tactics. The police haven’t abandoned the liaison approach, but they suggest police agencies are now incorporate elements of both consent and coercion depending on the groups involved in a particular protest – what they refer to as “intelligent control”. De Lint and Hall (2009: 6) recognize the “growth of intelligence-based, paramilitary and community policing applications” and argue that “these trends are complementary developments representing a shift from reactive ad hoc forms of coercion and accommodation to a more strategic integrated approach”. The main objective of ‘intelligent control’ then is to exert as much control and predictability as possible during the ambiguous and dynamic instances of mass protests without causing a more radical politics. de Lint and Hall (2009: 275) stress the current role that intelligence gathering plays in protest policing operations which entails “action on information drawn as a result of pre-emptive or covert targeting, collection, analysis, and dissemination that then is used to manage conditions of mass public grievance expression”. Thus, in concert with liaison and paramilitary practices police are reliant on intelligence-based tactics in their attempt to control anti-globalization protests.

This modulating approach, according to de Lint and Hall (2009: 7), aims to avoid dramatic confrontations and to conceal coercion and use pre-emptive and aggressive strategies to

“identify, isolate, and target those they consider to be significant threats while the remainder are invited to cooperate or partner with the police liaison advice and information service.” In sum, ‘intelligent control’ requires the strategic application of (1) a liaison function to negotiate with and accommodate with perceived moderate protest leaders; (2) the heavy use of surveillance to produce actionable intelligence; and (3) paramilitary policing measures to control perceived dangerous elements within protest crowds.

Beyond such notions of protest policing, more radical interpretations have explicitly linked the genesis of policing to the wage-labour system (Brewer, 1980; Couch, 1981; McMullan, 1995, 1998; Neocleous, 2000a; Spitzer, 1987; Storch, 1975). In this way, Neocleous (2006: 8) describes policing as an activity that “has been central to the historically massive operation on the part of the liberal capitalist state to consolidate the social power of capital and the wage form.” Using the term *fabrication* to describe police helps us understand it as a productive and creative force. In other words, when Neocleous (2000b) argues that police fabricate social order it is a discursive way to conceptualize policing as a pro-active process that shapes social order rather than an institution that reactively responds to disorder. As a productive force in fabricating capitalist relations, its main target and concern has been the working class and the poor. “That is, its mobilizing work was the mobilization of work” (Neocleous, 2006: 29). The historical task of police then was to employ a strategies, techniques, and technologies to manage and prevent idleness, resistance, and disruption by the working class in order to facilitate capitalist relations, circulation, and accumulation: to making the working classes work. This function is made even more transparent by examining the classic works of the early police intellectuals and political economists such as Patrick Colquhoun, who, as I have argued elsewhere (Rigakos, 2011: 70-1): “clearly realized that social control... was geared to the benefit of a particular class of property holders, which was consistent with his emphasis on managing the various classes of persons who he said threatened commercial interests.” Similarly, in his critical analysis of law enforcement in the United States, Kristian Williams (2007: 105) provocatively argues that the police are the “natural enemy of the working class” considering the “[c]ontrol of the lower classes has been a function of policing at every point since the institution’s birth, and has served as one of the major determinants of its development.”

Likewise, in Canada, police agencies and (since 1984) the Canadian Security Intelligence Service (CSIS) have a history of targeting leftist organizations aligned with workers. In their edited book *Whose National Security?* Kinsman, Buse, and Steedman (2000: 1) document how the RCMP covertly monitored a wide range of groups and individuals including high-school students, gays and lesbians, trade unionist leaders, and Canada’s left-wing political groups, including Communists, the Co-operative Commonwealth Federation (CCF), and the New Democratic Party (NDP). They even watched feminists and consumer housewives’ associations, university students and professors (Hewitt, 2002), peace activists, immigrants, Canada Council grant recipients, Learned Societies meetings, recipients of youth funding initiatives, black community activists, First Nations people and Native Studies programs and, of course, Quebec sovereignists. They argue that the extensive surveillance of perceived Canadian dissidents not only violated people’s democratic rights but also made a dramatic impact on the socio-political fabric of Canada. The wide scope of surveillance undertaken suggests that surveillance

campaigns to protect Canada's national security "was not only about state regulation, but also included a broader form of social and moral regulation and attempts to define 'proper Canadian' subjects" (Kinsman, Buse, and Steedman, 2000: 3). Through various case studies like the APEC 1997 student-led protests, they illustrate that national security has often served as a code word for the protection of powerful corporate interests.

