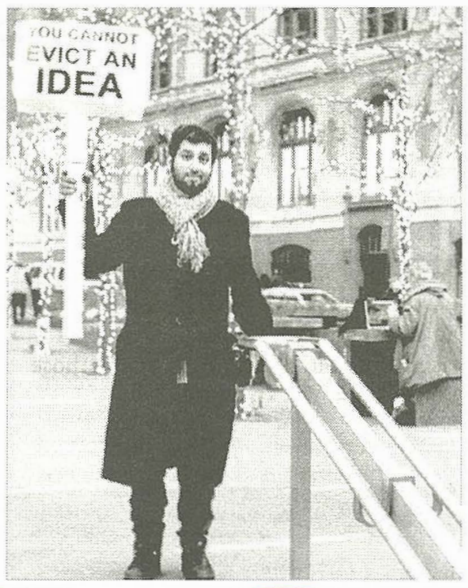

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OCCUPY! #3

AN OWS-INSPIRED GAZETTE

ZUCCOTTI RAID & AFTER

Astra Taylor

THE EVICTION

Last night, in what seems to be part of a coordinated crackdown on occupations across the country, Zuccotti Park was raided. Thousands of us who had subscribed to the text alert system, or who got emails or phone calls or panicked Twitter messages, went to Wall Street. But we could not get near the camp. Two blocks south of Liberty Plaza on Broadway, blocked by a police barricade that circled the whole area, I found myself part of a small crowd straining to see what was happening. In the distance, Zuccotti Park was lit like a sports field, glaring eerily, and I could make out a loudspeaker, blasting announcements and threats. Sounds of people chanting and screaming floated towards us. While we paced the street, seething and sorrowful, tents were trampled, people's possessions piled up, and occupiers arrested. Later I would come across a camper I had met earlier in the day sobbing on the sidewalk. A few blocks west, maybe thirty minutes after I arrived, the police line broke so two huge dump trucks could pass through. So that was it: we, and everything we had made and were trying to make, were trash.

The authorities must be ashamed, because they so badly did not want anyone to see what happened last night. First they attacked the senses, flooding the park with bright light and using sound cannons. Then they corralled the press into pens, arrested reporters, and shut down airspace over lower Manhattan, so that no news stations could broadcast from above. As we strained our necks over their barricades they kept telling us that there was nothing to see. But clearly there was! We knew they were lying. And when we told them so, they, with batons in hand, forced us away. We were herded like sheep, and I felt like one, meekly following orders, a terrible coward. Those who resisted—those who stood their ground on a public sidewalk we all have a right to stand on—got maced in the face, right in the eyes. The authorities so badly did not want anyone to see what happened last night they were willing to temporarily blind us.

As the hours wore on, a single menacing helicopter hovered overhead, ominously tracking impromptu marches, which raced from Foley Square to Astor Place and back. At 3 AM I got separated from friends but realized I could use that helicopter as a beacon. I followed it up Centre and then crossed Houston just in time to see the cops, who had come in and filled maybe ten large vans, arresting a women, twisting her arms painfully behind her back. "They're hurting me!" she screamed, and I winced. An officer told a group of us, who were gawking from across the street, to "get a job." As I approached Bleeker, the protesters were being forced east by a swarm of police; they were outnumbered, easily, two to one.

"What are they so afraid of?" my companion asked when we first arrived at Wall Street just after 1 AM, and as I watched this excessive use of force the question kept ringing in my ears. But the answer is obvious: they are afraid of us. "This peaceful uprising against our sickening plutocracy has them quaking with fear," a friend remarked later, proud and surprised. They say we are just a bunch of hippies ineffectually camping out. But if that's really what they think, why do they need guns and nightsticks and Long Range Acoustic Devices and paramilitary aircraft? We should take heart. If we make them so afraid, we must not be as weak as I often worry we are.

MARK GREIF

Open Letter

Dear Police,

You keep inserting yourself and distracting OWS. Could you please stay home? The conflict is between American citizens and concentrations of wealth, and the government hangs in the balance between them. But you keep pushing in and trying to fight, or beat people up, as I saw you do last night, or just throw your weight around, needlessly, and waste our time. It's narcissistic. It's tiring to even think about you. What last night's wastefulness reminded me is that I need to stop defending you, or worrying about your humanity and underlying goodness, or your possibility of recognizing your places as citizens, too. All that would be nice to think about. But I was reminded, looking at you, that every one of us is still responsible, and everyone has a choice finally, to obey or disobey, to do wrong or right. You abdicate that choice; that doesn't mean you have to ruin it for the rest of America. I believe that when your Officer Cho was leaning on my chest last night with a plastic police shield, to clear room for pedestrians who didn't exist, on an empty sidewalk at 1 AM in the Financial District, pushing hard with a line of his coworkers on a crowd of us, all of whom actually were pedestrians on that sidewalk, as he and I were locked in place, he said to me, from behind his plastic visor, where he could watch us all as if on television, or in his car, so he didn't have to think, this phrase: "It's a game." "What?" I said. "We push you back, you push us back. We're both doing our jobs. A game." No. It's not. So get out of the way.

