

Republicans work to make many protests illegal

BY ERIC STONER
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In the wake of the horrifying right-wing assault on the U.S. Capitol on Jan. 6, Republicans have flooded state legislatures with an unprecedented number of laws aimed at curbing future “riots” across the country. So far at least 13 states have introduced at least 26 anti-protest bills since that attack, according to the International Center for Not-for-Profit Law’s protest law tracker.

At first glance, it might seem like Republicans are finally taking responsibility for the wave of armed protests by their supporters across the country. In fact, opportunistic state legislators are merely repackaging laws they have promoted for years to squash racial and environmental justice protests.

Legislation in Florida, Nebraska, Mississippi, North Dakota, Oklahoma, Washington and Indiana would expand the legal definition of a riot to target peaceful, if disruptive, protests. These bills create new felony penalties for rioting, which is broadly redefined to include “tumultuous conduct,” blocking streets or sidewalks, and obstructing law enforcement or other governmental functions.

Other so-called “critical infrastructure” bills — like the one that Ohio’s governor signed into law in January — are aimed at stopping protests against the fossil fuel industry. The proposals introduced in Minnesota would make trespassing “with the intent to disrupt the operation” of a pipeline a felony, in a clear attempt to thwart the ongoing Indigenous-led movement to stop Enbridge’s Line 3 tar sands pipeline.

But that is just the beginning of the danger these anti-protest laws pose. They would variously criminalize the removal of Confederate monuments, bar public benefits and government

jobs to demonstrators, ban “camping” outside state capitols, or even protect those who hit protesters with their cars.

In perhaps the most absurd provision, a bill in Mississippi would punish any group of six or more people with up to three years in jail and a \$5,000 fine for disturbing “any person in the enjoyment of a legal right.” If enacted, all protests would essentially be rendered illegal.

The historical record paints a clear picture. Anti-protest laws, dating back to the Sedition Act of 1798, have not been a response to the threat of violence, but to legitimate dissent and organizing for social change. And this raft of new laws continues that ignominious tradition.

Every advance for freedom and justice that the United States has made since its founding is the result of dedicated social movements that disrupted the status quo.

Abolitionists were accused of sedition as they hastened the end of slavery. Women won the right to vote after hounding President Wilson for years outside the White House. The Voting Rights Act was passed after thousands of civil rights protesters, including Martin Luther King Jr., blocked traffic during the historic march from Selma to Montgomery.

As the Biden administration gets to work, tackling climate change, establishing universal health care or rolling back gaping inequality will require far more disruptive protest, not less. And that requires first killing these undemocratic bills.

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