In my own previous research I have documented how, in one year (August 1996 to September 1997), Intelligarde (a private security company based in Toronto) submitted approximately 56,400 written reports that ranged in importance from major occurrences to simple shift summaries or alarm responses (Rigakos, 1999). The company managed a detailed database of the city's homeless population, including their primary locations, physical identifiers and even catalogued their possessions (see Rigakos, 2002b). In this sense 'knowing' means remembering previous incidents or interactions – and this is accomplished by a centralized computer system not unlike that of public police systems such as CPIC. Other security companies have larger, international systems that provide travel alerts to executives, or "snitch" lines that allow employees to report other malfeasance. Pinkerton's Alertline is a phone-based system that encourages workers to call in tips to a toll-free number. Wackenhut has a similar system. Thousands of telephone calls per year come into these centres. Each one is logged, after which the employee may be reported to the client or an investigation can take place. Of course, identical systems are also run by the public police today, including 'Crime Stoppers.' Contemporary access control now runs the gamut from securing sensitive nuclear facilities to embassy protection, to the rapidly growing number of gated communities where security officers replace public police. Residential security in closed communities is now a large market. Security officers not only stop unauthorized entry, but they also assist in emergencies and are trained in CPR. They are ambassadors for the community and are "impeccably dressed, exceptionally courteous and professional in attitude" (Rigakos, 2005). Many private police officers in the United States are also armed, proving to be a formidable threat to integrative community life (Davis, 1990) as they police the borders between inclusion and exclusion (Young, 1999) on the basis of risk knowledge.

So dominant has the private sector become that there is talk amongst some police executives that the police may hand over routine patrol to the private sector and merely regulate their activities. Then, Sussex police chief Ian Blair made a recommendation that police forces stamp security vehicles in their district with 'police compliant' decals if they come under the rubric of the local constable. The Law Commission of Canada has called for the incorporation of private security companies under the rubric of existing police services boards (Rigakos, 2002a) and policing researchers have advanced interagency networks designed to mobilize the private sector for the public good (Shearing and Wood, 2006).

Regardless of our theoretical and political interpretation of changes to protest policing, there are nonetheless two fundamental trends at play in the late 20<sup>th</sup> century that condition our analysis of the relationship between private security and public order policing: First, that the security apparatus and its associated surveillance and intelligence capacities have expanded exponentially through the ubiquitous adoption of technologies. Second, that within the gamut

of this expansion, a burgeoning private security industry has increasingly been brought into the fold of the broader security apparatus as a key informant and partner. The combined effects of these developments, whether considered a *new* “liaisoned”, “networked”, “intelligence-led”, or “nodal” model or simply an *old* “recrudescence”, “re-emergence” or continued “pacification” nonetheless points to a stronger and renewed interrelationship between public and private security agencies for maintaining public order before, during and after protests.

#### **4. From mass private property to the war on terror**

The terrorist attacks on the United States on September 11, 2001 significantly accelerated the ramping up of the security-industrial complex well underway in the previous decades (Rigakos 2016). The attacks took place both within the context of geopolitical upheaval and internal changes to policing under the advance of neoliberalism. Private security had witnessed a significant expansion in both size and responsibility since the 1960s. Private guards were now patrolling large swaths of urban (Button, 2003; Rigakos, 2002b), commercial (Jones and Newburn, 1999; Shearing and Stenning, 1983), and even theme-park (Shearing and Stenning, 1987) settings, while also undertaking security for key infrastructure and mega-events.