Incidentally, I saw two chants give you pause last night. "This—is—a peaceful—pro-test" was one; you all stopped shoving us and stood there like blue clad mannequins. Why did that paralyze you—because you're telling yourself in your head that you're fighting violence, to do what you do? The other was sad: "Police—protect—the 1 per-cent." You were standing, twenty of you, defending an empty street with bank skyscrapers rising out of it. You don't belong in those skyscrapers. You knew it too.

MARCO ROTH

Mayor Bloomberg's Language

A massive police action undertaken in the middle of the night against an unarmed, defenseless, and mostly sleeping group, with the aim of their forcible removal and the incidental destruction of most of their personal property was ordered, we learned, ostensibly in the name of "guaranteeing public health and safety." Why in the middle of the night? "This action was taken at this time of day to reduce the risk of confrontation, and to minimize disruption to the surrounding neighborhood." By the same logic, a thief breaks into a house at an hour when its residents are least expected to be home, or least ready for confrontation, so as not to raise the alarm and bring out the neighbors. A surprise attack by an overwhelming force is not the action of a brave man, nor of a man entirely sure of himself. Surprise is the weapon of the weak, but has been chosen by the strongest in the name of minimization and harm reduction, the language of risk management, imported into a political arena, an arena for the struggle of ideas and concepts, from the realm of economics, the household, where the financial sector's failure to minimize risk and reduce potential harm led us directly to the crisis that caused the mayor to call out the armored might of the NYPD to quash a bunch of campers, kick over their tents like sandcastles, destroy a library of over 5,000 books, and throw away countless personal possessions, each of which had a story of its own, all so that a neighborhood may not "be disrupted."

But what is a neighborhood? Who decides what belongs there and what doesn't? The mayor knows and the mayor decides: "There have been reports of businesses being threatened and complaints about noise and unsanitary conditions that have seriously impacted the quality of life for residents and businesses in this now-thriving neighborhood." Vague reports, vague threats: this does not even rise to the level of the terrible phrases foisted on the public in recent years, like "credible intelligence." And oh, the noise, the "unsanitary conditions," that have made businesses unhappy, "quality of life," a phrase popularized by Bloomberg's precursor, Rudy Giuliani, but remains no clearer today than in 1993: it's a phrase that simultaneously encapsulates and occludes the very struggle at issue in Zuccotti Park. What does it mean to live a life of qualities? Is quality, by definition immeasurable, only describable, something that can be charted by the cleanliness of a street, the absence of certain smells, certain people? Is the absence of dirt, smells, noise, and people what the mayor means by "thriving?" Is there really a right not to see certain things, and can the mayor of New York City destroy individual property in its name?

Alas, this property was erected on a too-fragile foundation: "The law that created Zuccotti Park required that it be open for the public to enjoy for passive recreation 24 hours a day." "Passive recreation," another phrase that sums up Bloomberg's New York. This is bureau-speak to say that you can't play a game of touch football in Zuccotti Park, but why not apply it more broadly, for instance, to the making of speeches and the holding of assemblies? Is that a violation of the passivity or the recreation, or both?

"Ever since the occupation began, that law has not been complied with, as the park has been taken over by protesters, making it unavailable to anyone else." Here begins a litany of charges against the protesters, which, as they multiply, become increasingly incoherent and contradictory. This first count is purely tendentious: the park was not "unavailable to anyone else" until the police themselves erected barricades around it. Maybe it was a less nice place to walk your dog or take a lunch break than it used to be. There were funny people and they smelled funny, and they had to shout over the drum circle, but the City of New York has no problems telling people where they can and cannot walk their dogs and where they can and cannot have lunch, smoke cigarettes, make out, et cetera. The protesters barred no one entry to the park, a fact that the police would use against them to encourage drug users and drinkers, as the New York *Daily News* reported, to "take it to Zuccotti," helping to create the very conditions the mayor cites in his brief; the protesters threatened instead what the City of New York views as its sovereign right to control the use of space.

