

Repression, Resistance, and Institutional Learning: Evidence on Human Rights and State Repressive Policies in the USA

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Abstract

This article examines state repression and public resistance as an evolving sequence of institutional interactions rather than isolated events. It describes how protests affect police planning, litigation changes administrative guidance, failed prosecutions influence evidentiary strategies, and public controversies alter political incentives. The article mentions that institutional learning can strengthen rights when misconduct produces reform, professional training, improved documentation, independent review, and better legal standards. However, the same learning process may intensify repression when authorities improve surveillance, exploit legal uncertainty, or adopt more selective enforcement practices. The analysis highlights civil resistance, political violence, accountability mechanisms, and organizational adaptation across local, state, and federal institutions in the United States. It recommends combining event data, litigation records, disciplinary files, policy changes, interviews, budget information, and personnel decisions. The article concludes that sequence analysis can reveal whether repeated confrontations are moving institutions toward democratic restraint or toward more efficient and less visible forms of political control.



State repression and public resistance are built up over a series of encounters and not individual events. A protest affects the planning of police officers, a lawsuit affects the guidance of the agency, failed prosecution affects evidentiary strategy and a public scandal affects political incentives. The United States in March 2025 has provided ample subject matter for examining a variety of institutional learning within the federation of local, state and federal systems. The crucial point is in which direction it moves: are the safety measures tightened, or do the institutions learn to better contain opposition?

There are feedback mechanisms between repression and resistance. When some mobilization strategies are seen as viable (and some are not), agencies see it; when some legal interpretations are successfully challenged and others are not, courts see it; when some movements forge coalitions and others do not, movements learn it; and when some political leaders see greater public tolerance and others see less, they learn it too. Institutional learning can generate the reinforcement of rights, as misbehavior leads to reform, professional training, improved evidence standards and the improvement in oversight. In addition, the same mechanisms can serve to intensify repression: authorities can tighten up surveillance, take advantage of legal loopholes, and discriminate between groups through introduction of a legal framework.

So, analyses require sequences and not snapshots. Each physical fight can be shown to have moved institutions in either of two directions: towards accountability or towards the more efficient control, through event data, litigation records, disciplinary files, policy

changes, and through interviews.

One way of seeing a gradual process of authoritarianism is through the dynamics of policing: the coercive power permeates into everyday life well before constitution ceases to be in operation. Clues include intelligence-gathering against lawful activists, picking on certain groups with arms, trying to crack tough crowd-control, lack of accountability for misbehavior, and pressure on prosecuting political issues. Yet, militarized apparatus cannot be the only ingredients of authoritarianism; and tight policing need not be unamenable to democracy. The protection of accountability, neutrality, necessity and proportionality is the key question. Consistent enforcement toward compliance burdening and not under external review turns policing from a public good towards the maintenance of public order into a political tool(s) used in political competition.

An expression of civil resistance can shield democratic institutions through elevating political costs without resocializing the 'logic of authoritarian politics'. Nonviolent movements increase participation; bring in different social strata and groups to a movement, make breakaway from the governing coalition attractive, and produce a visible challenge to official restraint. The fact that there isn't a fixed participation rate threshold or a magical march to it doesn't mean that you have to be successful. Headline estimates of attendance are often irrelevant organization, strategic discipline, local networks, labor involvement, legal backing, the media and clear demands often serve more a telling purpose.

Internal strife within a movement can also divert attention from the institutional abuse to issues of public order for which repression can be justified, and dull the edges of potential alliances. So, in defense, it is smart for the Democrats to play tactical games that highlight misconduct, while retaining general credibility.

The United States has a complex, but concentrated system of accountability. Many parts of the job can be done by federal and state courts, ignoring inspectors general and civil-rights units, legislative committees and professional boards, local prosecutors, journalists and civil society groups. Fragmentation makes for multiple avenues for participation and access but also gives rise to a shifting of responsibility amongst institutions. Federalism creates benefits for experimentation and local autonomy, and may lead to different remedies for the same violations.

That good accountability requires evidence to be shared, as well as a jurisdictional understanding that's clear and protected independence, and then following through afterwards when the spotlight dims. Without any action to change the incentive structure,

a report (without enforcement) or a settlement (without monitoring) or a prosecution (without institutional reform) can fix one incident and leave the structure that is driving the incentive alone.

If it's recorded, it's only the start of taking responsibility. The reliability of work as evidence sets dates, locations and actors, as well as chain of command, legal classification of work, witness credibility, preservation procedures. Digital material introduces possibilities and pitfalls – metadata may aid verification, manipulation, duplication, unsafe storage, uncontrolled access and dissemination can have adverse effects on victim and limit admissibility. Independent fact finding per the OHCHR guidance is a step towards establishing a factual record, raising awareness of decision-makers and locating potential responsibility.

