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A Postcolonial Critique of Tear Gas Use

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A Postcolonial Critique of Tear Gas Use

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Abstract

Throughout the 20th and 21st century, there has been widespread acceptance of the use

of tear gas against "uncivilized," or otherwise "problematic" populations. Tear gas was

deployed extensively in colonial territories and later escaped legal constraint with the

Chemical Weapons Convention, in which tear gas is banned in warfare but permitted for 'law

enforcement including domestic riot control purposes.' Thus, this thesis asks: How have

democracies used tear gas differentially as a means for disciplining and policing marginalized

populations domestically? And in what ways can insights from postcolonialism aid

our understanding of how the use of tear gas on certain groups has been rendered possible?

Through looking at how the function of tear gas, specifically against particular (frequently

dehumanized) groups, has been shaped, this thesis will demonstrate the ways in which

various democracies' use of this weapon is facilitated, legitimized, and normalized. The main

argument is that the deployment of tear gas by state power, especially to discipline "othered"

bodies, cannot be fully understood within a contemporary context but rather by the past.

Through drawing upon postcolonial insights, this research will demonstrate the kinds of

populations that are teargassed and why it is important to understand the role of their

identities, histories, and representations.

A postcolonial critique of tear gas use will be presented through examining how

earlier histories and their legacies perpetuate systems of domination that not only further

exclude and marginalize particular groups but also rationalize their suppression through

teargassing. This thesis will not only deconstruct boundaries between the "civilized" and

"uncivilized" that have been maintained through the process of "othering," law relating to the

international and domestic spheres, policing and war within the metropole and colonial

spheres, and the biopolitical perpetuation of "us" versus "them" but also provide a reinscribed

history of the evolving use of tear gas during the 20th century. Furthermore, this thesis offers

an analysis of the routine use of tear gas against Black Lives Matter demonstrators in the United States (policed bodies), civilians in Indian-administered Kashmir (occupied bodies), and non-European refugees in Calais (displaced bodies) by authorities in order to highlight the contours and boundaries of dehumanization that render certain groups more legitimate targets for this type of violence than others. Ultimately, this thesis contends that as tear gas continues to alter modes of governance, particularly as it pertains to "less desirable" groups in democratic states, it is important that the repressive and differential use of this weapon be brought to light.

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Acknowledgements

Author's Declaration

I declare that all the material contained in this thesis is my own work.

Chapter 1: Introduction

In 1919, Winston Churchill, then Secretary of State for Air and War, famously declared that he did not

> 'understand this squeamishness about the use of gas … It is sheer affectation to lacerate a man with the poisonous fragment of a bursting shell and to boggle at making his eyes water by means of lachrymatory gas. I am strongly in favour of using poisoned gas against uncivilised tribes … It is not necessary to use only the most deadly gasses: gasses can be used which cause great inconvenience and would spread a lively terror and yet would leave no serious permanent effects on most of those affected' (de Larrinaga 2016, 522).

While Churchill's statement may be over a century old, it embodies what has become the widespread acceptance of lachrymatory gas (more commonly known as tear gas) against "unruly," or otherwise "problematic" populations. From female-led protests in Iran and yellow-vest demonstrations in France to student protests in Sri Lanka and anti-government rallies in Hong Kong, tear gas is used by state authorities to subdue a variety of different groups. As Haar succinctly argues, 'while tear gas is intended to be used to protect public safety, it is frequently used to repress the rights to assembly and free speech' (2018, 1). Through toxifying the air, this chemical agent not only maims and terrorizes the affected crowd but also functions as a means of pacification. Tear gas's popularity, colonial origins, repressive employment, dangerous health effects, lack of regulation, widespread misuse, illegality in war, "ethical" image, and indiscriminate nature make it an imperative topic of study in global politics.

Tear gas operates by targeting the mucous membranes of the body, causing burning of the eyes, nose, throat, skin, and chest (Alhillo et al. 2018). Common symptoms include, but are not limited to, itching, tearing, blistering, burning, sneezing, coughing, vomiting, nausea, rashes, shortness of breath, headaches, and blurred vision. The noxious effects of tear gas are usually temporary and last 15 – 45 minutes once one leaves the polluted space and cleans or removes any contaminated items such as clothing (Menezes et al. 2016; Rothenberg et al.

2016). Young children, the elderly, and those with existing respiratory issues are more vulnerable to the effects of tear gas. Severe, long-term complications such as blindness, chemical burns, miscarriage, and even death (from high concentrations or direct traumatic injury to the brain) are not uncommon (Haar 2018). Thus, there is a growing consensus amongst the medical community that 'these weapons should not be considered civil and harmless' (Alhillo et al. 2018, 179).

Tear gas is comprised of various elements including potassium nitrate, magnesium carbonate, sucrose, silicon, potassium chlorate, nitrocellulose, charcoal, and lachrymator (commonly 2-chlorobenzalmalononitrile (CS) or chloroacetophenone (CN)) (Amnesty International 2020c). CS is more widely used since it is approximately ten times stronger than CN, while also being less toxic (Sanford 1976). Nevertheless, it is important to note that there is a lack of transparency regarding what exact components are in a tear gas cannister or grenade. More often than not, tear gas manufacturers fail to provide sufficient information on non-active ingredients and chemical concentrations (Haar et al. 2017). As Levy and Wilcken have found, 'in many cases it is difficult to even know what precise chemical cocktail is inside a tear gas canister, and whether or how its safety has been tested prior to sale' (2020, 1). Additionally, tear gas can become expired, making its use after such date even more dangerous. Following expiration, the tear gas may no longer be in accordance with up-to-date safety regulations and the cannisters or grenades themselves can become faulty, which can lead to further injury and fires (Feigenbaum 2015).

Alongside the employment of expired tear gas, the misuse and abuse of this chemical agent by law enforcement officials is widespread. As outlined by Amnesty International,

> 'tear gas may only be used in situations of more generalized violence for the purpose of dispersing a crowd, and only when all other means have failed to contain the violence. It may only be used when people have the opportunity to disperse and not when they are in a confined space or where roads or other routes of escape are blocked. People must be warned that these means will be used, and they must be

allowed to disperse. Cartridges with chemical irritants may never be fired directly at any person. If used, repeated or prolonged exposure should be avoided' (2020c, 1).

Tear gas should also not be used in excessive quantities, against peaceful protesters, or on vulnerable groups (Amnesty International 2020c). However, the reality is that the misuse and abuse of tear gas, as will be made evident in this thesis, are extensive.

There are two key provisions that pertain to the use of tear gas by police forces. The first is the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which was set out by the United Nations in 1990. This document states that 'the development and deployment of non-lethal incapacitating weapons should be carefully evaluated in order to minimize the risk of endangering uninvolved persons, and the use of such weapons should be carefully controlled' (1990, 1). However, what constitutes "carefully evaluated" and "carefully controlled" is not specified (Rappert 2003a). Section V of the Basic Principles also notes that:

> 'whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall:
>
> (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
>
> (b) Minimize damage and injury, and respect and preserve human life;
>
> (c) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;
>
> (d) Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment' (1990, 1).

While police officials and officers are meant to subscribe to these guidelines, the document itself is not legally binding. Therefore, its ability to constrain or reduce police violence in practice is limited (Feigenbaum 2015).

In the years after the United Nations Basic Principles, the Chemical Weapons Convention was drafted and introduced. The Convention, in effect since 1997, was designed to curb the development, production, stockpiling, and deployment of chemical weapons

(Chemical Weapons Convention 1993). Yet, tear gas again escaped legal constraint. The reasons behind how and why this happened will be explored in the chapters that follow. Nonetheless, it is important to note that although tear gas is banned in warfare under the Convention, it is permitted for 'law enforcement including domestic riot control purposes' (ibid., 1). In the lead up to this Convention, tear gas was increasingly deployed, specifically for protest policing, in various parts of the world. Previously, particularly during the 1960s in Western nations, law enforcement primarily employed an "escalated force" response, meaning that officers 'relied on ever-increasing amounts of force to disperse protesters and break up demonstrations' (Gillham and Noakes 2007, 342). The 1960s were characterized by global instability, with various types of protests occurring around the world, ranging from peaceful to those of a more militant nature (Norman 2017). Protests carried out by those who were poor, young, or racialized were often met with police violence (Wood 2020). Physical modes of political expression, specifically through protests, were still largely regarded as illegitimate - even by democratic governments. Consequently, it was commonplace for the police to wreak pain through tear gas but also more violent methods of suppression including bullets and beatings (Gillham et al. 2013).

As various scholars (Gillham and Noakes 2007; McPhail et al. 1998; Soule and Davenport 2009) have found, attitudes toward protests progressively changed in several Western democracies from the mid-1970s to the late 1990s. This led to the popularization of a "negotiated management" style where law enforcement implemented less overtly violent strategies, such as protest permits and containment, to control crowds. More of an effort was also made to open channels of communication between officers and demonstrators. However, after the 1999 Seattle protests and the attacks of September 11, 2001, a more hostile approach known as "strategic incapacitation" emerged, especially within the United States (Gillham 2011; Wood 2014). "Strategic incapacitation" involves mass police presence, surveillance,

preventative arrests, and the widespread use of "non-lethal" weapons as 'the pendulum has swung back towards a harsher climate of policing' (Baker 2008, 20).

Over the years, with increasing militarization of policing and growing social unrest, widespread demands to more ethically, yet effectively, control domestic populations emerged (Anaïs 2011). Media advancements throughout the 1980s played an important role by facilitating the continuous stream of news instantaneously around the world, known as the "CNN effect." The "CNN effect" connected foreign governments and people on an unprecedented level, which devolved into a public relations struggle (Gillham and Noakes 2007; Norman 2017). With the media's ability to broadcast conflicts to a larger, international audience, those within law enforcement were under increased pressure to maintain a humane and legitimate public image. Governments, including democratic ones, were more attuned to the exposure they faced and the new norms that were expected, particularly when it came to using excessive or violent force against civilians (Enemark 2008; Singh 1998). The combination of media exposure and calls for less civilian harm within democratic politics led a number of law enforcement agencies to rely more heavily on "non-lethal" weapons, such as tear gas (Chenoweth 2020; Lewer and Feakin 2001).

Especially in democratic states, the preservation of a positive image - one that respected civilian life, necessitated minimal collateral damage, and opposed human suffering - became even more imperative (Singh 1998). "Non-lethal" weapons were increasingly deployed as they circumvented many of the legal and ethical obstacles typically involved with traditional methods of force (Anaïs 2011; Nieuwenhuis 2016). In contrast to other popular "non" or less-lethal weapons such as tasers, rubber bullets, or water cannons, the more media-friendly character of tear gas resides in its invisibility and intangibility (Feigenbaum 2015). As Feigenbaum argues, 'tear gas evaporates from the scene … its damage promised to be so much less pronounced on the surface of the skin or in the lens of

the camera' (2017, 17). Once tear gas is discharged into the air, the window of visibility, appearing like a cloud of smoke, is short. Tear gas is most commonly deployed through sprays, cannisters, or grenades and can cover an area of up to 300 square meters (dependent on wind speed, wind direction, weather conditions, and building structures) (Feigenbaum and Kanngieser 2015; Rothenberg et al. 2016). This weapon, unlike many others, operates in an aimless and unexclusive fashion (Haar et al. 2018). Therefore, the intention of teargassing is 'to indiscriminately assault a large number of different bodies' (Nieuwenhuis 2015, 1). Unable to differentiate between protesters and bystanders, the vulnerable and the healthy, or the violent and the peaceful, everyone in the vicinity is affected by tear gas (Dakwar 2018).

Constituting around 25% of the less-lethal weapons industry (Flanagan 2020), tear gas is one of the 'most attractive segment[s] in the market' (Transparency Market Research 2015, 33). 'Shielded from public view, sealed in secret files, and buried behind the paywalls of export databases, tear gas sales continue to grow, largely unregulated' (Feigenbaum 2017, 78). From ISPRA (Israel) and Combined Systems Inc. (United States) to Condor Non-Lethal Technologies (Brazil), Rheinmetall Denel Munitions (Germany / South Africa), and SAE Alsetex (France), the production of tear gas (retailing at $20 - $30 per cannister) is extensive. Over the past few years, countries including Turkey, Pakistan, India, China, and South Korea also have become prominent actors and manufacturers in the riot control market. Since there are no legal requirements to document the export, purchase, or deployment of tear gas, its trade and use largely operate in a "grey zone" (Feigenbaum 2017; Levy and Wilcken 2020). As technological advancements including the use of drones and more potent versions of tear gas (CX) progress (Feigenbaum 2017; Haar et al. 2017), the employment of tear gas necessitates thorough examination as 'it is not on the ground of the earth that we can feel the future of politics, but in the very materiality we breathe' (Nieuwenhuis 2016, 514).

This chapter will begin by exploring how tear gas transitioned from wartime to everyday policing and the various ways through which it has been portrayed as benevolent yet effective. This chapter will then discuss the relevant scholarship in order to position this thesis within it and highlight the need for further research. The following sections will look at the contributions this thesis seeks to make to the existing scholarship as well as demonstrating why drawing upon postcolonial theory and focusing on democratic states is valuable to providing a postcolonial critique of tear gas use. This chapter will subsequently outline the research objectives, methodology, and structure of this thesis.

Tear Gas's Transition from a Weapon of War

Although the lachrymatory (tear producing) properties of several chemical compounds were discovered by the latter part of the 19th century (Jackson and Jackson 1935), the onset of World War I brought an important shift in tear gas's trajectory. First used in 1914 by the French against German soldiers, the Battle of the Frontiers would mark the 'birthday of what would become modern tear gas' (Feigenbaum 2014, 1; Jones 1978). This pilot form of tear gas was a product of French chemists' efforts to find an alternative approach to riot control that did not qualify as "projectiles filled with poison gas," which had been banned under the Hague Conventions of 1899. Tear gas was designed to function as both a physical and psychological attack, employed to reduce soldiers' resolve and force them out of the trenches. Now exposed, more lethal action such as artillery fire could easily be used (Feigenbaum 2013 and 2017). Refined by the chemists of "great powers" and rapidly mass produced, tear gas was quickly imbedded into numerous states' weapons arsenal. During this time, however, tear gas was yet to be categorized as "non" or "less" lethal, thus becoming tantamount to other types of chemical weapons (de Larrinaga 2016). As noted by Jones, 'tear gas munitions were therefore the first agents of chemical warfare to be used in World War I'

(1978, 152). But first, how did tear gas, initially 'deployed in war, make it from the trenches to the streets?' (Feigenbaum 2014, 1). It is essential to begin with an understanding of this evolution in order to better contextualize tear gas's continued (and differential) use today.

The transition and subsequent entrenchment of tear gas into domestic policing was initiated even before World War I had finished. With troops returning from service, many military officers turned their attention to security at home. General Amos Fries, chief of the United States Army's Chemical Warfare Service, had a particular interest in reassigning military technology for daily law enforcement and security related operations. International talks to ban chemical weapons were already in progress at this time (Feigenbaum 2017). Interestingly, what would culminate into the Geneva Protocol of 1925 was lobbied against by Fries' allies in the United States Senate, and the Protocol would remain unratified until 1975 (Spelling 2016; Spiers 2006). An additional challenge to Fries was the opposition he faced from the Department of War, which wanted to disband the Chemical Warfare Service. Therefore, the service had to establish the necessity of its research and existence outside of war to government officials as well as the American public (Jones 1978; Stockholm International Peace Research Institute 1971). Fries, recognizing the jeopardy that the Chemical Warfare Service and his post-war career were in, formulated a plan. He hoped to profit from the United States military's existing zeal for chemical weapons advancement during World War I and thus transition tear gas from a weapon of war to a policing instrument. Fries, with the help of other invested military veterans, began establishing a commercial market for tear gas (Feigenbaum 2017). This effort required a powerful public relations campaign that could 'turn tear gas from a toxic weapon into a "harmless" tool for repressing dissent' (ibid., 16).

Through a carefully cultivated team of politicians, scientists, writers, and publicists, a multimedia movement with the objective of endorsing and marketing "war gases for peace

time use" was born. From articles in trade magazines to brochures to radio speeches, the potentials offered by tear gas, especially to police, quickly pervaded society and public discourse. These various forms of advertisement meticulously and cleverly balanced marketing the power of tear gas against assuring humane effects (Feigenbaum 2017). One popular article declared that 'it is easier for man to maintain morale in the face of bullets than in the presence of invisible gas,' and also noted that 'there are many instances on record in which tear gas could have been used with a consequent saving of human life' (Fries 1928, 1083). Distinct from other weapons such as firearms, tear gas 'appear[s] to be admirably suited to the purpose of isolating the individual from the mob spirit' as 'under such conditions an army disintegrates and a mob ceases to be; it becomes a blind stampede to get away from the source of torture' (Knappen 1921, 702). Tear gas, portrayed as 'innocuous and efficacious as the family slipper' (Knappen 1921, 703), was crafted as an ethical tool for police use.

Another influential publication was a sales brochure for Lake Erie Chemical Company, a prominent United States based chemical weapons manufacturer of the time. Advertised as 'an irresistible blast of blinding, choking pain,' wherein 'no permanent injury is possible,' Lake Erie's tear gas assured prospective buyers that it 'does not come under law prohibiting possession of dangerous and deadly weapons' (Feigenbaum 2015, 108). Lake Erie exploited the lack of regulation regarding tear gas for marketing purposes, contributing to its transition from a weapon of war to a piece of law enforcement equipment (Feigenbaum 2015). Both the Lake Erie Chemical Company and Federal Laboratories, another American chemical manufacturer, would become the biggest players in the tear gas industry for decades to come (Jones 1978).

General Fries and his campaign's influence did not stop there. As it was crucial to garner the support of law enforcement, a demonstration was held in Philadelphia,

Pennsylvania. In July of 1921, 200 members of the city's police force were invited to experience the impact of tear gas first-hand. Alongside officers, various news and media outlets were also brought in to report on the demonstration (Feigenbaum 2017). A *New York Times* reporter recounted how 'the effectiveness of tear gas as a mob dispeller received the emphatic endorsement of 200 stalwart Philadelphia policemen today after the gas had thrice sent them into hasty and wet-eyed retreat during an official test' (1921, 1). Philadelphia police force's 'battalion of huskiest men … with instructions to capture six men who were armed with 150 tear gas bombs,' were repeatedly 'driven back, weeping violently as they came within range of the charged vapor' (ibid.). As noted by police officers who later spoke to *The New York Times*, the Philadelphia demonstration 'undoubtedly proved the value of tear gas in police work' (ibid.).

Accordingly, the intention of capturing the law enforcement sector's interest was accomplished. Following the event in Philadelphia, the city's police force approved the use of tear gas and agreed to partake in training courses. After the training courses, Philadelphia's city council decided to allocate $2,500 in funds towards buying tear gas (Jones 1978). Throughout the 1920s and into the 1930s, there was a sharp increase in tear gas production, as it became a sought-after commodity not only amongst police departments across the country but also prisons, private security corporations, and the National Guard (Feigenbaum 2017). At the end of 1923, more than 600 police departments across the United States had been armed with tear gas (*The New York Times* 1923). Fries' public relations campaign had succeeded in creating a market that integrated tear gas, now perceived as harmless within public imagination, into everyday policing. As such, police forces, governments, and militaries alike were empowered to deploy tear gas for crowd control purposes while still maintaining an ethical public image (Feigenbaum 2017).

Although successfully marketing to law enforcement and security sectors, Fries and his team anticipated challenges from those who might not have been entirely convinced by the campaign's narrative. Counterarguments, in the defense of tear gas, were thus manufactured by distorting medical findings. To address health concerns, Fries' team made several unfounded claims, including that tear gas led to one-twelfth the deaths of those resulting from bullets and that there was no legitimate evidence that tear gas caused irreversible damage (Feigenbaum 2017). Furthermore, veterans who had likely experienced tear gas during World War I were depicted by Fries' team to be an 'imposter' hoping 'to claim gassing as the reason for his wanting War Sick benefits from the government' (ibid., 17). The knowledge surrounding tear gas was also misrepresented by academics who helped promote its profitable commercial market (de Larrinaga 2016). One such example can be found in Seth Wiard's work titled "Chemical Warfare Munitions for Law Enforcement Agencies" (1935). Within his article, Wiard notes that 'a person may feel that he has been so badly gassed that he is about to die' (1935, 443) but maintains that 'tear gas is no longer the terrifying agency that it was once considered to be' (ibid., 440) and even 'represents a very humane method of dealing with unruly mobs and crowds of civilians … with a minimum amount of personal injury and also with a minimum amount of undesirable publicity' (ibid., 439). Although an employee at Lake Erie Chemical Company, Wiard published the article under his affiliation with Northwestern University - his previous employer (de Larrinaga 2016).

With the proliferation of tear gas underway, the formation of the Himsworth Committee provided yet another public relations opportunity. The Himsworth Committee, a team of medical experts led by Sir Harold Himsworth, was assigned to investigate the use of tear gas during the Derry riots in Northern Ireland (Rappert 2003a). Longstanding conflict between Protestants and Catholics, or more generally unionists and nationalists, boiled over

in August of 1969. In an attempt to regain control over the Bogside, the Royal Ulster Constabulary acquired and deployed tear gas. The gassing of residents lasted for 36 hours, signifying the first deployment of tear gas against civilians in the United Kingdom (Balmer et al. 2018; Feigenbaum 2017). The importance of this event will be further discussed in Chapter 3. In 1971, the Himsworth Committee's report concluded that tear gas 'should be more akin to that from which we regard the effects of a drug than to that from which we might regard a weapon' (Balmer et al. 2018, 107). Considered to be more similar to a drug, the safety of tear gas was arguably all but explicitly endorsed. Furthermore, tear gas's distinction from other weapons, particularly chemical weapons, was further solidified (Feigenbaum 2015).

However, the legitimacy of the Himsworth Committee was questionable. Though meant to be independent, and portrayed as such, minutes from the committee meetings reveal that every member had an association with the military (Feigenbaum 2013). This lack of objectivity is further evidenced by the omission of certain results, which indicated the potential dangers of tear gas, from the published report (Balmer et al. 2018). Therefore, one can conclude that the Committee was not tasked with conveying the facts but rather with catering towards a particular agenda - one that necessitated the corroboration of tear gas's supposed safety. As Feigenbaum argues, 'business interests, alongside military and government interests in maintaining social control proved much more powerful than doctors' records and human rights testimony' (2015, 107). Providing the principal defense for the use and proliferation of tear gas, the report's conclusion remained the prevailing stance within public policy (Feigenbaum 2015). By the 1990s, tear gas was 'strapped to the equipment belts of security and law enforcement officers' (ibid., 107) and continues to be a popular tool today.

Literature Overview

Despite the significant role tear gas has played in policing over the decades, much of the existing literature lumps it into broader conversations regarding "non-lethal" weapons. Thus, an exploration and discussion of the relevant scholarship is important to positioning this thesis. Additionally, in doing so, the need for further research in certain areas, which this thesis seeks to help address, becomes more apparent. "Non-lethal" weapons are described as 'weapons, devices, and munitions that are explicitly designed and primarily employed to incapacitate personnel or material while minimising fatalities, permanent injury to personnel, and undesired damage to property and the environment' (United States Department of Defense 1996, 2). Prominent examples include, but are not limited to, lasers, pepper spray, rubber bullets, tear gas, "skunk," long-range acoustic devices, water cannons, tasers, and sticky foam. The existing scholarship on "non-lethal" weapons grapples with a variety of different issues, such as their ethics, acceptability, legality, proliferation, and effectiveness both inside as well as outside theatres of war (Anaïs 2011; Enemark 2008; Fidler 2001 and 2005; Lewer and Feakin 2001; Lewer et al. 2001; McNab and Scott 2009; Rappert and Wright 2000; Singh 1998). In particular, Brian Rappert (2001a, 2001b, 2003a, 2003b, 2003c, 2004, 2007) and Neil Davison (2006, 2007a, 2007b, 2009) wrote extensively on "non-lethal" weapons at a time when the technology and debates were still relatively new. Furthermore, Davison has worked alongside Nick Lewer on numerous reports for the Bradford Non-Lethal Weapons Research Project (2003, 2004a, 2004b, 2005, 2006). This project was located at Bradford University as a part of the Centre for Conflict Resolution. Nick Lewer (1997 and 1998) and Tobias Feakin (2001) also published reports for this project that investigated the development, complications, and potential future of these weapons.

Scholars, both advocates and sceptics, generally agree that there is some value to the deployment of "non-lethal" weapons. Nonetheless, opinions diverge when it comes to

whether the benefits of this technology outweigh the risks. The current literature has shared concerns pertaining to the misuse, malfunction, abuse, proportionality, and discrimination of these types of weapons. More specifically, the concerns relate to the degree to which "non-lethal" weapons pose a danger or challenge to human rights, modes of policing and use of force, sanctity of civil liberties, and existing international conventions (Davison 2009; Enemark 2008; Feakin 2001; Lewer and Feakin 2001; Mandel 2004; Rappert 2001b, 2003b, 2004, 2007; Rappert and Wright 2000). While not pacifists per se, these scholars see 'good reasons for a healthy scepticism about the ultimate usefulness' (Rappert 2003b, 22) of these weapons. New frameworks have been offered in an effort to better represent the challenges and potential solutions to some of the concerns surrounding "non-lethal" weapon use. For example, Fidler (2001) outlines three possible perspectives for "non-lethal" weapons' place within international law, and Kaurin (2010) defends an ethical framework that could be applied to this technology. Furthermore, Rappert (2004) proposes a more holistic and rigorous way to assess "non-lethal" weapons. These scholars not only recognize the obstacles "non-lethal" weapons present but also have helped provide a better understanding of their place alongside conventional weapons.

One of the most predominant scholars in the discussions of "non-lethal" weapons and human rights abuses is Steve Wright (1991, 1999, 2001), former Director of the Omega Research Foundation. In his works, he argues that there is 'still a criminal lack of imagination in understanding the human rights implications' (2001, 223) and notes that 'for all this seductive rhetoric, so-called "non-lethal" arms have the potential to increase the level of violence' (1999, 1). Thus, Wright warns that violence can occur at a lower threat threshold. He raised worries that are just as much, if not more, relevant today as they were at the time of writing, such as "non-lethal" weapons' complicity in the militarization of the police, public coercion, human rights abuses, and political repression (Wright 1991, 1999, 2001). Of the

opposing view is John B. Alexander, a former United States army colonel and vocal supporter of these types of weapons. In contrast to many of the other scholars who acknowledge both the dangers and benefits of "non-lethal" weapons, Alexander is unique in the decisiveness of his stance. Even those such as Koplow (2005, 2006, 2009, 2015), who focuses on the promise of these weapons, still advise thorough evaluation and caution. Conversely, Alexander believes that opponents employ 'erroneous and emotional arguments' (2001a, 188). He also argues that technology itself is not dangerous and considers those apprehensive about "non-lethal" technologies being weaponized against civilians as 'conspiracy theorists' (Alexander 2001b, 68). Despite varying positions, much of the existing literature comes to the three same conclusions: that "non-lethal" weapons are not a panacea, are part of the future, and can cause death. Within these discussions, however, tear gas is one component, or weapon, within a larger and broader context. While the existing literature is incredibly valuable in providing a comprehensive and detailed analysis of "non-lethal" weapons, the attention towards tear gas as a specific technology is minimal. A greater focus on tear gas is important as its historical as well as contemporary uses shape global politics and orders.

In my review, I found that the literature that more explicitly evaluates tear gas can be generally categorized into three groups: medical, advocacy, and historical. Studies within the field of medicine, which examine the health impacts of tear gas and its harm to the body, have expanded relatively recently. They discuss common side effects of tear gas as well as its links to miscarriage, brain injury, severe respiratory damage, blindness, and death. Several medical professionals have warned against the indiscriminate use of tear gas and found that certain groups, such as the elderly, young children, or those with existing respiratory issues, are more vulnerable to its effects (Alhillo et al. 2018; Haar 2018; Haar et al. 2017; Hon et al. 2020; Menezes et al. 2016; Rothenberg et al. 2016; Sanford 1976; Torgrimson-Ojerio et al.

2021; Tsang et al. 2020). The consensus amongst this growing literature is that tear gas is vulnerable to abuse, comes with high risks, should not be considered safe, and requires more extensive research. As Rohini Haar and colleagues urge, the use of chemical irritants 'as crowd-control weapons must be considered in the broader context of human rights, public safety, use of force, and law enforcement practices necessary' (Haar et al. 2017, 11).

Another branch of the literature relating more directly to tear gas involves the work of non-governmental and independent research bodies. Amnesty International in collaboration with Omega Research Foundation (2014, 2015, 2017, 2018, 2020), Physicians for Human Rights (Sollom et al. 2012; Haar and Iacopino 2018; Hampton et al. 2020), and other similar organizations have published works that bring awareness to the deployment, trade, and health effects of tear gas in an effort to campaign for policy change. A few years ago, Amnesty International launched a website entitled "Tear Gas: An Investigation" to shed light on and to keep track of tear gas misuse across the globe (2020c). Lastly is the literature which accounts for the historical development of tear gas (Feigenbaum 2013, 2014, 2015, 2017; Jones 1978; Linstrum 2019; Shoul 2008; Spelling 2016; Spiers 1983; Waldren 2013). While limited in number, these scholars have provided a detailed account of tear gas's history, including its refinement, incorporation into states' weapons arsenal, acceptance by governments, and deployment within various colonial territories.

One of the most comprehensive understandings of tear gas to date is presented by Anna Feigenbaum's *Tear Gas: From the Battlefields of WWI to the Streets of Today* (2017). This book chronicles, through primary and archival work, tear gas's transition to the weapon we know now - looking at various instances in which it has been used for repression, how it has been modernized, and the role of commercial markets. Feigenbaum begins with the use of tear gas in World War I, followed by an in-depth analysis of the development of a commercial market, specifically within the United States, that facilitated this weapon's rise in

popularity. Feigenbaum then provides an account of the adaptation and deployment of tear gas in British colonial territories as well as its subsequent use for riot control in the United States, specifically Selma, Chicago, and Berkley, during protests throughout the 1960s. The text then turns to formation and legacy of the Himsworth Committee, followed by the deployment of tear gas for protest policing in different cities since the 1981 Toxteth riots. She ends with an exploration into the global riot control industry, which profits from social control and political repression, as well as means for resistance. Thus, this book is essential to realizing the historical development and role of tear gas over the past century. This thesis will expand upon Feigenbaum's rich account by focusing on the importance of discourse, representation, and identity in making certain groups more "acceptable" targets for teargassing.

Another influential work for this thesis is Miguel de Larrinaga's "(Non)-lethality and War: Tear Gas as a Weapon of Governmental Intervention" (2016). Within the article, de Larrinaga uses Sloterdijk's (2009a and 2009b) theory of "atmoterrorism" alongside Foucault's (2003 and 2004) conceptualization of biopolitics and war to argue that tear gas, accompanied by an imperial history, is a technology of governmentality. With tear gas 'gradually brought into the orbit of rationalities and technologies of government' (de Larrinaga 2016, 530), he stresses the importance of appreciating this weapon's capacity to shape and continue certain modes of governance, both on a domestic and international level. However, as de Larrinaga's work takes the form of solely an article, there is the opportunity to explore tear gas's relationship to biopower and traditionally distinct zones in greater detail. Therefore, this thesis will build upon and offer a practical application of de Larrinaga's theorizations, specifically through the case studies of Black Lives Matter demonstrators, civilians in Kashmir, and refugees in Calais, to illustrate tear gas's influence over various orders in action. Through working on this project, I aim to join a small, but much needed,

group of scholarship that emphasizes the importance of tear gas's history. However, this thesis will also go beyond the exiting literature to examine the ways in which tear gas's differential use is rendered possible.

<u>Research Question and Contribution</u>

The central research question of this thesis is: How have democracies used tear gas differentially as a means for disciplining and policing marginalized populations domestically? And in what ways can insights from postcolonialism aid our understanding of how the use of tear gas on certain groups has been rendered possible? Accordingly, the objective of this thesis is to provide a postcolonial critique of tear gas use. In other words, this work will demonstrate the importance for the repressive use of tear gas, specifically within democratic states, to be explained by the identities, histories, and representations of those targeted for state violence. In answering this original research question, the main argument is that the deployment of tear gas by state power, particularly to discipline "othered" populations, cannot be fully understood within a contemporary context but rather by the past. While the existing literature on tear gas is invaluable, little scholarly attention has been given to explaining how the function of this weapon today, specifically against certain (frequently dehumanized) groups of people, has been shaped. The politics of tear gas must be placed within a specific context that acknowledges that those targeted are not just people or crowds but specific bodies whose identities have rendered violence against them "justifiable." Hence, this thesis seeks to foreground a new perspective through which to assess and understand the repressive deployment of tear gas against marginalized bodies within democratic states.

Through drawing upon insights from postcolonialism, this research will demonstrate the kinds of populations that are teargassed and why it is important to understand how historical experiences, representations, and discourses are relevant. This thesis will reveal and

examine the themes that sit behind these histories by drawing upon the literature on empire as well as the literature on tear gas. This project contributes to a small but important body of scholarship that looks at the widespread and problematic use of tear gas, whilst offering a new theoretical lens through which teargassing can be evaluated. This project, though related to Feigenbaum's in that is also seeks to bridge tear gas's colonial past with the present, takes a different approach. Specifically, this thesis focuses on engaging with postcolonialism to show the ways in which various democracies' use of tear gas against circumscribed ("othered") populations is facilitated, legitimized, and normalized. Additionally, this thesis takes inspiration from de Larrinaga with regard to how Foucault's conceptualization of war and biopolitics apply to tear gas - as a tool of governmentality that blurs the spheres of domestic/international, military/police, and war/peace. The thesis uses the existing literature, including that of Feigenbaum and de Larrinaga, as a springboard to contribute an original investigation into how colonial structures and racialized logics influence the deployment of tear gas on marginalized, "othered" populations in more recent years.

The selection and comparison of three case studies for this thesis offer a unique opportunity to not only discuss the differential use of tear gas, as a mechanism for control, but also to consider the role dehumanization and "othering" have had in making the use of tear gas on particular populations more likely. These three cases are Black Lives Matter demonstrators in the United States, civilians in Indian-administered Kashmir, and non-European refugees in Calais. The focus of the metropolitan protest site (Black Lives Matter), the occupied site (Kashmir), and the border site (Calais) will highlight the contours and boundaries of dehumanization that render certain groups more teargassable than others. The groups in question here are policed bodies, occupied bodies, and displaced bodies respectively. These populations, and specifically their teargassing, have yet to be analyzed together. In doing so, it will become clear that earlier histories and their legacies perpetuate

systems of domination that not only further exclude and marginalize particular groups but also legitimize their suppression through teargassing. While these cases are not exhaustive, they are exemplars of and demonstrate the range of instances where tear gas has been extensively used to facilitate control over those perceived as less desirable. For example, in the summer of 2020 alone, over 100 cities holding Black Lives Matter protests were teargassed (Lai et al. 2020), and in 2016, 63% of Calais refugees reported having been exposed to tear gas every day or multiple times a week (Cotterill et al. 2016). As for Kashmiris, more than 100,000 tear gas shells were detonated on their streets as well as in hospitals and homes over the course of 2016 (Jammu Kashmir Coalition of Civil Society 2016; Nabi 2021). Constructed as inferior and/or threatening to state power based on factors such as race, religion, or political ideology, identity categories and their discursive biopolitical mechanisms enable the deployment of tear gas on some but not others. This is not to say that tear gas is not used on other groups, but these specific case studies highlight the various ways in which this weapon, with its colonial roots and biopolitical function, is deployed.

Furthermore, the selection and examination of both new and old as well as Western and non-Western democracies within this thesis facilitates a greater, novel discussion of how the routine, often punitive, use of tear gas by this type of political regime (regardless of age or location) aids in governing and repressing those "threatening" or "inferior." Hence, the history, the sense in which negative discourse has emerged, the particular sense in which discourse has been weaponized against the "other," the widespread deployment of tear gas, and the differing thresholds for this state-sanctioned violence will be explored in detail within each case study. Through these cases, this thesis will focus on both the Global North and Global South, which are not often examined together. Assessing the instrumentality of tear gas within these different contexts brings to light a rich set of social interactions in relation to

the state, power, and the citizen. Tear gas is far from being a benign technological development and can instead be viewed as a vehicle for exerting political control. The institutionalization and normalization of tear gas is continuing to set a dangerous precedent for the future of warfare, international human rights, global health, civil rights, and policing. Therefore, how tear gas has contributed to the militarization of society and empowered state authorities to incapacitate groups that are perceived as uncivilized, problematic, or threatening should be assessed. Tear gas has and will change modes of governance, especially as it pertains to those already marginalized, making it imperative to analyze this weapon's differential use by democratic states.

A Postcolonial Project

Postcolonialism will have an important role in this thesis and provide a lens through which to understand tear gas use. It is essential to note that the use of "postcolonial" is not to suggest a temporal shift to "after colonialism" but rather to denote the mechanisms by which colonial encounters continue to shape the modern world (Kaul 2008 and 2019a). Through the deconstruction and examination of various concepts including nationalism, power, race, subjectivity, empire, language, and identity, postcolonial theory offers a means of highlighting how contemporary times are informed by colonial histories (Bhabha 1994; Said 1978 and 1993; Spivak 1988; Young 2001). Postcolonialism also helps reveal how the process of "othering" rationalizes different forms of state-sanctioned violence and that the "colonial" world, alongside its logics and hierarchies, is not limited to distant places. Furthermore, this theoretical approach is valuable in that it emphasizes the significance and salience of certain structures or concepts, such as race or empire (Chakrabarty 2000; Mamdani 1996; Scott 1995 and 1999). Therefore, postcolonialism is vital to appreciating tear gas as a tool of governance that's use cannot be explained by the present alone.

This thesis, through focusing on tear gas, will tap into and contribute towards a strand of existing scholarship that studies the relationship between postcoloniality and technologies of violence. One of the most prominent and extensive examples of this specific literature is that on drones. Numerous scholars (Afxentiou 2018; Baggiarini 2015; Blakeley 2018; Emery and Brunstetter 2015; Espinoza 2018; Feldman 2011; Kaplan 2018; Munro 2015; Neocleous 2013 and 2014; Satia 2014; Shaw 2013 and 2016; Wall and Monahan 2011) have drawn parallels between colonial practices and the contemporary use of drones, especially by Western powers during the "War on Terror." Similarly, there is also rich scholarship that traces the continuity of torture and detention (Blakeley 2007; Blakeley and Raphael 2017; Khalili 2010 and 2012; Newsinger 2001; Rejali 2007), both a violent exercise of power, from colonialism into the present. From Algeria to Palestine to Northern Ireland, such tactics of counterinsurgency have been used throughout the decades to reinforce foreign authority and control. This thesis seeks to progress this field of study by providing a postcolonial critique of tear gas use which examines its deployment by Western and non-Western democracies as well as against different marginalized groups.

Postcolonial theory is vital to this work because it allows for an assessment of the ways in which tear gas and empire are connected. By tracing the evolution of colonial structures and power dynamics, how tear gas continues to facilitate domination over "othered" groups and support particular forms of governance are revealed. Drawing upon insights from postcolonialism allows not only for a new understanding of the repressive function of tear gas but also how it has enabled a modality of organizing state violence against certain populations. Thus, using a postcolonial lens, accompanied by themes such as race, identity, and empire, history as it relates to tear gas will be reinscribed. Similarities between the purpose of teargassing, as a mechanism for control, in modern society and in colonial territories will also be drawn. With an understanding that colonialism is not fixed or

frozen, the ways these logics, power dynamics, and dehumanizing discourses inform the contemporary, differential use of tear gas become clearer. This thesis focuses on the marginalized populations that are teargassed and why it is necessary to consider their respective histories and representations. As a postcolonial project, the ways in which various democratic states' use of tear gas against "othered" groups is facilitated, rationalized, and normalized will be explored.

A Closer Look at Democracies

This thesis focuses on democracies, including the United States, India, and France, for three main reasons: the higher expectations as it pertains to state-sanctioned repression, the consequences on citizens' rights (usually constitutionally protected), and the legitimizing effect this type of regime has on the acceptability of tear gas's use. The relationship between democracy, violence, and repression is one that is complex. In theory, 'violence is anathema to [democracy's] spirit and substance (Keane 2004, 1). As Schwarzmantel notes though, 'the democratic state, like any other, uses violence when necessary to maintain itself' (2010, 217), highlighting that violence and democracy are not antithetical. In fact, cases such as the American Civil War, the Dutch Revolt, and the French Revolution demonstrate how the violent histories of several democratic states have facilitated their very formation. In other words, through these conflicts and the destruction of the existing political orders, democracy could emerge (Moore Jr. 1968; Ross 2004). Thus, violence is arguably 'internal and not incidental or extraneous to democracy's theory' (Holston 2008, 273). South Africa, Mexico, and India are also examples of the way in which democracy, including in the Global South, and violence can be mutually constitutive (von Holdt 2014). From colonial rule to arms trade with authoritarian regimes to police brutality and policies of torture, many democracies,

especially Western ones, are complicit in or are constituted by violence (Ramsay 2010; Ross 2004).

Similarly, repression is another fundamental component of democratic states' conduct. Northern, or Western, democracies are not an exception and, in fact, have a long history in this practice (Blakeley 2007). While the concept of a "domestic democratic peace" (Davenport 2004 and 2007), where democracies exert less repressive behavior, is commonly recited, other scholars argue that this relationship is more complex and not necessarily one with a negative linear correlation (Gartner and Regan 1996; Regan and Henderson 2002; White and White 1995). Nevertheless, a relationship between democracy and repression exists and because democratic states necessitate a higher degree of legitimacy for repressive activities, they 'must come up with subtler ways to maintain social control' (Boykoff 2007, 303). "Non-lethal" weapons, including tear gas, offer a less obvious or direct manner through which to exercise socio-political control. By providing an option that is between no force and lethal force, these kinds of weapons appear more measured and acceptable to the public but are not neutral (Rappert 2001a). In turn, seemingly humane modes of population management become increasingly used to legitimize violence and repression by democracies (Kordela 2016). Repression technology makes the targeting and subsequent suppression of dissidents or challengers to the status quo easier. Numerous democracies, unable to refrain from these particular weapons and technologies nor the promises they hold, have implemented them for repressive purposes (Wright 1991).

The use of violence and repression on marginalized groups by democratic states is of particular importance to this thesis. In many cases, these marginalized populations have fewer rights and are dehumanized, lowering the threshold for and legitimizing violence. Democratic systems often demonstrate little, or less, restraint in the use of repression and violence against those who marginalized compared to those that are not. Those that are indigenous,

unemployed, poor, racialized, or otherwise disenfranchised become more "acceptable" targets (White and Perrone 2005). The exercise of violence and repression by democracies is informed by a longer history in which "othered" bodies experienced brutality and domination at the hands of colonial powers. The widespread torture of Algerians, the advocacy for the use of poisoned gas within Mandatory Iraq, and the formation of concentration camps in South Africa all exemplify how democracies are strongly linked to force, especially as it relates to those who are perceived as lesser (Kaul 2010). On a domestic level, democracies have frequently mistreated, harmed, and controlled those whose identities have rendered them "inferior" or a challenge to the state, including Black Americans, Kashmiris, and non-European refugees. This thesis provides a unique opportunity to assess in-depth the teargassing of the policed, occupied, and displaced as well as the role identity, history, and discourse play in legitimizing this type of state violence. As will be demonstrated, the targeting of each of these groups for repression via teargassing, within three different democracies, is facilitated and rationalized by their dehumanization.