Three interesting developments that emerged after 9/11 further sets the context for private security in the 21<sup>st</sup> century (from: Rigakos et al., 2008). First, it was private security guards who acted as a weak first line of defense. They failed to stop the attackers during airport screening and then failed to minimize death through emergency evacuation at the World Trade Centre in the early moments. Nonetheless, it is estimated that 42 security guards were killed in terrorist attacks on 9/11, compared to 23 NYPD officers, and witness accounts relate stories of guards assisting public services during the subsequent evacuation (Howie, 2012). Second, as noted elsewhere, while the loss of lives and property resulting from the terrorist attacks “was not large enough to have a measurable effect on the productive capacity of the United States” (Makinen, 2002: 2), the attacks nonetheless did result in marked decreases in consumer confidence and the halt to trading on the New York Mercantile Exchange. It was for this reason that President Bush implored Americans to “not be afraid to travel”, to “take their kids on vacation”, “to go to ball games” and generally “go about their business” (George W. Bush, Oct. 3, 2001). The administration’s message was that post-9/11 recovery was dependent on consumer confidence. Private security protected those commercial and retail spaces and were thus immediately deputized into the broader war on terror. Third, and relatedly, since the 9/11 attacks, resources seem to have been devoted to improve airport security, immigration and customs controls and the security of nuclear facilities, while ‘softer’ sites, typically secured by private security, were seen as a source of continued concern .

Not long after the 9/11 attacks, the national media were characterizing private security as “homeland defense’s weak link.” Although a few states had introduced or raised hiring or training standards, most states still do not impose minimum training standards or even require background checks. Even in states that required training, there was little effort to monitor the content or quality of the programs. Soft targets that are part of homeland security concerns

are protected, not by public police, but by private security (Rigakos et al., 2008). In Canada, there were no significant changes to private security training or licensing except that the Canadian Air Transport Security Authority (CATSA) took an active role in setting the minimum training, pay and ongoing testing of contract security personnel working as screeners across the country, especially in the context of the Air India bombing.

The relative growth and importance of private security in the everyday policing of citizens in advanced liberal democracies has been well documented in the academic literature (e.g. Jones and Newburn, 1998; Rigakos, 2002b; Shearing and Stenning, 1983). Not only are there more security guards in the United States and Canada but their role in safeguarding sensitive installations such as nuclear and biological facilities, residential areas, and 'mass private property' (Shearing and Stenning, 1983) where people congregate to shop, eat and enjoy the spectacle of a performance or sporting event is more profound than in many other nations. These private security agencies have moved beyond simply protecting private property. They are actively engaged in maintaining order, investigating crimes, and making arrests in public spaces. In other words, they are performing many activities that were, at least in the previous one-hundred years, largely performed by public police forces (Rigakos, 2006).

Thus, it would seem that the events of 9/11 thrust private security officers into an even more important role. Several US states—including California, Illinois, and Michigan—took steps to more closely regulate the industry in the year following 9/11 (Salladay, 2002). Nonetheless, several newspaper articles and limited surveys have reinforced the notion that security in the retail sector did not undergo significant change after 9/11 (Hall, 2003). Recognizing the importance of security in the retail sector, the 9/11 Commission determined that businesses have a "duty to care" about the security of their customers. The Commission endorsed the National Fire Prevention Association standard (NFPA 1600) for disaster and emergency management preparedness in the private sector: "...compliance with the standard should define the standard of care owed by a company to its employees and the public for legal purposes." The standard specifies that emergency management programs should address the four phases of emergency management and recovery, which include: (a) *mitigation*, or efforts to eliminate or reduce the risk of a disaster or emergency, (b) *preparedness*, or activities and programs intended to support recovery from disaster, (c) *response*, or activities to address immediate and short-term effects of a disaster, and (d) *recovery*, or activities and programs designed to return conditions to normal.

Moreover, judicial determinations have reinforced the responsibility of the private sector to take steps to guard against terrorist attack. A NY district court ruling in 2003 denied a motion to dismiss a suit against the airlines by families of the 9/11 victims. The judge's ruling was based on the concept that it was foreseeable that a plane whose passengers have been negligently screened at check-in could be subject to terrorist attack. In another recent?? ruling, a New York State jury found that the agency that owned the World Trade Center was negligent for not doing enough to thwart the deadly 1993 terrorist bombing beneath the twin towers (Rigakos et al., 2008).