Then it's up to investigators, prosecutors, courts, reparations bodies, policymakers, and the affected communities to make the information into action. If it breaks down anywhere, you can find a stunning history archive for which there is no fix.

Political violence is “suspect” violence because symbolic victims, ideological reasons and public displays of intimidation are significant rather than just physical damage. ACLED's monitoring of the USA has encompassed incidents where extremist groups have been involved in violence, police use of excessive force, violent mobs, hate incidents and those related to political identities. While one attack on an election official may not send chills down the spine, a continuing pattern of such threats even if infrequently resulting in death may cause changes in people's attitudes. Self-renunciation, diminished candidate recruiting, greater security measures, and resignations all curtail democracy. It is crucial, early-warning, not just numbers of events but in and of itself, chilling effects coming down on individuals who are doing the job of a democracy.

A robust evidence-based approach is one that is supported by a broad comparative view and a detailed examination of the institutions. The event datasets can be used to pinpoint when and where events were clustered, and the administrative records can be used to detect enforcement decisions and how the organization was reacting. Survey experiments can be used to measure the tolerance of the general public and process tracing can be used as a method to reconstruct key decisions. The additional indicators are court opinions, internal guidance, personnel turnover, disciplinary action, etc., and procurement records and budget changes.

There is no one measure to find “democratic erosion” or “accountability”. Triangulation is important because danger can be highlighted in the public discourse, official statistics

may reflect underreporting, and there may have been a change without changes in laws. When it comes to bolstering confidence, similar indicators on different governance levels suggesting a shift in the same direction help.

A sequence analysis can show if litigation influenced behavior, which otherwise would have continued to be repressed, or whether it simply made them switch to other means of repression. The differences at the local level from jurisdiction to jurisdiction in the U.S. offer opportunities to emulate practices on oversight, protest policing and disciplinary systems. After every encounter resistance networks also are able to change by providing legal assistance, mutual aid support, documentation and coalition forming.

When participation in consultations influences the reprioritization of issues, advantages in terms of legitimacy are enhanced: protection mechanisms, the way evidence is collected and the nature of remuneration offered are shaped by victim participation. Issues of command responsibility and organization responsibility will apply as repeated abuse is unlikely to come about as a result of a single decision made at the lowest level of operation. Speeches may be taken more literally than not in budget appropriations, which more effectively demonstrate commitment than any other means and are so essential to investigation, witness protection, monitoring and reparations.

Public reporting should not only address what has already been done, but should also, in the form of a report, make the cases acceptable to the public by making the unworked-out gaps understandable. By creating binding policies, providing access to archival, requiring training, providing external review etc., institutional memory can carry reform along with the turnover of leadership. A credible process also safeguards due process, because otherwise accountability doesn't have authority when punishment seems like a foregone conclusion, or politically chosen.

Protective measures should be established to ensure investigative independence in terms of appointment, tenure, funding, access to evidence and publication of the results of a probe. Witness security needs should be taken care of prior to the public disclosure as this can lead to potential reprisals, PTSD, displacement or loss of livelihood for the witness. When origin, editing history, location, time, and chain of custody of the material may be relevant to legal proceedings, attempt to document this via digital means.

Reparations may consist of restitution, compensation, rehabilitation, public acknowledgement, memorialization and institutional guarantees of non-repetition. Having the community understand what constitutes harm can sometimes reveal outcomes of harm beyond what criminal files document (e.g. educational loss, separation

from family, stigma and political exclusion). Settlements must include benchmarks and exit conditions specific for monitoring to prevent closing the settlements before there are real changes in organizations' behaviors.

Professional licensing bodies can augment enforcement of accountability if there are professional ethics that are not covered by criminal or civil law. Arising from the work of many journalists, accountability trails are sometimes discovered (and seldom they don't get there), but the law should determine the facts and not let publicity do that for them. Without clear and explicit referral rules, complaints have been known to 'Ping-Pong' between agencies until referral deadlines have passed, or evidence has been lost in a so-called system.

The documentation, legal responsibility, the recognition of victims, the changes to these institutions and the public explanations all start to reinforce each other, making accountability credible. While it may be one prosecution that will make a difference, the case will not fix all the rules and relationships. One keeps an account and it becomes truth; one doesn't have the archive one can't implement it. When results lead to enduring improvements in budgets, appointments, processes, trainings, monitoring and a right to rehabilitation.

That is a high standard, and anything less will prove ineffective in terms of seeing outcomes. Ultimately, human rights protection rests on the shoulders of institutions that can learn from abuse without loss of hyper power or diffusion of responsibility in a diffuse and divided power.