Research Objectives and Methodology

This thesis seeks to examine the ways in which tear gas is differentially used upon certain kinds of populations by democratic states. This research has two main objectives: (1) to provide a history of tear gas, through a postcolonial lens, in order to show different time periods' significance in shaping modern day forms of governance, and (2) to analyze the cases of Black Lives Matter, Kashmir, and Calais in order to demonstrate how the use of tear gas, specifically to support the political management of certain populations, is made possible within democratic states. To do so, this work adopts an interpretivist approach, largely relying on various academic sources and non-governmental reports. The core principle of interpretivism is 'to work with these subjective meanings already there in the social world;

that is to acknowledge their existence, to reconstruct them, to understand them' (Goldkuhl 2012, 138). Positioned as the counter to positivism, with interpretivism 'facts are not established through objective experience or reason, but are known through perception and representation' (Knotter 2022, 630). Opting for an interpretivist approach enables better engagement with political and social concepts that are more difficult to measure in an objective or scientific manner (Bevir and Rhodes 2016; Mason 1996). This thesis will investigate how colonial histories and legacies inform the contemporary deployment of tear gas by democracies through interpreting as well as drawing upon existing literature. One limitation that must be acknowledged is the potential for bias as individuals may interpret information or data in different ways (Knotter 2022).

This research will also use a mixed-method technique, meaning that both qualitative and quantitative data are studied, thus combining the benefits of both these methodological approaches. The strengths of qualitative data include the collection of rich data and the opportunity for a more in-depth inquiry into subjects that are more difficult to empirically measure. On the other hand, the strengths of quantitative data are that it is more generalizable and objective (Choy 2014; Morgan 2014). Though both qualitative and quantitative data will be presented, the former will be more predominant. The evaluation of qualitative data is most appropriate for this thesis as the objective is to gain insight into and critically assess democratic states' use of tear gas upon marginalized groups. At the same time, quantitative data (in the form of numbers of injuries, deaths, and cannisters or grenades deployed) will be used to support the main arguments. Since governments are not required to report or record such statistics (Norman 2017), this thesis will incorporate the findings of non-governmental organizations such as Amnesty International, Refugee Rights Europe, Human Rights Observers, Human Rights Watch, and Jammu Kashmir Coalition of Civil Society. Interviews

from secondary sources will also be incorporated to allow for a more personal account of tear gas use and its effects on those targeted.

Three case studies that embody various forms of "othering" will be analyzed. There are many benefits associated with case studies including the ability to explore an issue in-depth, explain multifaceted social phenomena, and provide insight into the human experience (Flyvbjerg 2006; Gillham 2000; Yin 2009). Each case will look at the way in which tear gas is rationalized and used under three different, yet similar circumstances - against peaceful protesters (disciplining policed bodies), those being occupied (disciplining occupied bodies), and non-European refugees (disciplining displaced bodies). While providing a diverse set of examples, each case demonstrates how teargassing, which helps govern and further dehumanize those at a range of sites, has been facilitated. Finding empirics pertaining to the use, injuries, or even deaths from tear gas remains challenging as there is a lack of transparency on the part of governments and police forces. Reporting such instances or statistics has fallen under the purview of news outlets and non-governmental organizations, as opposed to more official accounts from governmental institutions. Having spent time researching drones, specifically the United States drone programme in Pakistan's tribal areas, I was initially interested in the topic of tear gas because of the frequent news coverage it was receiving at the time. Upon looking into and researching tear gas a bit further, the continuing debate as to whether or not it is a chemical weapon, its ability to toxify the air people need to breathe, the groups upon which it is typically deployed, and the asymmetric power its use gives law enforcement piqued my curiosity even more.

Thesis Structure

Having explored the background of tear gas, its effects, and the environment in which it developed, the next chapter will draw upon insights from postcolonialism to further

investigate tear gas's relationship with empire as well as the mechanisms that enable marginalized or "othered" groups to be disciplined via atmospheric violence. Arguing that the function and use of tear gas cannot be understood isolated from colonial realities, postcolonialism becomes a necessary framework to explore the salience of themes including race, representation, identity, and power. This chapter will work to deconstruct boundaries between the "civilized" and "uncivilized" that have been maintained through the process of "othering," law relating to the international and domestic spheres, policing and war within the metropole and colonial spheres, and the biopolitical perpetuation of "us" versus "them." By using tear gas as a vehicle, colonial logics, racialized hierarchies, and systems of repression are revealed to be operational. Tear gas remains a tool of governance that is often employed against "othered" bodies. The exercise of political power through teargassing, specifically over particular groups in the modern era, is informed by a longer history and thus should be viewed through a postcolonial lens.

Next, this thesis will provide a reinscribed history of the evolving use of tear gas, specifically during the 20th century. By bringing together the history of tear gas and insights from postcolonialism, this chapter will show how the threshold of those categorized as "uncivilized" shifted in response to changes in "threats" to state power. Tracing this weapon's movement from the colonial to metropolitan sphere, this chapter will also explore the ways in which tear gas has supported certain systems of governance and power structures over the years. By picking up on a certain way tear gas has been used, and against whom, prominent examples of its deployment against "othered" bodies - both foreign and domestic - will be assessed to show how this form of atmospheric violence is an exercise of domination. From Hawaii to India and Paris to Toxteth, various identity categories ranging from race to political ideology have rendered certain groups more "acceptable" targets for teargassing by

authority. Tear gas, as a tool that facilitates control, became routine in many parts of the world and worked to repress certain populations under a variety of circumstances.

The following chapter will focus on the employment of tear gas against Black Lives Matter protests in the United States. This case study has been chosen not only for its significance and contemporary nature but also because it exemplifies the sanctioning of violence upon those opposing the current racial order, in which Black Americans continue to be subjected to brutality and inequality. As such, this chapter will highlight how tear gas has been extensively used between 2014 and 2020 to discipline Black Lives Matter protesters across the country. By drawing upon postcolonial insights, this chapter will argue that colonial, racialized power structures, hierarchies, and logics influence the deployment of this weapon on Black Americans and those protesting in solidarity with Black advancement. Through exploring the historical policing and "othering" of Black Americans, alongside how Black Lives Matter protesters have been portrayed and treated, the routinized deployment of tear gas at various metropolitan protest sites in the United States can be understood as part of a longer process of dehumanization. This chapter will use tear gas as a vehicle to bridge the colonial era with modern day as well as demonstrate the continued marginalization of Black bodies.

The second case study chapter will center around the use of tear gas by Indian security forces in the region of Kashmir since 2008. The decision to concentrate on Indian-administered Kashmir is motivated by the regular, intense violence committed against its civilian population with the intention of facilitating the Indian government's expansionist pursuits. Kashmir is also one of the most militarized places in the world where human rights violations, injury, and death are widespread. Accordingly, the chapter will show how tear gas has been repeatedly deployed by Indian authorities to manage and further dehumanize this occupied population. This chapter will engage with a postcolonial framework to argue that

earlier histories remain salient and that these legacies cannot be separated from the way Kashmiris, including those residing within the capital of Srinagar, are teargassed. Through examining the policing and history of Kashmir, the "othering" of occupied bodies, and the portrayal along with the treatment of Kashmiris, the systematic use of tear gas by security officials is revealed to occur within a larger colonialist paradigm underpinned by the dehumanization of this population. By focusing on tear gas, this chapter will connect historical experiences with contemporary realities in order to illustrate the domination over and disempowerment of Kashmiris.

The last chapter will explore the deployment of tear gas by French law enforcement officials within and around the "Jungle" between 2015 and 2023. Having existed as one of the largest refugee camps in Europe, Calais was selected as a site of inquiry given its notoriety as well as the inhumane treatment (including teargassing by police) experienced by one of the world's most vulnerable populations. Calais was also chosen as it demonstrates the frequency and intensity in which those who have been displaced are on the receiving end of racialized state violence. Therefore, this chapter will shed light on the ways that tear gas, as a tool of repression, has been utilized on non-European refugees in a punitive manner. This chapter will continue to draw from postcolonial theory in order to argue that colonial dynamics and rationalities have relevance and inform the use of tear gas on refugees who seek safety within Europe's borders. Through assessing the history of policing in Calais, the "othering" of refugee bodies, and the portrayal as well as treatment of those seeking refuge in Calais, the recurrent, often unprovoked deployment of tear gas by French officers is seen as taking place within a greater system that has long dehumanized and marginalized this group. This chapter will use tear gas as a mechanism to draw continuities between the past and present in addition to highlight the "undesirability" of non-European refugees.

Finally, the conclusion will provide an opportunity for reflection on the postcolonial critique of tear gas use that this thesis has provided. The teargassing of "othered" groups, as a means of disciplining and policing, has been shaped, facilitated, and legitimized by colonial, racialized legacies. First a weapon of war that was then used in a racialized manner within the colonies to suppress dissent, tear gas remains a tool of repression. This chapter will highlight the contributions this thesis has sought to make and the importance of using insights from postcolonialism to understand how tear gas is differentially deployed within democracies. Through doing so, the ways in which particular populations, specifically Black Lives Matter demonstrators, Kashmiri civilians, and refugees in Calais, are rendered "acceptable" targets for teargassing become clearer. This chapter also provides various recommendations for how to limit the use of tear gas, in order to protect human and civil rights, as well as discusses areas for further study. As many democratic governments continue to rely heavily on tear gas, the lack of oversight and policies makes it crucial to scrutinize this weapon's deployment. Tear gas should be viewed as mechanism for political control and not as a benign technology. In concluding, it is expressed that as tear gas continues to alter modes of governance, particularly of certain "undesirable" groups, the insights this thesis offer are important to bringing the differential and repressive use of this weapon to light.

Chapter 2: A Postcolonial Critique of Tear Gas

<u>Introduction</u>

The reliance on tear gas for the disciplining of "othered" bodies raises many questions surrounding the themes of race, identity, biopolitics, law, and war. As the use of tear gas in the modern era cannot be divorced from the past, postcolonial insights will be drawn upon to further explore this technology's relationship to that of empire. A new wave of critical thinking emerged in the 1980s following the independence of previously colonized territories. From Edward Said (1978) to Gayatri Spivak (1988) to Homi Bhabha (1994), intellectuals from various backgrounds worked to give a voice back to those who had long been objects of domination and confined to peripheral understandings of world politics. Through challenging and reinscribing Eurocentric narratives as they relate to history, experiences, and discursive traditions, those occupying the "South" or "subaltern" became the focus of this scholarship. Nonetheless, postcolonialism is not a temporal departure from the colonial era but rather seeks to assess the manners by which social, political, and economic power structures from colonialism endure. Examining and deconstructing significant concepts including identity, race, empire, language, power, subjectivity, ethnicity, and nationalism, postcolonialism helps shed light on how the present is informed by violent and exploitative histories (Abrahamsen 2007; Bhambra 2014; Childs and Williams 1996; Mishra and Hodge 2005; Young 2012 and 2015).

As colonialism should not be treated as an event of the past, postcolonialism, having been 'concerned with interrogating the interrelated histories of violence, domination, inequality, and injustice,' aims to 'reconstruct Western knowledge formations, reorient ethical norms, [and] turn the power structures of the world upside down' (Young 2012, 20). Through engaging with postcolonial theory, history can be reinscribed as the parallels

between the use of tear gas in modern society and in colonial territories are analyzed. Not only highlighting that history is not over as colonial legacies persist into the present, postcolonial theory helps to explain the continued instrumentality of the process of "othering" as an exclusionary practice that has legitimized state-sanctioned violence. Furthermore, drawing upon postcolonial insights throughout this thesis will show that the concept of "colonial" is not contained to far-away lands but also has been transposed much closer to home, bringing with it certain logics and hierarchies. Lastly, this theoretical approach's ability to bring attention to the significance of particular structures and terms such as race, which continue to have salience (Ashcroft et al. 1989; Chakrabarty 2000; Mamdani 1996; Said 1993; Scott 1995, 1999, 2004; Young 1990 and 2001), makes it essential to understanding how tear gas operates as a tool of governance.

On a more fundamental level, postcolonialism breaks down the conventional dichotomy between the historical and contemporary. This chapter will further use this theoretical framework as it relates to tear gas by dissolving the divisions between the "civilized" and "barbaric" that have been perpetuated through "othering," law as it pertains to the domestic and international sphere, war and policing between the colonial and metropole, as well as the "us" versus "them" mentality that works through biopolitics. While colonial logics and methods of violence persist, tear gas can be used as a vehicle to understand the exercise of political power over certain populations at various points in time.

To begin, the first section of this chapter will assess the evolution of colonial era discourse and its influence on the employment of tear gas. Informed by the prejudicial beliefs of the colonial era, tear gas continues to uphold divisive binaries between the "civilized" and "uncivilized" which have been reproduced and modified as threats to state power have changed. It is through having a better comprehension of this discourse that its codification on an international level can then be explored. Thus, the second section will analyze the role of

international law, specifically the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925, and the Chemical Weapons Convention, in legitimizing the use of tear gas. Serving the political interests of those with the power to make it, international law remains hierarchical as certain bodies have historically been made vulnerable to atmospheric violence.

With the second section having provided a foundation for which "othering" is enabled, violence is enacted onto the "uncivilized," and law enforcement remains undefined, this chapter will then move to the nature of policing. Accordingly, the third section will explore the relationship between war and policing to understand the way tear gas has blurred the boundary between the two. Perpetuating a state of war on a micro-level, tear gas, originally a military weapon, aids the violent projection of political power over society. Continuing the theme of political power, the last section will assess the dynamic between race, tear gas, and biopolitics to explain how they function collectively to bolster state authority. Tear gas use, as a means to support population management, helps regulate segments of society and reinforce some lives as more worthy than others. Through tracing the evolution of colonial power structures, the manner in which tear gas continues to facilitate control over "othered" bodies illuminates how certain forms of governance have prevailed.

The Evolution of Colonial Era Discourse and its Influence on the Employment of Tear Gas

As this thesis will demonstrate, 'the past comes back not just to haunt, but to structure and drive the contemporary operations of power' (Dillon 2012, 122). Accordingly, racialized discourses from the early 20th century have been entrenched into the way tear gas is used - essentially 'legitimised in the injunction of the distinction between the civilised life of the human Self and the bestial Other' (Nieuwenhuis 2018, 83). As explored by various scholars, including Espinoza (2018), Quijano (2007), and Said (1978), various empires exploited their power on the international stage to manufacture hierarchies and paradigms that positioned the

colonized in direct opposition to ideals of rationality and development. Exemplifying the

consequences of such discourses is that of General Amos Fries. Having spearheaded tear

gas's commercial market in the 1920s, Fries' language held influence over how tear gas

would be used to regulate populations, spaces, and movements around the world. Known for

frequently appealing to white and American "supremacy," one example can be found in a

speech to soldiers where Fries noted how:

> 'The same training that makes for advancement in science, and success in
> manufacture in peace, gives the control of the body that hold the white man to the ring
> line no matter what its terrors. A great deal of this comes because the white man has
> had trained out of him nearly all superstition' (Feigenbaum 2017, 17-18).

Feigenbaum adds that 'it is this training, for Fries, that sets him apart from the "negro" as

well as the "Gurkha and the Moroccan"' (2017, 18). These ideas of racial superiority would

hold particular sway over decisions pertaining to tear gas's deployment abroad. Further

bolstering Fries' arguments was Theo Knappen, who wrote that Fries had, in fact,

> 'given much study to the question of the use of gas and smokes in dealing with mobs
> as well as with savages, and is firmly convinced that as soon as officers of the law and
> colonial administrators have familiarized themselves with gas as a means of
> maintaining order and power there will be such a diminution of violent social
> disorders and savage uprising as to amount to their disappearance' (1921, 702).

> Playing upon the technical capabilities of the United States, chemical weapons were

portrayed as the epitome of modern American knowledge and technology, a clear

embodiment of the nation's primacy (Feigenbaum 2017). Fries, a prominent figure and

staunch advocate of the use of gases, raised the question:

> 'Why should the United States or any other highly civilized country consider giving
> up chemical warfare? To say that its use against savages is not a fair method of
> fighting, because the savages are not equipped with it, is arrant nonsense. No nation
> considers such things today. If they had, our American troops, when fighting the
> Moros in the Philippine islands, would have had to wear the breechclout and use only
> swords and spears' (Fries and West 1921, 435-439).

This argument exemplifies how many empires traditionally associated themselves with, and

consequently justified colonial pursuits on, notions of rationality, objectivity, science, and

innovation. Only the West was seen to possess these qualities, reducing others to a lesser status, as objects of knowledge and domination. These constructions were subjective and worked to produce as well as perpetuate Eurocentric political thought (Quijano 2007; Said 1978). These notions were repeatedly invoked, as later witnessed during a radio broadcast in 1924 where General Fries stated that 'the extent to which chemistry is used can almost be said today to be a barometer of the civilization of a country' (Feigenbaum 2017, 16). From this widely held perspective, "civility" could be quantifiably determined by the chemical capabilities of a nation. Chemical weapons, including tear gas, would thus be representative of the demarcation between those "civilized" and those not. For Fries and others, it was arguably within the rights of the United States and fellow "great" powers to use such advancements to pursue their respective interests.

Racialized rhetoric and representations were not only found within the United States but also across the Atlantic Ocean. An important example is that from Porton Down, Britain's main research laboratory and home to the Chemical Defence Experimental Establishment. In 1956, the Chemical Defence Experimental Establishment made a video to showcase its improved tear gas product. This "informational" video was of a Black man smiling and gesturing while surrounded by what was said to be an older tear gas formula (Linstrum 2019).

(Linstrum 2019, 576)

The tear gas in this film was conveyed as inadequate for managing colonial subjects in Africa and the West Indies, leaving as an official put it, 'their violence and aggressiveness undiminished' (ibid., 575). In response, British scientists developed a more potent and dangerous type of tear gas that would more easily suppress those under colonial rule (Linstrum 2019). The imagery within the Porton Down video is telling, suggesting how Britain would not be challenged by those of an "inferior" status and hence created a new tear gas to exhibit its technological skill. With the Black body portrayed as deviant and defiant, representational practices are not inconsequential as Hall (1997) argues, marking as well as perpetuating "otherness." As race and scientific progress became increasingly entangled, Britain's ability to refine tear gas reinforced its position amongst the "civilized."

Such "race-thinking," defined as 'a kind of thinking about difference among people that in the nineteenth century emerged simultaneously in all western countries' (Arendt 1985, 158), turned racism into the 'the main ideological weapon of imperialistic politics' (ibid., 160). Nonetheless, the racialized stereotypes and rationalities used as justification for colonial activities did not just "emerge" but had rather been designed and maintained by colonizing powers. Exploiting their position of influence within the international sphere, several empires constructed racial hierarchies as a means to legitimize colonial violence abroad. Through the perpetuation of dichotomies, such as "civilized" versus "barbaric" and "advanced" versus "backwards," an "us" versus "them" mentality was cemented. Represented as falling short of human, colonial populations were viewed as objectionable and not deserving of empathy. These fabrications served the interests of the more powerful and worked to underpin racial "supremacy." Consequently, empires succeeded in making the colonized their antithesis. The construction of so-called "knowledge" not only epitomized the uneven exercise of power but also ingrained dehumanizing discourses that are still present today (Espinoza 2018; Quijano

2007; Said 1978). As Hall succinctly notes, 'a discourse produces, through different practices of representation, a form of racialized knowledge of the Other' (1997, 260).

Colonial populations, having been arbitrarily and unilaterally designated as subhuman, were considered acceptable recipients of state-sanctioned atmospheric violence. Left unprotected by international treaties including the Hague Conventions and the Geneva Protocol, the lives of those subjugated by colonial rule were further made vulnerable. As articulated by Mbembe, 'that colonies might be ruled over in absolute lawlessness stems from the racial denial of any common bond between the conqueror and the native . . . in the eyes of the conqueror, savage life is just another form of animal life' (2003, 24). Thus, it is evident that numerous empires exploited these territories' exemption from international law, using tear gas to terrorize, control, and punish populations in often discriminatory ways. Claiming to spread a form of humanitarianism, these empires rationalized their pursuits as an effort to enlighten and better the colonial people (Baggiarini 2015; Nesiah 2017). These so-called "civilizing missions" left certain groups at risk to a disproportionate level of force that was viewed as appropriate for such "savages" (Linstrum 2019; Nesiah 2017).

While the bodies of those residing within "civilized" nations were largely protected and respected, violence operated in a more unfettered manner against those that had been "othered." With the introduction of tear gas into colonial police's weapons arsenal, race and atmospheric violence became increasingly intertwined (Nieuwenhuis 2018). Having been reduced to an expendable and inferior category, entire populations would be made to suffocate under colonial power. Through drawing upon their "civility" as well as technological sophistication, several empires justified their rule and brutality while also reinforcing racial hierarchies (Espinoza 2018). By toxifying the air with tear gas, these empires were able to reassert their authority more easily and maintain a favorable order.

European and other Western empires have historically been, as Churchill noted in

1919, 'strongly in favour of using poisoned gas against uncivilised tribes' (Waldren 2013, 3).

While Churchill was more generally referring to those "inferior" to the white European race,

who represents the 'uncivilised' has evolved. Since the difficulty for state authority at the

time of his writing largely revolved around managing colonial populations overseas, the

challenges then were different than they are now. Consequently, as these challenges

inevitably changed, the boundaries or thresholds of those labelled as subhuman shifted. Still

informed by the discourses of the colonial era, who constitutes a "danger" to the state

includes factors such as political beliefs, race, religion, socio-economic status, and national

identity. Although the target of state-sanctioned violence, more specifically through

teargassing, has come to encompass a broad range of "adversaries," this does not indicate that

a completely new understanding of what it means to be "uncivilized" has been adopted. In

fact, the introduction of tear gas and colonial dichotomies within the metropoles can better be

described as the 'unexpected ruinous backfiring of evil deeds on the doer, of which

imperialist politicians of former generations were so afraid' (Arendt 2003, 271). Arendt's

idea of such "blowback" can be further elaborated by what Foucault terms the "boomerang

effect." As noted by Foucault,

> 'It should never be forgotten that while colonisation, with its techniques and its
> political and juridical weapons, obviously transported European models to other
> continents, it also had a considerable boomerang effect on the mechanisms of power
> in the West, and on the apparatuses, institutions and techniques of power. A whole
> series of colonial models was brought back to the West, and the result was that the
> West could practice something resembling colonisation, or an internal colonialism, on
> itself' (2003, 103).

Accordingly, the power dynamics and mechanisms once used to uphold asymmetric

colonial relationships in foreign territories were transposed closer to home. Originally

developed in Latin America, the most influential work on "internal colonialism" arguably

emerged from the Black nationalist and civil rights movements in the United States

throughout the 1960s and 1970s (Allen 1969; González, 1965; Pinderhughes 2011). "Internal colonialism" is underpinned by the stance that 'colonialism did not end after the West finished claiming foreign land and people for its own' and that 'other forms of spatial and economic exclusion of racial / ethnic underclasses persisted, even *within* Western or westernized nations' (Steinmetz et al. 2017, 70). As Turner (2018) argues, "internal colonialism" combines coloniality of power with war, violence, and broader forms of exploitation to explain how colonizing practices, including the use of racialized discourses, moved in both directions to render certain life less worthy.

However, as Anand (2019) shares while discussing Chinese colonialism of Tibet and Xinjiang, the idea of "internal colonialism" is just a guise for colonialism. The use of a qualifier, in this case "internal," serves to delegitimize the severity of such processes and practices enacted by the state onto groups of people. As the colonial progressively collapsed and merged onto the metropolitan, the states' main focus shifted to their own domestic populations. Representative of the cyclical nature of violence, the experiences of domestic citizens came to parallel those enacted against foreign "savages." The belief or 'comforting illusion that the ''civilized world'' was insulated from the result' (Hull 2005, 332) would prove to be misguided. Through tear gas, the sketching and policing of the boundaries between the "civilized" and "uncivilized" spheres can be better understood. Working to illuminate the continuities of this manifestation of state violence, tear gas contextualizes the ways in which power is projected and governance is maintained in the postcolonial world (de Larrinaga 2016). As spaces of exception were no longer limited to a foreign territory or people, tear gas would be deployed by empires to "civilize" particular segments of their domestic populations.

The traditional dichotomy between the "civilized" and "uncivilized" was challenged as debates over the domestic deployment of tear gas took place. While occurring at different

rates, the binary between the "colonizer" and the "colonized" was increasingly transferred onto the empire's own population. As previously noted by both Espinoza (2018) and Quijano (2007), the racialized hierarchies, constructed under the guise of knowledge, established discourses which continue to inform the present. As the times changed, the existing colonial power structures and the divisions they maintained were adapted. Such discriminations may be classified differently but nonetheless continue to shape power relations that are preferential towards the dominant authority (Quijano 2007). While referring to the United States drone program, many of Espinoza's (2018) arguments resonate with the perpetuation of state violence more broadly and can thus be applied to tear gas use. The colonial custom of relying on a civilization discourse persists and, in this case, works to influence the deployment of tear gas domestically. Marked as dispensable, it becomes clear that the current 'adversarial way of seeing is not accidental; it is designed' (Espinoza 2018, 381).

Informed by a colonial lens, those who are more teargassable are consequently identified and targeted. Therefore, many of the logics and structures manufactured by empires remain operational, as various governments continue to differentially use tear gas. Such rhetoric, while perhaps not always overtly racist within a more contemporary context, still functions to designate specific groups as undesirable, threatening, or inferior. Whether it be those portrayed as championing 'totalitarian communism' (De Gaulle 1968, no page) in France during May 1968 or the residents of Toxteth who lay 'well outside recognised society' (Brown 2009, 78), state power's reliance on and appeal to 'a fictionalized notion of the enemy' (Mbembe 2003, 16) creates a narrative that dehumanizes particular bodies. Working to make criminals of civilians (Feigenbaum 2017), colonial rationalities are preserved and help demarcate the "other." While the code for "civilized" and "uncivilized" has in some ways taken on a new shape or been more subtly disguised, this paradox and its implications are still upheld (Duffield 2007). As tear gas continues to be used to discipline and police

certain groups, new as well as old hierarchies appear. State power, needing to justify atmospheric violence by way of tear gas, redefines the "enemy." As noted by Anaïs, '"threat" populations do not dwell solely in regions of global insecurity . . . but are seemingly capable of sprouting up on home soil and dealing a blow to domestic security' (2011, 547). These "threats" have come to include a variety of identity categories such as class, race, political ideology, nationality, and creed - in effect, encompassing those who may challenge the dominant authority, its interests, or existing orders. As a result, tear gas use remains a means by which to facilitate control over and manage an array of "others."

The Role of International Law in Legitimizing the Use of Tear Gas

International treaties signed during the colonial era, specifically the Hague Conventions and the Geneva Protocol, have served to manufacture lasting hierarchies between certain sets of people or powers. Several intellectuals such as Anghie (2005 and 2006), Bowden (2005), and Price (1995) have examined how the construction of law has not been equitable, having been designed to perpetuate division based on the notion of "civility." Therefore, those residing in particular regions including the Middle East, Africa, and Asia have been often exempted from legal protection in an effort to keep the powerful in power. With colonial territories largely unprotected by international treaties, subjugated populations were frequently teargassed in a racialized and repressive manner. One of the first attempts to limit chemical weapons was the Hague Conventions of 1899 and 1907 in which signatories agreed 'to abstain from the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases' (1899, 1) as well as accept that 'it is especially prohibited … [t]o employ arms, projectiles, or material calculated to cause unnecessary suffering' (1899, Article 23e).

However, the provisions within the Hague Conventions were 'only binding on the Contracting Powers in the case of war between two or more of them' and 'shall cease to be binding from the time when, in a war between the Contracting Powers, a non-Contracting Power joins one of the belligerents' (1899, 251). There was an understanding that 'Contracting Powers' were that of "civilized" nations while 'non-Contracting Powers' were that of the "uncivilized." In other words, to be a "civilized" nation, one must be a signatory of and abide by the Hague Conventions. As such, the Hague Conventions can be credited with helping initiate the hierarchal structure between the colonizers and the colonized, especially as it pertained to the legality of chemical weapons (Price 1995).

Yet, even as these new standards were beginning to emerge, there was a shared belief in the early 20th century that few of the "backwards" nations would rise in rank (Bowden 2005). By defining their own Eurocentric criteria, certain empires could exclude other powers and maintain their dominance. Such efforts demonstrate the ways in which these states were far from passive, carving out spaces that would serve their political interests. This growing sense of supremacy, now codified, is exemplified at this time by Major-General Charles Foulkes of Britain who argued that the deployment of chemical agents in the colonies was justifiable since 'tribesmen are not bound by the Hague Convention and they do not conform to its most elementary rules' (Feigenbaum 2017, 14). Those under colonial rule were perceived as incapable of following the most rudimentary of principles, which had been unilaterally decided as representative of "civility." With certain populations deemed as barbaric and having little to no moral consciousness, a dehumanizing discourse was spread. Consequently, not only were colonial bodies omitted from said protections but also lawfully subjected to state-sanctioned violence.

Following the Hague Conventions and World War I was the Geneva Protocol, an effort to 'do something to bring home to the consciences of mankind that poison gas was not

a form of warfare which civilized nations could tolerate' (United States Senate 1927, 1967). Put forward for signatures in 1925, the Geneva Protocol of the Prohibition for the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare states that 'the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world' and 'agree to extend this prohibition to the use of bacteriological methods of warfare' (1925, 1). Notably, tear gas's status within the Protocol remained ambiguous (Flanagan 2020; Spelling 2016). The importance of the Geneva Protocol in reinforcing the binary of "civilized" versus "uncivilized" is two-fold: the subsequent privation of gas warfare between signatory nations during World War II and the exemption of colonies from its conditions. Firstly, the decrease in and restraint shown towards gas warfare (excluding Nazi Germany) between warring nations during World War II, compared to World War I, served as a further indication of the differences in "civility" between powers. States considered "civilized" had largely abided by the new rules of warfare, resulting in a shared understanding of their "superiority" (Price 1995). Secondly, colonial policing was exempted from the Geneva Protocol as it did not technically constitute a state of war, considered to be between two sovereign nations (Linstrum 2019; Spelling 2016).

By designating sovereignty as exclusive to European or Western states, those outside were consequently excluded (Anghie 2006). Underpinning European interests and privilege, the concept of sovereignty operated at the expense of others who were, in turn, subordinated (Grovogui 2002). In essence, the 'sovereignty doctrine expels the non-European world from its realm, and then proceeds to legitimise the imperialism that resulted in the incorporation of the non-European world into the system of international law' (Anghie 2006, 741). Therefore, to be classified as a legitimate war, the conflict must take place between two sovereign, or more specifically "civilized," states. The significance of the state to the traditional

understanding of war is rooted in the belief that the state itself embodies political morality, order, and unity. Consequently, colonial populations were seen as savages who occupied the anarchic frontier and could not be reasoned with (Mbembe 2003). With non-Europeans having been forced to live outside the domain of law, this division enabled the disparate standards that could be enforced (Anghie 2005 and 2006). For this reason, colonial territories became a place where law and justice ceased, a 'zone where the violence of the state of exception is deemed to operate in the service of "civilization"' (Mbembe 2003, 24). Residing outside the scope of "civilized" order, colonialism instituted a separate zone which was governed by fewer guidelines and measures (Price 1995). Numerous empires took advantage of their more powerful status as violence against colonial bodies operated largely unchecked.

Having categorized colonial territories as an area of exception, their populations were reduced to objects of subjugation and mistreatment (Anghie 2006; Baggiarini 2015). Accordingly, the use of chemical weapons, while unsuitable against the "civilized," was permissible within this sphere. Hence, the chemical weapons taboo that had been institutionalized within and by predominately European powers was far from universal (Price 1995). This norm was instead conditional and flexible as it pertained to the use of chemical weapons against colonial populations. Not restrained by or held to the same standards that would have applied within the realm of "civilized warfare," empires were emboldened. Thus, those deemed to lay beyond the pale of "civilization" were increasingly susceptible to being exposed to chemical weapons (Balfour 2002; Tezcür and Horschig 2020). Such exemptions enabled tear gas's widespread use in colonial territories.

Tear gas was deployed extensively throughout the colonial period. In many ways, tear gas exemplifies how 'human dependency on the air has in early treaties been protected at times of war between "civilised" nations but was exploited as an instrument against the breather during colonialism' (Nieuwenhuis 2018, 78). While certain bodies, more accurately

those predominantly residing within Europe, benefitted from particular protections and rights, colonial populations did not. Instead, the use of tear gas to support exploitative forms of authority and repress dissent became routine. Atmospheric governance, by way of teargassing, operated in a violent fashion within the zones or spheres of "savagery." Making the delineation between who can freely breathe, who can exist within the law, and who can be entitled to their rights is biopolitically and racially motivated (Nieuwenhuis 2018). With one group dehumanized, this "enemy" could justifiably be terrorized and suppressed through the deployment of chemical weapons. Such a discourse worked on a larger scale to fortify a hierarchy within the international sphere that gave higher levels of status and worth to particular groups (Tezcür and Horschig 2020). Therefore, certain lives and populations have historically been safeguarded and their air protected from tear gas, while others regarded as inferior were left exposed.

Many decades later came the Chemical Weapons Convention of 1993. The language contained within the Convention continues to spark debate over the conditions and legality regarding the use of tear gas. While more subtle than the "civilized" versus "uncivilized" dichotomy characteristic of colonialism, particular bodies remain vulnerable as international law continues to bolster the power of one group or authority. Functioning to aid state power, the law continues to sanction violence instead of defending against it. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, known more simply as the Chemical Weapons Convention, 'aims to eliminate an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons by States Parties' (Organisation for the Prohibition of Chemical Weapons 2020, 1). Entering into force in 1997, every state has signed and ratified the treaty except for Israel, Egypt, North Korea, and South Sudan (Arms Control Association 2018). While an important body of international

law, the contents within Article I and Article II are most pertinent to the discussion of tear

gas. First, Article I explicitly states that 'each State Party undertakes not to use riot control

agents as a method of warfare.' Second, section I of Article II outlines that

> '"Chemical Weapons" means the following, together or separately:
>
> (a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;
>
> (b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices;
>
> (c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b).'

Lastly, section IX of Article II asserts that

> '"Purposes Not Prohibited Under this Convention" means:
>
> (a) Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
>
> (b) Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
>
> (c) Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;
>
> (d) Law enforcement including domestic riot control purposes.'

The ban of riot control agents in "warfare" but licensing of its use in "law enforcement" has

been divisive. This decision continues to reside at the heart of the legal debate on tear gas

use.

The obscurity of the language used within the Chemical Weapons Convention has

played a critical role in various nations' ability to exploit the status and function of tear gas

on a domestic level. While the Convention prohibits the use of "riot control agents as a

method of warfare" it does not offer a definition for "law enforcement." Thus, questions

emerge about the distinction between which activities constitute warfare and which constitute law enforcement. However, it must be highlighted that the ambiguity surrounding the use of riot control agents, including tear gas, was intentional. As noted by Crowley (2009) and Dunworth (2012), while many of the states involved acknowledged that there should be an exception of some sort for law enforcement, they differed when it came to what the specifics should be. In fact, having been a point of contention, it was not until the end of negotiations that the parties finally settled on the phrasing that would be used within section IX(d) of Article II.

The United States wanted the American military to be able to continue to use riot control agents and thus did not want them to be categorized as a chemical weapon. In opposition was a considerably large group of states, led by the United Kingdom, that wanted riot control agents prohibited, viewing them as a dangerous loophole. To reach an agreement, Ambassador von Wagner of Germany proposed that riot control agents could be permitted for *law enforcement* but would be banned in *warfare*. Although all parties agreed to these terms, there was a mutual understanding that requests for further clarification of "law enforcement" were not to be made. Not wanting to jeopardize the success of the treaty, what was meant by "law enforcement" was left open to interpretation (Harper 2001). Likewise, the use of the word "including" insinuates that domestic riot control is only one possible situation in which such chemicals can be mobilized for the purposes of law enforcement (Dunworth 2012). In fact, the language of this clause had to be modified from "domestic law enforcement and domestic riot control" to "law enforcement including domestic riot control purposes" before it was eventually accepted (Robinson 2007). Consequently, as Nieuwenhuis (2014 and 2015) points out, officials are given considerable leeway to legally deploy riot control agents in an array of circumstances, under the guise of legitimate law enforcement. This exemption has

empowered nations to wield tear gas as a means of authority and to justify their actions as one of law enforcement rather than as state violence.

The interpretive nature of the Chemical Weapons Convention in relation to tear gas is again exemplified in section I(a) of Article II when "chemical weapons" denote 'toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes.' While chemical agents are permitted for law enforcement, there is no instruction regarding the 'types' or 'quantities' that can be used to serve this objective. Human rights organizations, such as Amnesty International, highlight how those teargassed are frequently subjected to excessive amounts and are even unaware of what concoction of chemicals have been used (Levy and Wilcken 2020). The lack of specificity concerning the types and quantities of tear gas increases the health risks to those breathing it in. Moreover, law enforcement officials are largely free to arbitrarily decide how, and to what extent, tear gas is deployed against the opposition.

As a result of the language contained within the Chemical Weapons Convention, the use of tear gas for law enforcement purposes has essentially escaped legal constraint. Since member states are those that drafted and accepted the treaty, the gaps or loosely articulated regulations were far from an accident. Thus, rather than curtailing tear gas, the ambiguity within this piece of international law resulted instead in the domestic sanctioning of its use. As argued by Nieuwenhuis, this Convention epitomizes the 'failing of international law to protect breathing bodies from gassing assaults conducted by their own governments' (2016, 509). It is ironic that while the lack of legal protection permitted the employment of tear gas against the "uncivilized" during colonialism, it is now the case where the law itself enables use of tear gas against the once protected and "civilized" people. Instead of safeguarding

citizens from state power, the Chemical Weapons Convention has helped facilitate the mistreatment of these same citizens in the name of law enforcement.

Residing in a grey area, the use of tear gas by law enforcement is not regarded in the same way as the use of a typical chemical weapon would be. While chemical weapons were constructed as barbaric and objectionable, a discourse that has been fortified by international law, tear gas has been framed as distinct. Tear gas has eluded what Price (1995) refers to as the "chemical weapons taboo." By perpetuating the fictitious notion that tear gas is a piece of law enforcement equipment and not a chemical weapon, the Convention has permitted tear gas's routine employment in cases of domestic dissent (Feigenbaum 2015 and 2017; Nieuwenhuis 2014 and 2015).

Importantly, the Convention's failure to distinguish between warfare and law enforcement leaves open the question of where the boundary of differentiation lies. The Chemical Weapons Convention has aided in shifting the global narrative away from viewing war and law enforcement 'as two distinct categories waged by armies or police forces' towards the 'growing tendency to see them as two poles of a spectrum with a wide variety of military-like operations in between' (Gross 2009, 90-91). As a result, many are left wondering: 'how can you ban [tear gas] in war but then allow it here?' (Flanagan 2020, 1), as this weapon has increasingly come to occupy an awkward position between the military and police. A looser interpretation of the Chemical Weapons Convention is facilitated by conditions or rules that are specific to and different between states, leaving important questions unanswered as to why tear gas in warfare is bound by more rigorous and clear regulations than the control governments can exercise over their citizens (Taylor 2012). Continuing the colonial tradition of carving out spaces of exception, international law remains hierarchical and serves those with the power to make it. States around the world have

exploited the vague nature of this Convention to help fulfil their political interests, particularly in managing certain segments of their populations.

<u>War and Policing Between the Colonies and Metropoles</u>

The relationship between traditional conceptions of war and modern-day policing must be explored to understand the exercise of violence and reconfiguration of enemy combatant that accompany the use of tear gas. To begin, the idea of war in and of itself will be evaluated in an effort to decolonize conventional theorizations as well as better appreciate the subtleties of its role within contemporary politics. In doing so, war will be looked at not on a large-scale but rather on a micro-level. This is necessary to explain the ways in which the differential deployment of tear gas for law enforcement purposes and the binaries it reproduces perpetuate a state of war. For Barkawi, the process of decolonizing involves 'critiquing the ways in which Eurocentric ideas and historiographies have informed the basic categories of social and political thought' (2016, 199). War predominately has been imagined as an organized, large-scale conflict with a definitive beginning and end where violence is carried out on both sides (Barkawi 2016). In line with more traditional thought, it can be defined 'as sustained, coordinated violence between political organizations' (Levy and Thompson 2011, 3). "Real wars" are typically treated as an event that happens within the West, occurs between nation states, involves armed forces, and causes severe interruption to everyday life. Consequently, other conflicts are reduced to a secondary status. From small wars to insurgencies to uprisings, these clashes are placed in a separate and arguably less notable category (Barkawi 2016). However, war is more nuanced than this thinking allows and should be examined through a less Eurocentric lens, especially when exploring the role of tear gas over the decades.

Through decolonizing the notion of war, as Barkawi (2016) suggests, the role tear gas and other technologies play in shaping and maintaining current orders becomes clearer. To illuminate the connections between the colonial and modern era, colonialism should not be regarded simply as a matter of violence that results from occupation or exploitation but rather a 'situation itself… identical to war' (Hull 2005, 332). By viewing the struggles of colonialism as equivalent to a state of war, the disservice of having conventionally been relegated to a lower-ranking conflict can be overcome. Furthermore, how tear gas - originally a military weapon - has aided several empires throughout history can be traced, highlighting the continuity of its function from one manifestation of war to another. As will be demonstrated in the next chapter, tear gas was used extensively to harm, repress, and govern certain populations across the globe. Becoming a key tool in various states' weapons arsenal, tear gas facilitated conquest over foreign land and people before eventually continuing the war at home.

Drawing upon the writings of Foucault, specifically his theorization of war, is particularly helpful in contextualizing the microcosmic operations of war and its ties to the exercise of political power. Foucault inverts the work of Carl von Clausewitz, a Prussian military theorist, who believed that 'war is nothing but the continuation of policy with other means' (1993, 77). In *Society Must be Defended* he notes:

> 'At this point we can invert Clausewitz's proposition and say that politics is the continuation of war by other means . . . political struggles, these clashes over and with power, these modifications of relations of force – the shifting balances, the reversals – in a political system, all these things must be interpreted as a continuation of war' (Foucault 2003, 15-16).

Foucault continues, arguing that war is 'both the principle and motor of the exercise of political power' and 'what is rumbling away and what is at work beneath political power is essentially and above all a warlike relation' (2003, 17-18). Here, it becomes evident that the mechanism of war is intertwined with the basic fabric of society. In this way, war is not

necessarily a ruinous force but rather responsible for the construction of the social sphere (de Larrinaga 2016). As Jabri remarks, Foucault's analysis provides a deeper level of insight into 'the microcosmic workings of power upon sites that might disrupt the order of society,' so those considered to 'possess such potential come to be subject to practices of surveillance and control' (2006, 56). Accordingly, wars are not isolated to the macro-level, taking shape on a smaller scale within both private and public spaces. War and politics, although operating as two distinct methods, are instruments of biopower (Theophanidis 2013). Different in name, they both serve a similar purpose as pertains to governmentality - that of managing people.