The events of 9/11, therefore, simply accelerated trends that were already well underway before the terrorist attacks. The expansion of the security-industrial complex alongside the increasing role played by private security in the everyday policing of citizens facilitated by mass private property, increased employment, and technological advances heightened surveillance and reinforced linkages between the public and private security sectors within the war on terror.

## 5. A 21st century public-private partnership

Up to this point we have seen that while the public-private distinction for understanding the history of public order policing has often been operationally blurred and, at times, irrelevant, the distinction has nonetheless remained politically salient for reaffirming the neutrality and legitimacy of the state and the rule of law. Over the last half-century, the private sector has become not only more important in the everyday policing of citizens but its relations with the public police have become far more entwined (Shearing, 1992, 1997) with the rise of neoliberalism and the war on terror. Today, there are few police administrators reluctant to acknowledge the importance of private security within a coordinated, intelligence-led, preparation and response to public order events or emergencies. In this section, I contrast the Toronto G20 with the Ottawa convoy siege as case studies for the role and function of private security within this emerging “integrated” model.

### *Toronto G20*

In late June 2010, thousands of protesters converged in the streets of Toronto and engaged in a diversity of protest tactics against the G20 Summit. The Canadian government was well prepared and fully anticipated resistance. The G20 had long been understood by its opponents as an elite global governance event: a security spectacle that formulates and implements neoliberal policies that intensify global inequalities and injustices (Fernandez, 2008). The RCMP were tasked with making preparations and they quickly instituted an Integrated Security Unit (ISU) and a Joint Intelligence Group (JIG) that went on to carry out the largest police and intelligence operation in Canadian history (RCMP, 2011: 15). In the aftermath of the G20, Canadian law enforcement agencies not only defended their actions during the Summit but heralded the security operation as a success<sup>3</sup> despite its billion-dollar price-tag (Fernandez, Starr, and Scholl, 2011: 50).

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<sup>3</sup> For instance, Toronto Deputy Police Chief Tony Warr accused the public and media for overreacting to the events of the G20 and proclaimed that “police should hold their heads high” (Rush, 2011). Internal reviews like the RCMP’s After Action Report also contended that “the security and intelligence operations...had no precedent” since “[n]o host nation has ever conducted two world summits back to back in geographically different locations.” Despite these “challenging conditions”, the G20/G8 Integrated Security Unit and its Joint Intelligence Group “met its Mission Aim and achieved all objectives.” Consequently, the “summit security operations” will have a “lasting legacy...that will benefit major security events in Canada to come” (2011: 15).

Police under the ISU-JIG carried out mass detentions and pre-emptive stops in the days leading up to and during the G20 Summit weekend resulting in 1,105 arrests: the largest mass arrest in Canadian history (Canadian Civil Liberties Association, 2011). Pre-emptive police raids and detentions (CBC News, 2010), the secretive enactment and vigorous enforcement of wartime legislation (Marin, 2010), the ‘ketteling’ of hundreds of protesters (Yang and Kennedy, 2011), the infiltration and disruption of activist groups (Groves, 2011), the snatching of protesters within crowds (Zig Zag, 2011), the firing of tear gas (Kidd, June 27 2010) and rubber bullets (CBC News, July 25 2010), as well as covert monitoring of protest mobilization (Groves, July 17 2011), and jailing of arrested protesters in deplorable and dehumanizing conditions (Botten, 2011) have all been well documented by researchers (Lamb and Rigakos, 2015).