But that's not the real reason that the riot gear and the bulldozers and the helicopter and the floodlights were called out at 1 AM on November 15th. "I have said that the City had two principal goals: guaranteeing public health and safety, and guaranteeing the protesters' First Amendment rights. But when those two goals clash, the health and safety of the public and our first responders must be the priority." No, no . . . it was all about health and safety first! Not, however, the health and safety of the protesters, who were somehow seen as alien to the public. One way to correct the prospective imbalance between First Amendment rights and the nebulous right to public safety would have been to allow the protesters to erect winterized structures and ensure they had adequate access to clean bathrooms and did not have to rely on the strained good-will of local businesses. That would have minimized the risk of disease, of a tubercular protester, god-forbid, spitting

near an area where a resident of a thriving neighborhood might walk.

The city did not do this. Instead, the mayor explains, in the interest of public health and safety, "several weeks ago the City acted to remove generators and fuel that posed a fire hazard from the park." Recall that they did this several hours before a snowstorm had been forecast. To cause people to freeze in the name of public health, to cry fire when the danger is from cold, that's humane and responsible governance.

The mayor's final justification, however, rests simply on a diktat, "make no mistake—the final decision to act was mine . . . " followed by another round of confusing double-speak, "I could not wait for someone in the park to get killed or to injure another first responder before acting. Others have cautioned against action because enforcing our laws might be used by some protesters as a pretext for violence—but we must never be afraid to insist on compliance with our laws." First the mayor says that he could not wait for an actual law to be broken, for instance manslaughter or homicide, so he acts preventively on the suspicion that a law could at any moment be broken. This is the logic that leads to thought-crime, unless of course one believes that there's an imminent menace. True there have been sexual assaults and theft and drug use in the park, but this is true of other neighborhoods in New York as well. The city does not raze a city block because a rape occurs in a building. Zuccotti Park, however, became the most-policed ground in the country. From the beginning it was treated as an enemy zone, subjected to a level of scrutiny that most of us only have nightmares about. But then the mayor insists the midnight assault was all about compliance with existing laws, presumably the one enforcing "passive recreation," or the various anti-homeless statutes. Hero of crime prevention or bureaucrat of enforcement, both sides are present, neither convinces. What emerges between the lines is the invocation of "pretext to violence." Bloomberg attributes the violence to the protesters and the thought to some mysterious, unnamed "others," but to anyone who has been following the city's campaign against the protesters from the beginning, it's clear that what the mayor was casting about for was precisely a pretext, and a pretext to do exactly what he did last night: raze the park in the most aggressive way possible, through maximum force projection, and under a media blackout, staking everything on the hope that the protesters would behave peacefully, in exactly the opposite way that he would later characterize them. Why was the media blocked? Says Bloomberg, "[We had to] protect the members of the press. We have to provide protection and we have done exactly that."

The overall tone of Bloomberg's statement takes us back directly to the chaotic and terrified New York after September 11, 2001, and what only a handful of principled civil libertarians then feared in that peculiar state of emergency has largely come to pass: a police force swollen by Homeland Security investments no longer knows how to deal with citizens as citizens, visualizing them instead as threats; a national security godfather state has replaced the language of law with the rhetoric of sovereign "Public Safety," a political idea rooted in Jacobin paranoia and the Terror; and when disputes over law and the public good arise they are increasingly settled by the arbitrary decisions of an executive power simultaneously terrified of appearing weak and of showing its might in the fair light of day.

What the press and the public at large have been protected from, in fact, is an opportunity to participate in understanding their own history. Last night's action was not an attempt at law enforcement or protection: it was an effort to erase the last two months in Zuccotti Park. The midnight raid wasn't just cowardice, it was the fantastical act of a tyrant who believes he can wipe the slate clean, and so exact revenge for slights to his power. To look at images of the park as it appeared after the cleanup, or with the army of orange-vested sanitation workers with their power-hoses, is to glimpse Bloomberg's utopia, a semi-public space that is meant to be always and utterly vacant of meaning and content and individual associations, a plaything put away for the night.

Kathleen Ross

Arrested

The night before the two-month anniversary of Occupy Wall Street on November 17, an activist emailed our OWS listserv with information about a direct action scheduled to begin at 7 AM the next morning. In an effort to delay the opening bell, protesters would block the entrance to the New York Stock Exchange. Some would form "soft barricades" near particular police gates. Our correspondent described a training session in which participants role-played protester and cop: she locked arms with her neighbors while another volunteer made the arrest. "I went limp as she yanked me up and over and dragged me across the floor. So now I know what that's like!" I read through the instructions—wear running shoes, dress in layers, consider carrying a 1:1 solution of water and Mylanta (to counteract pepper spray)—and set my alarm for 6:30 AM.

Our group met in Zuccotti Park and marched together to the Exchange. We made our way down the sheltered one-ways, weaving around metal barriers and parked police trucks. A line of traffic tried to inch past the protesters. I hurried further down William Street—there was promise of a dance party around the corner—but a friend called us back to the intersection of William and Pine. People had formed a standing barricade blocking traffic in front of the police gates. Keith and Eli had linked arms in the crosswalk. I hopped off the sidewalk and joined them in the street. Another member of the group, Sarah, appeared at my side, breathlessly apologizing, "Sorry! I got swept away with some anarchists."