Expanding upon Foucault's thought is the idea of a "matrix of war" (Jabri 2006). For Jabri, this matrix of war constitutes 'a set of diffuse practices, violence, disciplinarity and control that at one and same time target the other typified in cultural and racial terms and instantiate a wider remit of operations that impact upon society as a whole' (2006, 52). Though focusing on the global war against terrorism launched after the events of September 11th, she notes that her re-conception of war can include a variety of other practices from incarceration to surveillance. Further shifting away from traditional understandings of war, this proposed matrix defies the boundaries of temporality and the battlefield (Jabri 2009). The matrix of war consists of both institutional and discursive methods aimed at populations, with the purpose of disciplining as well as dominating. Occurring on various levels, through a range of technologies or processes in a multitude of settings, war is more than a disruption to a state of peace. In fact, embedded into so-called "peaceful order" are elements of war which underpin the very existence of the political and social sphere (Jabri 2006).

With a broader understanding of the concept of war, the line between modern-day policing and warfare is increasingly blurred. For the purposes of this thesis, policing will be defined as the 'acts of governance directed to the production of security' (Johnston 2000, 10). Comprised of certain tools, procedures, institutions, and ways of thinking, the objective of

policing is to implement forceful techniques that safeguard the wellbeing of society (Dubber and Valverde 2006). However, with the frequent employment of coercive and violent methods, law enforcement has adopted a more militarized approach towards the people it is meant to protect. Militarization refers to 'a shift in the sets of practices and tools employed by police agencies, whereby instruments that had traditionally been used in international military conflicts were increasingly used in domestic policing operations' (Anaïs 2011, 545). As a pattern of militarization continues to emerge, becoming engrained into the training and ethos of police forces, ordinary citizens are progressively viewed through the same lens as hostile combatants (Tietz 2016). The 'cross-fertilization of what should be two very different operational cultures' (Wright 2001, 226) leaves the question as to when 'does law enforcement end and a method of warfare begin?' (Dando 2002, 34).

Nevertheless, this 'cross-fertilization' is not just limited to war and law enforcement but can also be applied to the policing of the colonies and metropoles. As Hönke and Müller (2016) note, policing has been shaped by a series of interactions across the globe including that of seemingly marginal regions which have been historically significant in helping to coproduce modern-day practices. Since its inception, the purpose of the police, while serving in the name of law and order, also has been to manage as well as punish those amongst society who jeopardize the status quo (Neocleous 2000). In effect, 'it is through policing that the state shapes and orders society' (ibid., 11). However, the way policing operates today did not develop in an insulated or unilateral manner but is rather informed by the colonial era. It is through this interdependent and reciprocal relationship between the colonies and empires that policing has been shaped (Hönke and Müller 2016). Similarly, the rationale and deployment of tear gas by state authority has too been influenced by transnational relations, resulting in a more violent conduct of domestic policing that parallels the experiences of colonial populations.

The convergence of law enforcement with war, and policing of overseas territories with empire, will be best illustrated by France in 1968 and the United States in 1969. In both these cases, the respective state's domestic response was guided by its activities abroad, those being the Algerian War of Independence (1954-1962) and the Vietnam War (1954-1975). As will be shown in the following chapter, the types of equipment, weapons, and tactics used on city streets were first tested in these wars (Miller 1972; Provenzano 2019). Accordingly, the full-scale wars in Algeria and Vietnam thus appeared on a micro-level at home, as the scenes in Paris and Berkeley mirrored the atmospheric violence inflicted upon foreign adversaries. The implication that ordinary citizens can be regarded or treated in a similar war to enemy combatants serves to support the relationship between political power and microcosmic operations of war.

Having been developed for military purposes and banned in war, tear gas's adaptation by national police forces further contributed to the militarization of society (Feigenbaum 2017). As such, the boundaries separating military and law enforcement as well as peace and war are far from well-defined. While portrayed as a mechanism for ensuring public safety, tear gas instead operates against the said public by way of mass repression (Amnesty International and Omega Research Foundation 2014). Consequently, tear gas initiates what Fanon (1965) terms as "combat breathing." Combat breathing can be understood as 'the mobilisation of the target subject's life energies merely in order to continue to live, to breathe and to survive the exercise of state violence' (Perera and Pugliese 2011, 1). Although contextualized in relation to the colonial state, one can see a similar dynamic of violence play out with the use of tear gas. Tear gas, which creates feelings of pain and suffocation, becomes a means by which to preoccupy the body and therefore curb resistance to state power. As de Larrinaga (2016) argues, tear gas, a technology of war, has and will continue to shape the current order by helping to govern both space and people. The routine and normalized

deployment of tear gas by law enforcement stresses the significance of war-like relations in reinforcing certain power dynamics. Accordingly, tear gas illuminates the permanency of the notion of war in the political and social realm. By tracing war from the colonies back to within the metropole, policing through the use of tear gas has enabled the maintenance of particular projections of violence and power.

The Relationship Between Race, Tear Gas, and Biopolitics

Race has had a continuous role in and influence over political thought, particularly over that derived from the West, 'especially when it comes to imagining the inhumanity of, or rule over, foreign peoples' (Mbembe 2003, 17). Racism is typically understood as the belief that different human groups biologically possess certain attributes or abilities, which is then used to justify the "superiority" of one group over another. In contrast, for theorists such as Foucault, racism is more than an ideology or prejudice, functioning instead as 'a break into the domain of life that is under power's control' (Foucault 2003, 254). His conception is useful because it views racism not just as a discrimination against physical appearance but also as a mechanism of biopolitical government which works to vilify those agents, both within and outside, that put the rest of society at risk (Kelly 2004). While acknowledging that Foucault's work as it relates explicitly to the significance of European colonialism is limited (Nishiyama 2015; Stoler 1995; Su Rasmussen 2011), his analysis of race as it pertains to biopower is essential to understanding tear gas as a tool of governance that functions against "undesirable" or marginalized bodies. Beginning with a conception of racism and its relationship to biopower is needed before one can assess how tear gas is positioned within this web.

In accordance with Foucault's theorization, racism arises at the juncture between disciplinary technologies which target a body and biopolitical technologies which target a

population (Su Rasmussen 2011). On one level, 'racism justifies the death-function in the economy of biopower by appealing to the principle that the death of others makes one biologically stronger insofar as one is a member of a race or a population' (Foucault 2003, 258). While biopower works more broadly to manage a population, racism, particularly "internal racism," acts as 'a way of separating out the groups that exist within a population' (Foucault 2003, 255). This type of racism comprises 'an internal war that defends society against threats born of and in its own body' (Foucault 2003, 216), working to exclude deviant elements from the rest of the population.

On another level, 'the specificity of modern racism… is not bound up with mentalities, ideologies, or the lies of power. It is bound up with the technique of power, with the technology of power' (Foucault 2003, 258). As Denike (2015) argues, Foucault's account of racism possesses a sacrificial theme in which certain lives are forfeited for the sake of others. More than an ideology or belief, racism is used as a 'technology' or 'technique' by states to underpin their sovereign power. Thus, the function of modern racism is two-fold: working within biopower to purify the population while also being a type of governmentality that exists between various kinds of power. The flexible nature of modern racism allows it to work in a biopolitical capacity on behalf of government to manage and "cleanse" groups of people (Foucault 2003; Su Rasmussen 2011). Having provided the foundation for which society and its political rationality are constructed (Nishiyama 2015), the role of tear gas comes into focus.

By placing tear gas at the center of this discussion, its prominent role in bolstering biopolitical governance becomes clear. At its core, 'biopolitics deals with the population, with the population as a political problem' (Foucault 2003, 245). With populations as its target and its deployment sanctioned by the state, tear gas becomes an extension of and vehicle for biopower (de Larrinaga 2016; Theophanidis 2013). Tear gas use, operating as part

of an "apparatus of security," manages populations by 'organizing circulation, to eliminate its dangers, to apportion good from bad circulation, to maximize the good circulation while minimizing the bad' (Foucault 2004, 20). Inherent to the concept of security is the cultivation of an "us" versus "them" discourse that unites one group against a culturally, racially, politically, or religiously threatening "other" (Denike 2015). Whether it be colonial bodies or domestic protesters, state power operates in a similar fashion by prioritizing and preserving one population at the expense of another. Noted by Foucault, 'the death of the other, the death of the bad race, of the inferior race (or the degenerate, or the abnormal) is something that will make life in general healthier' (2003, 255).

Biopolitics in this sense should not be seen as 'simply murder as such, but also every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, quite simply, political death, expulsion, rejection, and so on' (Foucault 2003, 256). While continuing to justify state-sanctioned deaths, biopower also has evolved to include temporary incapacitation through "non-lethal" weapons. These weapons, such as tear gas, are 'informed by a biopolitical impulse' (de Larrinaga 2016, 526) that aims to debilitate rather than kill. Through the dispersion of tear gas into the air, "unhealthy" or "degenerate" elements are suppressed in order to defend the welfare of the rest of society (de Larrinaga 2016). Puar extends Foucault's biopolitics to the concept of the "right to maim," where 'maiming as intentional practice expands biopolitics beyond simply the question of right of death and power over life' (2017, 136). Occupying a unique space between life and death, debilitation provides a third alternative when theorizing the workings of biopolitical control. The "right to maim" has arguably even come to supersede the sovereign's "right to kill." Nevertheless, the debilitation of bodies should not be mistaken for an attempt to respect or preserve life but rather seen as a practice through which populations are monitored and subjugated. By politicizing injury, authority renders some life worthy of health and others

not, continuing to divide as well as devalue (Puar 2017). As opposed to lethal options, tear gas offers a more sophisticated way of governing, one where its violence is more subtle and can be justified upon the state's commitment to a greater purpose.

By toxifying the air that individuals need to survive, state officials are complicit in what Sloterdijk (2009a and 2009b) has termed "atmoterrorism." Essentially, 'this terrorism of the atmosphere is to be understood as a human-made form of quake that turns the enemy's environment into a weapon against them' (Sloterdijk 2009a, 41). For Sloterdijk, 'living organisms, among them humans, simply cannot not breathe, and it is this double negative that is at the heart of atmoterrorism' (2009a, 41), making the victim 'an unwilling accomplice in his own annihilation' (2009b, 23). Subjected to control by an outside force, the line which separates people's bodies from their respective environment becomes blurred. The body, having no choice but to eventually breathe, is forced into its own collapse. By exploiting human dependence on the environment, the air - meant to be an enabler of life - becomes a way in which authority can be coerced (Nieuwenhuis 2016; Sloterdijk 2009a and 2009b). While Sloterdijk writes of "atmoterrorism" as it pertains to lethal gases in war, specifically the German's deployment of chlorine gas in the 1915 Second Battle of Ypres, this idea parallels the purpose of tear gas (de Larrinaga 2016). Thus, the manipulation of the environment to defeat one's enemy during war shares similarities with how governance is exercised today. Tear gas use politicizes the atmosphere in order to facilitate biopolitical control.

Unique in its ability to extend biopower into the air, tear gas finds further relevance within the concept of "atmospheric policing." Functioning to 'colonize space in ways that other weapons do not,' "atmospheric policing" involves the use of 'technologies and techniques for controlling populations that are fundamentally predicated on their relationship with air' (Feigenbaum and Kanngieser 2015, 81). While this thesis is explicitly referring to

the deployment of tear gas, "atmospheric policing" is also achieved through weapons such as stun grenades, sonic booms, alarms, loudhailers, or artillery fire. Fundamentally, the atmosphere is efficiently modified into a destructive apparatus for dominance and discipline (Feigenbaum and Kanngieser 2015; Nieuwenhuis 2018). Regulating both space and the people within that space simultaneously, tear gas operates as an extension of a state's biopolitical power. As Nieuwenhuis raises, 'what better weapon to use as a means towards the disciplining of bodies than the boundless air that invisibly floats around us and on which every*body* depends?' (2015, 1). By having tear gas intervene to exploit the fragility of the environment, state power can more easily observe, manage, and punish certain groups within its population.

While the target of atmospheric violence has shifted over the years, the biopolitical purpose of tear gas use, as an extension of state power, remains unchanged. Furthermore, the preference for less-lethal gas holds as true today as it did during colonialism. Although Feigenbaum rightly notes that 'tear gas remains as effective today at demoralizing and dispersing crowds as it was a century ago' (2014, 1), its danger extends beyond this. Tear gas is also used to exploit, discipline, and manage. No longer reserved solely for those under foreign rule, tear gas became an additional conduit of biopower that works on a domestic level. As states continue to sanction the deployment of tear gas, hierarchies designed to maintain authority over particular groups are reproduced and perpetuated. From Selma to Derry, several states inflict atmospheric violence over their "less-desirable" populations.

The introduction of tear gas domestically blurred the line between the zone of the "other" characterized by violence and the zone of the West characterized by law (Linstrum 2019). At this point, a new and redefined target emerged amongst a state's own citizens. This shift is emblematic of General Fries' opinion that American patriotism was 'the protection of our country against any foreign dangers whatsoever, whether it is from aliens outside, or not'

(United States Congress 1935, 2). While speaking on immigration, Fries' sentiment demonstrates how threats to national security do not necessarily lie outside physical territorial borders but can be found within the nation in question itself. This notion is also seen in Foucault's writing where he comments that threats can be 'either external or internal, to the population and for the population' (2003, 256). In this way, tear gas works on a biopolitical level to help eliminate deviant or compromising elements from the rest of the domestic population, under the guise of protecting society as a whole (de Larrinaga 2016).

From the disenfranchised to the poor, certain groups deemed ungovernable in one capacity, or another, come to constitute a threat. Walters' (2004) concept of "domopolitics" is a useful framework in which to understand this securitized approach to the state and the hierarchical levels of citizenship created. Domopolitics 'refers to the government of the state as a *home*' where 'the home as *our* place, where we belong naturally, and where, by definition, others do not' (Walters 2004, 241). The "home" becomes a place to be protected and preserved in the face of 'the danger of a chaotic outside' (Walters 2004, 241). While usually contextualized within the scholarly discussions surrounding migration, "domopolitics" can arguably be applied to other "undesirable" factors that jeopardize the sanctity and security of the "home" from within.

As what are considered threats appear to be ever widening, less-lethal weapons aim to simultaneously manage the economic, political, and social outliers as well as contain the "insecurity" of states (Anaïs 2011). Political lines that are drawn between those allowed to breathe without restraint and those whose breath is tainted by tear gas, maintain the binary notion of "good" and "bad" (Nieuwenhuis 2016; Yildiz 2018). Thus, the ease of which one can breathe becomes representative of their "belonging" and "worthiness." In this way, tear gas has become a mechanism through which states exercise biopower and preserve preferential orders within their borders. However, while the state has unilaterally 'decided

that he [or she] is a criminal, and thus teargassable' (Yildiz 2018, 1) these bodies should not 'be placed beyond the moral community' (Rappert 2004, 37). Not only alarming for the sanctity of life, these divisions between civil and adversary perpetuate false and dangerous portrayals of "otherness" (Anaïs 2011; Baggiarini 2015).

Through creating a narrative that reimagines the enemy, objectionable manifestations of violence against a state's own people are enabled. As Nieuwenhuis (2014, 2015, 2016, 2018) has extensively argued, the ability of tear gas to toxify the atmosphere has cemented its position as a repressive technology. Operating in an often selective manner, the body is forced to surrender to the authority's political will. A reflection of biopolitics, some bodies are gassed while others are left to breathe more freely. Becoming 'a political issue of race, class, gender, but also a subject of discipline, power, [and] knowledge' (Nieuwenhuis 2016, 514), tear gas aids in governing certain groups. Far from a neutral technology, the colonial history of tear gas continues to inform its place within contemporary politics (Linstrum 2019). From civil rights activists to poor veterans, those made vulnerable are vast in number. The use of tear gas continues to be biopolitically determined, excluding and suppressing particular bodies which challenge the status quo.

Conclusion

This chapter has drawn from postcolonialism to demonstrate the continuation of various colonial structures that have allowed states to discipline certain populations through tear gas. The deconstruction of long-held binaries - the "civilized" and "barbaric," domestic law versus international law, war versus policing, and "us" versus "them" - within a postcolonial framework has illuminated the relationship tear gas maintains with empire. By doing so, the significant ways in which this weapon's use perpetuates particular hierarchies, forms of violence, and beliefs are revealed as not a new phenomenon but rather a

reproduction of colonial history within a more contemporary context. The first section explored the evolution of colonial era discourse that still works to construct and inform dehumanizing narratives that rationalize the use of tear gas on the "other." The second section has assessed the function of international law, more specifically the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925, and the Chemical Weapons Convention, in rendering both colonial and later these colonizing powers' own domestic populations vulnerable to atmospheric violence. The third section evaluated the extent to which war and policing have merged as well as how tear gas has enabled the violent exercise of political authority onto society. Lastly, the final section analyzed tear gas's place alongside the concepts of biopolitics and race in addition to its role as an instrument for population management. Through a postcolonial lens, the ideas, binaries, and asymmetric relations established by empires remain operational today, as state power continues its reliance on tear gas to support certain forms of governance. Illustrating the evolution of the traditional relationship between the "colonizer" and "colonized" within a more modern context, tear gas helps support the exercise of control over the "other."

Chapter 3: The Evolving Use of Tear Gas During the 20th Century

<u>Introduction</u>

Established as an important tool for helping exert control, the use of tear gas to underpin state power over certain groups became routine in many parts of the world. Tear gas, having proven its value in maintaining colonial rule abroad, was deployed domestically by several empires and brought with it a new form of population management. As the manners in which tear gas operates cannot be separated from colonial realities, the following chapter will provide a history of tear gas that traces the evolution of its use and extensive acceptability around the world. A reinscribed history is important to demonstrating how the colonial era remains salient and informs various asymmetric power relations. In this case, the reinscribed history pertains to the state-sanctioning of tear gas against marginalized bodies. This chapter will go beyond providing a purely all-encompassing account of this weapon by focusing on prominent examples from the 20th century in order to reveal the ways "othering" has legitimized the employment of tear gas both outside and within the West.

Furthermore, this chapter will also analyze how tear gas has supported certain forms of governance over time, with numerous states inflicting atmospheric violence to repress a range of "inferior" or "threatening" populations through the environment in which they exist. Picking up on particular ways that tear gas has been exercised against specific groups of people, how this chemical agent perpetuates biopower and the hierarchal ordering of lives will be shown. The persistence of distinctive colonial rationalities and structures is unveiled by drawing upon themes from postcolonialism such as race, identity, and subjectivity as they play out in history. Through combining tear gas's history with insights from postcolonial theory, this chapter will examine in what manners the threshold for those regarded as "less civilized" widened as new challenges to state authority emerged.

To start this chapter, the first section will examine early uses of tear gas in a variety of contexts by several nations, including Spain, Italy, Japan, the United States, and Britain, in pursuit of their respective expansionist objectives. This section will begin by looking at Spain, Italy, and Japan, all of which engaged in colonial wars, to show how civilization discourses were invoked as justification for violence as well as tear gas's role alongside more lethal gases. The inclusion of the Rif War (1921-1926), the Second Italo-Ethiopian War (1935-1936), and the Second Sino-Japanese War (1937-1945) as examples is not to say that colonialism itself was not a state of war but that these conflicts were even deemed by Eurocentric standards to be significant enough to be formally classified as such.

Next, the use of tear gas to secure economic interests of empires will be explored by focusing on the United States and its relationship to both Hawaii and the Panama Canal Zone. With control over both these territories benefitting American commercialism and financial welfare, tear gas was utilized when resistance to colonial activities and lasting foreign economic exploitation arose. In line with having been "othered," the deployment of tear gas in Hawaii during the Hilo Massacre of August 1938 and in the Panama Canal Zone in January of 1964 is not acknowledged by history as much as warranted.

Lastly, this section will assess the maintenance of colonial administration by Britain through tear gas. Being one of the largest empires and having acquired power over diverse foreign populations, an analysis of the case of Britain sheds light on the conversations surrounding the adaptation of tear gas within colonial territories, the image of benevolence the nation sought to preserve through scientific development, and the usefulness of this weapon against several opposition groups from women to peaceful protesters.

The second section on the continued use of tear gas domestically will illustrate that colonization did not occur in a vacuum, as the target of state-sanctioned violence motivated by various logics, also came to include empires' own citizens. As objections to authority

evolved over time, the threshold of those categorized as "subhuman" shifted accordingly. Beginning with the use of tear gas by the United States and France to supress economic and revolutionary challenges to the state, left-wing movements were constructed as having been radicalized by Communist ideology, consequently legitimizing the use of tear gas as an appropriate government response. From the "Bonus Army" in 1932 (the first instance of tear gas being used for crowd control purposes within the United States) to the events of May 1968 (one of France's most serious instances of civil unrest) to Sproul Plaza in 1969 (an infamous scene of atmospheric policing in American public memory), parallels to colonial experiences, specifically Algeria and Vietnam, are drawn.

Next, this section will evaluate tear gas's employment in Derry, Northern Ireland, the first site of a civilian gassing within the United Kingdom. The neighborhood in Derry, known as the Bogside, was predominately nationalist and Catholic - the minority (at the time) within a predominately Protestant nation with loyalties to Great Britain. The "Battle of the Bogside" in August of 1969 is regarded as having ignited the decades long conflict commonly referred to as "The Troubles."

Finally, this section will look at the events that unfolded in Selma on March 7, 1965 and in Toxteth on July 6, 1981. In both these cases, one which marked a turning point for the Civil Rights movement and the other the first deployment of tear gas on English soil, predominately Black citizens were subjected to physical as well as atmospheric violence. Constructed as a threat to state authority based on factors ranging from race, religion, socioeconomic status or political ideology, these identity categories and their discursive biopolitical mechanisms enabled the deployment of tear gas on some but not others. The continued use of tear gas for disciplinary purposes demonstrates how "othered" bodies - whether they be foreigners or citizens - share similar experiences of violence, domination, and relegation.

<u>Early Uses of Tear Gas Abroad</u>

The Rif War, the Second Italo-Ethiopian War, and the Second Sino-Japanese War

Cases of atmospheric violence were witnessed in colonial struggles across the world, as several empires were complicit in the deployment of tear gas as a means of subjugation. Early cases include, but are not limited to, Spain in Morocco during the Rif War (1921-1926), Italy in Ethiopia during the Second Italo-Ethiopian War (1935-1936), and Japan in China during the Second Sino-Japanese War (1937-1945). Two common threads emerge in these conflicts: that a lack of "civilization" was used as justification for colonial brutality, and that tear gas was followed by the deployment of lethal gases. For example, in the case of Morocco, the Rif Moors were referred to by Spain's king in the early 1920s as 'malicious beasts' who should undergo 'extermination' (Balfour 2002, 135). Furthermore, an ex-Minister of War wrote to the king in 1921 that 'the Rif Moor is completely irreducible and uncivilized … they recognize no other law but that of their weapons … They despise all the advantages of civilization. They are hermetic to benevolence and fear only punishment. As a race they are made degenerate by the disease of avarice and tuberculosis' (Balfour 2002, 200). Spain decided to incorporate chemical weapons into its military campaign after having been defeated in the Battle of the Annual in 1921 (Balfour 2002).

Evoking sentiments similar to the Spanish king, *The New York Times* in 1935 reported how Italians claimed that 'Ethiopians have repeatedly shown she is not worthy of the rank of a civilized nation' (Price 1995, 97). Italian forces, under Mussolini, first deployed tear gas over the Takkaze Valley of Ethiopia in December of 1935. Nevertheless, the desire to overpower Ethiopia was not new, Italy having attempted its first invasion of the African country in 1887 (Grip and Hart 2009). It is important to note that despite being repeatedly referenced, the notions of "civilized" and "civilization" had been arbitrarily constructed and reinforced. These two examples embody how opposition groups were subjected to violence

because of the colonial powers' belief - one which would continue to inform the use of tear gas by state powers for decades to come - that they possessed inherently different and "barbaric" qualities which necessitated intervention.

In regard to the escalation of violence, while Spain, Italy, and Japan initially deployed tear gas, they all later opted for more deadly chemical weapons. Chemicals such as sulphur mustard, phosgene, and chloropicrin were used after less toxic agents failed to have the desired effects (Sislin 2018). For example, Japan began with tear gas in 1937 against the Chinese, moving to vomiting agents in 1938, then blistering agents in 1939, and finally to mustard gas (Bu 2007; Spiers 1986). The chemical weapons arsenal of Spain and Italy also grew significantly as scientific development intensified (Sislin 2018). As violence and toxicity progressed, the atmosphere was manipulated in order to enforce foreign authority. There was little reservation when it came to the swift acceleration of chemical warfare. Furthermore, minimal regard was shown for the lives of those on the receiving end of these chemical agents, who were considered less than human. Despite variations between these three powers in scientific development, international influence, size of colonial territories, and military strength, there was a shared aspiration to be placed towards the top of the civilization hierarchy. As the international sphere was increasingly divided into the "civilized" and "uncivilized," tear gas, as both a technology and weapon, became equated to supremacy.

The United States, Hawaii, and the Panama Canal Zone

Colonial endeavors and conflicts involving the use of tear gas were also seen by the United States in its pursuits of Hawaii and the Panama Canal Zone. In fact, a memorandum from 1927 reveals that tear gas had been formally authorized for use within these territories on August 14, 1922 (Jones 1978). Although not the only serious case of tear gas deployment

on behalf of the United States, the Hilo Massacre is important to mention as it has been

largely erased from history. The Hilo Massacre, also known as "Bloody Monday," occurred

in 1938 before Hawaii had been given statehood. Despite playing a crucial role in the welfare

of the United States, both native and immigrant workers on the island had been treated 'more

like slaves than free people' who were seen to only 'speak and mumble in undertones'

(Puette 1988, 1). During this time, fiscal power was monopolized by five companies that

operated within Hawaii: Castle & Cooke, C. Brewer, American Factors, Theo Davies, and

Alexander & Baldwin. Workers in Hawaii, feeling frustrated and disempowered, had gone on

several strikes prior to the Hilo Massacre in an attempt to have their voices heard. The

purpose of these strikes, none of which had been particularly successful, was to demand fair

wages, the right to organize, and the end of economic exploitation (Puette 1988).

On August 1, 1938, a group of workers went down to the local docks to hold a

peaceful protest, only to be met with tear gas grenades fired by the police. The crowd,

engulfed by the gas, was also hosed down and fired upon. This action injured a number of

individuals. Given that the United States had established racial blocs and encouraged cultural

strife between the Native Hawaiians, Japanese, Filipino, and Chinese to keep them divided

(Puette 1988), the inter-racial character of the protest is of significance. Regardless of the

nonviolent nature of resistance, the racially and ethnically diverse crowd's perceived status as

inferior and un-American helped serve as justification for law enforcement's response. The

successful dismantling of the protest through tear gas reflected the supremacy of state power

and reinforced an economic order favorable to the United States.

Another not very well publicized instance involving the deployment of tear gas

occurred on January 9, 1964 in the Panama Canal Zone. The Panama Canal Zone had come

under American authority back in 1903 as a result of the Hay-Bunau-Varilla Treaty. This

treaty codified American control over a ten-mile-wide strip of territory in the middle of

Panama that President Roosevelt wanted to convert into a waterway (McPherson 2007). Aware that control over the area would yield substantial economic returns, securing the canal was a victory for the United States as it pertained to its shipping, trading, and commercial interests. Providing new and shorter transportation routes, lucrative markets, including to East Asia, were tapped which enabled the further projection of American power (Mann 2011; Maurer and Yu 2008).

An already contentious relationship between Panama and the United States became even more strained during the 1960s. The United States' main concern was Panama becoming a communist country as had happened with Cuba (Lentz and Gower 2010). Uneasy relations and negative feelings towards American power contributed to the conflict which erupted on January 9, 1964. On this day, a group of Panamanian students crossed into the Panama Canal Zone where Balboa high school was located. The students wanted to fly their nation's flag within the controlled zone. However, the situation quickly escalated as the Panamanians were confronted by American students. During the clash, the Panamanian flag was ripped - the catalyst for what would become a four-day long anti-American riot (McPherson 2007). The Canal Zone police, armed with 100 tear gas cannisters, were unable to contain or suppress the crowd of Panamanians that had gathered. United States troops were then called in, tear gas and rifles in hand (*The New York Times* 1964).

Despite an escalation in violence and the introduction of troops, a Panamanian student declared that 'Panama can withstand the United States and all its atomic bombs' (*The New York Times* 1964, 1). The situation in Panama was viewed less favorably within the United States, as many concurred with Georgia Senator Richard Russell's stance that 'those people down there have had a chip on their shoulders for a long time … We brought them out of the jungles where they were hiding' (Lentz and Gower 2010, 49). Here, a certain primal quality is assigned to the Panamanians, drawing upon the "civilizing mission" that was invoked to

justify colonialism. Consequently, the longstanding discourse about racial differences and the animalistic portrayals of those in the Canal Zone (Flores-Villalobos 2021) were fortified. The riots were seen as representing a lack of appreciation towards the United States which was responsible for "saving" the Panamanians from themselves, managing the native population, and thus elevating the foreign nation's status. The construction of this type of narrative worked to undermine the Panamanian cause and delegitimize their desires for sovereignty and economic control over the Canal Zone. Thus, this population was subsequently teargassed as part of the effort to assert American influence - an effort which was ultimately achieved.

The Maintenance of Colonial Administration by the British Empire

While various colonizing powers had relied on tear gas to maintain their influence for many years, Britain was unique in its slower approach. It is first necessary to understand the reasons behind British reluctance before addressing the eventual incorporation and impact of tear gas in colonial territories. As noted by Waldren (2013), with the gun being the main weapon upon which the British empire had been established and preserved, it was only gradually that tear gas would come to succeed it. From the early 1920s, colonial outposts began to petition the British government for the acquisition of and permission to use tear gas. The success stories of this technology in disrupting and subduing protests within the United States had piqued the interest of colonial administrators. However, despite the public relations campaign spearheaded by General Amos and tear gas's acceptance by other nations, the anti-gas position of the British government remained unchanged for years. At this time, the risks were generally still believed to outweigh the potential benefits for the empire's colonial policing projects (Feigenbaum 2017).

Britain's hesitancy towards adopting tear gas was a consequence of public opinion and political suspicion, the nature of both bureaucracy and protests within London and its colonies, and the technical indifference or ineptitude towards gas development. Following the gas warfare witnessed during World War I, there was concern among politicians over conceivable public criticism towards the use of gas of any kind (Shoul 2008). While chemical weapons were held as a sign of "civilization" by the United States, Britain was not yet of the same opinion (Feigenbaum 2017). In fact, for the British public gas was representative of "barbarism" (Waldren 2013). Having previously condemned the Germans' use of gas during World War I and signed both the Washington Treaty and Geneva Protocol, the British government was in an awkward position (Feigenbaum 2017). As noted by Austen Chamberlain, the Foreign Secretary in 1926, the deployment of gas would be unviable 'till a longer time had elapsed and our charges against Germany were less present in the minds of the public' (Linstrum 2019, 568).

Furthermore, elections and employee turnover rates in London made policymaking more difficult while the feeling of the majority in British government towards riot control placed them at odds with colonial administrators (Feigenbaum 2017; Shoul 2008). Protests within the colonies frequently escalated creating desire amongst officials and police for the option to deploy tear gas. However, London refused these colonial requests on numerous occasions, not believing tear gas to be imperative since the police had alternative, more lethal means to quell dissent (Shoul 2008). Finally, the United Kingdom was years behind other nations, including Germany, France, and the United States, in the development and manufacture of tear gas (Feigenbaum 2017). For example, by this point in time, the United States had already devoted the equivalent of £26,000,000 to further gas research. On the other hand, the United Kingdom's research budget allocation was being reduced (Shoul 2008). For

these reasons, the gun would remain the main weapon used for Britain's colonial activities and occupations.

However, in the late 1920s, Britain's attitude towards tear gas slowly began to change. The success of tear gas's commercial market in the United States had garnered the attention of officials and governments around the world. Additionally, civil unrest within the United States and the way in which it was dealt with by police were of interest to those in British government. The suppression of Depression era strikes, which was reported internationally, showcased the power of tear gas in diminishing the challenge posed by American workers. At this time, this discord was seen to share similarities with the growing discontent felt within Britain's own colonial territories (Linstrum 2019). In a way, the situation within the United States embodied a cautionary tale to Britain on the fragility of order while also highlighting the cruciality of tear gas as a vehicle for biopower.

As United States based companies and marketing campaigns spearheaded the effort, tear gas became more accepted in global discourse as "humane" and a "gift" of modern science. So-called American "experts," accompanied by promotional information, were even sent abroad into British colonies in an attempt to normalize the use of tear gas (Feigenbaum 2017). Furthermore, the introduction of tear gas into Shanghai's police weapons arsenal in 1927, provided for by the United States Marines, strengthened the legitimacy of British colonial administrators' appeals (Feigenbaum 2017; Shoul 2008). While tear gas was not deployed in Shanghai, it was discovered that 'the mere arrival of this highly trained body of men and their disciplined and precise action would, in the great majority of cases, be sufficient to cause the dispersal of the mob' (Feigenbaum 2017, 26). Additionally, by this point in time, Austria and Germany had embraced tear gas for their own national interests. This put additional external and internal pressure on Britain (Shoul 2008).

Throughout the 1920s, administrators continued to pressure the British government for tear gas with little avail (Shoul 2008; Waldren 2013). However, the escalation of colonial protests eventually led to more serious discussions between the Army Council, the War Office, and the Colonial Office. Britain found its colonial authority diminishing as the rise of both nonviolent resistance and the presence of female protestors posed an additional set of organizational and public image challenges (Feigenbaum 2017). Needing to reassert domination without appearing overtly violent on the global stage, Britain eventually, albeit many years after other empires, adopted a stance that was more accepting of tear gas (Feigenbaum 2017; Yildiz 2018). As such, tear gas would come to replace the gun as the choice mechanism for exerting control and underpinning British power. Though, the government made it clear that this repressive tool was reserved for use within the colonies (Linstrum 2019), having no place within the "civilized" nation of Britain itself.

The potential of tear gas to facilitate colonial rule was first realized within India shortly after World War I. The news of the Philadelphia demonstration and tear gas's success in overpowering the city police department had reached Bombay's Commissioner of Police (Shoul 2008). Not only did the demonstration organized by Fries' campaign garner coverage by *The New York Times* and capture the interest of American law enforcement, it reached a global audience. As was the case in the United States, many tear gas advocates in Britain based their arguments on and appealed to prejudicial beliefs. A prime example is that of Brigadier-General Foulkes, a prominent army officer and gas warfare advisor, who argued that 'tribesman habitually murder and mutilate our wounded' and thus whole-heartedly rejected giving 'special consideration to the feelings of such savages' (Spiers 1983, 104) whom he regarded as 'vermin only fit for extermination' (Spiers 1983, 100). While Foulkes was referring to gas warfare more generally, his dehumanizing views were emblematic of those held by several supporters of both tear gas and British empire.

The catalyst for the authorization of tear gas in India was the changing nature of protests which elicited serious consideration regarding alternative means of crowd control (Shoul 2008). Of particular importance was the practice of *satyagraha* (meaning "truth-force"). *Satyagraha* involves a form of nonviolent resistance that includes sit-ins, strikes, and peaceful barricades. As Feigenbaum (2017) mentions, public engagement in *satyagraha* posed a unique challenge to colonial police: to shoot and risk a repeat of the Amritsar massacre, or to stand by and let the resistance to colonial authority succeed. The Amritsar massacre, also referred to by news sources at the time as the "Darkest Stain on British Rule," occurred on April 13, 1919 in Jallianwala Bagh (Associated Press 1919). Having assembled to protest the Rowlatt Act, the crowd was met with ten uninterrupted minutes of rifle-fire. The Rowlatt Act was a piece of imperial legislation that strengthened the power of colonial police to quash the national independence movement. Commanded by Brigadier-General Dyer, his soldiers shot no less than 1,650 bullets at the protesters in this short period of time. 379 Indians died that day, including a baby, while over 1,200 were injured (Collett 2006).

The massacre created a political scandal which shattered Britain's image as a benevolent colonizer. As raised by Colonel Fuller, many wondered if there 'is any imperial benefit gained by shooting down several thousand Hindoos in Amritsar?' (1923, 205). Two observations must be made here. Firstly, Fuller is historically inaccurate. The majority of those killed or injured were Sikhs, not Hindus (Linstrum 2019). Secondly, the Amritsar massacre would be exploited, utilized as "evidence" in support of tear gas. Advocates continued the narrative that tear gas could better uphold Britain's desired appearance while simultaneously enabling the colonizing power to reassert its influence (Feigenbaum 2017). Ultimately, the British government agreed to incorporate atmospheric violence as a tool to maintain its domination. As stated by Waldren (2013), tear gas was authorized in Punjab in 1936. Britain would later authorize tear gas in other cities across India, such as Bombay.

Another key contributor to the adoption of tear gas by the British government, alongside *satyagraha* in India, was the Women's War in Nigeria. Prior to British colonialism, women had a respected and relatively progressive role within native institutions. While not equal, they enjoyed certain economic and political autonomy despite a patrilineal society. Women were involved in political assemblies and rituals, allowed to keep the profits made after selling their crop surplus, participated in women's associations, and largely controlled the regional and local markets. However, with British indirect rule came the establishment of "Warrant Chiefs" which instilled an exploitative, gendered system throughout the area. In essence, "Warrant Chiefs" were Igbo men chosen by the British to represent their respective villages and execute colonial orders. In November of 1929, rumors had spread regarding a new tax that would apply to women. In response to their continued disempowerment, tens of thousands of women rose in protest, endeavoring to remove the "Warrant Chiefs" and the native administration that had been formed (Van Allen 1975). At the time, sources revealed that 'in Nigeria a hostile mob was composed largely of women, and the local troops showed the greatest dislike in firing on the crowd when that course became inevitable' (Feigenbaum 2017, 28). Having shot at numerous women, consequently further damaging the empire's reputation, debate within the British government ensued as to what the best course of action would be (Yildiz 2018).

Tear gas proponents at the time argued that 'if you may use gas on a Hottentot why not on an Igbo' (Feigenbaum 2017, 29). As colonial bodies were homogenized and rendered interchangeable, teargassing emerged as an "appropriate," uniform response to dissent. Moreover, as mentioned by Kaul (2008), "Hottentot" is an offensive term to address people belonging to the khoi-khoin, who are indigenous to Southern Africa. As with India, tear gas would come to be seen as part of the solution to the escalating colonial troubles in Nigeria. Expressing the extent to which this weapon was later employed in the region, Eric Glaisher, a

former Commissioner of Police, shared with London how 'the circumstances in which tear gas was used … were strikes, unruly football crowds, riots by market women and other crowd situations in which feeling ran high … The population of Nigeria were accustomed to the use of tear gas in such situations' (Waldren 2013, 24). Teargassing, a way to punish and repress without appearing openly violent, subsequently became the "new normal" for colonial populations.

The use of tear gas was authorized at varying rates throughout the British empire, including in Palestine in 1933 (Linstrum 2019), followed by Ceylon (present day Sri Lanka) and Northern Rhodesia (present day Zambia) in 1935 (Waldren 2013). Given the centrality of colonial territories' materials to Britain's economy, the use of tear gas in Northern Rhodesia is an example of how external power was upheld when faced with economic dissent. In the case of Northern Rhodesia, as described by Feigenbaum (2017), the British government relied heavily on the natural resources, notably copper, mined from within the country. With the rise of protests and strikes, concern grew amongst both colonial administrators as well as businessmen whose profits depended on the productivity of mining. Pushing for the approval of tear gas by the government, the Army Council argued that 'since our opponents in Oriental countries do not hesitate to torture and murder any of our men whom they may capture, it seems positively ridiculous to boggle at treating them to, say sneezing or lachrymatory gas' (Feigenbaum 2017, 28). Perpetuating the dehumanizing narrative often associated with state-sanctioned violence, justification for the use of tear gas against Zambians and "opponents in Oriental countries" was founded upon their perception as uncivilized.

Although previously approved in 1935, tear gas in Northern Rhodesia was not deployed for crowd control purposes until 1940. On April 3rd, tension between the mine workers and the police boiled over when 3,000 strikers confronted the major mining office in Nkana. The police initially sprayed the crowd with tear gas but quickly resorted to gunfire. In

the end, 67 strikers were maimed and 17 killed (Waldren 2013). Tear gas was later authorized

in Egypt under the condition that 'its use [was] to be avoided in the European quarter'

(Linstrum 2019, 574) and first deployed in Burma in 1939 (Shoul 2008). Those under British

colonial rule were regularly met with tear gas as a method of crowd control, including in

Aden, Basutoland (present day Lesotho), Bermuda, British Guiana (present day Guyana),

Jamaica, Kenya, Mauritius, Swaziland (present day Eswatini), and Trinidad (Linstrum 2019;

Mankoo 2019). In British Guiana alone, a telegram to the Secretary of State for the Colonies

reveals that demonstrators were teargassed 88 separate times between 1963 and 1964

(Linstrum 2019). Likewise, from 1960 to 1965 tear gas was deployed 124 times by the

British colonial police (Stockholm International Peace Research Institute 1971). Although

Britain was initially cautious to adopt tear gas, it became the empire's primary means for

disciplining those residing in overseas territories. As a variety of different logics coalesced -

from a change in protester demographic, to retaining colonial control, to the pressure from

American manufacturers - tear gas became normalized as a modality of state action against

opposition. In turn, the image of Britain as a benevolent ruler and adopter of "humane"

modern science was sustained. Becoming emblematic of the dichotomy between the

"civilized" and "uncivilized," Britain weaponized tear gas and human dependency on the air

to fortify its dominance over the "other."

Continued Use of Tear Gas Domestically

Washington D.C. in 1932, Paris in 1968, and Berkley in 1969

One of the first empires to deploy tear gas against its own population was France.

Having spearheaded the development and refinement of tear gas 'for police suppression of

domestic dissent' (Seigel 2018, 168) prior to World War I, it was quite easily entrenched

within law enforcement's weapons arsenal. As noted by Colonel A. Bertram Soltau, a physician in France at this time, tear gas's popularity was a consequence of there being 'nothing probably more liable to cause panic than the idea of being choked … the dread of being slowly strangled' (Jones 2014, 358). In fact, as soon as 1912, the Paris police were employing an early formula of tear gas against barricaded criminals to force them out into the open. However, it was not too long after that tear gas was deployed on a larger scale for crowd control purposes (Jones 1978). The use of tear gas by the French government in its militarized approach to national governance became well-known around the world. Garnering a reputation throughout Europe and receiving extensive support from police, France became a model for many states on how tear gas could aid law enforcement practices (Stockholm International Peace Research Institute 1971).

Not far behind France, the United States armed its police forces, from Chicago to New York, with tear gas. The 1930s saw a rise in the use of this weapon against political protests, in large part a result of the Great Depression and the widespread economic hardship it created (Feigenbaum 2017). Providing an opportunity to trial the capabilities of tear gas on a broader scale, the first 'practical field test' (Feigenbaum 2014, 1) was carried out in 1932. At the time, a group of American veterans known as the "Bonus Army" had gathered in Washington D.C. to demand distribution of wartime payments (Dickson and Allen 2004). While petitioning Congress for these bonuses, unemployed veterans, accompanied by their wives and children, from all over the country had mobilized and 'set up racially integrated shantytown camps in the midst of a segregated city' (Dickson and Allen 2007, 87). President Herbert Hoover and high-level officials, concerned over the possibility of a revolt, decided to evict the demonstrators. On July 28, 1932, troops armed with bayonets, tear gas, and torches descended on the camp (Dickson and Allen 2004). The tear gas and violence left numerous people injured including two infants asphyxiated (Feigenbaum 2017).