The ISU-JIG was a joint forces operation mobilizing an extensive policing network composed of 26 police departments, several military and state intelligence units, and over a hundred corporate and government agencies. A key attribute of contemporary public order planning a strategic constellation of state, military, and corporate agencies employed to achieve the same objectives of marshalling the security resources of public, private, and military sectors in order to control particular populations within a specified territory (Rigakos, 2011:79). According to the RCMP’s After-Action the G20 JIG was described as:

...a joint forces operation partnering the RCMP, OPP [Ontario Provincial Police], TPS [Toronto Police Service] and PRP [Peel Regional Police]. Critical liaison roles were created for the Canadian Security Intelligence Service (CSIS), Communications Security Establishment Canada (CSEC), Canada Border Agency (CBSA) and the Canadian Forces (CF). The JIG also established hundreds of other key points of contact with other law enforcement agencies, federal, provincial and municipal government departments and corporate security sections (RCMP, 2011: 32).

According to the RCMP, this network was used to “identify opportunities, gather intelligence and seek input to specific issues and problems” relating to G20 security. Indeed, embedded within the G20 ISU, the JIG was a joint forces operation composed of an extensive network of state police, military, intelligence, and private sector agencies.

The JIG’s investigative and analytical units deployed an array of security intelligence and counterintelligence surveillance techniques on populations considered to be adversarial to the Summit’s security objectives. Whereas intelligence is specifically aimed at shaping “the visualisation of the adversary, counter-intelligence (CI) is employed to shape how the adversary perceives and visualises friendly [i.e. security forces] capabilities and intentions.” The objective of CI is to produce uncertainty in the mind of adversaries in order to impede and disrupt their decision making capability by misrepresenting and/or denying them information necessary to conduct effective operations. In other words, the primary purpose of CI is the “collection of intelligence required to implement countermeasures designed to degrade an adversary’s intelligence and targeting capabilities” (Canadian Forces, 2003: 6-6). In doing so, CI techniques produce security intelligence by gathering covert information on targeted adversaries while also disrupting the capabilities and activities of their targets.<sup>4</sup>

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<sup>4</sup> For much more detail on the JIG’s SI and CI activities see Lamb (2012)

While the JIG also perceived a remote potential for a terrorist attack, internal documents reveal that Group's "joint forces security (counter)intelligence operation" primarily targeted radical left/ anarchist activism. For instance, the G20 intelligence reports reveal that the JIG was principally concerned with domestic radical left activists considering it was "assessed that persons associated to Left Wing extremism in Ontario will use high profile events such as the 2010 Winter Olympics and the 2010 G8-G20 Summits as staging grounds to further carry their ideological message to the public stage" (ISU-JIG, H3551 [Strategic Intelligence Report #3], 2010: 386). The same report also discussed the political significance of the 2010 year for the Left and the importance of police remaining vigilant of criminal activism.

As Kitchen and Rygiel (2014) document, the hosting of mega-event such as the G20 are highly lucrative for the security sector. As security continues to ramp up and becomes part of the defence against terrorism, international delegates and corporate elites need to be safeguarded. Security costs for summits in Pittsburgh 2009 were \$98.7 million and in London \$28.6 million. The auditor general of Canada's 2011 report estimates that \$664 million was spent on security for the Summit. The standing committee of public safety and national security puts the number closer to \$790 million, \$507.5 million for RCMP policing and security, \$278.3 million for public safety, \$3.1 million for CSIS, and finally, \$1.2 for Border Services.

While the RCMP's share of security costs were actually under budget this was due to a smaller than anticipated RCMP deployment of officers, the competitive procurements process, and the fact that they held a \$60 million contingency fund (Treasury Board of Canada 2011), private security costs were unexpectedly higher because, according to an internal RCMP report "private security firms were used more extensively than initially planned thus reducing the requirement for police personnel" (RCMP, 2010) which included both contract security providers and the Corps of Commissionaires. Besides personnel, the RCMP also spent \$15.1M to cover the costs of Fencing and Perimeter Intrusion Detection Systems, with another \$8.3M devoted to information technology equipment (RCMP 2010: 2). Finally, \$33.9M was spent on Command Centers and Other Real Property Costs including "a Unified Command Center fit-up in Barrie as well Area Command centers established for the G8 and G20 in Huntsville and Toronto, respectively" along with other "operational facilities" that were "acquired and fit-up". Additional contracts in the hundreds of thousands of dollars were also provided to public safety consultants, security companies that patrolled the OPP staging areas as well as website and public relations coordinators (from: Kitchen and Rygiel, 2014).