Soldiers wearing gas masks confront veterans on July 28, 1932.
(Vespoli 2020, 1)

This event is significant as it established a precedent for tear gas's future use on American soil as well as against crowds and citizens. Furthermore, the aftermath of July 28th was very different for its victims compared to the businessmen who saw an opportunity for profit. While families were left to suffer, the National Guard's actions boosted the tear gas market (Feigenbaum 2014). Effectively, the successful eviction of veterans demonstrated the value of tear gas and its ability to reinstate order through creating chaos. To mitigate public backlash, the government claimed that the "Bonus Army" was not comprised of poor, patriotic veterans but instead infiltrated by criminals and Communist insurrectionists plotting a revolution. As revealed, the Secret Service, Attorney General's office, Federal Bureau of Investigation, and other government sectors were unable to find evidence that the "Bonus Army" had links to any communist effort (Lisio 1967). Nonetheless, the efficient manner with which tear gas was able to disperse and subdue this "deviant" group became a propaganda tool for police forces, colonial offices, and chemical weapons companies alike (Feigenbaum 2014). It is evident - whether or not there was intelligence that indicated communist influence, which ultimately there was found not to be - that the presence of impoverished veterans camped outside the nation's capital during an economic depression was a point of political insecurity (arguably more so in a symbolic or optic capacity). Hence, there was a concerted effort to appeal to fears of communism in order to delegitimize the "Bonus Army," justify the violence of July 28th that resulted in death and debilitation, and

gain the public's support. By ridding "subversive" elements with the help of tear gas, the government attempted to portray itself as the protector of American values against a dangerous, foreign ideology.

Moving back to France and forward a few decades, tear gas appeared on the nation's streets in May of 1968 during one of the most powerful moments of civil disturbance in French history. What began as a student demonstration at the University of Nanterre on May 3rd gained momentum and became a leftist movement for the masses (Feenberg 1978). From strikes to protests to sit-ins of universities and factories, the nationwide unrest became a force the government did not anticipate. Law enforcement was swiftly deployed, but larger-scale violence erupted not long after (Feenberg and Freedman 2001). The riot police who, noted by *The Guardian* at the time 'were not just called out to contain demonstrators; they were let loose on the population' (1968, 1), contributed to the bloodshed.

Armed with various weapons, not limited to submachine guns, semi-automatic rifles, rubber batons, tear gas, and watercannons, the police as well as the national gendarmerie moved in on the opposition. While surprising to the French public, the state's violent response in 1968 was not a new phenomenon. In fact, much of the equipment and many of the tactics implemented by the police paralleled those used against the Algerians during the War of Independence. From 1954 to 1962, France used the anti-colonial struggle in Algeria as an opportunity to invent and trial several of the same weapons that would later be employed within its own country. For example, a newer variant of tear gas was initially tested in the cities of Constantine, Oran, and Algiers back in 1961. Approximately 40,000 to 45,000 tear gas grenades were used by French law enforcement in Paris alone during the seven weeks of protest (Provenzano 2019).

French protestor with face covering surrounded by tear gas.
(Ward 1968, 1)

Addressing the nation on May 30th, President Charles de Gaulle spoke of the peril France was in, threatened by 'a power that would then obviously and essentially be the power of totalitarian communism' whose 'true colors would be concealed at first, making use of the ambition and hatred of sidelined politicians' (1968, no page). Those involved in the movement were portrayed as adversaries of the state, depicted as a risk to the security and freedoms provided by the French Republic. Consequently, the protests were not regarded as an expression of legitimate grievances but rather as a communist-affiliated force jeopardizing France and its democratic ideals. This narrative, which plays into the fear of communism, is part of a larger framework often used by governments to discredit the opposition, substantiate violence, and reproduce asymmetric power relations.

Despite mounting pressure, de Gaulle did not resign, and little government reform took place once the opposition had been suppressed (Feenberg and Freedman 2001). While falling short of expectations, the events of May 1968 provide greater insight into the ways in which state authority is reinforced when challenged - whether it be by its own citizens or colonial populations. France's response to the domestic unrest echoes that experienced in Algeria. Fearful that a revolution may be imminent, the "chaos" of the colonial world was perceived as starting to collapse on the metropolitan. Having championed for progressive change that was at odds with institutional power, French protesters were subjected to force not unlike that experienced by Algerians - their bodies "othered" by their own government.

Additionally, tear gas was a fundamental component of France's weapons arsenal in these conflicts. Even though France ultimately lost its rule over Algeria, both struggles highlight how tear gas was used on a biopolitical level to suppress groups deemed as a threat. Through toxifying the air, tear gas continued to enable the exercise of political control and uphold power structures that favored the state.

Around the same time the following year, as the Cold War carried on, the continued use and escalation of tear gas was further shaped by the youth-led counterculture movement booming in Berkeley, California. From "hippies" to anti-Vietnam war activists, the area surrounding the university campus had garnered a left-wing, anti-authoritarian reputation. Conflict over the fate of an undeveloped three-acre lot of land owned by the university boiled over in May of 1969. Emerging as a community project, the land was regenerated by locals and students into what became the People's Park (Cash 2010; Dalzell 2019). Yet, what was designed to be a free and unifying space became a point of contention between the public and authorities. On May 15th, by the command of Sheriff Frank Madigan, the police with 'coordination, efficiency, and strength of a minor military assault' (Miller 1972, 443) evicted those sleeping in the park and put up a fence - a response that did not go unnoticed. While initially deploying tear gas on the large crowds that had gathered, Sheriff Madigan and his forces started indiscriminately firing which resulted in 32 gunshot injuries, a blinding, and the death of James Rector. This day became known as "Bloody Thursday" (Cash 2010).

The day of May 20th began quite peacefully with a vigil for James Rector. As law enforcement drove demonstrators from a conflict in another part of Berkley towards Sproul Plaza, ordinary, uninvolved students and faculty members passing through were also confined (Miller 1972). With the exits blocked by police officers, a helicopter then proceeded to release tear gas over the crowd where down below:

> 'Chairs went through the cafeteria windows as the panicked and desperate people
> found themselves choking, coughing, dizzy, vomiting, with skin blistering and eyes

burning, swept in the pandemonium of the droning helicopter and the white gas …
Blind and sick they stumbled, fell, got up, ran, tumbling through the wooded areas of
the north campus with the masked police and their truncheons in pursuit. The effects
of the gas were augmented by police throwing tear gas grenades, which added to the
confusion and pandemonium as well as to the bodily injury of victims' (Miller 1972,
451).

A military grade, National Guard helicopter drops tear gas over Sproul Plaza on May 20,
1969.
(Brown 1969, 1)

What would constitute one of the most infamous scenes from this decade took atmospheric

policing to an unprecedented level (Feigenbaum 2017). Furthermore, the authority's misuse

of power in this situation was far from accidental, as substantiated by the Berkley Police

Department's log. Tear gas not only affected the people directly below but was also swept

into the university's hospital and into the neighboring hills where children were out playing

(Miller 1972).

It is important to point out that it was not the People's Park in and of itself but rather

what it had come to represent which prompted action by local authority. As explained by

Feigenbaum, 'while a community park could seem benign and harmless, it served as a

physical manifestation of the state of California's loss of control over its counterculture'

(2017, 42). She also adds that 'this assertion of autonomy was an outright rejection of the

university and its pursuit of power and profit' (Feigenbaum 2017, 42). Additionally, People's

Park became a more influential grassroots movement than anticipated. Having become a

symbol of community and resistance in Berkeley, both the park and its supporters were to be

dismantled (Cash 2010; Miller 1972). This cause, amassing support from various segments within the public, became increasingly "dangerous" as it drew attention to the university and to the state's weakening influence.

While "Bloody Thursday" had been more obviously violent, causing public uproar and negative media attention, the events of May 20th were approached differently. Located in the center of university life, Sproul Plaza was largely occupied by middle-class, white students. Given the demographic, authorities decided to be more cautious and handle the growing upset in a more optics-friendly, less lethal manner (Feigenbaum 2017). Nevertheless, this "radical" movement in Berkeley posed a threat to the interests of institutional power. Thus, tear gas became the preferred option for regaining control over the situation. By toxifying the air, widespread repression would be accomplished relatively quickly but avoid the more explicit violence witnessed on May 15th.

Following the teargassing of Sproul Plaza, the Governor of California, Ronald Reagan, expressed in a press conference how 'it should be obvious to every Californian that there are those in our midst who are bent on destroying our society and our democracy and they will go to any ends to achieve their purpose—whether it be a so-called park or a college curriculum' (*The California Aggie* 1969, 8). Reagan defended law enforcement's action by portraying the group as subversive. As such, and arguably rather intentionally, the demonstrators became the "enemy" (Feigenbaum 2017) who were actively jeopardizing the welfare of American society. Following a similar narrative to that of Reagan, Sheriff Madigan, who had overseen the police force on "Bloody Thursday," condemned the People's Park movement and blamed the violence that transpired on 'anarchists and revolutionaries' wanting 'to take this form of government down, starting with the educational system and then with law enforcement' (Cash 2010, 21). Not unlike the governments' response to French protesters in May 1968 and the "Bonus Army" in 1932, tear gas against certain

nonconformist bodies was justified on the premise of their affiliation with left-wing radicalism.

The anti-American nature in which the movement was received by state authority is reflected by the force of its response. Recalling his own personal experiences during the 1960s, Eric Davin believed that 'with People's Park it seemed the war really had come home, and students like me were now the Vietnamese, to be gassed and shot by the occupying American army' (2009, 363). Employing the same kind of military grade helicopter and tear gas being used in the Vietnam War (Miller 1972), the violence that unfolded on America's own soil was strikingly similar to that occurring abroad. In Vietnam, American troops were using tear gas, alongside other chemical agents, to force North Vietnamese soldiers out from tunnels or underground bunkers and into the open where they could be fired upon. Tear gas was also responsible for numerous civilian deaths (Gross 2009).

Surrounded by American soldiers, Vietnamese women and children are driven from
hiding with tear gas.
(Van Meter 1966, 1)

Between 1964 and 1971, approximately 10,000,000 kilograms of tear gas was deployed in Vietnam. This weapon had proven vital in simultaneously attacking and terrorizing the North-Vietnamese National Liberation Front during "jungle warfare" (Spelling 2016). Back in the United States, Hannah Arendt commented that 'the recent gas attack on the campus at Berkeley … was laid down while gas-masked Guardsmen stopped anybody and everybody from fleeing the gassed area, is an excellent example of this 'back-lash'

phenomenon' (1970, 54). No longer contained to a foreign adversary, the teargassing scene at Sproul Plaza mirrored that experienced on the battlefield of Vietnam. The People's Park demonstrators and the Northern Vietnamese, having both been categorized as dangers to the preferred order, were subjected to atmospheric violence.

Another parallel to the Berkeley experience can be found across the Atlantic Ocean in France during the unrest of May 1968. The similarity of these cases can be divided into three categories: the states' engagement in activities abroad, the type of group deemed to pose a threat, and the reliance on tear gas. Firstly, both France's involvement in Algeria and the United States' involvement in Vietnam, despite different objectives, had a colonial element to them. As previously discussed and mentioned by Provenzano (2019), many of the weapons and tactics used against the Algerians were later deployed on the French civilian population. Likewise, the use of a helicopter to drop tear gas in Vietnam was the same strategy employed against Sproul Plaza in Berkeley on May 20th (Miller 1972). In this way, the violence both France and the United States were engaged in abroad resurfaced within these states themselves. The full-scale wars in Algeria and Vietnam thus appeared on a micro-level at home - aided by tear gas which militarized national policing - and worked to re-establish a specific order as well as shape society. Secondly, both the May 1968 and the People's Park movements were seen as having a revolutionary element that challenged the current power structures alongside their respective economic interests. As such, the governments' responses were forceful and included "othering" segments of their own populations. Lastly, tear gas played a critical role in the effort to regain control in a swift and determined manner over the opposition, which included both their own citizens and foreign populations.

Derry, Northern Ireland in 1969

Although tear gas resonated with and was welcomed by many governments, including France and the United States, Britain did not view this technology as fondly. In line with the reluctance towards adopting tear gas within its colonial territories overseas, the domestic use of this chemical agent occurred much later. While many British officials saw tear gas as possessing 'a Parisian savour' which was 'uncharacteristic of United Kingdom police operations' (Linstrum 2019, 579), ironically it would be the French who later aided those in the Bogside during what marked the first civilian teargassing in the United Kingdom. The French, having developed certain techniques and methods for resisting the effects of tear gas, were in fact the ones to train the residents of Derry, Northern Ireland in 1969 (Feigenbaum 2017).

As the decolonization of the 1950s and 1960s gathered momentum, Britain's global influence and territorial control began to wane. With little left of the British empire, there was increasing pressure to find a new market for riot control weapons, including tear gas (Spelling 2016; Waldren 2013). Although tear gas had been authorized back in the 1930s for use abroad, it was done so under the assumption that this type of violence would stay contained within the colonies. This decision was not inconsequential, functioning to underpin a racial hierarchy that positioned Europeans at the top. The belief, or perhaps hope, of British officials was that colonial and domestic policing would not intersect, enabling the perpetuation of preferential treatment towards the "civilized."

For example, as previously mentioned by Linstrum (2019), the approval of tear gas in Egypt was on the condition that it was not to be exercised within the European quarter. Additionally, the British had been armed with tear gas during the Arab Revolts from 1936-1939 in Palestine. However, when later confronted with Zionist insurgents in 1944, there was a reluctance by many to employ tear gas. This was articulated in a telegram written by Field Marshal Brooke in which he voiced concern over 'its use against a Jewish, semi-European,

population' (Linstrum 2019, 574). From these two examples, it is clear that there was an effort to insulate those possessing a certain "Europeanness" from the colonial atmospheric violence deemed suitable for the "less civilized." The Home Office even revealed in 1933 and 1935 that, 'there is no reason' to believe that utilizing tear gas in the colonies would affect 'the police position in this country'… since 'fortunately our problems are as a rule not so difficult' (Linstrum 2019, 574). However misguided the notion, there was a shared understanding within British government that the management of their own population was inherently less challenging. Resistance to the authorization of tear gas within the country persisted for quite a while before it collapsed. Eventually, national law enforcement was granted permission to carry and deploy tear gas, becoming a standard component of the policing tools available to them (Waldren 2013).

British policing underwent a fundamental shift towards the end of the 1960s that included tear gas for crowd control purposes. These years brought one of the most serious periods of civil unrest and labor action since the 1920s. Furthermore, the combination of more militant protests, growing racial tension, and the rise of non-white activists put increasing pressure on the approval of repressive, colonial weapons. During the early 1970s, there was widespread government concern over the feeling that Marxist, anticolonial, Black, white, foreign, and metropolitan factions of dissent had become linked (Linstrum 2019). As challenges were perceived to be compounding, the nature of the threat to state power and the general political climate was changing. With mounting public dissatisfaction seen as too dangerous to ignore, tear gas would be crucial in enabling British authority to regain control over "deviant" segments of its population.

Northern Ireland has a long history of political strife between unionists and nationalists. For the purposes of this thesis, the events of August 1969 in Derry, also referred to as Londonderry, are of particular relevance. On the 12th of August, a Protestant society

known as the Apprentice Boys began its annual parade through the city. En route was the Bogside, a nationalist and predominately Catholic neighborhood frustrated by long-lasting housing and employment discrimination, social exclusion, and limited suffrage. In anticipation of sectarian conflict between these two groups, the Derry Citizens Defence Association constructed barricades and supplied stewards to mitigate this prospect (Bew et al. 1979; O'Dochartaigh 1997). What began as stone throwing quickly spiralled into violent clashes in the Bogside. The Royal Ulster Constabulary, accompanied by unionists, were subsequently sent in to subdue the unrest. Lacking the physical manpower to regain control of the area, the Royal Ulster Constabulary used tear gas in the hopes of disorientating and dispersing the crowd. For the next 36 hours, tear gas was released as the conflict carried on. By the end, more than 1,000 tear gas cannisters had been deployed against Bogside residents (McClean 1983; Orbons 2011). Bernadette Devlin, an Irish politician and participant, remembers how 'the whole air was saturated … and we'd not a gas mask between us … so we made do with wet blankets, with cotton wool steeped in vinegar, with handkerchiefs soaked in sodium bicarbonate' (1970, 203). On August 14th, the British Army was sent into Northern Ireland to intervene (BBC 1969).

A young boy wearing a World War II gas mask in the Bogside.
(Limpkin 1972, book cover)

The clashes in Derry, commonly referred to as the "Battle of the Bogside," signify the first mass scale use of tear gas on a civilian population within the United Kingdom. However,

instead of quickly overwhelming the opposition as was intended, tear gas created further aggravation and rallied the Bogside against law enforcement and unionists. Furthermore, the events of August 1969 not only perpetuated insecurity within Northern Ireland but also worked to further entrench tear gas as an arbitrary weapon of repression (Orbons 2011). As noted by a Ministry of Defense official in 1970, such chaos took place 'more often than not in a colonial context' but that 'Northern Ireland has shown, however, that in what purport to be civilized countries demonstrations … can be used by agitators to bring about tumult, riot, and disorder' (Linstrum 2019, 577). Initially used within far-away colonies by the British empire, tear gas had remerged within the mainland (Waldren 2013). Thus, the events in Derry signified the progressive merging of the colonial and the metropolitan spheres. While the United Kingdom, including Northern Ireland, had been considered a "civilized" nation, the introduction of this colonial weapon created a dilemma for this status. The decision to gas the Bogside was significant for two reasons: it emphasized how colonial unrest was not localized and that such opposition to British governance would not be given way to. Therefore, the atmospheric violence carried out by colonial police overseas finally arrived on the empire's shores, piercing what was meant to be the domain of "civilization." Although the teargassing of fellow citizens may seem as if certain populations were no longer afforded special protections, as had largely been the case for Europeans during the colonial era, that was not the reality.

With a long history of tensions, there was differential treatment between Protestant unionists and Catholic nationalists within the borders of Northern Ireland. Catholics at this time felt marginalized on a political, economic, and social level as they constituted the minority within a predominately Protestant nation with loyalties to Great Britain. However, push for change and calls for reform were treated as an overt threat to the authority as well as legitimacy of the state (Bew et al. 1979; Orbons 2011). Although the "Battle of the Bogside"

is credited as marking the beginning of "The Troubles" (Waldren 2013), it also symbolized a new chapter for the Catholics of Northern Ireland. As expressed by Derry resident, Raymond McClean,

> 'an entire community [that] had been at war with what was supposed to have been their own police force, a community determined and united, a community used to economic depression, emigration and hopelessness – now on its feet and with a spring in its step' (1983, 74).

Yet, an independence movement for the nationalists in Northern Ireland represented an urban insurgency for the state (Linstrum 2019).

Ireland, given its geography, arguably underwent 'the transition to hegemonic colonialism far earlier than any other colony' (Lloyd 1988, 3) and became one of Britain's first colonial territories back in the 1500s. Existing within the white hierarchy, the Irish posed a challenge to the use of social Darwinian discourse that traditionally underpinned colonial activity. The British empire, unable to purely rely on skin color as an indicator of "otherness," adopted a new narrative which worked to legitimize its "superiority" and control over a fellow predominately fair-skinned population (McClintock 1995; Wills 1991). Through playing upon the idea of "domestic barbarism," the Irish were assigned to an inferior category separate to that of the English (McClintock 1995). Having long occupied the position of a near "other" within English imagination, Ireland's experiences came to mirror those of other colonial territories. Following in the steps of nations such as the United States and France, tear gas was deployed on Bogside residents in an effort to reassert political control over a "lesser" group seen as destabilizing state authority.

Selma, Alabama in 1965 and Toxteth, England in 1981

The continuation of racial "othering" is evident in the use of tear gas on Black citizens in the United States and England. Tear gas was deployed at an unprecedented rate by American police forces during the 1960s (Feigenbaum 2017). It is important to note, as

Feigenbaum (2017) does, that numerous violent acts committed by law enforcement during the Civil Rights movement were executed outside the scope of main media coverage. Tear gas also was used in conjunction with other weapons as a "force multiplier" - 'its effectiveness not associated with its toxicity, but to the way in which it reduced the effectiveness of the enemy to fight' (de Larrinaga 2016, 529). While tear gas worked to weaken and disorientate the crowds, the police were able to use weapons such as nightsticks, whips, dogs, guns, and fire hoses with more ease (Dakwar 2018).

One of the 'the most savage police riots of the civil rights era' (Dierenfield 2008, 118), otherwise known as "Bloody Sunday," occurred on March 7, 1965 in Selma, Alabama. On the heels of Jimmie Lee Jackson's murder and widespread social injustice throughout the South, a nonviolent march from Selma to Montgomery was coordinated. Jackson, aged 26, had been fatally shot by state trooper James Fowler less than two weeks earlier whilst trying to protect his mother from an attack by law enforcement. As planned, a group of 525 activists, led by John Lewis and Hosea Williams, embarked the morning of March 7th on what was expected to be a 54-mile journey to the state's capital. However, they were stopped before even making it out of Selma. Standing on the other side of Edmund Pettus Bridge was Major John Cloud, the Alabama state troopers under his command, and white vigilantes (Combs 2013; Dierenfield 2008). The situation quickly devolved when the troopers advanced with tear gas, clubs, and whips as 'black bodies toppled like bowling pins' (Dierenfield 2008, 118). For JoAnne Bland, lifelong resident of Selma, 'it's the screams I remember the most … The gunshots turned out to be tear gas. They were shooting tear gas canisters into the crowds. All you could do is scream, and they were beating you' (Combs 2013, 37). As later noted during a federal hearing ten days later,

> 'Attorney Hall: After you were stopped at some subsequent time was tear gas used by the State Troopers?
>
> John Lewis: Right.

Attorney Hall: Will you tell us about that?

John Lewis: Well when we were forced back, most of the people in line knelt in a prayerful manner … and at that time the Major ordered the Trooper to put on their gas masks, and they started throwing gas, and people became sick and started vomiting, and some of us was forced off the highway and behind some buildings in the woods' (Lewis 1965, 297).

More than 40 canisters of tear gas, eight canisters of nausea gas, and 12 canisters of smoke had been deployed in 30 minutes (Thornton 2002). The cloud of smoke produced by the gas helped conceal the police's brutality from onlookers (Feigenbaum 2017). As reported by Roy Reed for the *New York Times*:

'"Tear gas!" someone yelled. The cloud began covering the highway. Newsmen, who were confined by four troopers to a corner 100 yards away, began to lose sight of the action. But before the cloud finally hid it all there were several seconds of unobstructed view. Fifteen or twenty nightsticks could be seen through the gas flailing at the heads of the marchers' (1965, 2).

Police wearing masks while deploying tear gas against marchers in Selma.
(Moore 1965, 10)

While working to simultaneously terrorize, debilitate, and supress the crowd, tear gas enabled further violence by law enforcement. With white, armed Americans on one side and Black, unarmed Americans wanting to peacefully march on the other, the scene mirrored the colonial experience of domination. Additionally, tear gas exacerbated the dehumanization being experienced as well as highlighted the enduring "undesirability" of Black bodies in the eyes of the state. Threatened by the change Black Americans' demands of equality would bring to existing social order, an already marginalized population was further excluded from

the rest of rights-bearing society. Tear gas, a repressive colonial tool, worked to uphold an uneven power structure that preserved the country's existing racial hierarchy.

While the "Bonus Army" had been the initial victim of tear gas deployment within the United States back in 1932, England's approach to its first target was more racialized in nature and representative of the legacies of colonialism. A little more than a decade after the "Battle of the Bogside," tear gas would be used for the first time for crowd control purposes within England itself, in the city of Toxteth (Waldren 2013). The summer of 1981 was particularly pivotal as unrest was experienced throughout the nation. Following the election of Margaret Thatcher in 1979, Britain's political sphere swung conservative and was characterized by rising economic, social, and political tension. As Unsworth (1982) argues, while the issues were multifaceted, the upset can be generally credited to four main factors: policies surrounding law and order, deterioration of the inner-cities, racial discord, and disillusionment of the young working class. On the heels of riots in Brixton and Southall in the south of England, a similar situation took place not far from Liverpool's city center. On July 3, 1981, the Merseyside police were in the process of arresting a man on suspicion of stealing a motorcycle when they were ambushed by the suspect's brother. Following the scuffle, the suspect was able to escape police custody but the brother, Leroy Cooper, was apprehended.

What began as a relatively minor altercation with law enforcement turned into one of the most significant domestic disturbances Britain had experienced in the 20th century. The combination of heavy-handed policing, unemployment, deindustrialization, and prejudicial policies that had been detrimental for the Black community, especially its youth, had come to a head (Marren 2016). Gideon Ben-Tovim, a member of the Community Relations Council in 1981, recalled how 'there were a lot of incidents of harassment, drug planting, people being criminalised for trivial reasons, heavy-handed policing and the final spark was the heavy-

handed arrest of Leroy Cooper' (BBC 2001, 1). It was in this atmosphere - already imbued with mistrust and hostility - that the choice to deploy tear gas in England was made. On the morning of July 6th, more than 25 rounds of American manufactured tear gas were launched against Toxteth protesters. It was at this moment, amongst the flying petrol bombs and burning tires, that the long-held "taboo" against gassing England's own people was shattered (Feigenbaum 2017; Linstrum 2019).

The decision to authorize tear gas on English soil cannot be understand without providing context of the town of Toxteth itself. Toxteth, also known as Liverpool 8 after its postcode, was an area almost exclusively comprised of African-Caribbean Britons. The city's involvement in the slave trade left a legacy that was particularly apparent in the mistreatment of Black Britons by their own police (Marren 2016). The timing of the events in Toxteth also played a role in the forceful police response and utilization of tear gas. The St. Paul riot of 1980 and the Brixton riot earlier that summer were still fresh in officials' minds. At the time, the possibility of a racial urban insurgency created concern within the British government which believed that any insecurity shown would be exploited by minorities (Linstrum 2019). Black British communities were seen as constituting a double threat, having been inspired by the fall of empire and holding similar grievances to those generating protests in the United States (Gilroy 1982). Nicknamed "the Jungle," Toxteth had been depicted by *The Listener*, a magazine established by the BBC, as an area of facing the

> 'half-caste problem … the product of liaisons between Black seamen and white prostitutes in Liverpool 8, the red-light district … they gradually realise they are nothing … as a result, the half-caste community of Merseyside – or, more particularly, Liverpool – is well outside recognised society' (Brown 2009, 77-78).

Jimi Jagne, who was 17 years old at the time, expressed how

> 'It got to the point where we felt there was so little for us to aspire to because we were marginalised a great deal … for us, we were born in Britain … This was Britain, and supposedly we were all equal, we were all supposed to treated the same. At least in colonial Africa or Jamaica you were told you were a lesser person' (Marren 2016, 124-125).

Toxteth residents became outcasts as those within the diverse and integral quarter were progressively "othered."

Following the nine-day riot, Merseyside's Chief Constable asserted that 'a group of black hooligans with some criminal elements who were hell-bent on provoking the police' (Cooper 1981, 61) had gone on an 'uncivilised rampage' (Cooper 1981, 64). By criminalizing the entire uprising, those involved were misrepresented as an unlawful force, as opposed to British citizens highlighting racial injustice (Unsworth 1982). Furthermore, the use of colonial rhetoric, specifically 'uncivilised rampage,' not only drew upon the "supremacy" of empire but also worked to justify the police's aggressive response. An ITV presenter reporting on the events defended law enforcement, stating that when 'faced with that sort of savagery, the police were forced to use CS gas for the first time on the British mainland' (Benyon 1984, 77). Through portraying civilization as under threat, violent intervention was deemed necessary to restore order (Linstrum 2019). Appealing to racial and colonial stereotypes, Toxteth residents were consequently rendered subhuman and lawless. In direct contrast to this riot, as Linstrum (2019) notes, were the coalminers' strike from 1984 to 1985 and the Wapping newsprinters' strike of 1986. Even though the police were engaged in hand-to-hand fighting with demonstrators in both these events, tear gas was not used. As Linstrum argues, this was 'a racial distinction in all but name' as 'white working-class disorder never appeared so menacing as it did when conjoined with nonwhite violence' (2019, 583 and 582).

The decision to approve the use of tear gas in Toxteth embodies 'the much-feared boomerang effect' which 'meant that rule by violence in far-away lands would end by affecting the government of England, that the last "subject race" would be the English themselves' (Arendt 1969, 20). If the paths of other countries were an indication, it was unrealistic to believe that British activities abroad would not have repercussions on its mainland. The line between the "uncivilized" and "civilized" spheres long upheld by Britain

fractured and a hierarchy comprised of its own people was constructed. This was a

consequence, as Linstrum (2019) notes, of the opinion that colonial type turmoil had finally

reached British soil, as the state's authority and territorial control was felt to be slipping

away. While occurring in two different parts of the United Kingdom, the events in Derry and

Toxteth were seen by officials as an indication of a growing and unchecked anarchical threat

following the collapse of empire (Schofield 2013). Fearful that colonial disorder had

returned, tear gas seemed to be the appropriate response, as British citizens began to be

viewed in the same adversarial way as colonial subjects (Linstrum 2019). Shaped by its

colonial roots, it is revealing but not unsurprising that the first (and to this day only) use of

tear gas for crowd control in England was on Black citizens.

Conclusion

This chapter has provided a history of several of the significant moments in which

tear gas was used to manage those under colonial rule as well as certain segments of various

empires' own domestic population. By bringing the history of tear gas together with insights

from postcolonialism, this chapter has also evaluated how tear gas has evolved and been used

to bolster particular power dynamics, as states employed atmospheric violence to repress

certain bodies. The first section on early uses of tear gas traced the deployment of tear gas

within a variety of different contexts, including by the Spanish, Italian, Japanese, American,

and British powers throughout their colonial pursuits. The second section pertaining to the

continued use of tear gas domestically has recounted the use of this chemical agent from

Paris to Selma to Derry, as many empires adopted and utilized tear gas to exert control over

marginalized groups residing within their own respective mainlands. As the more

contemporary uses of tear gas did not occur in an isolated reality, reinscribing the colonial

and recent history of this weapon is essential to better understanding how it facilitates

domination over the "other." Highlighting the specific ways that tear gas has been exercised and legitimized, this chemical agent reproduces colonial hierarchies and structures under various circumstances. The experiences of particular citizens mirrored that of colonial subjects, as tear gas became unexceptional throughout the world. While the target of state-sanctioned violence, from both outside and within the West has shifted over the decades, tear gas's biopolitical function has remained. From race to political ideology, identity categories and their discursive biopolitical apparatuses continue to enable the deployment of tear gas on those that are "inferior" or challenge the interests of state authority.

Chapter 4: Tear Gas Use on Policed Bodies: Black Lives Matter

<u>Introduction</u>

From its initial formation to its global network, the Black Lives Matter movement has become well-known not only across the United States but throughout the rest of the world. However, the organization's efforts to oppose racial inequality and police brutality through protest routinely have been met with a violent response by law enforcement. Accordingly, this chapter will explore the deployment of tear gas for the purposes of disciplining policed bodies, specifically Black Lives Matter protesters between 2014 and 2020. Chosen not only for the movement's contemporary relevance and capacity to bring meaningful change, the employment of tear gas against Black Lives Matter protesters also embodies the sanction and routinization of violence upon those challenging the current racial order. Furthermore, this chapter will examine themes of race, empire, identity, war, and biopower as they coalesce within metropolitan protest sites including Ferguson, Minneapolis, and Washington D.C. This chapter argues that such themes continue to have salience as colonial logics, power structures, and hierarchies are circulated within the modern era - in this case between the state and Black citizens. With circumscribed ("othered") populations rendered disposable, this chapter highlights the specific manner in which tear gas has been used by state authority - against protesting Black Americans and those protesting in solidarity with Black advancement - to uphold certain forms of governance. Through investigating the systematic deployment of tear gas, the dynamics between citizenship status, history, and power that serve to justify the use of this weapon become clearer.

The first section will explore how the institution of law enforcement has been used to exert control by tracing the establishment of formal police departments from what were originally slave patrols. It is only through an understanding of the asymmetric relationship

between law enforcement and Black bodies developed within the first section that the racialized policing experienced by protesters can be properly contextualized. However, such a racial hierarchy did not just appear but is part of a centuries long process that has worked to dehumanize Black Americans in order to sanction state violence. Thus, the second section will analyze the ways Black bodies within the United States have been "othered" through the construction of narratives that have characterized them as animalistic, criminal, and violent. It is these exact discourses and their consequences that Black Lives Matter has worked to resist. Accordingly, the third section will explore the background of Black Lives Matter including its founders, causes, and impact alongside the similarities it shares with the Civil Rights movement.

The fourth section will assess the portrayal and treatment of Black Lives Matter protesters. Framed as disruptive and criminal, the reputability and legitimacy of the movement is eroded, giving way to the sanctioning of tear gas as a means of biopolitical control. By examining how policing, the "othering" of Black bodies, and the portrayal of as well as response to protesters converge, the fifth section evaluates the use of tear gas in Ferguson and additional American cities. From militarized police to the erosion of citizenship, Ferguson exemplifies the colonial function of tear gas which helps to govern through the atmosphere and hierarchically order lives. The final section will compare the cases of teargassing at Lafayette Square and the Capitol to show the two distinct systems of policing operating within the United States. Although tear gas was deployed against those in both locations, the threshold and acceptability of its use was much different for peaceful protesters than it was for pro-Trump rioters. Statuses shaped by colonial history matter in how groups are dehumanized and treated. From being referred to as animals by police to counter-protesters dressing as apes, the racism of centuries ago persists. While the eras of slavery and Jim Crow may have formally ended, it is important to demonstrate how their

legacies and exclusionary structures continue to influence the ways in which movements for Black advancement are suppressed through tear gas.

Policing of Black Americans

To better understand Black Lives Matter, its roots, and law enforcement's response to the organization's protests, a brief history of policing institutions will be explored. As Francis and Wright-Rigueur note, focusing 'exclusively on the post-2013 manifestation of the BLM movement' is unable to 'explain the origins of the problem and the depths of anger and frustration of Black protesters' (2021, 454). Thus, to have a clearer picture of Black Americans' struggle against state-sanctioned violence, one must return to the birth of white-operated police agencies that have been complicit in the devaluing and submission of Black life (Nummi et al. 2019). From the arrangement of local slave patrols to the establishment of formal police departments, this section will trace the asymmetric dynamic between law enforcement and Black Americans that has enabled the employment of racialized policing to which Black Lives Matter objects. The focus on this contentious relationship is not to minimize the significance of or overlook resistance efforts, such as slave rebellions or the Montgomery bus boycott, but rather to show how powerful governing structures are. Through assessing the historical role of police agencies, law enforcement's response to Black Lives Matter protests, including the disproportionate use of tear gas, is seen as continuing the subjection of Black bodies to the state.

Law enforcement has been, and arguably remains, an important vehicle for the exertion of social control over Black bodies in the United States. What once fell under the domain of slave overseers and patrollers has been superseded by national agencies such as the police, which seek to continue the management of the Black American population (Bryant Jr. 2019). Following the abolishment of slavery in 1865, policing became a means by which a

white-led society could be preserved (Lawrence-McIntyre 1992; Tatum 1994). For many scholars such as Bonilla-Silva (2001), Alexander (2010), Feagin (2000, 2006 and 2012) and Winant (1986), contemporary racialized experiences are not a new phenomenon but rather a refashioned version of older systems that have retained the function of domination. In fact, as Embrick argues, the legitimacy granted to law enforcement 'represents a rearticulation of slavery and Jim Crow era practices specifically designed to socially control people of color' (2015, 837). In this way, the formulation and exertion of particular power dynamics become largely inescapable, as Black Americans are monitored in a manner reminiscent of the past.

One of the earliest methods of policing can be found in the Southern region of the United States during the beginning of the 18th century (Roth 2005). The motivating force and objective behind the development of policing in America during this time was the disciplining of slaves (Feagin 2012; Hadden 2003). First established in South Carolina, slave patrols became infamous for their ruthlessness and extensive scope of power (Bryant Jr. 2019). The city of Charleston was home to over 100 associates, making it one of the biggest patrolling networks in the country (Moore et al. 2018). Following the establishment of these squads in South Carolina in 1704, they were eventually adopted throughout other parts of the nation including Virginia in 1727, Tennessee in 1753, and Georgia in 1757 (Robinson 2017). A slave patrol, also known as paddy rollers and night watchers (Moore et al. 2018), can be described as a 'government-sponsored force [of about 10 people] that was well organized and paid to patrol specific areas to prevent crimes and insurrection by slaves against the white community' (Turner et al. 2006, 186). These watchmen, who were mostly unwealthy and young white men, would devote their days and nights to terrorizing, assaulting, and capturing runaway slaves (Bass 2001a and 2001b; Wintersmith 1974). Designed to preserve the institution of slavery, these 'very elaborate' and 'quasi-military' patrols (Wintersmith 1974, 13) operated to ensure white dominance, to monitor slaves, and to prevent revolts (Rivers

2012). These forces were comprised of vigilantes, who drew their legal authority from the

state and were funded by slave poll-taxes, that embedded themselves into local bureaucracy

(Bryant Jr. 2019). These patrols were further empowered by the passage of the Slave Codes

and Fugitive Slave Acts which granted these men the ability to use unconstrained violence on

Black people to enforce social order within both plantation and non-plantation areas (Hadden

2003). As Wintersmith argues, 'slavery and the omnipotent police mechanisms were

synonymous' in that 'the former could not have existed without the latter' (1974, 21).

While the American Civil War may have brought about a formal end to slavery,

oppressive laws and racialized policing practices proved to be far from over. The Slave

Codes were replaced by Black Codes (1865), Vagrancy Laws (1866), and Jim Crow (1877)

during Reconstruction. These laws were used to limit the opportunities for and movement of

former slaves. Ranging from violating curfews to loitering, the police punished Black

Americans for such transgressions (Hattery and Smith 2021; Robinson 2017). Slave patrols

arguably acquired a new shape, as police officers took over the responsibility of regulating

Black people (Cooper 2015; Moore et al. 2018; Robinson 2017). Along with the evolution of

law enforcement was the rise of white supremacist groups, such as the White Brotherhood,

Ku Klux Klan, and Knights of the White Camellia. While comprised of vigilantes with no

legal authority, the violence committed by these groups was often ignored or even facilitated

by the police (Parsons 2016; Sewell et al. 2016). Furthermore, not only did law enforcement

officials frequently allow lynchings but they were also partaking in them. Examples can be

found throughout the Red Summer of 1919 as well as the race massacres in Tulsa in 1921 and

Rosewood in 1923 (Onyemaobim 2015; Weissinger and Mack 2018). As Francis and Wright-

Rigueur argue, 'white people banded together and used lynchings and mobs to enforce a post-

emancipation racial order that protected white supremacy' (2021, 444). According to the

Equal Justice Initiative (2017), approximately 4,084 Black Americans were lynched between

the years of 1877 and 1950. The police, both passively and actively, played a role in the terrorization and dehumanization of Black Americans throughout these decades.

The expansion of police departments from the 1960s onwards has supported this agency in its ability to exert control (Bonilla-Silva 2001). With a move towards an "escalated force style" response that 'relied on ever-increasing amounts of force to disperse protesters and break up demonstrations' (Gillham and Noakes 2007, 342), it was commonplace for officials to wreak pain through tear gas, bullets, arrests, and beatings (Gillham et al. 2013). Ranging from dogs to firehoses to batons, Black citizens and activists were beaten into submission, thus perpetuating tension with law enforcement (Weissinger and Mack 2018). Since such 'demonstrations were a "threat" to the stability of the state, an affront to respected institutions, and an attack on their legitimacy' (Bryant Jr. 2019 53), these strides towards equality were repressed. As John Lewis vocalized during the drafting of the Civil Rights Act, 'there's not one thing in the bill that will protect our people from police brutality. This bill will not protect young children and old women from police dogs and fire hoses, for engaging in peaceful demonstrations' (Lewis 2015, 219). Calls for legislative protection which would have allowed the federal government to prosecute both local and state officials for civil rights breaches, including discriminatory policing and state-sponsored violence (Burnham 2020), were ignored.

Alongside the rise in the number of police departments throughout the 1960s, the 1990s brought significant militarization to the force. While this shift began with the formation of the Special Weapons and Tactics (SWAT) team in Los Angeles following the Watts Riots of 1965 (Hughey 2015), the militarization of law enforcement only escalated. In 1990, the United States government awarded state and local police agencies approximately $1,000,000 in military gear and equipment. This allowance increased exponentially to $324,000,000 in 1995 (American Civil Liberties Union 2014). The reassignment of weapons of war, such as

grenade launchers and fully automatic weapons, was a result of section 1208 in the National

Defense Authorization Act of 1990 followed by section 1033 in the National Defense

Authorization Act of 1997 (Coyne and Hall-Blanco 2016; Hughey 2015). As numerous

scholars (Anaïs 2011; Dansky 2016; Hall and Coyne 2013; Jones 1978; Tietz 2016; Wright

2001) have argued, the militarization of law enforcement creates an asymmetric dynamic that

fosters hostility between officers and those they serve. In theory, the police are meant to

protect the civilian public (Gross 2009), not engage in a micro-level war that damages

society's social fabric and breeds distrust. From the beating of Rodney King on the streets of

Los Angeles to the murder of Amadou Diallo outside his apartment complex, these cases are

rooted in a longer history of policing Black bodies - a history that is not over. As Durr raises

'how is police behavior in the 21st century different from that of slave patrollers?' (2015,

874). The next section will argue that the "othering" of Black people centuries ago has

enabled the violent and even lethal police behavior of the 21st century.

Othering of Black Bodies

The way in which Black bodies, specifically those within the United States, have been

dehumanized since the nation's conception has functioned to underpin the exercise of state-

sanctioned violence. Although institutional structures such as slavery and Jim Crow have

formally ended, their legacies and exclusionary philosophies remain influential, altering how

Black Americans are perceived and treated (Owusu-Bempah 2017). Prejudicial depictions

characteristic of the 19th and early 20th century retain their popularity still today (Jardina and

Piston 2021). Through rejection of their humanity, those in the Black community have been

rendered subhuman, regarded as occupying a status closer to that of an animal (Bobo 2017;

Smith 2011). While contemporary discourse may be constructed in a less overtly racist

manner - in some cases but certainly not all - Black men, women, and children alike continue

to be positioned outside the realm of "civilization." Effectively, dehumanization has become 'an enduring feature of the African American experience' that impacts 'experiences with crime and the law enforcement agencies charged with tackling it' (Owusu-Bempah 2017, 24). The process of "othering" that began many centuries ago, together with the degrading and false narratives produced, have enabled the persistence of racialized policing and violent law enforcement practices, including the employment of tear gas against certain types of protest.

As Goff et al. (2008) note, negative depictions of African people are about as old as Europe's initial encounter with the continent itself. Such examples can be found in maritime texts written by Europeans following their early travels, where they recount observing "primitive," "ape-like" people. As a result of these voyages throughout the 13th to 15th century, beast-like portrayals of Africans were reiterated and further entrenched into public imagination. These attitudes would later be used by the Spanish, English, and French empires to justify their respective colonial pursuits across the world (Jardina and Piston 2021). While the "inferiority" of the African population had yet to be based in supposed biological reasoning, they were nonetheless "heathens" who fell outside the domain of humanity. Under the guise of humanitarian ideals in which Europeans claimed to be bringing civilization and development, Africans were exploited as well as enslaved (Gossett 1963; Sussman 2014). Therefore, the "othering" of Black bodies began even before the first slave ship arrived on the shores of Virginia in 1619.

The United States would not be immune to adopting the racial taxonomies first fabricated by European powers. While white skin became equated to superiority, progress, and liberty, Africans became the antithesis. The perceived danger of Black people's "incivility" and aggressive nature served as rationalization for their subjugation (Desmond and Emirbayer 2009; Fishman 2006). As slavery did not align with Enlightenment values, dehumanization functioned to defend this structure by placing those racialized as non-white

at the bottom of the racial hierarchy (Smith 2011). However, as the movement for abolition gained momentum throughout the 19th century, there was growing pressure to warrant the treatment of humans as chattel. To counter this resistance, there was a shift towards "scientific evidence" which claimed to substantiate the biological inferiority of an entire race (Jardina and Piston 2021).

One example can be found in the work of Josiah Nott and George Gliddon entitled *Types of Mankind* (1854). Perpetuating the idea that Black people were more akin to apes than humans, this book was widely accepted within the scientific community and by the public. By the onset of the 20th century, *Types of Mankind* had nine published editions (Jardina and Piston 2021; Smedley 1993). Furthermore, Samuel Cartwright (1851), a well-known doctor, diagnosed slaves with two diseases: "drapetomania" (which causes slaves to run away) and "dysaethesia aethiopica" (which causes "rascality"). The notion that Black people were inherently "bestial," "lazy," and "criminal," supported by "empirical" findings, was used to reaffirm the importance of slavery (Montagu 1942). In addition to maintaining a free labor source, there was fear that without a formal system to restrain slaves, they would cause disarray and peril (Nunnally 2018). Even with the passage of the 13th amendment, discourses which drew upon biological difference were invoked to support Jim Crow, segregation, and state-sponsored violence. From Charles Carroll's *The Negro a Beast* to Thomas Dixon's *The Clansman*, Black Americans were regarded as synonymous with barbarism (Jardina and Piston 2021). Dixon's book was later adapted into *The Birth of a Nation* and became a blockbuster hit watched by over 5,000,000 people in its first year. The film was even praised by politicians including Woodrow Wilson for its educational contribution (Leab 1975). These dehumanizing portrayals circulated within the public realm, informing the way this segment of the American population was viewed and subsequently treated.

While these early discourses were damaging, they derived their legitimacy from the state itself. As law was interwoven with race-making, the state was intimately involved in the legitimization of violent subjugation. Since legislation dating back to 1669 with the Casual Killing Act, Black lives were made disposable. The act, passed by the Virginia General Assembly, stated that 'if any slave resist his master (or other by his masters order correcting him) and by the extremity of the correction should chance to die, that his death shall not be accompted felony' (Hening 1823, 1). Laws such as this become routine. Not long after, 'an act for the apprehension and suppression of runaways, Negroes and slaves' in 1672 made it legal to injure or kill a slave if they were resisting arrest (Gilder Lehrman Institute n.d., 1). With little accountability for white violence, as it was legally sanctioned, certain human life was rendered negligible. Plantations and the African body itself became areas of exception by way of a hierarchical racial structure endorsed by the state.

More than 100 years later, the Three-Fifths Compromise served to continue the dehumanizing experiences of the enslaved. Enshrined into Article 1 of the Constitution, the compromise detailed that for every five slaves, only three would count towards the state's total population. In effect, this agreement 'reestablished the legal category of the enslaved as less than fully human—as three-fifths of a person' (Hattery and Smith 2021, 6). Their "subhuman" status was further entrenched by the *Dred Scott v. Sandford* (1857) verdict (Owusu-Bempah 2017). Deciding that 'the Black man has no rights which the White man is bound to respect [...] He may justly and lawfully be reduced to slavery [...] and treated as an ordinary article of traffic and merchandise,' (*Dred Scott v. Sandford* 1857, 1) the Supreme Court upheld the popular notion that slaves were merely property. Similar to international law, these pieces of legislation and rulings served the interests of those with the societal power to make them, as well as codified the narratives that helped reinforce white control. Statutes such as these are part of a longer process that has enabled the exemption of certain

groups from protection, including the use of violence against Black Lives Matter protesters in the modern era.

Carrying on into the late 20th century, tropes relating to the "criminality" and "indolence" of Black Americans, peddled particularly by the media, bolstered dehumanizing discourses (Entman and Rojecki 2000; Gilliam and Iyengar 2000). With the 1980s and 1990s came an increasingly powerful association between predominately Black cities, drugs, and crime as well as the beginning of mass incarceration (Jardina and Piston 2021). This period also bore the "superpredator" theory within criminology that had great influence over domestic policy. Coined by university professor John Dilulio, 'a superpredator is a young juvenile criminal who is so impulsive, so remorseless, that he can kill, rape, maim, without giving it a second thought' (Boston University 2020, 1). Such animalistic imagery was quickly applied to Black youth, negatively affecting their public perception and treatment within the criminal justice system (Bogert and Hancock 2020). From the "symbolic assailant" (Skolnick 1966) to the "criminalblackman" (Russell-Brown 1998), colonial era stereotypes have positioned Black Americans, especially men, as a danger to the rest of society. As a result, the Black population became the primary target for law enforcement in the government's War on Crime and War on Drugs (Owusu-Bempah 2017; Welch 2007). It has also been revealed that throughout the 1990s, Los Angeles police officers described cases concerning young Black men or Black communities with the acronym N.H.I. - No Humans Involved (Wynter 1992).

The "othering" that these narratives perpetuate is exemplified by officer Laurence Powell. Directly before taking part in the 1991 beating of Rodney King, Powell was returning from a domestic dispute call between a Black couple that he referred to as 'right out of *Gorillas in the Mist*' (King Transcript 1992, 1). Referred to as "monkeys," "pieces of sh*t," and "savages" by law enforcement officials, a 2017 United States Department of Justice

investigation 'found that there was a recurring portrayal by some CPD [Chicago Police Department] officers of the residents of challenged neighborhoods—who are mostly black—as animals or subhuman' (146). These perceptions, comparisons, and stereotypes are not unique to more contemporary times but rather are intertwined with a much longer practice of race-making, where certain individuals have been categorized as fully human and others as quasi-human (Jardina and Piston 2021; Mills 1997). In this way, Black lives have been relegated to the latter category. These bodies, viewed predominantly by the white gaze as outcasts, have been designated as undesirable.

The manner in which Black lives and communities are perceived is far from inconsequential, informing how they are treated and, in this case, policed. As has been made evident, the pre-criminalization and re-criminalization as well as degradation of Black Americans has persisted for centuries (Weissinger and Mack 2018). After a population has undergone dehumanization, it is placed beyond the "universe of obligation" - meaning a 'circle of individuals and groups toward whom obligations are owed, to whom rules apply, and whose injuries call for amends' (Fein 1979, 4). Fein's "universe of obligation" is a hierarchical structure that prioritizes the rights and protection of some over others. Deprived of empathy and left vulnerable, the violence experienced by these specific groups is not regarded as significant (Kelman 1976).

As Owusu-Bempah (2017) argues, even with the accomplishments of the Civil Rights movement, Black Americans continue to be placed outside of the moral community, which in turn makes them "suitable" recipients of state violence. Whether it be through stereotypes, images, or narratives, mechanisms for discrimination, exploitation, and systemic racism have been legitimized throughout American history. The dominance of the white racial frame, where whites occupy the highest point within the hierarchy, has enabled and reproduced racialized societal institutions including that of law enforcement (Feagin 2013; Nummi et al.

2019). Race as an identity category remains salient, as prejudicial structures and rationalities constructed by empires circulate. Through the "othering" of Black bodies that began centuries ago, racialized policing and violent law enforcement practices, such as teargassing certain protesters, have been facilitated.

Background of the Black Lives Matter Movement

Founded in 2013 by Alicia Garza, Patrisse Cullors, and Opal Tometi, Black Lives Matter has evolved 'from a moment to a movement' (Hillstrom 2018, viii). Following the acquittal of George Zimmerman for the murder of Trayvon Martin the year prior, these three women turned a hashtag into a global network (Garza 2014). Zimmerman, a watch volunteer in the town of Sanford, Florida had stalked, shot, and killed Martin. Martin was an unarmed Black 17-year-old who had been on his way home from a local convenience store. Upon calling 911 to report a "suspicious" individual and being directed to wait for the police, Zimmerman instead took it upon himself to follow and fatally shoot the teenager on February 26, 2012. The jury acquitted Zimmerman of the charges of second-degree murder and manslaughter on July 13, 2013, citing the grounds that he was acting in self defense (Alfred 2021; Lane et al. 2020).

Sharing the sense of injustice and precarity felt by many, Alicia Garza took to Facebook. In her self-titled 'Love Letter to Black People,' Garza went on to express how 'I continue to be surprised at how little Black lives matter. And I will continue that. Stop giving up on black life. Black people. I love you. I love us. Our lives matter' (Garza 2020, 105). Seeing her friend's posts, Patrisse Cullors commented: 'declaration: black bodies will no longer be sacrificed for the rest of the world' s enlightenment. i am done. i am so done. trayvon, you are loved infinitely. #blacklivesmatter' (Chase 2018, 1095). Two days later, Cullors posed on Facebook again to reveal that:

> 'Alicia Garza myself, and hopefully more black people than we can imagine are embarking on a project. we are calling it #BLACKLIVESMATTER
>
> #blacklivesmatter is a movement attempting to visiblize what it means to be black in this country. Provide hope and inspiration for collective action to build collective power to achieve collective transformation. rooted in grief and rage but pointed towards vision and dreams' (Brown 2015, 1).

The hashtag would end up going viral on social media, conveying 'in those four syllables a distillation not only of the anger that attended Zimmerman's acquittal but also of the animating principle at the core of black social movements' (Cobb 2016, 1). Although still in its infancy, these posts mark the very beginning of the Black Lives Matter movement, tapping into longstanding feelings and concerns within the Black community. Garza and Cullors were then in touch with Opal Tometi, an immigration rights activist, who helped build various platforms, including on Facebook and Twitter, that would be used to spread awareness of their activist venture (Clayton 2018).

While created in 2013, it was not until the death of Michael Brown that the Black Lives Matter movement would gain significantly more traction across the country as well as global attention (Clayton 2018; Garza 2014; Nummi et al. 2019). On August 9, 2014, 18-year-old Michael Brown, an unarmed Black teenager, was shot and killed in Missouri. The man responsible was Darren Wilson, a white officer of the Ferguson Police Department. Fitting the suspect description for a convenience store theft, Brown, who was accompanied by his friend Dorian Johnson, were stopped. Following an altercation with officer Wilson, Brown was shot six times. His body was then left in the street for four and a half hours (Gander 2015). As journalist Wesley Lowery noted, for many 'the spectacle of Brown's body cooling on the asphalt conjured images of the historic horrors of lynchings—the black body of a man robbed of his right to due process and placed on display as a warning to other black residents' (2016, 25). For weeks after, Ferguson was embroiled in protest, igniting calls for the end to police brutality throughout the nation (Onyemaobim 2015).

A direct response to the systematic abuse of power by the police against Black communities, specifically the deaths of unarmed Black Americans, Black Lives Matter rooted itself within the country's political and social sphere. The utilization of #Blacklivesmatter on social media and the organizing of public protests have become key mechanisms by which the movement has increased its visibility. While shedding light on the various failings of the criminal justice system and the prevalence of racialized police violence, Black Lives Matter also seeks to address racial inequalities on a broader scale (Chernega 2016; Della Porta and Diani 2020). In opposition to the continued devaluing of Black American life, Garza, Cullors, and Tometi set in motion an organization that sought to highlight and rectify the structural ways state-sanctioned violence against these bodies has been perpetuated (Banks 2018; Umamaheswar 2020). What began as a reaction to the murder of Black men by white law enforcement officials has developed into a large-scale movement concerned with social injustice, discrimination, and institutionalized racism (Alfred 2021; Hillstrom 2018).

Black Lives Matter has 'underscored the fragility of Black citizenship and the utter failure of American democracy for Black people' not only 'in the present but over the long durée of American history' (Francis and Wright-Rigueur 2021, 453). Ever tenuous, it is evident that the protections and entitlements owed by the state have yet to be fulfilled. Now constituting a global network that advocates for collective liberation, the movement has various policy platforms including demilitarizing the police, abolishing the death penalty, bettering community control, and ending the war on Black people. With 40 chapters across the world including in the United Kingdom and Canada, campaigning, protesting, holding events, and influencing legislation have become avenues for activism (BLM 2022a and 2022b; M4BL 2020). Opal Tometi shares that Black Lives Matter is better classified as a human rights movement which 'battle[s] for full civil, social, political, legal, economic and

cultural rights as enshrined in the United Nations Universal Declaration of Human Rights'

with the goal of 'full recognition of [Blacks'] rights as citizens' (Tometi and Lenoir 2015, 1).

Although Black Lives Matter shares many similarities with the Civil Rights

movement of the 1950s and 1960s, there are fundamental differences that must be

acknowledged in order to better contextualize its role in the longer struggle against racial

inequality. The main purpose of the following comparison is to show the continuity of state

response and dehumanization regardless of these differences. Whether they be more or less

Christian, organized, peaceful, or male-centric, the participants of both these movements

have been repeatedly teargassed. Firstly, the Civil Rights movement and Black Lives Matter

movement aim to hold the United States to its core values of liberty, justice, and equality for

all. Secondly, the murder of a Black teenager - Emmett Till in 1955 and Michael Brown in

2014 - became the catalyst for both of these movements. In these cases, the graphic,

gruesome nature in which their respective bodies were presented to the public caused

widespread anger and protest. The optics of Brown's body on the streets of Ferguson was

reminiscent for many of the open casket funeral held for Emmett Till (Hillstrom 2018). Till,

aged 14, was kidnapped, battered, and killed for allegedly flirting with a white woman in a

convenience store. The two white men responsible for his murder, Roy Bryant and J. W.

Milam, were acquitted (Alfred 2021; Hattery and Smith 2021). Thirdly, the Civil Rights

movement and Black Lives Matter have adopted nonviolent protest methods, including

marches and sit-ins (Chernega 2016). Lastly, they are both informed by the resistance efforts

of those that came before them, such as the anti-colonial struggles, the Underground

Railroad, and the formation of the National Association for the Advancement of Colored

People (NAACP) (Alfred 2021; Hillstrom 2018).

While Black Lives Matter and the Civil Rights movement have many commonalities,

the former asserts its distinctiveness in several ways. Paying credit to earlier forms of Black

activism, the founders have strived to evade the 'harmful practices that excluded so many in past movements for liberation' (BLM 2022b, 1). To begin, Black Lives Matter makes explicit its inclusivity of individuals from marginalized and vulnerable groups within society. These groups include the LGBTQ+, the poor, the disabled, the incarcerated, and undocumented immigrants (BLM 2022a). Established by three Black women, two of whom identify as queer, there has been a concerted effort to give a voice to historically disregarded segments within their own community (Hillstrom 2018). Such an example can be found with Barbara Jordan and Bayard Rustin, both of whom were vital to the Civil Rights movement. The impact of Jordan, Rustin, and many others has been largely overlooked because of the homophobia at the time, excluded from the mainstream narrative (Garza 2017; Poirot 2015). Noting that much of civil rights history has been dominated by 'black heterosexual, cisgender men — leaving women, queer and transgender people, and others either out of the movement or in the background' (BLM 2022b, 1), Black Lives Matter seeks to be more progressive and accepting than its predecessors.

Second, Black Lives Matter provides greater prominence as well as leadership opportunities to women. In contrast to the male-dominated environment of the Civil Rights movement, the contributions of Black women are better highlighted within Black Lives Matter (Alfred 2021; Chernega 2016). This is not to say that women, including Ella Baker, Rosa Parks, and Fannie Lou Hammer, were not essential to the Civil Rights movement but rather that they were not granted the same recognition and respect as their male counterparts. These women were often placed on the sideline and barred from marching or speaking alongside fellow leaders, specifically during the 1963 March on Washington (Hillstrom 2018; Reynolds 2015). Although Black Lives Matter was founded for the purpose of bringing awareness to the racially motivated violence enacted by law enforcement onto Black boys and men, a number of the movement's leaders and activists have been Black women. Bree

Newsome, Gwen Carr, and Erica Garner are, or were, visible proponents of the organization and its cause (Chernega 2016). Black Lives Matter also has drawn media attention to the deaths of Black women as a result of police violence including Sandra Bland, Tanisha Anderson, Mya Hall, and Breonna Taylor (Clayton 2018), countering the historical tendency to make these gendered bodies invisible.

Next, Black Lives Matter has formed a different organizational structure. Shifting away from a 'hierarchical style of leadership, with the straight Black male at the top giving orders' (Reynolds 2015, 1), Black Lives Matter has taken a more horizontal, grassroots approach. By not conforming to the more centralized arrangement characteristic of the Civil Rights movement, leadership roles have been spread across the country, engaging diverse communities and groups of activists. This decentralized, less-hierarchical structure that caters towards the local level has been enabled by the existence of social media (Clayton 2018). Since Black Lives Matter came into existence through Facebook (Chase 2018), it is to be expected that these platforms play a pivotal role in the movement's success and ability to unite people, an advantage not available in the 1960s. Black Lives Matter has become embedded into the public sphere as a consequence of technological advancements (Carney 2016). Black Lives Matter, having been strengthened and expanded through social media, is 'inextricably tied to the digital sphere' (Mundt et al. 2018, 3). Enabling mobilization, the building of coalitions, and control over the movement's narrative (Mundt et al. 2018), social media has made it possible for the movement to thrive with a less traditional structure.

Finally, Black Lives Matter lacks the Christian element that helped define the Civil Rights movement. During the 1950s and 1960s, African American churches were fundamental to creating a space for membership and coordination (Chernega 2016). Providing a safe place for Black Americans to assemble, converse, and organize, the ability to plan protests and marches within this space was seized (Williams 1987). The church also

provided an element of legitimacy and integrity for the Civil Rights movement as it pertained to public perception (Morris 1984). On the other hand, Black Lives Matter has taken a more secular approach affirming that 'black lives matter regardless of religious beliefs or disbelief' (BLM 2022c, 1). However, it is argued the movement is not devoid of God or incompatible with religious values but is rather better understood as promoting healing and liberation on a spiritual level. Examples can be found in Black Lives Matter's encouragement of transformative justice which has origins in Quakerism, the burning of sage at protests, and the ceremonial tradition of voicing the names of previous abolitionists (Farrag and Gleig 2020).

Arguably, the most obvious effect of Black Lives Matter has been greater visibility of racialized policing and its pervasiveness as a practice in America (Chernega 2016). The murder of Black bodies by law enforcement has become normalized within and by society (Embrick 2015; Onyemaobim 2015). This movement has brought attention and awareness to the lives lost as a result of police brutality, including but not limited to Trayvon Martin *(1995 - February 26, 2012)*, Malissa Williams *(1982 - November 29, 2012)*, Eric Garner *(1970 - July 17, 2014)*, John Crawford III (*1992 - August 5, 2014*), Michael Brown *(1996 - August 9, 2014)*, Tanisha Anderson *(1977 - November 12, 2014)*, Tamir Rice *(2002 - November 23, 2014)*, Yuvette Henderson *(1977 - February 3, 2015)*, Walter Scott *(1965 - April 4, 2015)*, Freddie Gray *(1989 - April 19, 2015)*, Sandra Bland *(1987 - July 13, 2015)*, Alton Sterling *(1979 - July 5, 2016)*, Philando Castile *(1983 - July 6, 2016)*, Stephon Clark *(1995 - March 18, 2018)*, Breonna Taylor *(1993 - March 13, 2020)*, George Floyd *(1973 - May 25, 2020)*, Tony McDade *(1981 - May 27, 2020)*, and Daunte Wright *(2001 - April 11, 2021)*.

Between 2012 and 2014, Black Lives Matter activists found that 70 Black girls and women had been killed at the hands of the police (Hillstrom 2018). In 2015 alone, *The Washington Post* discovered that despite Black men constituting only 6% of the entire population, 40% of police related deaths that year were of unarmed male African Americans

(Kindy et al. 2015). Initiatives such as Mapping Police Violence, *The Washington Post's* Fatal Force, *The Guardian's* Counted, and Fatal Encounters were developed as a response to the United States government's failure to properly record cases of fatal force by police, the murder of Michel Brown, and Black Lives Matter protests. Although 'one of the most powerful movements against racial injustice' (Umamaheswar 2020, 2), this organization's work continues as 'the call for Black lives to matter is a rallying cry for ALL Black lives striving for liberation' (BLM 2022a, 1).

Portrayal and Treatment of Black Lives Matter Protesters

Having explored the policing of African American bodies as well as their dehumanization, these two histories can now be brought together to examine the portrayal and treatment of Black Lives Matter protesters. Their portrayal within public discourse and treatment by law enforcement will serve to illuminate the role of tear gas in disciplining this already marginalized group. While those of various backgrounds and races across the country participated, this does not negate that the protests themselves were in solidarity with racial equality. In fact, it was only after the murder of George Floyd in 2020 that there was a demographic shift in Black Lives Matter protests which saw a significant rise in white participation (Washington 2020). The Black Lives Matter movement has become a powerful force within American social and political spheres, being affiliated with over 11,000 protests between January 2020 and April 2021 (Armed Conflict Location and Event Data Project 2021). Nevertheless, assessing how protesters have been "othered," which has in turn facilitated state violence, is essential for explaining the instrumentality of tear gas as a colonial weapon with a biopolitical function.

An embodiment of a 'hierarchical interaction' (Feagin 2000, 21) between the oppressor and the oppressed, this organization's protests are perceived as threatening to the current

system (Davenport et al. 2011; Reid and Craig 2021). Illustrative of mass political mobilization that opposes racial inequality and systemic racism in the United States, the goals of Black Lives Matter can stir up a feeling of racial competition given the perceived zero-sum nature of egalitarianism (Isom Scott 2018; Updegrove et al. 2020). Therefore, in order to mitigate this "threat," the historically white-dominated law enforcement structure is often used to control Black bodies and supress their political demands (Oliver 2017). This effort has resulted in a "protesting while Black" phenomenon in which the presence of Black protesters increases the likelihood of arrest and police brutality compared to their white counterparts (Davenport et al. 2011). As patterns of police violence do not suddenly appear or develop in an isolated manner, assessing the dehumanizing narratives applied to Black Lives Matter protests becomes important.

Media largely operates as a technology of government that works to influence public behavior (Ouellette and Hay 2008). Furthermore, news media is often 'concerned with the inspection of the operation and state of societal governance' and is 'integral to the governmental problematising of the population' (Mickler 1998, 45). This institution, given its power, has the ability not only to generate information concerning particular groups but also to help determine their desirability (Banks 2018). Various scholars (Cottle 2008; Rosie and Gorringe 2009; Umamaheswar 2020) have analyzed the relationship between social movements and media, discovering that the way the media portrays a protest has a strong correlation to the public's perception of said protesters as threatening. As Reid and Craig note, the media's 'ability to shape the public perception of a movement, combined with its tendency to support state interests, may increase a movement's vulnerability to repression and, therefore incidences of police violence' (2021, 294).

This is significant as the news media's depiction of a story can produce and further ingrain prejudicial or misinformed views that impact the action taken against a certain racial

group (Abraham and Appiah 2006). More specifically, protests started by a racial minority tend to be framed negatively by the mainstream media - as disruptive or dangerous even if they are non-violent - which can incite more forceful action on the part of law enforcement (Reid and Craig 2021). The way media has tended to align itself with the white racial frame has broadcasted a 'deep and pervasive' (Feagin 2013, 91) sense of anti-Blackness. Frequently serving as a vehicle for social control over the Black population, American media's depiction of Black Lives Matter as threatening works to delegitimize the movement's cause, circulate racial stereotypes, and fortify the notion that police presence as an extension of government power is necessary. Effectively, the negative coverage of this organization and its protesters encourages a sense of racial threat which jeopardizes mass mobilization towards Black progress (Reid and Craig 2021). In this way, the media can have a biopolitical function, determining who should be accepted within society and aiding the hierarchical ordering of lives.

Despite the majority of Black Lives Matter protests being peaceful (Chenoweth and Pressman 2020; Leopold and Bell 2017), the movement has been consistently regarded in a disparaging manner by the media (Umamaheswar 2020). Classified as "bad" citizens, the protesters are used to delegitimize the protests themselves. While not always invoking blatantly racist language, the use of phrases or terms such as "race-hustler" or "thug" to describe activists does not disguise prejudicial overtones (Banks 2018). With the movement itself being labelled a "black militant uprising" and Black Americans described as everything from "criminal" to "suspicious" to "lawless" to "demanding" by news outlets (Lane et al. 2020), individuals and the organization in its entirety have been "othered" as a result of these stereotypes. From the images and the headlines chosen to plaster news articles, a discourse is spread in which Black Lives Matter is dangerously defiant. There is an effort to highlight the disreputability of the movement by overshadowing the "good" protesters in favor of covering

the "bad" as well as conflating rioters with actual activists (Banks 2018). However, in view of the geographic scale and participation size of the protests, they were rather peaceful and non-destructive. As Chenoweth and Pressman discovered, '96.3% of events involved no property damage or police injuries, and in 97.7% of events, no injuries were reported among participants, bystanders or police' (2020, 1). Furthermore, in most cases, it was law enforcement who either initiated or intensified the violence (ibid.). In the fight against state violence, it was state violence that was used to suppress the "opposition."

Banks (2018) makes a noteworthy argument regarding the media's portrayal of Black Lives Matter. She states that one of the most popular criticisms of this movement by news outlets is that it does not follow the largely non-violent methods of the 1960s. Thus, it is on the basis of this organization not emulating Martin Luther King Jr.'s movement that it can be devalued and disempowered. The romanticization of public memory in which 'the Civil Rights movement is framed as being worthy of remembrance according to socially acceptable discourse on non-violent advocacy' (ibid. 713), has consequently rendered Black Lives Matter less legitimate. However, one is left to question the extent to which this revered public memory is accurate, given that activists at the time were subjected to violence and tear gas much like Black Lives Matter is today. Nevertheless, the narrative that there are protests that deserve respect and those that do not has tangible effects. Negative portrayals by news media reinforce the feeling of racial threat that, in turn, affects the way protests are policed (Reid and Craig 2021). For example, the Armed Conflict Location and Event Data Project (2021) found that the probability of intervention by authorities in Black Lives Matter protests was three times higher than in other demonstrations. Additionally, the likelihood of violence being used by the police against Black Lives Matter demonstrators was 52% compared to 26% during other protests. These statistics withstand regardless of whether the protests were

peaceful. In fact, authorities have involved themselves in non-violent Black Lives Matter protests at two times a higher rate than other non-violent protests.

Documents leaked in 2017 reveal for the first time how the Federal Bureau of Investigation labelled Black activists as "Black identity extremists" (Levin 2017). During a Congressional hearing before the Subcommittee on Civil Rights and Civil Liberties, Representative William Clay Jr. stated:

> 'The FBI's Black identity extremist designation could potentially categorize and criminalize Black activists and supportive organizations and people seeking to hold police accountable for unconstitutional policing practices. We should all oppose terrorism in every form, but the FBI's decision to use the color of someone's skin as a tool to identify terrorists takes our country back … the concern expressed by Members of the congressional Black Caucus who met with the FBI in 2018 is that the Bureau may end up targeting those seeking to defend the rights of racial minorities, not those who are actually engaged in terrorism' (United States Congress 2019, 1).

The creation of this new category is troubling given the Bureau's longer history of illegal surveillance and harassment of Black activists, such as Marcus Garvey in the 1920s as well as Martin Luther King Jr. and Malcom X throughout the COINTELPRO program's operation (Brown et al. 2019; Mian 2020).

The violence taken up by law enforcement against Black Lives Matter, which is portrayed as a threatening and radical force, becomes justified in the name of national security. From being called animals by police officers to counter-protesters dressing in ape costumes, wearing monkey masks, throwing bananas at protesters, and carrying nooses (Jardina and Piston 2021), it is clear that the racism born from early maritime expeditions to West Africa is far from over, prevalent in various aspects of society including the news media. Dehumanized and placed beyond the pale of "civilization," protesters advocating for racial equality within a nation that constitutionally guarantees it have been met with violence on behalf of the police. Provided that such protests, in this case Black Lives Matter, are 'the most visible of conflicts between the state and its citizenry' (Bryant Jr. 2019, 44), the deployment of tear gas by law enforcement serves to force the "other" into submission.

<u>Tear Gas in Ferguson and Other American Cities</u>

During the protests that erupted in Ferguson following Michael Brown's murder, Tory Russell shared with *BBC* how 'you smell the teargas, it goes in. It is not even air what you are breathing in. So you are actually choking and then you don't know and you panic … Then you try to scream and can't breathe' (BBC 2014, 1). Having explored the ways in which the "othering" of Black Americans, including Black Lives Matter protesters, has been enabled and normalized, this section will begin by evaluating the employment of tear gas by law enforcement in Ferguson, Missouri - arguably ground zero of Black Lives Matter protests. This city also serves as a 'case study of structural racism in America and a metaphor for all that had gone wrong since the end of the civil-rights movement' (Cobb 2016, 1). It is through the case of Ferguson that one can see postcolonial themes, such as race and empire, alongside biopower operate. Following an analysis of tear gas deployment in Ferguson, this section will then focus on the extensive use of this weapon at several other metropolitan protest sites and during the summer of 2020. Protesting Black mistreatment as well as the status quo, it is through the demonstrators' status as "illegitimate" and "subhuman" that state violence is sanctioned. It is important to note that not only was tear gas deployed against peaceful protesters, but it was also past the expiration date. Tear gas was widely used to repress and coerce submission of those collectively opposing police brutality and racial inequality in the United States.

The murder of Michael Brown by officer Darren Wilson on August 9, 2014 reignited longstanding feelings of injustice, frustration, and fear throughout the Ferguson community. The following day, a candlelight vigil was held to honor Brown's memory as well as protest his untimely death (Chernega 2016). While not all encompassing, the following findings do shed light on Ferguson's racial climate preceding the death of Michael Brown and one of the most famous Black Lives Matter protests. For example, despite Black residents constituting

67% of Ferguson's population, 50 out of a total of 53 police officers were white (Sanders 2014). Furthermore, between 2010 and 2014, 88% of incidents concerning the use of force by police involved Black Americans (United States Department of Justice 2015). Alongside the turnout at Brown's vigil that day, many residents participated in a non-violent demonstration outside the Ferguson police department's headquarters (Hillstrom 2018). Protests, mostly peaceful, went on for days. Many took to the streets marching with banners and chanted "Black lives matter" and "hands up don't shoot" in an effort to make their voices heard. However, protesters were met with armoured vehicles, rubber bullets, riot gear, tear gas, and flash-bang grenades (Clayton 2018; Lowery 2016). One activist recalls not being able to 'believe that the police would fire tear gas into what had been a peaceful protest. I was running around, face burning, and nothing I saw looked like America to me' (Kang 2015, 1). Unrecognizable to fellow Americans, it is clear that the "othering" of certain bodies does not just take place in distant lands but much closer to home. As tensions and violence escalated between both protesters and law enforcement as well as rioters and law enforcement, a state of emergency was declared. The National Guard was sent in on August 18th to repress the dissent and reinforce order (Clayton 2018; Hillstrom 2018).

A man's eyes are washed in an attempt to relieve the burning of tear gas.
(Riedel 2014, 1)

A protester tries to clear the tear gas from her eyes and face.
(Smith 2014, 15)

As Attorney General Eric Holder stated, 'amid a highly toxic environment, defined by mistrust and resentment, stoked by years of bad feelings, and spurred by illegal and misguided practices, it is not difficult to imagine how a single tragic incident set off the city of Ferguson like a powder keg' (BBC 2015, 1). While referring to 'a highly toxic environment' in Ferguson as it pertained to community relations with the police, this "toxicity" is also shown through the contamination of the air that demonstrators were forced to breathe. Tear gas was fired by officials into various zones beyond the protests themselves, from residents' yards to nearby innocent children (Dakwar 2018). Given the indiscriminate nature of tear gas, this chemical agent becomes an even more dangerous tool of governance, lumping together and anonymizing the bodies made to suffer its effects. Furthermore, as journalists Jacks and Stocker (2014) reported, the tear gas deployed during the Ferguson protests was from the Cold War era. While seemingly trivial, expired tear gas has many risks. Some of these dangers include, but are not limited to, incendiary devices becoming more prone to accidental fires, the chemical agents not being up to par with current safety regulations, and the canisters or grenades becoming faulty – all of which increase the likelihood of injury (Feigenbaum 2015). Employed in order to police Black Lives Matter protesters through the atmosphere, tear gas was ultimately used to reinforce authority en masse in Ferguson.

For many, such weapons and 'the presence of militarized police to control protesters in Ferguson, Missouri, in 2014 evoke painful memories of watching television footage of protests in the 1960s' (Aymer 2016, 368). Mirroring experiences of the Civil Rights era, one is left to wonder how much change the past few decades have brought, specifically in relation to the treatment of Black protesters. As Cobbina et al. (2019) raise, numerous protesters felt that the utilization of rubber bullets and tear gas in particular were the epitome of police militarization. Seen as reckless and disproportionate, many believed such a response only inflamed relations with law enforcement officials. The combative nature in which the police confronted Black Lives Matter protesters was not unique to Ferguson or to other demonstrations in 2014. Following the murder of George Floyd in May of 2020, Black Lives Matter protests were yet again met with a war-like police response that further blurred the military and law enforcement spheres.

Floyd, a 46-year-old unarmed Black man, was asphyxiated and ultimately died after his neck was kneeled on for approximately nine minutes by officer Derek Chauvin (Borysovych et al. 2020). When describing the scene in Minneapolis, the town where Floyd was killed, photojournalist Victor Blue recalls Minnesota State Police 'dressed like they were going to drop into Waziristan' (Amnesty International 2020b, 24). This continuum between war and policing where such conflict zones are not confined to faraway lands will also be exemplified in the cases of the occupied and border sites. During a Black Lives Matter protest in Seattle, Aubreanna Inda remembers the police looking like 'they were really geared up to go to war almost' (Amnesty International 2020b, 23). Ironically, as Amnesty International representative, Ernest Coverson, notes, 'the unnecessary and sometimes excessive use of force by police against protesters exhibits the very systemic racism and impunity they had taken to the streets to protest' (Amnesty International 2020a, 1). Even more so, the undue deployment of certain weapons, including the chemical irritants that filled Ferguson, is part

of the larger problem - unaccountable and unnecessary violence on behalf of law enforcement (Amnesty International 2020b).

As the streets of Ferguson became a war zone, the "enemy" became Black citizens (Balko 2014). While Ferguson police representatives assured that tear gas was deployed on crime committing demonstrators (Institute for Intergovernmental Research 2015), this account does not match that of protesters or news outlets. Tear gas was not simply used to overpower a small group of criminal dissenters but exercised as a means of domination more broadly. Tear gas, originally a military weapon, has perpetuated a micro-level war between marginalized segments of the American population and the state - one in the name of racial equality and the other for population control. Encouraging divisive binaries as well as racial hierarchies, the microcosmic function of war has driven particular power and societal relations that are preferential towards an order reminiscent of empire. Black Lives Matter protesters, portrayed and perceived as un-American, undesirable, and lawless, became a deviant force. As Yildiz (2018) notes, the adversarial "us" versus "them" way of viewing protesters was not new or inconsequential. In fact, the company that had been providing the Ferguson police department with its target practice was placing pictures of actual protesters on the target. Thus, the target practice is part of a larger, toxic environment that has conditioned as well as enabled the treatment of marginalized civilians as hostile combatants, and this adversarial view is bolstered through racialized tear gas deployment. By toxifying the air, Ferguson police subdued protesters through debilitation and underscored their "undesirability." Biopolitical and atmospheric governance were not only exercised in Ferguson but against Black Lives Matter demonstrations at various other metropolitan sites across the country.

From Minneapolis to Orlando to Oakland, the summer of 2020 saw Black Lives Matter protesters in at least 100 cities teargassed (Lai et al. 2020). While many of these sites were

major cities, tear gas was also deployed in smaller towns, such as Murfreesboro, Tennessee and Sioux Falls, South Dakota (Amnesty International 2020b). Reported bodily damage from this chemical agent included but was not limited to leg injuries, the loss of an eye, and skin burns (Lai et al. 2020; Swaine 2014). Stuart Schrader at John Hopkins University found that even though this period of time was short, it saw the largest scale employment of tear gas in the United States since the Civil Rights era (Lai et al. 2020). From May 25th to June 5th, there were 89 unwarranted tear gas incidents in 34 states (Amnesty International 2020b). Paralleling the last words of Eric Garner, George Floyd and others ("I can't breathe"), the response to these protests also has been one of suffocation. On June 1st at a Black Lives Matter protest in Philadelphia, Lizzie Horne remembers how there was

> 'someone who was right in the front – who had a tear gas canister hit his head and started running back. We were trying to help him, flushing his eyes and then he just fainted and started having a seizure. He came to pretty quickly. As we were finally lifting him up and getting him out of the way, they started launching more tear gas. That's when people started to get really scared … People started putting their hands up – but the cops wouldn't let up. It was can after can after can [of tear gas]. We were encapsulated in gas. We were drooling and coughing uncontrollably … They were dragging people down the hill and forcing them down on their knees, lining them up – and pulling down their masks and spraying and gassing them again' (Amnesty International 2020b, 30).

More than can be justified as crowd control, those on their knees, already in a position of subjugation, were teargassed. In Virginia, a helicopter was even deployed to help spread tear gas onto those below in what felt like 'a war zone … They were approaching us like we were the enemy combatant' (Amnesty International 2020b, 33). Reminiscent of colonial violence, specifically the use of a military grade helicopter during the civilian gassing of Berkeley in 1969, the toxification of the air was a means to discipline this "other." Black Lives Matter protesters, having transitioned from civilians to combatants in the eyes of authorities, were placed outside the "civilized" and moral community.

Unable to freely exercise rights of assembly and expression without fear of state violence, the ideals of America and citizenship begin to erode. For protesters, tear gas makes

'an assumptive question about your citizenship in America … After being teargassed for a couple of days you no longer feel American. It does something to you, first mentally before it even hits you' (BBC 2014, 1). Despite being granted citizenship in 1868, a struggle still persists for Black Americans to be valued as citizens with rights and entitlements that must be upheld. For some scholars (Hooker 2016; Makalani 2017; Rogers 2014), white democracy and the violence it inflicts will only continue to deny Black Americans of full citizenship. As Ong (2006) argues, the nature of citizenship has become differential, ever-shifting, and no longer guaranteed in its entirety. The utilization of "non-lethal" weapons, such as tear gas, has allowed state actors 'to selectively protect human safety while managing and controlling certain populations' as well as generate 'varieties of citizenship that are always and already partial' (Anaïs 2011, 547). Teargassing not only violates the protection against cruel and unusual punishment but also pollutes the air in the name of governance (Nieuwenhuis 2016). Thus, the implementation of these weapons works to distinguish those whose lives have political value and worth from those that do not (Anaïs 2011). An embodiment of the process of "othering," the ease with which particular groups are teargassed is representative of both their lack of belonging and perceived low level of humanity.

Following a Black Lives Matter protest in Baltimore, Clayton shares how tear gas

'burned and they [the police] was just throwing it … throwing it at everything … And the tear gas hurt and they just, you know, was throwing the tear gas for no reason. That was the only time where I felt like, "OK, they don't care, they don't care who they hurting, they don't care if its kids or they don't care if you out here to protest in a positive way" … They against us, they want to hurt us … It was like "OK, this what you get." They was treating us like we're animals' (Cobbina et al. 2019, 421).

Colonial logics, which inform the repressive use of tear gas against Black bodies, are still very much active. Believing that two separate worlds - one white and one Black - occur simultaneously within the United States Du Bois asks, 'how does it feel to be a problem?' (2005, 1). Many scholars (Allen 2005; Gutiérrez 2004; Hayes 2017; Pinderhughes 2011; Staples 1975) have analyzed the ways Black Americans are subjected to a process of

colonization by the nation of which they are meant to be equal citizens. From the criminal

justice system to urban ghettos, these scholars argue that 'the black community [is]

politically, economically, and militarily subjugated to white America, much as colonies in

Africa or Asia were colonially subjugated and under the direct control of European powers'

(Allen 2005, 4). This differential treatment as it pertains to the relationship between Black

bodies and law enforcement is echoed by Hayes who argues that 'one (the Nation) is the kind

of policing regime you expect in a democracy; the other (the Colony) is the kind you expect

in an occupied land' (2017, 32). In Ferguson, the militarized response to protesters was

representative of colonial domination; necessitating excessive force to secure its legitimacy

over those under the colonizer's control (Hayes 2017). Similarly, Tatum (1994) has expressed

that the police are a repressive force whose actions equate to that of colonization.

A colonial structure and its racial hierarchies have been allowed to thrive through the

policing (and atmospheric policing) of Black bodies. It is through this colonial lens 'that

Blacks are conceived as out-of-control captives in need of taming' (Williams 2021, 285). At

protests in Ferguson, law enforcement is reported to have used expletive and racist language,

shouting at demonstrators to 'get the f*ck off the street, ni*ger. B*tch move. F*ck you' as

well as calling them 'monkeys and ni*gers' (Cobbina et al. 2019, 420). A police officer was

even caught on video yelling: 'bring it, all you f*cking animals bring it' (Terkel 2014, 1).

These beast-like and primal portrayals can be clearly traced back to a centuries-old process of

racial "othering" that remains salient. Accordingly, the police response to protesters

reinforced the disparate treatment, discrimination, and racism Black Americans experience by

state institutions (Cobbina et al. 2019). As Hattery and Smith argue, while 'we saw Black

people fighting for the right to live freely, and we saw (mostly) white police officers, fully

militarized, firing rubber bullets and tear gas at the protesting bodies … what we *saw* was

RACE' (2021, 2). The deployment of tear gas on Black Lives Matter protests was far from

exceptional (Nieuwenhuis 2016) and enabled the suppression of those challenging the current power structure in which Black Americans face inequality and brutality. In fact, tear gas upholds an asymmetric relationship between police officials and those demonstrating, weakening the power of those seeking to change conventional orders (Jones 1978). In many ways, including through the differential deployment of tear gas, the notion of empire persists. This notion, in turn, has enabled the continuation of colonial dynamics and structures that have allowed racialized violence to thrive.