Perhaps most importantly from the perspective of the interrelationship between public and private policing during public order events was the fact that the private security sector was invited into the ISU-JIG "war room" for integrative command. Private security was therefore enmeshed with both the military, provincial, federal, and Canadian security establishment. The groundwork for such a relationship had already been laid through formalized public/private partnerships such as TAPPS (the Toronto Association of Police and Private Security) and the Canadian Bankers Association. According to Security Services and Emergency Management Director of the Ontario Ministry of Finance David Neely "Collective sharing of information and

best practices achieved situational awareness during the G8/G20, the earthquake and other incidents that occurred during the week through public/private partnerships like TAPPS” (Brown, 2010). Security guards were providing information to the ISU-JIG in real time, apparently thwarting at least two serious breach attempts.

Thus, the G20 appears to represent the quintessential contemporary manifestation of the confluence of developments we have been outlining throughout this Report. Planning started nearly a year in advance, involved a wide assortment of security agencies from the military through to corporate security, spared no expense, and used advanced intelligence, subterfuge, and a wide array of violence to undermine and pre-emptively negate any potential threats. Notwithstanding that subsequent analyses have labeled the G20 both a security success and a human rights debacle, it also represents the pinnacle of the (re-)integration of public and private policing at public order events.

### ***The Ottawa convoy siege***

Just over a decade after the Toronto G20 protests, the city of Ottawa was besieged by a convoy of trucks and a mass demonstration turned month-long occupation that encompassed a wide range of grievances from anti-Trudeauism, to anti-vaccination sentiment, through to alt-right extremism and even an anti-democratic call for the dissolution of Parliament (Williams and Paperny, 2022). The protests, which started in January 2022, also encompassed border crossings across the country. Trucks occupied the nation’s capital for weeks while protesters built encampments and honked horns through all hours of the night.

It would be too easy to dismiss any relationship between Ottawa and the Toronto G20 by identifying that the public order issues were very different, the threats were less known, or that intelligence was less available. Moreover, it would be an oversimplification to suggest that Ottawa represents an outlier in the general public order trends we have been discussing. Some of this may very well be true, as early media accounts of the lack of Ottawa Police Service action (Dhanraj, Hoff, and Zimonjic, 2022) points to a significant deficit of leadership, lack of coordination, the complete absence of communication until well after the entrenchment of the protesters, and a general reticence to act (Paperny, 2022).

Nonetheless, there are important connections between the G20 and the Ottawa convoy protest that need to be understood. The police response during the Ottawa siege was haunted by the ghosts of the G20. Then-chief Peter Soly and Public Safety Minister Bill Blair were both with the Toronto Police Service during the 2010 protests that included mass arrests, inhumane conditions at the detention centre, confirmed cases of police brutality, and the unconstitutional “kettling” of protesters. Senior officers were formally sanctioned and judicially reprimanded. The Toronto Police Service was subject to a \$16.5-million class-action settlement, widespread criticism and repeated calls for Blair’s resignation. It seems as if Soly resolved not to be embroiled in a public order disaster and Blair continued to be dogged by accusations that he was instrumental in lobbying for a secretive wartime Order in Council to facilitate the arbitrary detention of protesters. For Blair, the lesson related to the importance of obtaining sufficient

legal cover. And so, when Sloly resigned, Blair may have been too keen to recommend the Emergencies Act (Rigakos 2022). Nonetheless, Acting Ottawa Police Chief Steve Bell did not request (Kirkup and Spearchief-Morris, 2022) nor require the Act. He went about calmly clearing the city as the organizers were finally, and rather politely, rounded up without mass arrests or kettling. Protesters were repeatedly allowed to exit southward and most dispersed overnight. In the end, police laid 393 charges against 122 people during the convoy siege (Dawson and Passifiume, 2022) compared to 1,100 arrests at the G20 making the Toronto protest the largest mass arrest in Canadian history (Morrow, 2011).