Lafayette Square vs. the Capitol Riot

On January 7, 2021, Vice President Kamala Harris tweeted: 'We have witnessed two systems of justice: one that let extremists storm the U.S. Capitol yesterday, and another that released tear gas on peaceful protestors last summer. It's simply unacceptable' (Cooper 2021, 1). Referring to the Capitol riot undertaken by Donald Trump supporters, Harris' observation on the disparate treatment by law enforcement was shared by many within political circles and the public. This section will compare the police response, including tear gas use, in the cases of Lafayette Square and the Capitol in order to exemplify the dehumanization experienced by Black Lives Matter protesters in action. While tear gas was employed against both these groups, the threshold of its use was much lower for peaceful protesters in contrast to pro-Trump rioters. Furthermore, the deployment of this weapon on demonstrators in Lafayette Square must be contextualized alongside the larger pattern of violent law enforcement practices enacted against those advocating for racial equality and an end to police brutality. As Borger succinctly argues, 'the contrast between the law enforcement reaction to the storming of the Capitol on Wednesday and the suppression of peaceful protests in the summer is not just stark – it is black and white' (2021, 1). Not only categorically opposite, the black and white nature of these cases is also quite literal as it

relates to the identity of the groups in question where the former is stereotyped and perceived as more threatening than the latter. Illuminating how tear gas use upholds racialized, colonial hierarchies, the disciplining of Black Americans through the atmosphere helps maintain asymmetric power relations between this population and the state.

On June 1, 2020, following the murder of George Floyd, a large yet peaceful crowd gathered in protest at Lafayette Square in Washington D.C. This square is a historically significant site and has held numerous important rallies throughout American history (Bernabei 2020). Located not far from the White House, it is imperative to note that unlike the events at the Capitol, there was no effort by this predominately Black assembly to breach the perimeter of a government building or take such action that would pose a security threat (Borger 2021). At around 2 p.m. that afternoon, a meeting of high-ranking military officials and law enforcement officers was held at a Federal Bureau of Investigation command center. William Barr, then acting Attorney General, directed various government agencies ranging from Homeland Security to the Marshals Service to increase already existing law enforcement presence around the area. It was also instructed that officers shift to a more forceful approach by implementing "surges" to disperse the protesters (Chason and Schmidt 2021). Before the 7 p.m. curfew took effect and with little warning (there is debate over whether the warning was audible enough), state and federal officers moved in on the crowd. Shortly thereafter, peaceful demonstrators were confronted with pepper spray, tear gas, riot shields, pepper balls, batons, horses, and rubber bullets (BBC 2020; Rupar 2021). Various agencies including the Washington police, the National Guard, the Park police, and the Bureau of Prisons took part in this coordinated effort that also involved the dispatch of an army helicopter (Borger 2021). One demonstrator recalls how their 'throat was burning. I was out of breath, breathing in and out this toxic air. I was alone' (Chason and Schmidt 2021, 1).

Following the crowd's clearing, President Donald Trump walked across the square to take

photos in front of St. John's Episcopal Church (Chavez 2021).

Protesters are teargassed while police are on horseback.
(Schmidt 2021, 1)

Tear gas and smoke are used on demonstrators in Lafayette Square.
(Magana 2020, 1)

Roughly six months after the clearing of Lafayette Square, an attack on the Capitol

building took place following the election of President Joe Biden. On January 6, 2021,

supporters of Donald Trump, many of whom were white men, stormed the Capitol while the

electoral college vote was being certified. Not only breaching the building's perimeter with

the intention of overturning the election results, the rioters also stole, defaced, and destroyed

property as well as injured officers (Chason and Schmidt 2021; Hauck and Barfield Barry

2021). Attendees included members of right-wing extremist groups, such as Proud Boys,

Oath Keepers, Alt-Right, and Boogaloo Bois (Thompson and Fischer 2021). Compared to

Black Lives Matter protests, there was significantly little police presence even in spite of

growing security concerns. Notwithstanding the attack being discussed online, determination to overturn a democratic election, the threat of firearms, and warning from the Federal Bureau of Investigation, law enforcement agencies did not plan accordingly (Borger 2021; Chason and Schmidt 2021). Even more so, the D.C. National Guard was not deployed until after the Capitol was broken into (Chavez 2021). According to news reports, it took multiple hours for approximately 1,000 National Guard troops to finally reach the site (Chason and Schmidt 2021). In the meantime, officers provided little resistance once the rioters had made their way inside. Some officers were moving barricades out of the way, opening doors, and taking photos (Eligon 2021). As Nick Ochs, a member of Proud Boys, told CNN: 'There were thousands of people in there - [the police] had no control of the situation. I didn't get stopped or questioned' (Cooper 2021, 1). In contrast to the threshold guiding the Black Lives Matter protest, tear gas was deployed once the rioters were inside the building as part of the effort to clear them out (Rushe 2021; *The New York Times* 2021). The insurrection was eventually suppressed, and the Capitol was secured four hours after the first barriers had been breached (Sterling 2021).

A police officer tends to a pro-Trump rioter who had been exposed to tear gas.
(Cherry 2021)

Police use tear gas to disperse those near Lafayette Square.
(Vucci 2020)

In contrast to the overmilitarized response peaceful Black Lives Matter protesters faced, law enforcement was ill-prepared for the Capitol insurrectionists. As Sterling notes, 'the protests share an inverted relationship, as if reflected in a funhouse mirror' (2021, 456). Expressed by Representative Tim Ryan, who held a position on the panel which oversees the Capitol Police, the expectation was 'first Amendment protests, pretty vanilla, maybe some dust-ups … but absolutely nothing like this' (North and Nilsen 2021, 1). Though this was the narrative used to explain inaction on January 6th, Gregory Monahan, Chief of the Park Police, in a Congressional hearing reaffirmed that 'the use of force that we utilized on June 1 was in direct correlation to the level of violence that we were subjected to on June 1' (United States Committee on Natural Resources 2020, 1). However, many in law enforcement condemned their action, siding with public perceptions of unwarranted violence. While some felt there was an 'excessive use of force' (Borger 2021, 1), Adam DeMarco of the D.C. National Guard testified that

> 'the events I witnessed at Lafayette Square on the evening of June 1 were deeply disturbing to me, and to fellow National Guardsmen. Having served in a combat zone, and understanding how to assess threat environments, at no time did I feel threatened by the protesters or assess them to be violent. And based on established U.S. military protocols concerning proportionality of force in dealing with civil disturbances both within the United States and overseas, it was my observation that the use of force against demonstrators in the clearing operation was an unnecessary escalation of the use of force. From my observation, those demonstrators--our fellow American citizens--were engaged in the peaceful expression of their First Amendment rights. Yet they were subjected to an unprovoked escalation and excessive use of force'
> (United States Committee on Natural Resources 2020, 1).

Unfortunately, legal remedies for situations such as these are limited. The American Civil

Liberties Union, on behalf of the Black Lives Matter D.C., filed a lawsuit against President

Trump, Attorney General Barr, Defense Secretary Esper, and other federal officials shortly

after the incident. The court dismissed most of the plaintiff's claims (American Civil

Liberties Union 2020).

Through a comparison of these cases, it is clear that there are two distinct systems of

policing at work within the United States - one in which the threshold and acceptability for

violence is much lower than the other. While those who posed a national security threat were

teargassed after they made it inside the Capitol, those who posed a threat to the current racial

order were teargassed without cause. Rooted in 'an entire presumption that folks who were

protesting racial justice were dangerous' (Racine in Chason and Schmidt 2021, 1), there was

extensive preparation taken to suppress those in Lafayette Square. Playing into racial

stereotypes and tropes, the assembly of Black bodies was viewed by law enforcement

officials as more threatening than an insurrection by a group of whites. The centuries old

process of "othering" combined with the dehumanizing discourses that were constructed have

perpetuated racialized policing practices, particularly as it pertains to protests comprised of or

in solidarity with the marginalized. Similarly, a statement was released by the Black Lives

Matter Global Network to express how the Capitol riots were:

> 'One more example of the hypocrisy in our country's law enforcement response to
> protest. When Black people protest for our lives, we are all too often met by National
> Guard troops or police equipped with assault rifles, shields, tear gas and battle helmets.
> When white people attempt a coup, they are met by an underwhelming number of law
> enforcement personnel who act powerless to intervene, going so far as to pose for selfies
> with terrorists, and prevent an escalation of anarchy and violence like we witnessed
> today. Make no mistake, if the protesters were Black, we would have been tear gassed,
> battered, and perhaps shot' (Chavez 2021, 1).

This double standard is enabled by the historical dehumanization of Black Americans which

has lent itself to state-sanctioned atmospheric violence by way of tear gas. The unnecessary

use of tear gas on peaceful demonstrations aids in the exertion of control and biopower over

Black Americans, who are viewed as partial, "lesser" citizens.

Conclusion

This chapter has demonstrated how tear gas has been deployed in a racialized manner

against Black Lives Matter protesters between 2014 and 2020. Used for the purposes of

disciplining an already marginalized population, this chemical agent has facilitated the

suppression of those opposing the current racial order at various protest sites across the

United States. Through employing postcolonial themes, this chapter has argued that

hierarchies, rationalities, and structures from earlier histories continue to inform the

systematic use of tear gas on Black Americans. Thus, while slavery and colonialism are over

in a traditional sense, it is essential that their legacies are addressed, specifically in relation to

state violence and tear gas deployment today. The first section provided an assessment of the

historically exploitative relationship between law enforcement and Black bodies dating back

to the first slave patrols of the South. Subsequently, the second section analyzed the

"othering" of Black Americans which has served to manufacture and perpetuate

dehumanizing discourses that have characterized this population as subhuman, criminal, and

aggressive. The third section focused in on the Black Lives Matter movement specifically,

including its formation, impact, and comparability to the Civil Rights movement. The fourth

section explored the portrayal and treatment of Black Lives Matter protesters, who have been

framed as lawless as a means of diminishing the legitimacy of the organization and its cause.

Next, the fifth section examined the widespread use of tear gas in Ferguson, Missouri as well

as additional American cities. It is here that the history of policing, the "othering" of Black

bodies, and the depiction and treatment of Black Lives Matter demonstrators converge.

Finally, to highlight the differential treatment, specifically teargassing, of this group, the last

section compared the cases of Lafayette Square and the Capitol. The use of tear gas at Black

Lives Matter protest sites underscores the colonial function of this weapon and its role in

facilitating control over those who have been dehumanized. As the struggle of Black

Americans continues, teargassing is a way through which to repress challenges to the state.

Chapter 5: Tear Gas Use on Occupied Bodies: Kashmir

<u>Introduction</u>

Kashmir, having 'borne the weight of contested sovereignty claims throughout most of the modern era' (Kaul 2020, 1), is one of the most militarized regions in the world. The regularity and intensity of violence in India-controlled Kashmir has negatively impacted various aspects of day-to-day life for civilians. Therefore, this chapter will draw attention to how tear gas has been deployed to discipline and manage occupied bodies, specifically those residing in Indian-administered Kashmir. Kashmir has been selected as a case study for its continued relevancy, increasing militarization, and extensive civilian harm. The use of tear gas against Kashmiri bodies also exemplifies the routinization of force onto those who desire freedom, in this case from Indian rule. The focus on tear gas is not to overlook or minimize the other human rights violations - from extrajudicial killings to forced disappearances (Khan et al. 2021) - that are taking place in the region but rather to highlight how this dangerous weapon has been disproportionality used on those "less than." This chapter will assess themes of empire, biopower, identity, and war as they merge at several sites across Kashmir, including the capital of Srinagar. This chapter argues that postcolonial themes remain powerful and relevant as history continues to shape contemporary relations, particularly between the Indian government and Kashmiri civilians. Through underscoring the way tear gas has been utilized by state authority - against those who are "othered" and resist occupation - this chapter will demonstrate how the lives of those in Kashmir have been rendered negligible, as atmospheric violence in the name of security operates largely unrestrained. Similar to the widespread deployment of tear gas on Black Lives Matter activists, an analysis of how this chemical agent is used against Kashmiri civilians illustrates the link between citizenship status, history, and power.

The first section will trace the evolution of domination and policing in Kashmir. It is only through an understanding of the region's past that Indian law enforcement's response to Kashmiris, including the almost daily teargassing, can be effectively examined. Furthermore, by contextualizing the situation in Kashmir over the years, its long history of subjection to violence and regional control, specifically with regard to how tear gas has helped maintain asymmetric dynamics, can be brought to light. Still, the repressive, hierarchical way power continues to be exerted did not unexpectedly emerge but is rather rooted in a longer process that has dehumanized and thus legitimized harm against this population. Therefore, the second section will assess the various ways occupied bodies within Kashmir have been "othered" through the perpetuation of debasing narratives that cast this group as inferior and as terrorists. The consequences of these narratives and their tangible effects on policing, including the state sanctioning of tear gas, have had to be recurrently endured.

From news reports to Bollywood films, the spread of stereotypical and dehumanizing representations has encouraged anti-Muslim sentiments. Accordingly, the third section will analyze the portrayal of Kashmiris and how they have come to be framed as uncivilized and criminal - thus making them "eligible" for teargassing. Having explored the manners in which the dehumanization of Kashmiri Muslims has been enabled and normalized, through different means and over various time periods, the fourth section will evaluate the routine deployment of tear gas by Indian security forces in the capital of Srinagar. In doing so, the continuity of and heavy reliance on this weapon for repressing those living under occupation will be revealed. From the militarization of everyday life to the maiming of civilians, Srinagar exemplifies the disciplinary function of tear gas. The last section will compare the cases of the 2021 Muharram procession in Kashmir and the 2023 Ram Navami riots in India to demonstrate the differing levels of tear gas use. While a peaceful religious procession, undertaken by Kashmiri Muslims, was violently handled and teargassed by police, a right-

wing Hindu riot targeting Muslim neighborhoods received little intervention. The way certain groups are dehumanized, and therefore mistreated, is influenced by colonial statuses and history. From the teargassing of hospitals to viewing civilians as terrorists, anti-Muslim racism endures and consequently impacts this weapon's use. As Kashmiris continue to demand independence, it is important that the historical legacies which maintain systems and structures of domination are considered, especially as they relate to the deployment of tear gas on those already marginalized.

<u>Policing and History of Kashmir</u>

To thoroughly contextualize the continued importance of Kashmir and how violence against its residents is sanctioned today, the region's history must first be explored. It is necessary to do so as Kashmir's strained relationship with India, the policing experienced by civilians, and the independence struggle cannot be isolated from these historical realities. In many ways, Kashmir represents 'a mix of ethnic, religious, and territorial battles; irredentism [and] hypernationalism' (Ganguly and Bajpai 1994, 402). Dating back to the 16th century, Kashmir has been dominated by several empires including the Mughal, the Afghan, the Sikh, and the Dogra as each became 'more tyrannical than the other' (Zia 2020a, 359). India is arguably the newest iteration in a long line of expansionist powers that sought to control the region (Kaul 2011a; Schofield 2003). Geographically nestled between India and Pakistan, Kashmir, with a predominately Muslim population, has been a key site of dispute between these two nations for decades. While an all-encompassing account of the region is beyond the scope of this thesis, this section will provide an overview of Kashmir beginning with the 1947 Treaty of Accession in order to trace the continuity of certain structures, struggles, and systematic methods of oppression. It is through understanding the patterns of domination within the region that the dehumanization and criminalization of Kashmiris in the

contemporary era, which has rationalized the use of tear gas against this "other," can be analyzed.

Following the formal exit of the British empire in 1947, the princely state of Kashmir was given the option to either join India or Pakistan. A majority of Kashmiris desired instead to become an independent and democratic state (Whitehead 2008). Unsure as to what action to take, it was not until tribal raiders invaded that a decision was made by, or rather for, Maharaja Hari Singh of Kashmir. Turning to India for military assistance, the aid that was required to secure the territory came with a contingency - that India would attain Kashmir. Hari Singh signed the Treaty of Accession on October 26th of that year which ultimately acceded his state to India. The offer was accepted by India's Governor-General Lord Mountbatten with the understanding that the accession would be placed to a vote before the Kashmiri people (Mukherjee 2016; Tremblay 2009). Sheikh Abdullah became the head of government succeeding the departure of the Maharaja. Sheikh Abdullah had previously led the J&K Muslim Conference and helped launch the "Quit Kashmir" movement, which called for Kashmiri self-rule. His imprisonment in 1953 would dash the hopes for many of Kashmiri sovereignty (Behera 2016).

After the Indo-Pakistani War of 1947-1948, a 435-mile cease-fire line, renamed the Line of Control, was established which split Kashmir between the two warring states. This border served to divide Kashmir into Pakistan administered Azad Jammu and Kashmir (AJK) and Gilgit-Baltistan as well as India administered Jammu and Kashmir (J&K). Within J&K were the Kashmir Valley, Jammu, and Ladakh (Bhan et al. 2018). The war of 1947 would be followed by another one in 1965. Kashmir was also the site of confrontation in 1971 and 1999 (Ganguly and Bajpai 1994). A key event in Kashmir's history, and of particular relevance to this case study, would take place shortly after the first war. From May to October of 1949, what became Article 370 of India's Constitution was discussed. After

months of negotiation, Jawaharlal Nehru, then Prime Minister of India, and Sheikh Abdullah came to an agreement (Noorani 2011). This article, also referred to as the "special status," protected Kashmir's semi-autonomous status in all domains except for foreign affairs, currency, defense, and communication. Entitled to their own flag, Constitution, laws, permanent resident status, and constituent assembly, this piece of legislation carved out an area of exclusion. India's Constitution, which included Article 370, came into effect in January of 1950 (Bhan et al. 2018).

Even with this "special status," the desire for an independent Kashmir did not wane (Faheem 2018). However, India supported a series of centrally approved governments, encroached upon democratic rights, and progressively hallowed out the protections ensured by Article 370 following the imprisonment of Sheikh Abdullah for his pro-Kashmir politics in 1953 (Staniland 2013). With Bakshi Ghulam Mohammed, the pro-India Prime Minister who took power following Sheikh Abdullah's arrest, came Kashmir's integration into the Indian Union 'as a matter of deliberate policy' (Tremblay 2009, 931). For example, in 1954, the Constituent Assembly, under Mohammed, ratified Kashmir's accession to India. Furthermore, the original provisions within Article 370 were amended numerous times in order to bring the region under the jurisdiction of India's Constitution. Throughout this period, repression and patronage were used as a means of domination. The National Conference, which received support from the Indian government, consequently won the state assembly elections in 1957, 1962, and 1967 (Staniland 2013; Tremblay 2009).

After over a decade in prison, Sheikh Abdullah was allowed to resume his position in 1975 with the understanding that he would not stray from New Delhi. The Indira-Sheikh Accord, signed between Prime Minister Indira Gandhi and Sheikh Abdullah, worked to reduce Kashmir's autonomy and increase India's regional dominance (Bose 2013). The years 1975 to 1982 were marked by relative stability (Staniland 2013). However, in 1987, large-

scale demonstrations broke out as a result of election rigging against the Muslim United Front. Despite receiving widespread support, the Muslim United Front lost to the National Conference. Political opponents were subsequently arrested, supporters were intimidated, and four people were killed during protests (Lamb 1991). Law enforcement and paramilitary were emboldened as they sought to curb dissent against Indian authority. As Talbot notes, 'Kashmiri Muslims' alienation from the Indian state intensified after the blatant rigging of the June 1987 state elections' (2000, 276).

Two years later, a popular armed uprising against India began in Kashmir. Demanding independence and the promised plebiscite of 1947, this insurgency persisted throughout the 1990s (Zia 2020b). In response, the Indian government imposed the Armed Forces Special Powers Act (AFSPA) in 1990 which gave 'the Indian military and paramilitary forces unlimited powers to act with impunity' (ibid., 61) on what was classified as a 'disturbed area' (Hoffman and Duschinski 2014). Furthermore, the local police in Kashmir were replaced by heavily armed forces including the Central Reserve Police and Border Security Force. In total, more than 700,000 paramilitary and military forces were deployed in Kashmir to reinforce control over both insurgents and ordinary civilians (Fazili 2018). While Indian rule had relied on the manipulation of elections, the formation of wealthy groups with shared interests, and the imprisonment of political opponents, the government's tactic shifted after the 1990s. From thereon, an overtly militarized strategy which was constituted through mass violence became more popular (Junaid 2013). Consequently, the 'counterinsurgency regime remains, producing a perpetual state of siege that subjects the entire population to everyday conditions of surveillance, punishment, and control' (Bhan et al. 2018, 2). This pivotal period of Kashmiri history, which continues to shape the present, bears witness to an increasing militarization of policing and a disregard of human rights.

Serious conflict with law enforcement resurfaced in 2008 after the transfer of approximately 100 acres of Kashmiri land was announced. This land was to be made part of a trust that would oversee a Hindu pilgrimage to the Amarnath shrine located in the Himalayas. However, many Kashmiris took this news as representative of Indian hegemony and the power of Hindu nationalism. There was widespread concern that this decision marked the beginning stage of settler colonialism as the proposal involved the building of housing facilitates on Kashmir territory (Kak 2010; Tremblay 2009). In response to mass protests that subsequently took place, the government revoked its decision to transfer the forestland in the hopes of defusing tensions (Mushtaq 2008). These protests marked a fundamental shift in the long history of Kashmiri resistance. Transitioning from an armed effort to a civilian resistance movement with considerable youth participation, the streets became the center of confrontation with Indian forces (Zia 2020a). Since 2008, there have been various cycles of uprisings including in 2010 and 2016, making the region one of the most militarized in the world (Kaul 2018).

One of the latest sets of protests, accompanied by a wave of violence in response to India's continued effort to exert control over Kashmir, took place in 2019. On August 5th, the Indian government, led by the Bharatiya Janata Party, unilaterally revoked Article 370 and 35-A of its Constitution. Article 35-A had, in short, safeguarded the ownership of Kashmiri land by allowing its own legislature to determine permanent residency status. In addition to losing its semi-autonomous status, Kashmir was bifurcated and downgraded to a union territory (Kaul 2020; Waheed 2019). This decision was arguably a "constitutional coup" as consent was not given by the people or the state legislature (Kaul 2020). Accompanying the abrogation of these two articles was a strict lockdown that included a crackdown on various lines of communication from internet access to telephone networks (Pandow 2021). Over 48,000 extra troops, in addition to the 700,000 already stationed, were sent into Kashmir (Zia

2020b), militarizing the region further. From curfews to movement restrictions to human rights violations, the Indian government exercised its newfound authority to police and counter protests against the state. Approximately 4,000 arbitrary arrests of politicians, journalists, activists, students, businessmen, and lawyers were also made during this time, having been justified under the Public Safety Act (Khan et al. 2021). For many residents, the lockdown propagated 'a climate of fear [leaving] people feeling like prisoners in their own homes' (Chaudry 2019, 1).

The lockdown of millions of people led the United Nations Human Rights Council to declare the actions of the Indian government to be 'a form of collective punishment' (United Nations 2019, 1). This period also marked the longest internet blockade within a democracy (Kaul 2020). As Ali Saifuddin shared with BBC, 'we have been pushed back into dark medieval times when kings invaded cities and held a siege until people kneeled before them. Our situation is exactly like that. It's a barbaric act, an act of extreme control by a state over its subjects' (Ahmed and Jasrotia 2019, 1). A similar sentiment is expressed by Arif Akhroon who stated that 'if Kashmiris found this acceptable the government would not need to deploy so many security forces … See what they have reduced us to … As a Kashmiri if I raise the Indian flag willingly, then that is integration. But I think this is just about occupying the land, nothing else' (ibid.). While the Indian government maintains that these steps have been taken to encourage development, curtail nepotism, and end terrorism, Kashmiris view these efforts as an assault on their national, religious, and ethnic identities (Misri 2020; Zia 2020b). Noting how the 'full integration of Kashmir, even if against the wishes of its people … is as imperialistic as it can get' (Zia 2020b, 65), the next section will bring to light how dehumanizing logics and colonial rationalities have rendered such action and other methods of state-violence, including the use of tear gas, legitimate.

Othering of Occupied Bodies

The manners by which Kashmiri bodies have been dehumanized, particularly by the ruling governments of India, have served to reinforce and rationalize the harm wrought upon them by authorities. While not formally colonized by India in the traditional sense, the exclusionist logics and negative discourses that have been perpetuated against Kashmiris are reminiscent of earlier empires - to which India itself was once subjected. These "othering" processes, which influence day-to-day life, negatively affect this group's relationship with the dominating power. As Zia argues, 'Kashmiri Muslims are doubly marked as the Other: first as Muslims and second as Kashmiris who are ungovernable and committed to an irrepressible struggle for plebiscite and sovereignty' (2020b, 61). Racialized not based on skin color but instead on religio-cultural identity, Kashmiris have been constructed as terrorists and infiltrators (Duschinski 2010; Zia 2019). Supporting the narrative that the "other" is one to be both feared and forcefully managed (Said 2003), prejudicial depictions of this group remain popular. As Kashmiris have undergone dehumanization on various levels over the years, the continuation of violent practices, including the deployment of tear gas by law enforcement, is far from exceptional.

Dating as far back as the mid-1800s, if not even earlier, Kashmiris Muslims have been marginalized by those governing the princely state. From one generation to the next, this population was widely discriminated against under Dogra rule. One important way was through the 1927 state-subject ordinances which predominantly benefitted Hindus in the region (Tremblay 2009). Further examples can be found in the illegality of Kashmiri Muslims carrying firearms or joining the armed forces (Mohanty 2018). They were also excluded from educational opportunities and positions in higher levels of government (Kaul 2011b; Schofield 2003). As Canon Tyndale-Biscoe, headmaster of the Mission School in Srinagar, succinctly noted, 'the Mohammedan did not send their sons to school as all government

service was closed to them' (1951, 52). Many Muslim peasants, who often were crushed under high taxes and forced to provide labor for free, had only enough for bare necessities. On the other hand, Kashmiri Hindus, otherwise known as Pandits, had or received better education, wages, and living conditions compared to their counterparts. This higher standard of living also applied to the influence they wielded in state politics and administration. While only comprising 5% of the population, Kashmiri Pandits - as accountants, landholders, and civic administrators - held greater power (Kaul 2011b). This situation cultivated an uneven dynamic where Kashmiri Muslims were rendered second-class citizens who possessed limited authority in and over their lives.

Even before the events of September 11, 2001, which reinforced the prominence of Orientalist thinking in global discourse, Kashmiris were constructed in terms that equated their desires for self-determination as a risk to security. Idrisa Pandit, a Kashmiri-American academic, shares an experience from the early 1990s that captures the national imagination of India in its relations with Kashmir:

> 'I witnessed an Indian soldier hit a pregnant Kashmiri woman with his rifle butt and utter these words, "get rid of the terrorist you will birth." That incident, forever etched in my mind, for me epitomises how the Indian armed forces, that operate with absolute impunity in the region, view Kashmiris. It is the very same perception that governs the minds of the right-wing, ideologically driven Hindu nationalists and their supporters who are celebrating the recent division and annexation of Kashmir. They see it as a victory over barbaric Muslims whose land and women are waiting to be conquered' (2019,1).

Viewed as dangerous and backwards, these colonial philosophies bolster the "othering" of this marginalized population. These kinds of discourses help render certain bodies "ungrievable" (Butler 2010). The "ungrievability" of Kashmiris works to erase their humanity and uphold Indian occupation (Misri 2019). The rearticulation of Muslim men, women, and children in this way perpetuates an "us" versus "them" mentality that seeks to civilize and oppress. As Mehdi (2017) notes, the religious category of "Muslim" becomes

incompatible with what it means to be "Indian." In this sense, only Hindu Kashmiris are deemed to be true and legitimate (Kaul 2020).

Although these types of discourses remain damaging, their acceptability originates from the state, more specifically from the laws that it passes. Working in a similar manner to international law, particular pieces of legislation (created by those in power) enable a hierarchical ordering of lives. As a result, certain groups, in this case Kashmiri Muslims, are excluded from protection. Such an example can be found in the Armed Forces Special Powers Act that governed the region. However, it is important to note that not only are laws like this 'central to the project of establishing state authority and maintaining militarized governance' (Hoffman and Duschinksi 2020, 658) but they are also part of a larger and longer process of dehumanization. Representing Indian oppression and rule (Jacob 2017), laws like the Armed Forces Special Powers Act highlight the expendability of Kashmiri bodies.

Under the Armed Forces Special Powers Act, security personnel are granted the power to 'enter and search without warrant any premises,' 'arrest, without warrant, any person who has committed a cognizable offence or against whom a reasonable suspicion exists,' and even 'fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area' (Ministry of Home Affairs 2022, 3). Furthermore, the Armed Forces Special Powers Act upholds that 'no prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act' (ibid., 4). While this legislation was imposed upon Kashmir in 1990 (Amnesty International 1999), the act has its roots in the colonial era. The then Armed Forces Special Powers Ordinance, first implemented by the British over India in 1942, served to empower law enforcement in

its efforts to suppress the "Quit India" movement. In 1958, this ordinance was reintroduced as

the Armed Forces Special Powers Act by (now independent) India to justify army

deployment in Assam and Manipur (Duschinski 2010).

As Kaul argues, 'a colonial ordinance designed to legalise what were considered, even

by colonial standards, extraordinary military methods to quell a nationalist anti-colonial

movement was revived and strengthened' (2011a, 73). This was done 'to legalise

extraordinary military methods to repress political movements among sections of the

populations at its peripheries' (ibid.). The Armed Forces Special Powers Act, functioning

under the guise of order and security, has been used to legally sanction human rights abuses

upon those residing in Kashmir. From enforced disappearances to arbitrary arrests to sexual

violence to extrajudicial killings (Duschinski and Ghosh 2017), Kashmiris have been

devalued, alienated, and made expendable. It is evident that by not entitling victims or their

families to justice, the Indian government does not acknowledge Kashmiris as humans

deserving of these rights. Instead, routine violence has been endorsed by this act,

transitioning ordinary civilians to combatants who must be eliminated for the safety and

security of the rest of society (Duschinski 2010; Hoffman and Duschinski 2020).

In the post-9/11 era, the demonization of the Muslim figure, including Kashmiri

Muslims, has intensified. Islam, and by extension those who practice it, have become

synonymous with terror in public imagination and subsequently targeted for dehumanization

(Pandit 2019). However, the articulation of the Muslim world as something 'either to be

feared or to be controlled' (Said 2003, 301) is not a new phenomenon. Edward Said's

Orientalism (2003), a seminal work and foundational text of postcolonial studies, sheds light

on the intricate link between knowledge and power as well as how dehumanizing discourses

of the Muslim world have been institutionalized throughout history. Orientalism can be

described 'as a Western style for dominating, restructuring, and having authority over the

Orient' (Said 2003, 3). According to Said (2003), the way knowledge becomes the grounds for power is incongruent and erroneous, based on fabricated, biased, and Western-centric notions of the Orient. The construction of knowledge is not inconsequential, creating an imperialist paradigm as well as hierarchical discourse that paints the Orient as inferior and undeveloped.

Orientalist narratives have been recaptured and reignited, taking on an alternate shape since the attacks of September 11, 2001 (Kerboua 2016; Tuastad 2003). From then onwards, 'the neoconservative creed, inspired by Lewis and Huntington, has been constructing a neo-Orientalist image of contemporary Muslims not only as backward and inferior but more importantly as violent and threatening' (Kerboua 2016, 9). The works of Bernard Lewis (1990, 1993) and Samuel Huntington (1993, 1996) can be largely credited with the reinforcement of such stereotypes within public discourse that later influenced writers including Pipes (2003), Harris (2007), and Caldwell (2009). This dualism between the West and Islam continues to take shape within a globalized framework (Samiei 2010) - one which positions Muslims as the feared "other." Through weaponizing the fear of terrorism, governments, including India, have extended securitization processes at the expense of Muslims' civil liberties and human rights (Jones 2008; Pandit 2019). Kashmiris, framed as radicalized Muslims, have been rendered inherently suspect. This, in turn, provides a way by which they are not only marginalized but also become legitimate targets of violence in the name of public safety and order (Duschinski 2010; Kaul 2020).

The dehumanization of Kashmiris has extended to, and even been encouraged by, those in the highest positions of power within India. For example, in 2020, the Chief of India's Defence Staff, General Bipin Rawat, openly recommended that Kashmiris be sent away to "deradicalization camps." This suggestion is eerily similar to Uighur camps in China (Gettleman and Schultz 2020). A few years earlier, this same general praised (and awarded)

the officer who used a Kashmiri man, Farooq Ahmed Dar, as a human shield to deter stone

throwers (Rowlatt 2017). Farooq, after being tied to the front of a military jeep, was driven

around for a total of five hours - an action that Amnesty International has described as 'cruel,

inhuman and degrading treatment amounting to torture' (ibid., 1). In a climate where the

Kashmiri is perceived to be at minimum a potential militant, governance is carried out in a

forceful and asymmetric manner that is reminiscent of former empires. As Osuri and Zia

argue, the counterterrorism narrative 'not only undermines the claim to self-determination for

Kashmir but also produces a justification for Kashmiri bodies as killable others' (2020, 253).

Through producing and appealing to a fictionalized idea of the "enemy," power operates

largely unconstrained (Mbembe 2003). Placed beyond the moral, "civilized" community, it is

through the "othering" of occupied bodies that violent law enforcement practices, including

teargassing, are facilitated.

Portrayal and Treatment of Kashmiris

Having provided an account of Kashmir as well as the dehumanization of its

residents, these two histories converge with the more recent portrayal and treatment of

Kashmiri Muslims. Their portrayal within the media and broader public discourse will be

examined in order to show how tear gas becomes a legitimized means through which to

manage this long-relegated group. Deemed 'separatists and terrorists' who have 'converted

Kashmir, which had been called the heaven on the Earth into the hell of terror by using

Article 370 as a shield' (Union Minister Naqvi in *India Today* 2019, 1), the framing of this

region's residents in such a way has found support amongst political officials and anti-

Muslim ethno-nationalists (Pandit 2019). The media has had a central role in peddling this

narrative for decades, marginalizing and suppressing those that dissent (Pandow and Kanth

2021). As argued in the previous chapter on Black Lives Matter, the media can influence

public perception and behavior (Ouellette and Hay 2008; Mickler 1998). Thus, exploring the ways Kashmiris have been "othered" through this medium is necessary for examining the continued use of tear gas as a colonial weapon with a biopolitical purpose.

Dating back to the 1950s, a well-organized and effective propaganda machine has been entrenched in Kashmir. Through curbing the freedom of the press, the Indian government has largely been able to protect its interests in Kashmir by consolidating power over and censoring the information broadcast by the media (Pandow and Kanth 2021). Indian media coverage of Kashmir is known for supporting the government's outlook, not covering human rights abuses by security forces, and being 'welded to the notion of "for the national interest"' (Nazakat 2012, 69). Due to the frequent use of the media as a means of propaganda, the institution has arguably been corrupted (Boga 2020). The control wielded by the Indian government over media houses has proved to be particularly important since the escalation of violence in the 1990s (Nazakat 2012). In 2005, Arundhati Roy, an author and activist, spoke about how 'reports portray zero reflection about the reality in J&K. Indian media is busy painting a rosy picture of normalcy, which is absolutely false' (1). Indian media policy, which often serves to legitimize claims to the region, has taken a more forceful and hostile form after the Bharatiya Janata Party came to power in 2016 (Pandow and Kanth 2021). Efforts to accurately report events in Kashmir have been met with increasing intimidation and harassment of journalists, despite calls for such treatment to end (Amnesty International 2020d).

Playing into post-9/11 discourses, Kashmiri resistance has been labelled an issue of global terrorism by the Indian media and government (Zia 2020a). Through criminalizing the movement's demand for independence, India has been able to depict the Kashmiri struggle as 'a fanatical religious movement, a jihad against India' (Pandit 2019, 1). The Indian government frames Pakistan as responsible for violence within the region while its own

image is one of legality and benevolence (Lamb 1991). Accordingly, the Indian military is

portrayed as 'the saviours of Kashmiris rather than occupiers' (Zia 2019, 783). Such a

portrayal parallels the "civilizing missions" of various empires during colonialism and works

to rationalize state-sanctioned violence. Furthermore, as anthropologist Mohamad Junaid

notes, for many years the military and police have distributed images of dead Kashmiris

> 'that show them disheveled and bloodied, with torn clothes and limbs out of joint,
> presenting the figure of the Kashmiri rebel as a wild, hunted felon. The intent has
> been clear: criminalize their thoughts and bodies, and show them as existing beyond
> the pale of society and humanity' (2016, 1).

Represented as jihadis, fundamentalists, and terrorists seeking to conduct a religious war, the

purpose of Kashmir's resistance movement has been cast as a manifestation of Islamic

extremism rather than a form of political mobilization (Hoffman and Duschinski 2014). In

fact, the term "agitational terrorist" is frequently used to describe protestors (Misgar 2018).

This tactic is similar to the colonial era strategy of delegitimizing calls for self-determination

and repressing such desires through force.

The Indian media's depiction of Kashmiri Muslims has maintained negative public

perceptions that position them as the "other" and the "enemy." Through the mass media's

perpetuation of Islamophobic stereotypes and tropes, Muslims become little more than their

supposed violent, regressive, and uncivilized tendencies (Drabu 2018; Pandit 2019). While

the term Islamophobia gained prevalence following the attacks of September 11, 2001, the

term's origin can be traced back to the 1910s (Delafosse 1911; Quellien 1910) highlighting a

longer pattern of anti-Muslim racism within Western discourse. With the capacity to

manufacture or construct consent while simultaneously avoiding more obvious forms of

coercion, mass media can work as a part of a larger propaganda apparatus (Herman and

Chomsky 1988). In a study conducted by Drabu (2018), Indian television news was found to

play an explicit role in inflaming racism, specifically against the Islamic faith and those who

practice it. Within the cases analyzed, Islam was accompanied by a range of dehumanizing

words including "rage," "hate," "terror," "sickening depravity," "threaten," and "brutality." These associations become institutionalized as Muslim lives are rendered illegitimate and in need of controlling.

While news media has been particularly influential in the mischaracterization of Kashmiri Muslims, Bollywood also shares responsibility. From inception, and even more so after September 2001, Indian cinema has often used stereotypical representations and spread anti-Muslim sentiments. Particularly over the past decade, the film industry in India has seen exponential growth, making it one of the largest in the world (Khan and Bokhari 2011; Zafar and Amjad 2018). A significant channel through which to project and engrain certain images into society, films, in this case from Bollywood, are transmitted from one culture to another and reach audiences across the globe (Biagi 2012). As Kumar argues, 'cinema has assumed a crucial role by virtue of its pervasive mass appeal and its ability to deeply push itself into the popular psyche,' having a 'penetrative impact upon people's thinking and imagination' (2013, 458). Films are not only a reflection of popular culture but also have a fundamental role in shaping it as well as being the primary means through which many comprehend the Muslim world (Kumar 2013; Abdalla and Rane 2007). Muslims, conveyed as cruel, hostile, and disloyal within Bollywood productions, have been arguably misrepresented in order to fit a larger agenda (Zafar and Amjad 2018).

During the late 1980s and into the early 1990s, there was a shift in Bollywood that brought greater attention to the "issue" of Kashmir (Khan and Bokhari 2011). Since this time, similar mechanisms for the dehumanization and essentialization of Kashmiri Muslims have been established. From movies such as *Roja* (1992) to *Mission Kashmir* (2000) to *Haider* (2014), stereotypical presentations have aided in "othering" and demonizing the Kashmiri population. As previously mentioned, these portrayals make their way into and become public imagination and memory. By constructing a narrative where Muslims, alongside

Islam, are equated to terrorism and barbarism, a dangerous binary is maintained. On one side is the "good" nation of India and on the other the "bad" Kashmiri who has affiliations with religious extremism (Parray 2018). Through these dehumanizing portrayals, Kashmiri bodies are vulnerable to suspicion, marked as deviant, and ranked as inferior - a framing which is used as justification for violent law enforcement and routine teargassing.

Tear Gas in Srinagar

During the demonstrations that broke out following the revocation of Article 370, Ahmed encapsulated the feelings of many on how 'we have no faith in the Indian government. They should let us protest. Otherwise, the only option is armed struggle' (Al Jazeera 2019, 1). Having assessed how the dehumanization of Kashmiri Muslims has been facilitated and normalized throughout history and through various mediums, this section will explore the deployment of tear gas by Indian security forces in Srinagar (the capital of Kashmir). With a population of upwards of 1,600,000 people (World Population Review 2022), Srinagar has long been regarded as a site for emergency, curfew, and protest alongside stone throwing, pellet gun injuries, and teargassing. This is not to say that other areas of Kashmir do not share similar experiences but rather that there is particular intensity in which Srinagar is targeted for state-sanctioned violence (Kaur 2020). As stated by the Inspector General of Police, 'the quantity (of tear gas shells) to be allotted to each police station is decided according to the area's history of civil unrest and the current law and order situation' with Srinagar being especially well-stocked (Ganai 2019, 1). Through the case of Srinagar, postcolonial themes of identity and empire as well as biopower and war are seen to be functional as ordinary civilians are further marginalized. Following an examination of tear gas in August of 2019, this section will assess this chemical agent's role dating back to 2008 in order to show the continuity of its use on an occupied site. Tear gas, which is employed to

punish and dominate specific bodies, enforces political authority including over those collectively opposing Indian rule.

With Article 370 having been revoked, a lockdown was implemented across the region to, as Chief of the Indian Army argued, facilitate 'a communication breakdown between terrorists in the Kashmir Valley and their handlers in Pakistan' (Pandit 2019, 1). For civilians, the general feeling was one of

> 'effectively living in a cage, they arrest us to suppress our voice, we are battling one of the most sophisticated blockades. They are breaking us down psychologically. Men with black bandanas monitor our every move. We do not know how our, brothers and sisters in the north or south are doing. We can only talk in Delhi' (Chaudry 2019, 1).

Everyday life was characterized by even higher levels of state surveillance as many were trapped and forced into silence. Operating under the guise of national security concerns, each Kashmiri was further made suspect and perceived as potentially deviant. This kind of relegation was reinforced by the widespread use of tear gas which helped uphold power dynamics and hierarchies that favored India.

On August 9, 2019, an approximately 10,000 strong demonstration in opposition to the withdrawal of Kashmir's special status broke out in Srinagar. The protest, located around Soura, was in violation of the Indian government's prohibition on assemblies. The police dispersed the large crowd by firing both live rounds and tear gas (Al-Jazeera 2019; BBC 2019a). Witnesses to the violence share how the 'police attacked us from two sides,' forcing 'some women and children [to] jump into the water' (Ghoshal and Bukhari 2019a, 1). Over in the Bemina area of Srinagar, law enforcement's response to local protest over Article 370 resulted in the death of Fameeda Bano. As police tried to supress a demonstration not far from Fameeda's home, a tear gas cannister flew through her kitchen window and detonated. She was unable to escape or recover from the fumes and upon being taken to the hospital was ultimately pronounced dead (Ganai 2021). Her husband remembers how 'when [he] picked her up blood was coming out of her mouth. She died within 45 minutes after reaching the

hospital' (Nabi 2021, 1). Her cause of death, at the age of 32, was ruled as acute lung injury - a result of having inhaled toxic gas (ibid.).

Tear gas related killings during this time also include that of Mohammad Ayoub Khan and Asrar Khan, among others. Mohammad, who was 60 years old at the time of his death, was passing through the Safakadal area of Srinagar when two tear gas cannisters from a nearby protest landed at his feet. He was subsequently taken to the hospital but had already died. Though a comprehensive medical report has been withheld from his family, it is widely believed that his sudden death was a result of inhaling the said tear gas. Asrar, who was 17 years old at the time of his death, was not far from home when he was struck in the head. He was then taken to the hospital and put in a medically induced coma but died a month later from his injuries. X-ray scans show that Asrar was not hit by a protester's stone, as police claim, but by a tear gas canister (BBC 2019b). As a Kashmiri human rights activist, Khurram Parvaiz, notes, 'denying deaths due to so-called 'non-lethal weapons' is similar and follows the same pattern of denial. There is zero accountability among armed forces including the police' (Nabi 2021, 1). In cases such as these, a necropolitical (Mbembe 2003) shift takes place. Although the intended purpose of tear gas is to maim, death still occurs. Necropolitics, defined as the 'subjugation of life to the power of death' (Mbembe 2003, 39), sanctions the killing of "unworthy" and "undesirable" bodies. In this way, Kashmiri deaths become negligible in the eyes of the Indian government.

Tear gas shells are fired at protesters in Srinagar.
(Yasin 2019, 1)

Between August 5th and 21st, there were over 152 injuries resulting from pellet shots and tear gas reported at Srinagar's Sher-i-Kashmir Institute of Medical Sciences and Shri Maharaj Hari Singh. However, the number of injures is likely to be much higher than reported at these two hospitals. In many cases, those discharged within a few hours and those treated at smaller regional hospitals were not counted (Reuters 2019). Furthermore, several injured protesters decided not to seek treatment at a medical facility out of fear they would be arrested (BBC 2019b). Through injury and debilitation, the government of India is 'perfecting a technology of punishment that produces bodies incapable of physical resistance' (Zia 2019, 773). This "right to maim," situated between life and death, works on a biopolitical level to rank, control, and subdue the individual (Puar 2017). Tactics of debility, whether by way of pellet guns or tear gas or beatings, 'render impotent any future resistance' (ibid., 152). For Kashmiris, India's "right to maim" weakens them on both a physical and psychological level, making it even more difficult to resist occupation. Additionally, the use of "non-lethal" weapons allows the government of India to claim itself as a legitimate democracy that is enforcing law and order over rights-bearing Kashmiris. The false narratives surrounding the non-lethality and benevolence of such weapons have also allowed India's government to refute allegations of human rights violations (Zia 2019). Although Zia (2019) focuses specifically on the deployment of pellet guns and blinding, the widespread use of tear gas is also a biopolitical means through which certain bodies are injured, punished, and suppressed. Tear gas, by toxifying the air, coerces submission from those affected which, in turn, preserves an order preferential to India.

Since the revocation of Article 370, teargassing in Kashmir has been extensive. In the weeks following this change, nearly 500 protests took place across the region. This large-scale response caused serious concern with the security establishment, and tear gas was heavily used to reassert power (Arab News 2019). Back in Srinagar, a demonstrator, while

rubbing salt on his face in an attempt to neutralize the tear gas, shared how 'we are neither safe at home, nor outside' (Ghoshal and Bukhari 2019b, 1). Permeating the 'capillaries of everyday life,' Kashmiris breathe in tear gas 'like a weekly (or sometimes daily) diet prescription' (Kaur 2020, 24). Those with cardiac or respiratory conditions pre-emptively put face masks on during restriction days, even when inside their own home (Kaur 2020). A Kashmiri woman shares how 'one window of our room is always covered with a thick blanket so that gas cannot permeate inside completely' but notes that 'it still enters through the air vent in the kitchen and space between the doors' (ibid., 25). Given the indiscriminate nature of tear gas, being on the receiving end of its effects, especially as the tactic of suffocation has been normalized, is difficult to escape. The regularity with which those protesting, and those not, are affected and harmed demonstrates how control is exerted over ordinary civilians en masse.

Tear gas has intensified the militarization of Kashmir by helping perpetuate an undercurrent of war in everyday life. From city streets to family households, war has become intertwined with the fabric of society, leaving little untouched by violence. As Inpreet Kaur, a Kashmiri journalist states, 'after twenty years of violence, the new generation which is now on the street was born on a battlefield … For them, these agitations are part of life. The protests are part of life. Violence is a point of normalcy for this generation' (Stern 2010, 1). Surpassing the threshold of what constitutes policing, a micro-level war, aided by tear gas, helps maintain the current climate and order of Kashmir. Through toxifying the air on a regular basis, the Indian government is complicit in what Sloterdijk (2009a and 2009b) has coined "atmoterrorism." Essentially, this type of terrorism is 'a human-made form of quake that turns the enemy's environment into a weapon against them' (Sloterdijk 2009a, 41). In this way, security forces make the air in Srinagar, and other cities, a toxic space in order to terrorize as well as manage the Kashmiri population.

While local billboards champion security forces, specifically the paramilitary Central Reserve Police Force, as 'always for people of the valley,' (Bhan et al. 2018, 25) the way they are viewed by and treat Kashmiri civilians is much different. Armed with tanks, hard hats, tear gas, bamboo shields, and more (Hoffman and Duschinski 2014), the Central Reserve Police Force is far from a benevolent force. In fact, many Kashmiris find the presence of the Central Reserve Police Force in the area to be offensive and upsetting. Not only representative of a Hindu force in a predominately Muslim region, the unit is also 'perceived to be hard men trained to fight militants' in which 'having them keep the peace on city streets feels a little like calling in Navy SEALS to mediate bar fights' (Stern 2010, 1). Paramilitaries conducting crowd control on civilians gives the impression to Kashmiris that the Indian government considers there to be little distinction between them and terrorists (Stern 2010). As protests are often framed to be an issue of law and order, officers are consequently able to wage a form of urban warfare (Hoffman and Duschinski 2014). Despite formally being citizens of India, Kashmiris are relegated to a secondary class. This group, seen as inferior and/or an enemy, is controlled via war-like policing conduct. Having been dehumanized and transformed into hostile combatants, domination through tear gas is exercised in the name of upholding law and security.

The cycle of protests in Kashmir during 2016, 2010, and 2008 were also heavily responded to with tear gas. In 2016, over 100,000 tear gas shells were deployed in the region (Nabi 2021). Furthermore, between July 8th and August 11th the Central Reserve Police Force fired 8,650 tear gas shells. Approximately eight people were killed after being hit with a tear gas grenade or cannister, in addition to a 65-year-old who died from a heart attack caused by the loud bangs of this weapon being fired (Jammu Kashmir Coalition of Civil Society 2016). Equalling, if not exceeding, the magnitude of the 1989 demonstrations, these protests saw intense confrontation with police and paramilitaries (Mohanty 2018). The demonstrations

were a response to the killing of a Hizbul Mujahideen commander, Burhan Wani, by Indian security forces in Kashmir. Protesters, of all ages and genders, took to the streets in the thousands. Over 90 civilians were killed, hundreds were left blind, and thousands were injured as "Operation Calm Down" was carried out to violently supress the unrest. In addition to mass arrests, profiling, raids, and preventative detention, tear gas was also employed (Duschinski and Ghosh 2017; Misri 2019).

To reassert power and control beyond city streets, law enforcement went so far as to fire tear gas inside hospitals. One such instance took place on July 10th at Shri Maharaja Hari Singh hospital in Srinagar, leading to the suffocation and deaths of four individuals (Jammu Kashmir Coalition of Civil Society 2016). This event caught the attention of Amnesty International which insisted that 'any attacks on health facilities or medical professionals are unacceptable, and must be prosecuted' (2016, 1). Attacks on hospitals, despite calls for protection, have become so common that staff 'burn tyres and sacks to negate the effect of pepper or tear gas fumes on the patients who are already in fragile conditions' (Kaur 2020, 24). Similar to Black Lives Matter protests in the United States, tear gas is deployed beyond the protest site in order to discipline and maim particular bodies - regardless of the threat they pose - by toxifying the environment in which they exist. Targeting an already vulnerable group of people, these actions highlight the danger of tear gas and its instrumentality as a tool of governance.

Police fire tear gas at protesters.
(Ismail 2016, 1)

The summer of 2010, also known as "the year of killing youth," saw significant turbulence and violence in Kashmir, particularly between Indian armed forces and young protesters (Bhan et al. 2018). Following the Machil fake encounter and the death of Tufail Mattoo, a 17-year-old killed by a tear gas cannister, protests in Kashmir erupted. As had become the norm, police responded with disproportionate force including the extensive deployment of tear gas and other weapons (Hoffman and Duschinski 2014; Mohanty 2018). The disproportionate usage of this chemical agent, as similarly evidenced in 2016 and 2019, 'implies that each human body in a political conflict is dispensable, threatening, and needs to be targeted' (Kaur 2020, 22). The use of atmospheric violence on Kashmiris, marked as the dangerous "other," has been progressively legitimized over the years. Even during resistance to the land transfer decision back in 2008, tear gas was again disproportionately deployed to reassert dominance. As expressed by Mohammad Iqbal, a Srinagar protester, 'we are protesting against the land transfer, which is one of India's grand designs to consolidate the occupation' (Hussain 2008, 1). This feeling was shared by Mian Qayoom, a lawyer and head of the Action Committee Against Land Transfer, who noted that 'the government has transferred land in order to change the demography of this place' (*The New York Times* 2008, 1). Tear gas was used in conjunction with other weapons, such as live ammunition and bamboo batons, to repress the tens of thousands of protesters who stood in opposition to this transfer (BBC 2008; *The New York Times* 2008). As seen in these cases of protest over the years, tear gas has played a recurrent and significant role in reinforcing authority over Kashmiris.

It is important to note that India has depended heavily on this weapon, which was used against them by the British empire, to control and colonize Kashmir. As Waheed argues, 'the journey from being a colony of the British empire to colonising the unyielding Muslim other next door reveals a catastrophic mutation at the heart of the Indian state' (2019, 1). To

better understand what is happening within and to Kashmir, it is necessary to break down the European/non-European or Global North/South binaries that come with traditional conceptions of colonialism (Kaul 2020; Osuri and Zia 2020). In doing so, the relationship between India and Kashmir is revealed as 'that between Hindu occupiers and a subject Muslim population' (Kaul 2011b, 174). Many scholars (Anand 2012; Kanjwal 2023; Kaul 2011a; Kaul 2019b, 2020 and 2021; Osuri 2017 and 2020) concur that what is taking place in Kashmir by the Indian government is tantamount to a 'terminal colonial situation' (Lamb 1991, 322).

Accordingly, there is a circularity between the colonial and the postcolonial as it pertains to tear gas. Interestingly, prior to the late 1970s, India imported chemical riot controls from France, the United Kingdom, and the United States. However, following research conducted by India's Bureau for Police Research and Development, a tear gas munitions factory was established. Now, large amounts of this weapon are manufactured domestically (Lewer and Feakin 2001). As the previously colonized becomes the colonizer (that being India), tear gas is a vehicle with which to exercise power. What once was inflicted by colonial officers to repress non-violent resistance to British rule in cities like Punjab and Bombay has been used in a similarly asymmetric manner. Tear gas is now deployed against the "other" to facilitate India's expansionist activities. When teargassed, whether it be in homes or on city streets, Kashmiris are driven into a condition of "combat breathing" (Fanon 1965) where the body is confronted with colonial, state-sanctioned violence. To draw a further parallel to Fanon's (2008) work, shortness of breath in a literal sense (as a side effect of tear gas) mirrors the condition of the colonized subject, replicating the dynamics of earlier empires in modern times.

Accountability for police violence, specifically the abuse of tear gas, is rarely pursued. In fact, as of 2021 no security service personnel had been prosecuted by a civilian

court, and convictions by India's army or military courts are uncommon (Nabi 2021).

Fameeda's husband has 'no faith that justice will be delivered. I hear there are thousands of

cases where people can't even file a first report, but I still want to try' (ibid., 1). While a

police investigation into Fameeda's death has been ordered by the court, after extensive effort

on the part of her husband over the years, the findings have not been publicly released and no

convictions have been made (Zargar 2021). With the colonization of Kashmir underway, tear

gas facilitates this process through "civilizing" the region's residents as well as strengthening

biopolitical control.

Muharram Procession vs. Ram Navami Riots

Amir Hussain, a mourner at the Muharram procession in Lal Chowk, shared how 'we

were taking out a procession peacefully, but police stopped us, detained us, and lathicharged

us' (Bazaz 2021, 1). Amir's experience, which transpired alongside widespread anti-Muslim

violence in the region, exemplifies the recurrent harm inflicted upon Kashmiri Muslims by

security officials. This section will compare Indian law enforcement's response and tear gas

use in the cases of the 2021 Muharram procession in Kashmir and the 2023 Ram Navami

riots in India. This comparison will demonstrate the dehumanization and mistreatment

Kashmiri Muslims regularly face as a consequence of the perceived threat they pose. This

section will also highlight the two different policing systems - one where a non-violent

religious activity is met with high levels of force and the other where a violent Hindu riot is

met with inaction - in order to show when and against whom tear gas is used. While those

taking part in the peaceful procession were teargassed, charged at, and detained, rioters

targeting Muslim communities were largely ignored by officers. Furthermore, although tear

gas was deployed during both these events, few cities in India were subjected to this chemical

agent and only after violence had erupted. The differing levels of threat perception and

thresholds of violence can be examined against the backdrop of rising Hindutva and the increasing marginalization of Kashmiri Muslims. With Muslims in Kashmir labelled as dangerous, tear gas is revealed to be a vehicle through which this "othered," occupied population is disciplined as well as colonial rationalities and structures that legitimize control are preserved.

On August 17, 2021, a religious procession observing the eighth day of Muharram (the first month of the Islamic calendar) took place. Muharram is considered the holiest month among Shia Muslims, during which large processions featuring chest-beating and elegies to mourn Prophet Muhammad's grandson are carried out. This was the first time in 30 years that the procession was permitted to go ahead. However, shortly before the procession was set to begin, the Jammu and Kashmir administration reversed its decision and imposed restrictions on various areas including Gowkadal, Maisuma, Abiguzar, and Kralkhud (Free Press Kashmir 2021; Tantray 2021). Notwithstanding the restrictions, hundreds of people gathered on Srinagar's streets, chanting pro-freedom and religious slogans. In response, police forces fired tear gas and pellets at the crowd. Officers also detained dozens, put up steel barricades, utilized barbed wire, and launched a lathi charge with batons. Journalists covering the event were beaten as well (Abbas 2021; The Kashmir Walla 2021). The police justified their action in a statement, assuring that 'despite, such provocation and hooliganism the Officer and his party exercised maximum restraint' (Bazaz 2021, 1). Following the event, Inspector-General Vijay Kumar tweeted: 'we respect the religious sentiments and practices of all, but at the same time, it is also our joint responsibility to defeat the ill designs of vested interests who try to disturb the peaceful atmosphere' (Abbas 2021, 1). However, the heavily militarized treatment of those processing in 2021 was not an isolated incident, highlighting a pattern of anti-Muslim police violence. In 2020, Kashmiri Muslims publicly observing the 10th day of Muharram were also met with tear gas and pellets, leaving many injured and in

need of medical assistance. Hundreds of individuals were subsequently detained and several

arrested for reciting pro-freedom chants (Associated Press News 2020). As a witness notes,

'the procession was not just peaceful but was also following health protocols. They

[government forces] unleashed such violence and did not spare even women mourners' (Al

Jazeera 2020, 1).

Tear gas fills the air in Srinagar.
(Free Press Kashmir 2021, 1)

A man helps a fellow mourner by rubbing salt on his face to reduce the burning of tear gas.
(Free Press Kashmir 2021, 1)

On March 30, 2023, the Hindu festival of Ram Navami, which commemorates the

birth of Lord Rama, took place in India. The celebrations this year overlapped with the month

of Ramadan. From March 30th to April 1st, communal violence broke out in various states

across the country, including Gujarat, West Bengal, Maharashtra, and Uttar Pradesh. The

clashes resulted in widespread property damage as well as numerous injuries and deaths. The

conflict was sparked when Hindu right-wing groups, affiliated with Rashtriya Swayamsevak

Sangh, processed through Muslim neighborhoods. While passing predominantly Muslim

areas, those participating in the procession played provocative music over loudspeakers, yelled anti-Muslim slogans, and waved weapons. Such weapons typically include swords, tridents, and guns (Al Jazeera 2023; Khan 2023). A large number of Muslim-owned shops, vehicles, and homes were then ransacked or set on fire. Stones were also thrown at mosques and Muslim homes (Sharma 2023). The Organization of Islamic Cooperation stated that these violent actions were a 'vivid manifestation of mounting Islamophobia and systemic targeting of the Muslim community in India' (Ganguly 2023, 1). However, India's Foreign Ministry responded to this statement by arguing that it was 'one more example of their communal mindset and anti-India agenda' (*Hindustan Times* 2023, 1). Those that enjoy political patronage from the ruling Bharatiya Janata Party are emboldened to carry out such attacks and are often provided a considerable degree of impunity for their violence (Ganguly 2023). In areas where the Indian government has strong ties to Hindu right-wing groups, the police are frequently instructed to cooperate and facilitate the processions through Muslim communities. Additionally, the processions were permitted by police in several cities and were not labelled as religious riots in the aftermath (Khan 2023; Sharma 2023). The year before, police also largely ignored the violence taking place where they were present, did not let the fire brigade put out the fires set on Muslim properties, and teargassed Muslim residents (Aswani 2022).

Fires set in Howrah.
(*The Tribune* 2023, 1)

The city and Muslim residents of Bihar Sharif saw some of the worst Ram Navami violence in 2023. Rioters set Muslim homes, vehicles, and shops on fire. A madrasa, mosque, and graveyard were also burned (Madan 2023). On March 31, 2023, the Bajrang Dal, a Hindu nationalist militant organization, was authorized by the district's administration to carry out a procession in the area. Although only 5,000 people were permitted to take part, over 50,000 attended - far more than anticipated (Anwar 2023). According to news reports, less than a dozen darogas and constables were assigned to help police the event (Ray 2023). Accompanied by anti-Muslim songs playing from loudspeakers and swords, the large procession quickly turned violent when a Muslim man was told to chant "Jai Shri Ram" ("Victory to Lord Rama"). He refused and was subsequently attacked. The situation deteriorated as the procession turned into a riot, and Muslim homes, shops, and religious sites were targeted. Rioters departed from the approved route and proceeded to the Madrasa Azizia, the oldest madrassa and library in Bihar Sharif. Approximately 1,000 rioters broke into the madrasa and set it aflame (Anwar 2023). Around 4,500 books, many of which were valuable and rare, were destroyed (Ray 2023). The Association for Protection of Civil Rights found that the violence against the Muslim community on March 31st took place in the presence of police, but the officers did little to stop it or took hours to reach the scene (India Tomorrow 2023). While acknowledging the lack of police personnel on streets, the district magistrate argued that 'whatever the police force the district had, we made best use of it. Therefore, we could save lives. Had they not been accompanied by us, there would have been huge loss of lives, as the crowd was insisting on deviating into densely populated Muslim localities' (Anwar 2023, 1). Though tear gas was deployed after violence broke out in certain areas, such as Aurangabad and Howrah (Dash 2023; The Wire 2023), there are no reports of its use in Bihar Sharif.

Madrasa Azizia after the violence.
(Ganguly 2023, 1)

In comparing these two cases, law enforcement's response to those partaking in the

Muharram procession was more militarized than that towards those rioting during Ram

Navami. Accordingly, there were two different approaches to policing with a swift escalation

in the use of force against a non-violent religious gathering and little preparation for or

intervention during the violence of Ram Navami. In Kashmir, the Muslim procession was

peaceful and posed little threat, but the police's reaction consisted of tear gas, barbed wire,

steel barricades, pellets, and batons. However, in India, police presence increased after mass

violence had already erupted - not in a pre-emptive manner as in Kashmir. Furthermore, there

were witness accounts of police officers standing by as Muslim communities were targeted

by right-wing Hindu nationalists. Thus, the threshold and acceptability for violence is

arguably lower in Kashmir. One must also consider the rise of Hindu nationalism and the

colonization of Kashmir which help legitimize state violence (Anand 2005 and 2011; Kaul

2021) and serve as a backdrop for this differential treatment. Through the perpetuation of

longstanding stereotypes and "othering," the gathering of Kashmiri Muslims was perceived

as more of a threat than right-wing Hindu nationalists. Policing practices, including

teargassing, are thus shaped by history and identity. The disproportionality with which force

was exerted against Kashmiri Muslims is rationalized by their dehumanization.

Consequently, tear gas had a significant role in harming and suppressing this marginalized

group through the atmosphere. Tear gas, which is often used differentially and excessively, serves as a means for facilitating domination over those living under Indian occupation.

Conclusion

This chapter has explored the repressive ways in which tear gas was employed against Kashmiris between 2008 and 2021. This weapon has been routinely used to further marginalize, manage, and dominate those living under Indian rule, especially in the capital of Srinagar. Drawing upon a postcolonial framework, this chapter has argued that dehumanizing logics, power structures, and racialized hierarchies continue to shape the use of tear gas upon Kashmiri civilians. Thus, it is necessary to understand how historical realities inform the contemporary teargassing of these occupied bodies. The first section provided a history of Kashmir and its relationship to India in order to demonstrate the larger pattern of domination this region has faced over time. Subsequently, the second section analyzed the "othering" of Kashmiris which constructed and preserved dehumanizing narratives that have depicted this population as subhuman, terrorists, and infiltrators. The third section assessed how negative portrayals of Kashmiris, from news reports to Bollywood movies, have aided in rendering them more teargassable for law enforcement. Next, having explored the various mechanisms by which Kashmiris have been dehumanized throughout history, the fourth section evaluated the large-scale deployment of tear gas in Srinagar over the years. The final section demonstrated differing thresholds of tear gas use by comparing the cases of the 2021 Muharram procession in Kashmir to the 2023 Ram Navami riots in India. The deployment of tear gas in Kashmir highlights its colonial function as well as ability to exert control over and further dehumanize certain bodies - in this case those under Indian occupation. As Kashmiris continue the struggle for self-determination, tear gas provides authorities the power to quell this "threat" through atmospheric means.

Chapter 6: Tear Gas Use on Displaced Bodies: Calais

<u>Introduction</u>

Home to thousands of men, women, and children, Calais came to be one of the largest refugee camps in Europe (Davies and Isakjee 2019). However, what many refugees fleeing conflict-ridden areas hoped would be a place of safety within European borders was instead characterized by insecurity and police violence. Through the study of Calais, this chapter will bring to light a specific way tear gas has been employed, particularly with the intent to discipline displaced bodies. The site of Calais has been chosen as this chapter's case study for not only its notoriety but also the camp's large size, location, numerous human rights violations, and militarized law enforcement activity. Existing as a place where 'global racialized inequalities [were] suddenly writ large on the European landscape' (Davies and Isakjee 2019, 215), Calais provides a unique opportunity to analyze themes of empire, race, domopolitics, and biopower as they come together and are made even more visible within the context of the camp. This chapter argues that such themes continue to have prominence as rationalities, racial hierarchies, and dynamics from the colonial era influence the modern day, especially with regard to the mistreatment of non-European refugees through atmospheric means. Through examining how tear gas operates against marginalized and "othered" groups of people, this chapter will show in what manners this chemical agent is used to exercise political control. As with the cases of Black Lives Matter and Kashmir, a closer examination of the routine use of tear gas illuminates the interconnected relationship between history, power, and citizenship status (or lack thereof).

The first section will explore the history of policing in Calais in order to better understand refugees' subordinate position within French borders during contemporary times. Through contextualizing the last few decades, the asymmetric relationship between law enforcement

and refugees, particularly as it relates to teargassing, can be uncovered. Nevertheless, this unequal, hierarchal relationship did not suddenly surface but is rather intertwined with years-long processes that have functioned to dehumanize and sanction violence against this vulnerable group. Accordingly, the second section will assess the manners by which refugees in Calais have been "othered," including through the manufacture of narratives that place this population beyond the realm of "civilization." Such historical discourses are far from insignificant and have consequences for the current management of refugees by state authority - in this case by French law enforcement.

The third section will focus on the portrayal as well as treatment of refugees entering Europe. Ranging from tabloid headlines to politician remarks, media portrayals have served to perpetuate racialized and stereotypical depictions that cast refugees as dangerous outsiders threatening the stability of Europe. Through such mechanisms of dehumanization, violent police conduct and teargassing are ever more legitimized. The fourth section will bring together the previous findings to examine the widespread use of tear gas by French police within and around the camp. By doing so, the dependence on this colonial tool for biopolitical purposes becomes clear. Finally, the last section will compare the cases of Calais post-2016 and a neo-Nazi rally to demonstrate two different policing strategies in France. While tear gas has been extensively and repeatedly used on non-European refugees, particularly since the Calais camp was destroyed, no tear gas was deployed against white, far-right extremists. Certain statuses, shaped by history, have a role in determining to what extent groups are dehumanized and consequently how they are treated. From the teargassing of sleeping individuals to those collectively protesting the camp's demolition, the use of this weapon at the border site of Calais embodies its repressive and racialized application. It is important to appreciate how colonial histories and legacies have influenced the ways in

which refugees continue to be marginalized, specifically through the punitive deployment of tear gas.

<u>Policing and History of Calais</u>

To better understand the centrality and significance of Calais in more recent years, alongside the state-sanctioned violence committed on behalf of the French government against vulnerable populations, one must trace the relationship between the city and the displaced. It is important to do so as 'the constant resurgence of the Jungle and the quest to make these makeshift settlements disappear become recurring tropes in the modern and contemporary history of Calais, invoking a spiral of violence on the Other and against the Other' (Ibrahim and Howarth 2018, 1). Therefore, to have a clearer insight into the marginalization of and harm wrought upon non-European refugees, the history and policing of the Calais area must be explored. From the establishment of the Red Cross warehouse in 1999 to the destruction of the "Jungle" in 2016, this section will reveal the exploitative link that exists between authority and refugees - one that has enabled violent, racialized policing practices in the camp. Calais remains characteristic of the "hostile environment" principle which is rooted in 'creating a climate of intimidation and brutality' (Edmond-Pettitt 2018, 323). The "hostile environment" is a term used to encompass a variety of state policies and initiatives that function to marginalize, criminalize, as well as punish immigrants and migrants (Griffiths and Yeo 2021). Through assessing the history of Calais and the place of refugees within it, the state's response to these "othered" bodies, including the vast and disproportionate use of tear gas, can be further investigated.

Calais, located in northern France, became a major hub for transportation following the opening of the Channel Tunnel in May of 1994. However, dating as far back as the early 1990s, refugees fleeing conflict in the Balkans, Iraq, and Afghanistan began settling in and

around the city of Calais. As the years went by, the refugee population only increased. In 1999, the French government, as a result of mounting public pressure, finally acted (Ibrahim and Howarth 2018). Under government direction, the Red Cross opened the first camp in Sangatte (Amnesty International 2019). Based out of a warehouse, the camp was designed to accommodate 600 people - a number that would be far exceeded and subsequently cause overcrowding (Gerlach et al. 2021). While providing basic amenities, such as food and shelter, the motivation behind the camp's establishment was arguably not solely a humanitarian one. The optic of families and children sleeping on streets was a great source of embarrassment for the French government. Therefore, the creation of Sangatte provided the chance to not only care for refugees but also get rid of their very public and growing presence (Schuster 2003). Over the course of the camp's existence, France faced increasing pressure from the United Kingdom (where many in Calais seek entry) to shut it down. Ultimately, by the end of 2002 the Sangatte camp was closed (Gerlach et al. 2021).

Left with no place to stay, makeshift shelters and squats appeared, were torn down by the police, and reappeared throughout the next few years. Over time, one large camp, nicknamed the "Jungle," emerged (Ansaloni 2020; Mould 2017). With the support of Mayor Natasha Bouchart, the camp was destroyed in September of 2009. Approximately 1,000 of the camp's inhabitants were consequently displaced (Van Isacker 2019). It is worth noting that Bouchart, who was known for her anti-migrant stance, would later go on to authorize a ban on food distribution to refugees in 2017 (Gentleman 2017). It is clear that throughout the camp's history, there was a concerted effort on the part of state authority to place refugee bodies in an even more precarious position - whether it be their food supply, shelter, or general wellbeing. From 2009 to 2012, the United Nations High Commissioner for Refugees (UNHCR) gave counselling and legal aid to those in the area before passing the responsibility on to France Terre d'Asile, a non-profit organization (Welander and Gerlach n.d.).

Nevertheless, the conditions in Calais would be described by the European Director of UNHCR as 'totally unacceptable and not consistent with the kind of values that a democratic society should have. This is a shameful situation to witness in the heart of the Europe Union' (Taylor and Grandjean 2014, 1).

An official reception centre was eventually established by French authorities in early 2015 at "Jules Ferry" - formerly a children's holiday campsite. Designed to accommodate women and young children, this centre also provided food, sanitation facilities, medical care, and clean water. A few months later, following the police's eviction of small camps in the town centre (comprised of 1,200 people), many were forced to relocate. Setting up shelter near "Jules Ferry," this area would become the site of the next "Jungle" (Gerlach et al. 2021). The camp, founded on a former landfill site roughly four kilometres from Calais, reached a population of between 9,000 and 10,000 people at its peak (Bar Human Rights Committee 2016; Edmond-Pettitt 2018). Despite consisting of refugees from various parts of the world, including but not limited to Syria, Iraq, Afghanistan, Somalia, Iran, Eritrea, Sudan, Libya, and Ethiopia (Sanyal 2017), the camp in Calais was not officially or legally recognized as a refugee camp. Instead, the camp was '"tolerated" in part by the French government and kept under a watchful eye by the British government' (Bar Human Rights Committee 2016, 9). Furthermore, since the Calais camp was not a formal refugee camp overseen by the United Nations High Commissioner for Refugees, international regulations, such as those relating to sanitation or accountability, did not technically apply (Bar Human Rights Committee 2016). This camp's exemption from international protection would have serious consequences for the livelihood of its residents, as these "others" were left even more vulnerable.

As a result of the lack of care and provision offered by the French government, a variety of grassroot initiatives and independent organizations stepped in to provide numerous services for refugees. These groups included the Refugee Youth Service, Art Refuge, CalAid,

Care4Calais, Calais Kitchens, and Calais Action. Additionally, there were also a few bigger, more well-known organizations that had been in the area for some time, such as Salam, Médecins Sans Frontières, Secours Catholique, l'Auberge des Migrants, and Doctors of the World. As time went on, the camp's infrastructure evolved and came to include places of worship, restaurants, a school, shops, a library, and even a nightclub (Gerlach et al. 2021). Regardless of the various social spaces that existed, the conditions and standard of living within the Calais camp were low. From a lack of sanitation facilities to unsafe water supplies to precarious housing situations, the state of the camp did not meet international guidelines. There were numerous health risks including the presence of scabies, high levels of bacteria in food, faecal contamination, and lice infestations to name a few. Furthermore, there were also several points of physical insecurity as a result of uncontrolled fires, poorly lit spaces, and general violence (from other residents as well as law enforcement) (Dhesi et al. 2015). The French police harassed, evicted, beat, and incarcerated refugees as well as destroyed their property on a routine basis (Amnesty International 2019; Sanyal 2017). A Sudanese refugee, speaking to the violence and dehumanization experienced in the camp, expresses how 'because we have come here, we are not human beings, we become animals, a new kind of animal that has developed at this time; it's known as 'refugee' … they treat us worse than they might treat animals' (Ghaffar-Siddiqui 2019, 89).

Demolished in October of 2016, the Calais camp housed approximately 6,500 people at the time of its dismantlement (Amnesty International 2019; Fusco 2016). Left with 'no place to sleep or eat,' Yeakob, an Ethiopian refugee, compares daily life to 'like living in hell' (Human Rights Watch 2017, 12). With the goal of preventing the emergence of another "Jungle," French authorities have attempted to stop the formation of attachment points at the French-British border. These efforts have primarily relied upon routine evictions, unwillingness to provide essential services, and discouraging the presence of reception

centres or asylum offices (Amnesty International 2019). Despite these efforts, a number of

those forced to leave would eventually return to the Calais area. However, with the "Jungle"

now destroyed and the basic amenities it provided no longer operational, many had no choice

but to sleep rough under bridges, in woodlands, and within the fringes of town (Gerlach et al.

2021). As Refugee Rights Europe argues, 'the end of the Calais 'Jungle' camp did not

produce any 'solution' to the migratory situation in this transit point but, rather, contributed

to the exacerbation of human suffering' (Gerlach et al. 2021, 5). The post-"Jungle" period,

which will be further explored at the end of the chapter in a comparative case study, is

characterized by growing police violence, including the intensification of tear gas use,

intimidation of volunteers, worsening of living conditions, increased helplessness of

unaccompanied minors, and endless eviction cycles (Gerlach et al. 2021; Welander 2017).

Despite these circumstances, as of 2021, approximately 2,000 displaced individuals lived in

and around Calais (Human Rights Watch 2021). From tracing the policing of this town over

the years, it is apparent that the dehumanization and exertion of social control over displaced

bodies is not a new phenomenon and has consequences for the way in which this population

is handled. The next section will shed light on how the "othering" of refugees has functioned

to legitimize state-sanctioned violence, including the teargassing of more recent years.

Othering of Refugee Bodies

The manners by which refugees have been "othered" throughout history have worked

to sanction the routine and extensive use of violence. With refugees having been expelled

from the people-territory-state trinity (Buckel and Wissel 2010), colonial legacies of

exclusion remain operational. Consequently, these paradigms affect both how refugees are

viewed and how they are treated (or rather mistreated). The refugee, 'who represents the

inverse image of the citizen' (Junuzi 2019, 127), has been stripped of the "right to have

rights" (Arendt 1985). This population, who often are fleeing once-colonized territories, fall outside of what is considered the realm of "civilization" - regardless of their physical presence within the "civilized" sphere of Europe, such as in the case of Calais. One of the largest movements of people as of late, according to the European Commission (2015), has been caused by the Syrian Civil War. In 2015 alone, more than 1,000,000 people, many of whom were from Syria, arrived at European borders (Georgiou and Zaborowski 2017). For this reason, this section will go on to look more specifically at the dehumanization incurred under the French Mandate of Syria in order to trace the continuity of the refugee experience to Calais. This focus is not to amalgamize refugee bodies but rather show how those long relegated to the periphery of world politics are ranked and subsequently managed. Beginning long ago, the "othering" process and its discourses have continued to place refugees in a precarious position that lends itself to aggressive policing practices, including teargassing.

The first part of this section will explore the marginalization of refugees more broadly, particularly in relation to the United Kingdom. Not only is the United Kingdom where many in Calais hope to migrate to but the government also has actively taken measures to keep the colonial and metropolitan spheres divided. Going back to the 1680s, the first "modern" refugees were the Huguenots who had been expelled from Calais by the French (Hintermaier 2000). Finding refuge across the English Channel, Britain soon after cemented itself as a place of tolerance and inclusivity within public imagination (Shaw 2015). However, cracks in this vision emerged with the arrival of Ashkenazi Jews on British shores in the 1880s. The antisemitism Jewish people faced was pervasive within society and later codified by the 1905 Aliens Act. Under this Act, the notion of asylum became a legal category yet excluded the diseased, destitute, and criminal from asylum rights (Bashford and McAdam 2014). As Ibrahim and Howarth argue, 'although the face of the Act was not as explicitly xenophobic as subsequent legislation,' these 'exclusions have been widely

interpreted as a code for Anti-Semitism and set a racialized tone for subsequent legislation'

(2018, 51).

Following the end of World War II, the 'racialized tone' of refugee law persisted.

Although British lawyers helped craft international treaties, succeeding governments were

more reserved when it came to who would be entitled to these rights. Occurring at around the

same time as decolonization, there was concern that broadening the protections and

entitlements of refugees would create an influx of movement from former colonial territories

(Ibrahim and Howarth 2018). As a result, legislation relating to non-white migration became

even more restricted, especially from the 1960s onwards (Bevan 1986). Pieces of legislation

such as the Commonwealth Immigrants Act 1962, Commonwealth Immigrants Act 1968, and

Immigration Act 1971 became a means through which to limit entry into Britain and arguably

functioned as a mechanism for social control (Smith and Marmo 2014). Within this era, the

British immigration system 'functioned as a filter to differentiate between the traditionally

white domestic sphere and the traditionally colonial 'other'' (Smith and Marmo 2014, 349).

For example, while the British government accepted a number of Asian Ugandan refugees

following their expulsion by President Idi Amin in 1972, Kenyan Asians later would be

denied entry. This was widely believed to be driven by the fear that doing so would result in

or encourage a significant increase in refugees from previously colonized territories.

Additionally, visas became a further measure to regulate who was allowed into the country,

including those of refugee status (Ibrahim and Howarth 2018). There has been longstanding

resistance to the refugee figure by the British government, followed by a concerted effort via

legal processes to exempt them from protection. Such activity, deriving legitimacy from the

state itself, worked to problematize the presence of refugees as well as "other" and

marginalize their bodies.

To understand the dehumanizing narratives and treatment relating to non-European refugees in recent years, one must return to the colonial era, specifically the French Mandate of Syria. As colonial realities cannot be separated from the present, the rest of this section will explore France's relationship with Syria alongside the animalistic "othering" of refugees perpetuated by the nickname the "Jungle." France's 26 year-long mandate over Syria began in 1920. It was at the San Remo Conference in Italy that the Allied Powers decided the ways in which the Ottoman Empire would be divided up between them. Syria was allocated to the French (Kargin 2018; Provence 2008). However, this transfer of power, while officially recognized as a mandate, shared many similarities with colonial projects. In fact, Khoury argues that 'the theory of mandate was developed to dress up outright colonial expansion' as 'the French treated Syria as an imperial possession to be exploited' (1989, 45 and 89).

Predating the 20th century mandate, earlier interactions between France and the Syrian provinces were characterized by subjugation and relegation. While the Christian population within this region was regarded as part of European "civilization" (to a degree), Muslim communities were positioned as their antithesis (Delatolla and Yao 2019). Regarded in Orientalist terms (Said 1978) such as violent, backwards, irrational, and fanatical, Muslims were placed at the bottom of the civilization hierarchy. In this way, sectarian identities were utilized to distinguish between those who were considered to be "civilized" from those who were not (Delatolla and Yao 2019). Jacques Stern, an ex-Minister of the French colonies, exemplifies the continuation of Orientalist tropes by writing in the 1940s how:

> 'Down the centuries, the peoples of Syria, Lebanon, and Egypt, have repeatedly called upon the French and the British to help them, to free them from the Turkish yoke, from an inferno in which the only civilizing influence, from the time of the Crusades, was the French religious orders and their educational institutions … What these thousand-year-old nations need is to have their racial pride softened, their fanaticism and exacerbated nationalism silenced. Hastily granted independence would intensify their stubborn nationalism and bring pogroms and civil wars to their peoples. A real war of races would break out' (Stern 1944, 10).

Though Syria gained its independence not many years after Stern's publication, these types of paradigms and attitudes would persist into the future.

As for more policy-oriented methods of "othering," Muslim Syrians were marginalized on multiple fronts under French rule. Some examples include the general strategy of divide and rule over the region, restricted involvement in the military service, and a lack of funding for state schools (Kargin 2018; Khoury 1989). Furthermore, martial law was implemented in 1925 which had a significantly negative impact on day-to-day life (Provence 2008). Accordingly,

> 'the military authority had the right to search the home of any citizen, day or night, without prior notice or arrangement, to remove suspects from their homes or from local jurisdiction and detain them without charge or explanation, to seize arms and ammunition, to interdict rights of speech and of the press and of public association at will, and to seize the property of any citizen without explanation or compensation' (Provence 2008, 60).

It is clear that not only was the public sphere heavily militarized but also that the French government used its broad powers to carve out an area of exception. Through the creation of a hierarchal relationship between religious groups, the contemporary "dispensability" of the Muslim figure and "acceptability" of their bodies as recipients of state violence has been forged.

Having explored how 'asylum was never designed for colonial subjects' (Isakjee et al. 2020, 1757) as well as the treatment of Syrian Muslims under French rule, the "Jungle" becomes a site where the continuation of colonial era "othering" is apparent. The word "jungle" is itself derived from the Sanskrit term *jangala*. Though originally associated with ideas of cultural desirability and civilization, this term came to connotate the opposite following colonization (Dove 1992). Imagined as a 'pre-modern space of degradation, debasement and barbarism' (Ibrahim and Howarth 2018, 24), the "Jungle" represents a primal force that must be contained. Thus, the racism behind the refugee camp's nickname is, as Davies and Isakjee (2019) argue, hardly masked. Assigning a primitive value to those

refugees residing in Calais, this process of "othering" is far from indistinct. The metaphor of the "Jungle" reduces refugees to the uncouth and animalistic, which in turn rationalizes the camp's destruction (Ibrahim and Howarth 2018) as well as the ill-treatment of its residents. Dehumanization has become a lasting element of the refugee experience as colonial logics and structures continue to have salience in the post-colonial era. Consequently, the policing of the Calais refugee camp is imbued with hostility towards the "other" which enables the punitive use of tear gas on behalf of law enforcement.

Portrayal and Treatment of Refugees in Calais

With the history of policing in Calais as well as the "othering" of refugee bodies having been explored, this section will examine the portrayal and treatment of refugees in Calais, with a focus on 2015 to 2016. The portrayal of this population in public discourse, particularly by the media, alongside the behavior of law enforcement will underscore the function of tear gas as a disciplinary tool of governance that is differentially deployed against the "other." For several years now, numerous works have documented the toughening outlook towards migration and asylum across the European Union (Beutin et al. 2006; European Commission 2010; Gross et al. 2007). Furthermore, representations and depictions of migrants, refugees, and asylum seekers have remained negative, especially within the media (Baily and Ramaswami 2005; Gabrielatos and Baker 2008; Innes 2010; Kaye 1998). Since the 'media is the everyday environment in which we live' (Åhäll 2016, 162) and one of the 'principal institutions of the public sphere' (Curran 1991, 29), it has a powerful role in and over society.

While helping to influence opinions and shape understandings, the media can also aid its audience in differentiating between "us" and "them" (Blinder and Allen 2015; Cottle 2000). Even more so, the media can be responsible for creating what Cohen terms "moral

panics," a situation where 'a condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests' (1972, 1). In parallel to how the negative media coverage of Black Lives Matter activists impacted their policing by law enforcement in the United States (Reid and Craig 2021), this pattern or link can also be seen in Calais. Almost 76% of those interviewed by Refugee Rights Europe reported experiencing police violence while the camp was operational (Welander 2017). Speaking about this violence, one refugee shared how 'we live in fear of the police at all times' (Cotterill et al. 2016, 22). From being called monkeys to dogs to racial slurs (Amnesty International 2019), racialized police abuse is widespread. Therefore, evaluating how refugees in Calais have been depicted is essential to assessing the state's routine use of and reliance on tear gas as a mechanism for population management.