In the absence of a coordinated command structure that included private security, the freedom convoy ended up costing the Rideau Centre and Cadillac Fairview millions of dollars in lost revenue. Despite their “ongoing engagement with police and city officials since the start of the demonstration” in-house security for the nation’s downtown mall received no assurances that it would be safe to reopen or that the police would be able to assist security personnel in maintaining public order and safety within or around the Rideau Centre (Pringle, 2022: CTV News, Feb. 6). Cadillac Fairview would eventually sue the convoy’s donors through names leaked on the GiveSendGo and GoFundMe platforms for \$306 million (Crawford, 2022: Ottawa Citizen, Feb. 18).

It appears that in contradistinction to the G20, after decades of increased integration between security services and intelligence gathering, the Ottawa convoy protest did not trigger an intelligence-led nor integrated approach that would have involved the private security sector. Rather, it appears that like other agencies outside of the Ottawa Police Service’s senior staff, and especially in the early days of the protest, the private security industry was treated like any other, rather unhappy, stakeholder. In the case of Cadillac Fairview security, a lack of police assurance that the safety of the Rideau Centre could be maintained, meant that over 175 businesses at a cost of millions of dollars were forced to shutter their stores.

Indeed, there is scant secondary information about any concrete operational connections between the private security sector and the police during the convoy protests. In the absence of direct communications with security executives who have, to date, been reluctant to communicate with me, the limited available secondary information indicates that the general lack of preparedness by the Ottawa Police Service and its limited communication and coordination with other intelligence and policing services until the very late stages of the occupation similarly affected Ottawa’s private security sector.

## **Conclusion**

In this Report I have outlined how the private security sector has been playing an increasingly important role in public order policing since the late 20<sup>th</sup> century. This re-emergence is part of the retooling of approaches to public order policing alternately described as “liaisoned”, “networked”, or “intelligence-led” but ultimately part of a broader integrated model employing a wide menu of coercive tactics.

The historical use of private police during labour unrest has proven to be a threat to the perceived neutrality of the state, both in Europe and North America which resulted in the increasing deployment of centralized, salaried and professional public police. In 19th century England, the Metropolitan Police of London served as a ready reaction force in lieu of a patchwork of ill-equipped parish constables, watchmen and thieftakers or the lethal response of the military. In Canada, the RCMP was quickly deployed to serve a similar purpose when local police were unable or unwilling to suppress civic disorder and the military were too keen to use violence in the early part of the 20<sup>th</sup> century. The United States had to develop their own state policing system when local militias, town police, private police forces and the notorious Pinkerton Detective Agency proved either too politically inflammatory or unreliable, jeopardizing the legitimacy and neutrality of government.

Despite the pull toward public policing up to the end of the 20<sup>th</sup> century, private security has once again become a major player in everyday order maintenance, taking on more responsibilities for policing. Unlike previous decades, this has not been perceived as a threat to the integrity of the public good, even during major public order events such as the Toronto G20 when the private security sector was fully integrated into both the preparations and responses of the Integrated Security Unit.

Private security companies compile a vast array of surveillance data (Ericson, 1994; Manning, 1992; Marx, 2004) on consumers, residents and members within their nodes (Shearing and Wood, 2006) or bubbles (Rigakos, 2000a) of governance. Depending on one's view of the integrity and purpose of private security, this makes their deployment and incorporation into the broader public order framework potentially more insidious than during the sector's early 20<sup>th</sup> century strike breaking heyday. Today, the involvement of private security is designed to be far more networked, far more integrated and perhaps even far more nuanced than ever before. The incorporation of private security is no longer a source of alarm for police and governments, but rather a prudent approach for extending the network of security intelligence. When public order is in crisis, when rioting takes place, or when emergencies are declared, the private sector's existing integration within the state security apparatus ought to give us pause. These ready-made networks have the potential to spontaneously expand the intrusiveness and intent of emergency security measures, affecting citizen privacy, liberty, and their freedom from surveillance and coercion.

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