As Georgiou and Zaborowski (2017) found, the press has had a critical role in conveying the arrival of refugees on Europe's shores as one of "crisis." Framed as either vulnerable or dangerous, these new arrivals were nonetheless constructed as outsiders. Alternating between two discourses, refugees were represented in the media as either good or bad (Szcepanik 2016), worthy or unworthy (Holmes and Castañeda 2016), victims or criminals (Chouliaraki and Stolic 2017). More frequently, media coverage 'promoted hate speech and hostility towards migrants and refugees' which 'was systematic and persistent in a proportion of the press' (Georgiou and Zaborowski 2017, 3). For example, 66% of news articles analyzed by the Council of Europe focused on the negative impact refugees would have while 59% cited no positive outcomes of their arrival (Georgiou and Zaborowski 2017). The media's portrayal of refugees as a threat fostered anxiety, xenophobia, and sensationalism in many European countries (Berry et al. 2015; White 2015). In particular, the press coverage within France and the United Kingdom advocated more heavily for defensive

measures, such as closing borders and increasing the presence of law enforcement (Georgiou and Zaborowski 2017).

In a widely cited content analysis of five European countries (Italy, Germany, Spain, the United Kingdom, and Sweden), the media's representation of the "refugee crisis" in Europe was explored in detail. This report, conducted by Cardiff University and published by the United Nations High Commissioner for Refugees, found the United Kingdom to have the most negative and polarizing reporting of the "refugee crisis" (Berry et al. 2015). The right-wing press especially 'expressed a hostility towards refugees and migrants which was unique' (Berry et al. 2015, 10). The prevailing narrative at the time was one which associated danger with those who had been forcibly displaced. Through drawing upon racial stereotypes, dehumanizing images, and erroneous links to terrorism, the refugee became seen as a threat to European stability. From social order to economic welfare to identity, those seeking safety were equated with a point of insecurity (Langdon 2018; Pruitt 2019). Effectively, the media 'depicted them primarily not as people seeking freedom from violence, but rather as perpetrators of crisis' (Pruitt 2019, 384). Feelings of fear and hostility towards refugees peddled by the media solidified after the attacks in Paris and Cologne. Refugees, fashioned as terrorists and criminals in the press, were no longer treated as being in need or deserving of sympathy but instead as a corrosive threat to Europe's moral composition (Santos et al. 2016; De Genova 2018).

From being referred to as 'roaming packs' (Gutteridge 2015a, 1), 'wild beasts' or 'human trash' (Bruneau et al. 2017, 645), refugees have been dehumanized on various levels within and by the media. The following argument will focus on three key themes, particularly prominent in the media, that help place non-European refugees beyond the pale of "civilization" and render them eligible for teargassing. First, refugees have been likened to pests and insects, a comparison which reduces them to a less than human status. One such

example can be found in an ITV interview where David Cameron, then Prime Minister of the

United Kingdom, referred to refugees and migrants as a 'swarm' (Cameron 2015, 1). The

term 'swarm' is typically not used to refer to a large collective of people but rather insects.

Through this imagery, the notion that refugees are diseased, dirty, and animalistic is

perpetuated. Additionally, the use of the term 'swarm' is eerily reminiscent of the way in

which language was weaponized during the Rwandan genocide of 1994 and the Nazi regime

in Germany. With the Tutsi referred to as cockroaches and Jewish people described as

parasites, this kind of discourse was used to provoke as well as rationalize mass violence

(Langdon 2018). While the Tutsi were likened to cockroaches back in the 1990s, the debasing

comparison finds relevance today. In a piece for the *The Sun,* a widely read British tabloid

newspaper, columnist Katie Hopkins referred to 'aggressive young men at Calais, spreading

like norovirus on a cruise ship' while 'some of our towns are festering sores, plagued by

swarms of migrants and asylum seekers … Make no mistake, these migrants are like

cockroaches' (Usborne 2015, 1).

One last example, albeit one of many, of the dehumanization incurred by refugees in

the media can be found in a cartoon published by the *Daily Mail*, another popular British

newspaper:

Rats, alongside refugees, cross into Europe's border (2015, 1).

Surrounded by rats, this cartoon not only problematizes the presence of refugees at European

borders but also correlates it to the arrival of vermin. As Anderson argues, 'rats, cockroaches,

and insects are urban - they are not considered wild animals. Unlike beasts of burden, these are not perceived as productive animals. They are alive but not perceived as truly sentient' (2017, 15). Associated with large numbers, waste, and a hazard to the home (Anderson 2017), rats are generally considered to be a destructive and disease-ridden species. This depiction ties into Walters' (2004) theory on "domopolitics," which is the desire for the state to be treated and governed like a home. In this way, the presence of refugees becomes comparable to an intrusion on the "civilized" space - the home of the native (Anderson 2017). This draws upon colonial era thinking that perpetuates a division between the "civilized" European sphere and the "other." Furthermore, the teargassing of refugees comes to parallel the fumigation of pest infestations, both suffocated due to their "undesirability."

Second, water-related metaphors were used to describe the arrival of refugees. This has amalgamized individual refugees into one "overwhelming force." Far from neutral, the use of these kinds of metaphors creates a sense of panic and danger (Langdon 2018). One example can be found in Michael Fallon's, then United Kingdom Secretary of State for Defense, statement in which he expressed that 'whole towns and communities [were] being swamped by huge numbers of migrant workers' (Elgot and Taylor 2015, 1). Back in 1978, Margaret Thatcher used the same language in a television interview to convey how, 'people are really rather afraid that this country might be rather swamped by people with a different culture, and ... if there is any fear that it might be swamped people are going to react and be rather hostile to those coming in' (1). It is evident that not only have negative attitudes towards migration been longstanding but there is also a pattern of drawing upon the feeling of being overpowered. Terms such as "tide," "stream," and "flood" have also been popular ways to describe the increase of refugee numbers in Europe (Pruitt 2019). Newspapers ran articles describing 'hundreds of thousands of migrants streaming into Europe' (Gutteridge 2015b, 1) as well as headlines reading 'refugees: this is the human tide the west doesn't want' (Jenkins

2015, 1). In 2015, Nicholas Sarkozy, a French politician and the former President of France, even criticized the European Commission's strategy of spreading refugees around Europe as 'fixing a burst water pipe with water' (Samuel 2015, 1). The vocabulary that likens refugees 'with ineluctable forces of nature' functions 'to skew or obscure considerations of human responsibility and ethical concerns about hospitality' (Pugh 2004, 54-55).

Lastly, refugees have been positioned as a threat to and incompatible with European identity. Viktor Orbán, the Prime Minister of Hungary, wrote that 'we shouldn't forget that the people who are coming here grew up in a different religion and represent a completely different culture. Most are not Christian, but Muslim. Or is it not worrying that Europe's Christian culture is already barely able to maintain its own set of Christian values?' (Mackey 2015, 1). Stated more plainly, Nadine Morano, a French politician and member of European Parliament, expressed on national television how 'we're a Judeo-Christian country of white race … I don't feel like seeing France becoming Muslim' (Allen 2015, 1). As scholars including Goldberg (2006), Bonnett and Nayak (2003), and Joseph (2020) have pointed out, for most of history the predominant racial and ethnic identity of Europe has been one of whiteness. In an effort to protect the territory and (white) people of Europe, challenges to this order are met with rejection of the "other" (Ammaturo 2019). The Muslim body remains a particular point of insecurity, suspicion, and hostility within European imagination (De Genova 2018). As Goldberg argues, 'the figure of the Muslim has come to stand for the fear of violent death, the paranoia of Europe's cultural demise, of European integrity. For the fear of the death of Europe itself' (2006, 346). The presence of Muslims, viewed as irreconcilable with the idea of Western "civilization" and "Europeanness" (as was largely the case during the colonial era), comes to represent a corruptive force that places the survival of Europe itself in jeopardy. Through discourses such as the three explored, refugee bodies have been outcasted from "civilized" society and marked as legitimate targets for teargassing.

<u>Tear Gas in Calais</u>

In a study by Refugee Rights Europe in 2016, approximately 70% of respondents reported having been exposed to tear gas since their arrival in Calais, and 63% of respondents reported being exposed to tear gas every day or multiple times a week (Cotterill et al. 2016). As Rashid, an Afghan refugee questions, 'why do they have to treat us like this? We are humiliated as well as ill-treated' (Amnesty International 2019, 14). With the various means through which refugee bodies have been dehumanized over the years having been examined, this section will move on to analyze the use of tear gas by security forces in and around the Calais camp. Life in Calais, the embodiment of a "hostile environment" (Edmond-Pettitt 2018), is made even more unbearable by the routine deployment of tear gas. By assessing the case of Calais, the salience of postcolonial themes including race, identity, and empire become apparent. These themes are accompanied by the overtly militarized and punitive treatment of some of the world's most vulnerable populations. It is important to note that tear gas was deployed for purposes of crowd control as well as used on an individual basis by the police in an unprovoked and dangerous manner. Tear gas inflicts harm and punishment over those whose presence within the state's border is seen as undesirable. Furthermore, tear gas becomes a biopolitical means through which to coerce submission from and exert control over those who have sought to find refuge somewhere that is meant to be safer.

In February of 2016, the first stage of Calais' demolition was announced. Though it was said that only 1,000 refugees would be affected, organizations in the camp believed this number to be far too low. In fact, they deemed that at least 3,000 people would be displaced, 400 of whom would be children. Sharing their concerns with officials, these local organizations also stressed how a library, three schools, a church, three mosques, a theatre, and a women's centre along with food and aid distribution would be negatively impacted. Notwithstanding hunger strikes, legal action, and protest, the demolition of the camp's

southern section began after having been approved by a court in Lille (Gerlach et al. 2021). In late February, squads of riot police entered the camp to evict refugees and dismantle their shelters. In an attempt to resist, many refugees took part in sit-ins while others (reportedly) threw stones. As the confrontation escalated, law enforcement quickly resorted to the widespread deployment of tear gas (Brown 2016; Dearden 2016). The use of tear gas was so pervasive and indiscriminate that even kids seeking protection in a Save the Children youth centre suffered its effects (Dearden 2016). This is particularly dangerous given that young children are more susceptible to health complications resulting from teargassing (Haar and Iacopino 2018). One volunteer in the camp commented how when the police 'wade in with gas and you're going to scatter people, and cause fear and resentment' (Walker et al. 2016, 1). In addition to exacerbating tension and injury, tear gas worked on a multidimensional level to police the atmosphere itself. Through 'coloniz[ing] space in ways that other weapons do not' (Feigenbaum and Kanngieser 2015, 81), tear gas operated en masse against refugees in the camp, regardless of whether or not they were resisting eviction.

Tear gas would make another appearance in Calais on October 1, 2016. On this day, a group of 50 demonstrators and 200 refugees gathered to protest the camp's poor living conditions. The protest, banned by authorities, was met with tear gas and watercannons (Associated Press News 2016; Reuters 2016). 700 tear gas grenades were fired in total to disperse the crowd. Lasting three hours, this confrontation was the worst since the southern section of the camp was demolished back in February (Times of Israel 2016). Not only were refugees mistreated while protesting poor conditions but they were also banned from vocalizing their grievances - suffocated by tear gas as a result of this defiance. Tazzioli (2021) discusses the ways in which refugee bodies are physically cramped, obstructed, and choked through space, or rather lack thereof. This type of biopolitical control is exerted on an atmospheric level as well. Conveying the intimacy of state violence is Fanon who writes how

'the individual's breathing is an observed, an occupied breathing. It is a combat breathing' (1965, 65). In the case of Calais, tear gas induces a state of "combat breathing" to maim, discipline, and govern those racialized bodies resisting state power by collectively gathering in protest.

Refugees surrounded by tear gas in Calais.
(TRT World 2016, 1)

The last case of crowd teargassing will look at and pertain to the final stage of the camp's dismantlement on October 24, 2016. It was announced a month prior, by then President François Hollande, that the remaining sections of the refugee camp were to be demolished (Gerlach et al. 2021). Early Monday morning, French authorities, accompanied by approximately 3,000 police officers, began taking apart the camp. Clashes with police, which were responded to with large quantities of tear gas, had also broken out over the weekend (Eriksson 2016). Monday was no different and those protesting the camp's closure were also met with this chemical agent (Al Jazeera 2016; Jones 2016). Alluding to Agamben's (1998) notion of the camp, Wahid from Afghanistan shares how 'it's a very sad

Amongst the flames, French riot police fire tear gas.
(*Express* 2016, 1)

place, a very boring place and we've been living like animals' (Jones 2016, 1). For Agamben, the camp is 'the most absolute biopolitical space ever to have been realized' where 'power confronts nothing but pure life, without any mediation' (1998, 97). To link back to Walters' (2004) "domopolitics" discussed earlier, the camp functions to isolate and contain those bodies who are not accepted within the "home" (that being France). Having been 'stripped of every political status and wholly reduced to bare life,' a person, deprived of political rights and freedom, exists simply in their biological form (Agamben 1998, 97; Owens 2009). Shunned from the political community by sovereign power, those that have been excluded find themselves in a "state of exception" (Agamben 1998; Rygiel 2011).

The "state of exception" has been enabled through a series of state of emergency decrees in France following the Paris attacks of 2015. While beginning as a measure to fight terrorism, the state of emergency, which was extended four times, came to involve the maintenance of public order including amongst refugees (Zaretsky 2016). In many cases though, this state lent itself to an escalation in police brutality and human rights violations committed against refugees. Even Amnesty International warned that the situation had come to a "tipping point" (Bulman, 2017; Dearden 2017). Although Agamben's theorization of the state of exception has been widely influential, it is important to mention its criticism in order to better understand the reality faced by those in Calais. There have been objections to the notion of "bare life" by many scholars (Dines et al. 2015; Isin and Rygiel 2007; Millner 2011; Oesch 2017; Owens 2009; Redclift 2013; Rygiel, 2011; Sanyal 2011) who argue that the camp can exist as a socio-political space. Agency and resistance on behalf of refugees in Calais have been exhibited through participation in hunger strikes (Gerlach et al. 2021), the

erasure of fingerprints (Sanyal 2017), support for and the organization of community leaders (Gerlach et al. 2021), and the sewing of lips (Welander and Gerlach, n.d.).

Davies and Isakjee take the conceptualization of the camp a step further and contend that 'the refugee camp in Europe must be understood as a distinctly postcolonial entity' (2019, 216). The camp, existing as a technology of violence and power, was first tested in the colonies prior to being introduced back onto the European landscape via totalitarian regimes (Martin et al 2020; Minca 2015). Embodying what Foucault (2003) terms the "boomerang effect," it is evident that colonial territories were used as a laboratory to refine this new form of population management before it arrived on the empire's own shores. Dating back to the Spanish's *campos de concentraciones* in Cuba, the reservation system in the United States, and the Boer Wars in South Africa, the camp has been held up by a racialized system of beliefs (Agamben 1998; Davies and Isakjee 2019). These colonial era logics and structures, which work to differentiate between "us" and "them," make their way into the present. The case of Calais is no exception.

Since one can 'track the tangibilities of empire as effective histories of the present,' (Stoler 2013, 29) Calais thus becomes 'a concentrated visible symbol of the "apartheid" of migrant Others from the Global South' (Davies et al. 2017, 1268). Bordering two powerful "former" empires, the Calais camp was made into a space of degradation and inequality for those hailing from outside of Europe (Davies and Isakjee 2019). Furthermore, it is significant that all 15 nationalities found to be living in the Calais camp had come from countries previously subjected to and exploited under European colonialism (Dhesi et al. 2015). In this way, not only is the racialized element of the camp's structure evident but also its colonial roots. With the 'the ghosts of empire alive and well in the European camp' (Davies and Isakjee 2019, 216), tear gas, a colonial weapon, works within the "Jungle" to further the

dehumanization process. The divisive binaries and hierarchies between the "civilized" and "uncivilized" sphere continue to be upheld through this tool of governance.

Such violence and control extend to the teargassing of individuals. As documented by human rights groups in the aftermath of the camp's demolition, refugees could be posing no threat, such as walking or even sleeping, when teargassed by police. This chemical agent was also sprayed on refugees' belongings, such as clothing, blankets, sleeping bags, as well as in their water and food supply (Amnesty International 2019; Human Rights Watch 2017 and 2021; Welander 2017). Describing a usual night in Calais, a teenage boy from Afghanistan shares how 'they [the police] spray tear gas in my face, they take my blanket and sometimes my shoes. Then they beat us with sticks and we run away' (Welander 2017, 25). Similarly, a 16-year-old from South Sudan reveals that 'I was on the road in the evening. They were many police and they verbally abused us, hit us with batons and sprayed tear gas. It was just me and a single friend' (Monk et al. 2017, 30). There are several more stories like these, highlighting the magnitude in which tear gas is used punitively and as a form of population control. Davies et al. (2017), through exploring the necropolitical experience of refugees, argue that the notion of suffering is in itself a political technology where particular groups are 'kept alive but in a state of injury' (Mbembe 2003, 21). Debilitating certain bodies for the purposes of control, this theorization ties into Puar's (2017) "right to maim." Tear gas, as part of the sovereign's "right," becomes a mechanism by which refugee lives are harmed and devalued.

Exemplifying the refugee experience in Calais, a 14-year-old from Ethiopia reveals how 'the national police ran after me and fought me, beat me by stick and sprayed me with tear gas on my face. I didn't expect that to happen in a country like France' (Monk et al. 2017, 31). Similarly, a 17-year-old shares that 'I risked my life for freedom. I didn't expect such treatment in Europe' (Human Rights Watch 2017, 12). Here, the juxtaposition between

the ideals associated with liberal democracy and way the state conducts itself, particularly against non-citizens, is emphasized. In regard to Calais specifically, Davies and Isakjee point out that 'it is hard to miss the irony of the French national tripartite motto 'Liberté, Égalité, Fraternité', in a space so thoroughly stripped of these values' (2019, 215). Numerous human rights outlined in the 1948 Universal Declaration of Human Rights have been violated within this French town. This includes the freedom from cruel, inhuman, or degrading treatment or punishment, the right to life, liberty, and security as well as the right to an adequate standard of living (Gerlach et al. 2021). The conditions of deprivation, alongside the violent police actions carried out, work to uphold colonial, asymmetric power relations that dehumanize the refugee. Existing as an overly militarized space, Edmond-Pettitt (2018) found that there was one CRS (Compagnies Républicaines de Sécurité) agent for every nine displaced individuals during the camp's time in operation. Furthermore, even the choice of police force to patrol in and around the camp is revealing of the continuum between war and policing as discussed in Chapter 2.

The CRS, France's riot police, is typically deployed to ensure order during large events or demonstrations and to monitor the borders. However, their increasing presence in Calais over the past decade highlights the securitization of the country's refugee policy. Trained to manage crowds and riots as opposed to those in need of a humanitarian response, the employment of the CRS enables the treatment of refugees as aggressive and criminal (Amnesty International 2019; Edmond-Pettitt 2018). In this way, the refugee population becomes a threat that must be dealt with forcefully by law enforcement. One resident of the Calais camp, speaking to the violence they experienced, expresses how 'the French police treat us the same as Syrian police' (Cotterill et al. 2016, 12). As the use of violence has become even greater and disproportionate towards refugees, the line between policing and warfare is further blurred. Supporting adversarial binaries and racial hierarchies, this war-like

relationship has helped underpin power dynamics that operate against the "other." Tear gas, embodying the militarization of the police, extends and continues a micro-level war between the French state and marginalized segments of the international community.

The abuse of tear gas by law enforcement, as has been shown, is far from unintentional. In another case, the police went so far as to detonate a tear gas cannister in the back of a van where two refugees were being held. The refugees remained locked in the van for over 20 minutes (Cotterill et al. 2016). In a separate incident, one woman also suffered a miscarriage as a result of teargassing (ibid.). The misuse of tear gas, as outlined by Amnesty International (2020c), includes deployment within a confined space, directly at people, in excessive quantities, and against peaceful demonstrations or susceptible people. Within Calais, it is clear how tear gas was employed to inflict further suffering and to manage an already racialized, vulnerable population. According to Human Rights Watch (2017), the French riot police and other forces are not in compliance with national nor international standards. In line with France's Code of Ethics of the Police and Gendarmerie, 'police and gendarmerie personnel use force within the framework established by the law, only when it is necessary, and in a manner proportionate to the purpose to be reached, or to the gravity of the threat, depending on the situation' (Ministry of the Interior 2014, 7).

Officials have taken a stance of denial in relation to wrongdoing with Vincent Berton, the Deputy Prefect for Calais, stating that 'these are allegations, individuals' declarations, that are not based on fact. They are slanderous .... The police are the administrative body that is the most controlled and must comply with very strict codes and rules of ethics' (Human Rights Watch 2017, 25). When explicitly asked if tear gas or pepper spray had been used on refugees while they were sleeping, he responded: 'I have never seen or heard that. I did not give such orders. For me, this doesn't exist' (ibid.). Furthermore, French police spokesperson, Steve Barbet, repudiated allegations that tear gas was employed to clear the camp, asserting

that 'it's never used in the camp itself' (Ellis-Petersen 2016, 1). Not only was tear gas being used in the camp but the cannisters themselves were found to be out-of-date (Feigenbaum and Raoul 2016). The use of expired tear gas puts the lives of those at the receiving end of this chemical agent at even greater risk of injury (Feigenbaum 2015). During a 2018 speech in Calais, President Emmanuel Macron expressed his support for law enforcement and that he could not 'believe that security forces could use physical violence, seize personal belongings, wake up people in the night, and use teargas sprays on water or during food distribution ... If proved, this will be punished' (Amnesty International 2019, 14).

However, the prospects of accountability or legal remedy in cases having to do with police violence are not very promising. There are many reasons for this. Firstly, there was a fear of French authorities and of reprisal that prevented many from coming forward. Additionally, there was a widely held belief that cooperation with an investigation may hamper any standing asylum claims or that one may even be deported as a result (Amnesty International 2019; Bar Human Rights Committee 2016). Others believed that nothing would transpire if they were to report police wrongdoing. Those that did want to file a complaint lacked access on how to do so (Amnesty International 2019). As the Bar Human Rights Committee of England and Wales have found in Calais, there was 'limited legal advice and information in the camps and limited opportunity, or process in place to facilitate residents being able to document and lodge complaints against the police' (2016, 14). While there was a Legal Advice Centre available to camp residents, it was burnt down in a suspected arson attack in March of 2016 (Chrisafis 2016). Furthermore, of the cases of police abuse brought forward, many have been closed due to lack of evidence (Amnesty International 2019). Consequently, police violence and teargassing have operated in a largely unfettered manner. Within this environment of deprivation and climate of fear, tear gas augments the biopolitically driven violence already being experienced by refugees in Calais.

<u>Calais post-2016 vs. neo-Nazi rally</u>

A refugee, expressing a sentiment shared by many who have lived in Calais, believed that 'police do not respect refugees. We are humans, not animals' (Human Rights Observers 2020, 16). Upon facing criticism for authorizing a neo-Nazi rally in Paris to take place, French Prime Minister Élisabeth Borne publicly affirmed that 'our democracy also guarantees the right to protest . . . There was no risk identified, especially as this demonstration had already been held in previous years and had not led to any disturbance to public order' (Radio France Internationale 2023, 1). While these statements are drawn from different contexts, when juxtaposed, they bring light to the racialized nature of French policing - one in which the tolerance for and acceptability of white, far-right extremists is higher than non-white refugees who have been further displaced since the demolition of the "Jungle." This section does not seek to answer whether far-right groups should be banned from marching but rather demonstrate the disparate treatment between these two groups by French law enforcement. Thus, this section will compare police officials' response, including teargassing (or lack thereof), in the cases of Calais post-2016 and a neo-Nazi rally in 2023 to evidence the dehumanizing experiences refugees in France frequently encounter. As refugees have long faced insecurity, specifically in Calais, tear gas deployment against them has intensified over the past few years. On the other hand, a recent white supremacist rally in the nation's capital, which was formally authorized, was not met with police violence or tear gas. Here, there exists a different threat perception, shaped and informed by stereotypes that have demonized as well as "othered" displaced, non-European bodies. Illustrating how tear gas maintains racialized logics and structures that are rooted in colonial histories, the disciplining of refugees through atmospheric violence reinforces the "undesirability" of this group.

As instances of police violence, including the punitive use of tear gas, often go unreported (or are underreported), this section will look at the post-camp period (2017 to

2023) as one case study. A year after the Calais camp was demolished, it was found that 91.8% of those interviewed reported experiencing police violence. During the camp's existence, this figure was 75.9% and in April 2017 it rose to 89.2%. Of the 91.8%, approximately 90% stated that the violence they were subjected to was that of tear gas or pepper spray. Speaking to the intensification of tear gas use, 72.1% reported being teargassed every day or several times per week (Welander 2017). A large portion of teargassing takes place during routine evictions, as part of 'a fully-fledged strategy of harassment of people inhabiting informal living sites' (Human Rights Observers 2020, 3). In combination with evictions and teargassing, police have been documented using racial slurs as well as making profane hand gestures and monkey noises at refugees. Close-range teargassing, including officers spraying this chemical agent from windows of their passing vans, has led to several hospitalizations and the death of Mohamed Khamisse Zakaria. Mohamed, upon being blinded by tear gas, was struck by a car and killed (Human Rights Observers 2020; Human Rights Watch 2021). As a refugee living in Calais told Human Rights Observers, 'we cannot take the harassment of the CRS any longer. We are humans, and we have rights. Here we live like dogs' (2020, 38).

Early in 2023, a frequent yet seldomly-reported incident received mainstream, English-language media coverage. A small boat, filled with 16 refugees and migrants seeking to cross the Channel, had been teargassed on February 7th. In testimonies to aid workers near Calais, these refugees share how French officers fired tear gas into their boat forcing many to jump into the freezing water (Blackall 2023). A 16-year-old boy reveals that 'when we are in the sea, the police come and they shouted gas to us. They fired the boat. We were in the boat, all the people jumped in the water, just I stayed alone inside. I tried to stop the fire' (ibid., 1). A Syrian man also on board saw a tear gas grenade hit another man in the face. Once the boat was seized by police, those who had been on board were left to sit in their wet clothes on the

beach. They were later brought to the hospital by volunteers. Humanitarian organizations, such as Utopia56, expressed that the practice of law enforcement officers using tear gas against those at sea is a regular occurrence. One volunteer testified that 'it happens a lot. They use without asking them to stop first, that's the problem. Since December, we've seen it more and more' (ibid.).

French police deploying tear gas on those trying to cross the English Channel.
(The Telegraph 2022, 1)

On the weekend preceding Victory in Europe Day, also known as VE Day, a group of approximately 600 neo-Nazis marched through Parisian streets. VE Day is a public holiday that commemorates Nazi Germany's surrender to the Allies at the end of World War II (France 24 2023). The rally of May 6, 2023 featured a large number of far-right extremists, many of whom were dressed in black and masked. The participants had gathered to honor Sebastien Deyzieu, a far-right militant who died in 1994. Waving black flags with the Celtic cross, marchers took to the city's streets for their annual parade (Radio France Internationale 2023). None of the marchers were arrested by police (Audureau 2023). In fact, city officials had authorized the rally to take place (France 24 2023). Many within both the public and in

politics felt that these kinds of groups 'demonstrate their hatred with complete impunity'

(ibid., 1). The Paris police department defended its response by declaring that they lacked the

legal authority to ban a demonstration unless a risk to public order was shown or proven

(France 24 2023). While acknowledging that the far-right is linked to 'violent subversion'

and 'terrorism,' Prefect Laurent Nuñez concluded that 'this event has never led to any

disturbance of public order' (Audureau 2023, 1). In response to widespread criticism,

France's Interior Minister, Gérald Darmanin, has since requested that police chiefs prohibit

far-right extremist demonstrations in the country (Radio France Internationale 2023).

Far-right extremists gather in Paris.
(Audureau 2023, 1)

Like the cases of the United States and Kashmir, it is clear that there are two different

systems of policing in France. While the double standard regarding French law enforcement's

leniency towards extremists and intolerance of "casserolade" (or saucepan) protests has been

noted (Fitzpatrick 2023; Radio France Internationale 2023), comparisons to the treatment of

refugees (as the non-citizen) have yet to be drawn. The differing strategy employed when

dealing with neo-Nazis versus refugees, as demonstrated above, reveals the racialized nature

of policing in France. There was far higher tolerance shown towards white supremacists in

the case of May 6, 2023 than that given to the presence of non-European, displaced bodies

residing within French borders. Through comparing the extent to which these two groups

were teargassed, the militarized approach towards and excessive police violence enacted

against refugees are revealed. While there were no reports of violence at the neo-Nazi rally,

neither are there on the part of refugees who are routinely mistreated and teargassed. In fact, the extremists had been breaking the law by wearing face coverings, according to the 2019 "anti-riot" bill (Audureau 2023). This bill was initially introduced to curb social justice movements, including Yellow Vest protests, and breaches of this ban are punishable by a fine of up to €15,000 as well as a one-year prison sentence (Amnesty International 2020e). Nonetheless, the large gathering of neo-Nazis was deemed to be less of a security concern by law enforcement, as even Prime Minister Élisabeth Borne stated that 'there was no risk identified' (Radio France Internationale 2023, 1). The differing threat perception between these two groups, alongside the absence of tear gas during the march, are informed by longstanding stereotypes that have portrayed the refugee figure as dangerous and subhuman. As such, the various processes which have "othered" this population function to rationalize racialized policing practices, including frequent and unprovoked teargassing. This disparate treatment is a consequence of the dehumanization of refugees, which in turn has enabled atmospheric violence. The use of tear gas on non-European refugees by police thus works to discipline and further marginalize this "undesirable" group.

Conclusion

This chapter has assessed the violent and racialized manner that tear gas has been utilized by French authorities against refugees in Calais, with a focus on 2015 to 2023. Having been deployed to control and punish, tear gas was used to further repress a marginalized group of people who resided within, and later around, the camp. Furthermore, this chapter has drawn upon a variety of themes, including those from postcolonialism, to argue that colonial dynamics, dehumanizing logics, and racialized orderings continue to influence the systematic use of tear gas against displaced bodies. It is therefore necessary to understand the ways in which state violence, specifically the teargassing of non-European

refugees in recent years, is shaped by colonial legacies. The first section provided a historical overview of policing in Calais dating back to the 1990s in order to better contextualize the mistreatment of non-European refugees more recently. Next, the second section explored the "othering" of refugees, which constructed and maintained discourses depicting this group as uncivilized, inferior, and dangerous. The third section analyzed the portrayal and treatment of refugees, who have been characterized as less than human in an effort to render their bodies negligible and legitimize harm. The fourth section assessed the use of tear gas by French law enforcement within and surrounding the Calais camp. Here, the previous findings from the history of policing, the various processes of "othering," and the portrayal as well as treatment of refugees entering Europe coalesced. The last section compared the cases of Calais post-2016 with a 2023 neo-Nazi rally to demonstrate the differential and disproportionate use of tear gas by police. The use of tear gas at the border site of Calais brings attention to both the colonial and biopolitical purposes of this chemical agent. With European borders having been subverted, thus posing a challenge to state power, teargassing facilitates the further dehumanization and regulation of displaced bodies via atmospheric violence.

Chapter 7: Conclusion

Returning to Winston Churchill's epigraph in the introduction, this thesis examined the various means in, and through, which tear gas has been used against those considered 'uncivilised.' From Black Lives Matter activists in the United States (policed bodies) to civilians in Kashmir (occupied bodies) to non-European refugees in Calais (displaced bodies), tear gas has been differentially used on a domestic level by several democracies to discipline and police marginalized populations through the atmosphere in which they live. By drawing upon postcolonial insights, this thesis assessed how colonial dynamics as well as racialized logics and hierarchies inform the contemporary deployment of tear gas (as a tool of governance) on certain groups. These groups, having undergone the processes of dehumanization and "othering," become "acceptable" or "justifiable" targets for routine teargassing by authorities. Placed beyond the pale of "civilization," this form of state-sanctioned violence onto those deemed problematic, threatening, or subhuman becomes ever more normalized. Therefore, this work demonstrated why repressive tear gas deployment should be contextualized alongside the history and identity of those targeted. As a postcolonial project, this theoretical lens emphasized the importance of the ways in which representations, experiences, and histories of particular dehumanized groups facilitate their teargassing. Through a postcolonial critique, we can better understand instances of tear gas use today.

Having argued that the deployment of tear gas to discipline "othered" populations cannot be fully understood within a contemporary context, this thesis explored how the rationalization and function of tear gas, specifically against marginalized groups, has been shaped. Tear gas, retaining its popularity as an instrument of policing over the decades, toxifies the air in order to harm, repress, and manage bodies that are deemed "less desirable."

This thesis provides a contribution to an underexamined area of study where scholars have primarily focused on the nature of this weapon, rather than on the history or identity of those on which it is used, which is important as tear gas continues to be heavily relied upon by police forces across the world. Thus, this project aims to join the small, but important, body of scholarship that has shed light on the significance of tear gas's history and how this weapon has facilitated the exercise of power. However, this thesis is distinctive in that it also examined how tear gas's differential use, in a variety of different circumstances, has been rendered possible. In providing an innovative lens through which teargassing can be evaluated, this work adds to and progresses the literature on the relationship between postcoloniality and technologies of violence. The thesis presents an original investigation into the ways colonial structures, discourses, and power dynamics influence the more recent deployment of tear gas by democratic states against those who are "othered." Doing so reveals that tear gas is used to help reinforce domination and to support specific forms of governance.

The selection and comparison of three sites - the metropolitan protest site (Black Lives Matter demonstrators), the occupied site (Kashmiris), and the border site (non-European refugees) - as case studies demonstrated the various ways that dehumanization and "othering" have legitimized the teargassing of these respective groups. Although not exhaustive, these cases exemplify a variety of important instances where tear gas has been extensively employed to subdue those already marginalized. Not only did the choice of a diverse set of groups (policed, occupied, and displaced) afford a unique opportunity to examine tear gas as a vehicle for population management but the focus on several democratic states also enabled a wider discussion on this type of repression. The combination of new and old as well as Western and non-Western democracies revealed that regardless of age or location, these governments regularly sanction the use of tear gas against those perceived as inferior or

threatening. In each case, tear gas played an instrumental role in helping to maim, govern, and dominate those that challenged state power. From race to religion, particular identities have been deemed more suitable to exercise control (via atmospheric violence) over. Tear gas should not be regarded as benign or benevolent but instead as a dangerous technology that is perpetuating asymmetric power relations, racialized rationalities, and colonial hierarchies.

This thesis has made a number of key arguments pertaining to a postcolonial critique of tear gas use. In Chapter 2, it was argued that postcolonialism is a useful lens through which to understand the deployment of tear gas, specifically against particular groups, in the modern era. The dissolution of traditional binaries, including those between the "civilized" and "barbaric," domestic and international law, war and policing as well as "us" and "them," all worked to highlight the relationship tear gas continues to have with empire and the mechanisms through which "othered" populations are rendered "justifiable" targets for teargassing. By drawing parallels with history - through an analysis of the evolution of colonial era discourse, the legitimizing role of international law, the blurring of policing with war, and the relationship between race, tear gas, and biopolitics - how this weapon preserves colonial legacies and structures became clearer. A variety of postcolonial themes examined in this chapter, including race, identity, and power, retain their significance and influence over the more contemporary use of tear gas within democratic states. This chapter demonstrated how tear gas can be used as a vehicle for understanding the perpetuation of violence, certain orders, and dehumanizing rationalities from colonialism that enable repressive forms of governance over marginalized bodies to take place.

Chapter 3 argued that colonial histories shaped the ways in which tear gas has been deployed throughout the 20th century. Focusing on a variety of significant examples from this time period, how "othering" legitimized teargassing by and within the West was assessed. From the colonial to the metropole, tear gas has been used against a range of groups and

identities (both foreign and domestic). Several states, through toxifying the environment, have been able to uphold a preferential system of governance that has repressed those who were "threatening" and "inferior." Deployed by Spain, Italy, Japan, the United States, and Britain for their respective expansionist or colonial projects, tear gas became a routine means through which to exercise control across various, "lesser" populations around the globe. Furthermore, within the French, American, and British empires themselves, governments also utilized tear gas domestically on particular groups residing within their own mainlands. This chapter demonstrated how tear gas use evolved over the century yet continued to further devalue and manage the "other," even as the targets of this violence shifted.

The first case study in Chapter 4 drew upon postcolonial insights to argue that the systematic deployment of tear gas against Black Lives Matter protests in the United States has been shaped by earlier, racialized logics and structures. Hence, this chapter concentrated on and underscored how tear gas was extensively used to discipline policed bodies between 2014 and 2020. Going back to the first slave patrol, the exploration of the relationship between Black Americans and law enforcement served to contextualize the racialized policing still experienced today. Furthermore, the "othering" of Black bodies through the construction of dehumanizing discourses is shown to have helped enable various forms of state-sanctioned violence. With the background of Black Lives Matter having been surveyed, this chapter demonstrated that both histories have negatively influenced the portrayal and treatment of this organization's protesters. This chapter then went on to analyze the use of tear gas against Black Lives Matter protests in multiple American cities and compared the teargassing of Lafayette Square in 2020 to that of the Capitol in 2021. The repeated employment of tear gas by officers at these protest sites exemplified the suppressive function of this weapon, specifically upon those challenging racial inequality.

The second case study presented in Chapter 5 also drew from postcolonialism to argue that colonial realities inform the widespread and routine use of tear gas on Kashmiri civilians by Indian security forces. Accordingly, this chapter highlighted how tear has been deployed for a repressive purpose on these occupied bodies over the years, specifically between 2008 and 2021. By tracing the evolution of domination and policing in the region, as in the beginning of this chapter, the frequent experience of teargassing as a mechanism for control could be more effectively assessed. To understand the use of tear gas against this population, the history of "othering," which has rendered certain forms of violence by state power legitimate, also was explored. This chapter further analyzed how negative portrayals of Kashmiris, including by the media, have aided in making this group a more likely target for teargassing. Subsequently by evaluating the employment of tear gas, particularly within Srinagar and during the 2021 Muharram procession, it became clear that this weapon helps serve a broader colonial project. Tear gas works within the occupied site not only to subdue but also to further dehumanize and to curb those struggling for self-determination.

The final case study put forward in Chapter 6 continued to engage with a postcolonial framework to argue that its themes remain salient, particularly as it pertains to the punitive use of tear gas on refugees in Calais, France. This chapter thus offered an analysis of the various ways tear gas has been deployed to support the exercise of state power over and to inflict harm upon non-European displaced bodies at this border site. Beginning with an account of policing in Calais, the longer history that has preserved an asymmetric dynamic between French law enforcement and refugees was revealed. This chapter then went on to explore the "othering" of refugees which has not only manufactured racialized, dehumanizing narratives but also served to underpin violent practices against this group. The subhuman as well as threatening depiction of refugees entering Europe is then demonstrated as having marked them as "undesirable" and "acceptable" recipients of teargassing. Next, this chapter

assessed the use of tear gas in a variety of different contexts against those residing in the "Jungle" as well as in the case of Calais post-2016 and a neo-Nazi rally. With European borders perceived as having been subverted, tear gas enables the maintenance of certain orders and suppression of this "othered" population.

This thesis, through considering the role of identity, history, and discourse, has argued that tear gas has been differentially used by democracies to discipline and police certain groups, specifically those rendered "less desirable." Originally a weapon of World War I, tear gas was later widely deployed against colonial populations to quell dissent and enforce authority. Tear gas, retaining its repressive function, continues to be utilized in a disproportionate and arbitrary manner on "othered" bodies. If the insights and arguments provided by this thesis are considered, it then becomes evident that tear gas use is not apolitical. Thus, policy recommendations that may follow could pay attention to restraining the deployment of this weapon on various fronts. For example, alongside continuing to scrutinize law enforcement's heavy reliance on tear gas, more oversight or legislation that significantly limits its use should be introduced by state leaders and policy makers. While it is beyond the scope of this work to provide exhaustive policy recommendations, governments, including democratic ones, must first begin by acknowledging that tear gas's classification as a "non-lethal" weapon is not appropriate. Furthermore, the civil and human rights of potential tear gas targets must be respected.

One way to help ensure that rights are upheld would be to revise the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990. An important change could be to make these principles legally binding for signatories. Other potential revisions include providing more specificity as to what "carefully evaluated" and "carefully controlled" entail (in reference to the discussion of "non-lethal" incapacitating weapons in Section 3). Additionally, the language contained within the Chemical Weapons

Convention of 1993, especially Section IX of Article II, could be clearer. At present, what is considered as "law enforcement" remains vague and undefined. The use of "including domestic riot control purposes" also does little to circumvent situations where weapons such as tear gas can be deployed. Through such proposed revisions, the circumstances or conditions where law enforcement officials can utilize tear gas would be more limited.

Furthermore, new international legislation could be drafted to address some of the limitations of both the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials as well as the Chemical Weapons Convention. For example, it could be outlined that the tear gas used by police be in-date, the quantity approved be a low number, it only be dispersed in an open space, it not be deployed against non-violent civilians, and it not be a first resort tactic for officers. Measures such as these, that were legally binding, would help reduce cases of misuse and offer a way to better monitor this weapon's employment. Legally requiring documentation relating to the trade and sale of tear gas alongside transparency pertaining to the chemical components inside a cannister or grenade, as Feigenbaum (2017) suggests, would also provide a means of accountability and regulation that is currently lacking. As tear gas continues to be used in an indiscriminate and disproportionate way, mechanisms to restrain its deployment are crucial. Tear gas should not be regarded as benevolent but instead as a repressive weapon that facilitates political control.

While this thesis has made strides in revealing not only the ways tear gas operates as a tool of governance against Black Lives Matter activists, Kashmiri civilians, and non-European refugees in Calais but also how its use on these groups has been rendered possible, a potential point of further study involves examining this weapon's deployment on other marginalized bodies. Whether anti-racism protests in Canada, Palestinians in Israeli-occupied territories, or refugees on the Greek island of Lesbos, the findings of this thesis could be generalized, to a degree (in that these governments are considered democratic and that those

teargassed fall under the categories of policed, occupied, and displaced), to other similar contexts. This would not be an attempt to homogenize these different groups' experiences but rather highlight similarities regarding how dehumanization and "othering," in combination with discourse, shape policing practices, specifically the differential use of tear gas. Another potential avenue for further research could similarly assess the use of tear gas on certain populations by non-democratic states, such as the recent pro-democracy demonstrations in Hong Kong, female-led protests in Tehran, and the eviction of sub-Saharan refugees in Tunis. Other marginalized groups such as those within the LGBTQ+ community, those who have been incarcerated, those who are indigenous, and those with disabilities or impairments also have been teargassed by law enforcement. Examples include, but are not limited to, Pride activists in Istanbul in 2016, inmates in Sydney's Long Bay Correctional Complex in 2020, indigenous protesters in Brazil in 2021, and para-athletes in Nigeria in 2022. It is important that future research agendas continue to shed light on the ways in which teargassing, as a means for domination, is facilitated, legitimized, and normalized.

Another prospective avenue for research could include further tracing the sale of tear gas, specifically that which occurs from the "metropole" to the "periphery." This kind of work would help to illuminate broader, global patterns of violence as well as enhance our understanding of international politics. This research could also explore how particular histories inform present day relationships between various nations, in this way maintaining colonial structures, unequal dynamics, and preferential orders. The sustained, widespread deployment of tear gas is establishing a dangerous standard that will negatively shape the trajectory of policing, human and civil rights, global health, warfare, and governance in the future. As well as arguing for the need for greater government transparency, restraint, and accountability, this thesis concludes by expressing how the repressive and differential use of

tear gas, especially upon marginalized groups, will continue to change modes of governance

in an effort to "civilize" the "other."

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