You shift around a lot in a crowd. At first, I was further forward, in the middle of the street, but after some reshuffling found myself standing in the crosswalk with Sarah. When the cops approached in helmets and with bundles of zip cuffs in hand, we linked arms and sat down. "Cops take off your riot gear / I don't see no riot here."

The guy in the blue windbreaker playing the drums and leading occasional mic checks was the first to be arrested. He struggled—more than others would—and flipped over, kicking a woman in the face in the process. the group scooted forward together. (Who knew there would be scooting in the revolution?) Since we were sitting in the fourth or fifth line back, I couldn't see a protester once he or she was on the ground. I took cues from the crowd to understand how serious each arrest was (did people scream at the cop? did reporters take photographs or raise their TV cameras?) and to gauge if the police officers' moods were deteriorating, if we were in danger of a cop losing it. I did watch as a woman reared back and spat in an officer's face as they loaded her into one of the higher security paddywagons. Within fifteen minutes, the first line of the barricade was broken. Orphaned cardboard signs littered the pavement. Keith and Eli walked into the middle of the street and sat down. The police separated them, pulling Keith away and cuffing him face-down on the ground. As the two were led to separate police vans, I ran through a mental checklist: I had no priors. I wouldn't need to call into work—one of my bosses had just been arrested and another was a bystander on the curb. I was ahead on my work for the day. I had eaten a good breakfast! I texted my co-worker that it was likely I would be arrested and scrawled the Lawyer's Guild telephone number on my arm.

"Who do you protect? Who do you serve?" We watched and waited. Cops slowly picked off people, one by one, two to four cops surrounding each protester. The crowd chanted "Shame!" at every rough arrest. A few of the people with us scurried away, to find siblings or catch a train, because they had prior arrests or carried records from underage drinking. I stayed with Sarah. Slowly, the street began to empty as the people around us were pulled up A woman in a wheelchair with a flag—a disabled activist who frequently shows up to protests explicitly to get arrested—stayed next to Sarah and said, "Hold onto my chair. It makes the cops really nervous."

Finally I was approached and asked if I wanted to comply. "We can do this the easy way," the cop promised. I didn't answer and kept my head down. "Okay," he said and pulled my arm. I was flipped onto my stomach and zip-cuffed. I didn't know how to struggle or put up a fight beyond that initial resistance. Where should my arms flail? Two officers lifted me to my feet.

My arresting officer took my information ("You're from Maine? What are you doing in New York?") and kept telling the other policemen that he got my name and "pedigree." Sarah and I were grouped together, and an officer took a Polaroid of us with our arresting officer. I think they were using the photos to keep the paperwork straight—easier to match faces than names and badge numbers. Again he said "pedigree," and I had to assume that was code for "nice" and "non-threatening." Our arresting officer told us he'd been awake for over 24 hours.

Somehow, Sarah managed to tweet "In a police van" with her hands still cuffed behind her back. We zoomed down Canal Street, using sirens to blow through stoplights. When asked by a protester in the back of the van what the police thought of Occupy Wall Street, the officer in the passenger seat got annoyed and flashed us a picture of his kid on his phone, whose school parade he was missing.

Sarah, the anarchist, and I were some of the first twenty arrestees to be processed that morning. At the women's cell block, our cuffs were cut off. We were patted down, my earplugs falling to the ground as they cleaned out my pockets. A trash can was filled with zip cuffs and water bottles. Male arresting officers, their hands full of paperwork, were sent away by the female officers to fetch more and different forms. "Did you get the...?" "Was there a...?" "Did she...?" It was early in the day—a day with more protests planned—and already they seemed overwhelmed by the sheer amount of administrative work.

Sarah and I had a holding cell—number 4—to ourselves. We were lucky: other girls were packed six to a cell, each one containing only a single cot, a sink, and a toilet.

"Mic-check!" a girl started down the cell block.

"Mic-check!" we responded, women's voices echoing off the concrete.

"Does anyone need..."

"Does anyone need..."

"The Lawyer's Guild Number?"

"The Lawyer's Guild Number?"

"Yes!" replied a women in the neighboring cell.

The mic-check proceeded for several more rounds. We asked if anyone knew the time, we questioned later arrestees what news there was from outside, and finally sang OWS "Happy Birthday" ("and many more..." tacked sweetly to the end).

I got out that day. Back at my office, I wrote an email, encouraging friends to join us at Foley Square that evening, closing: "As my arresting officer said, see you at the bridge."

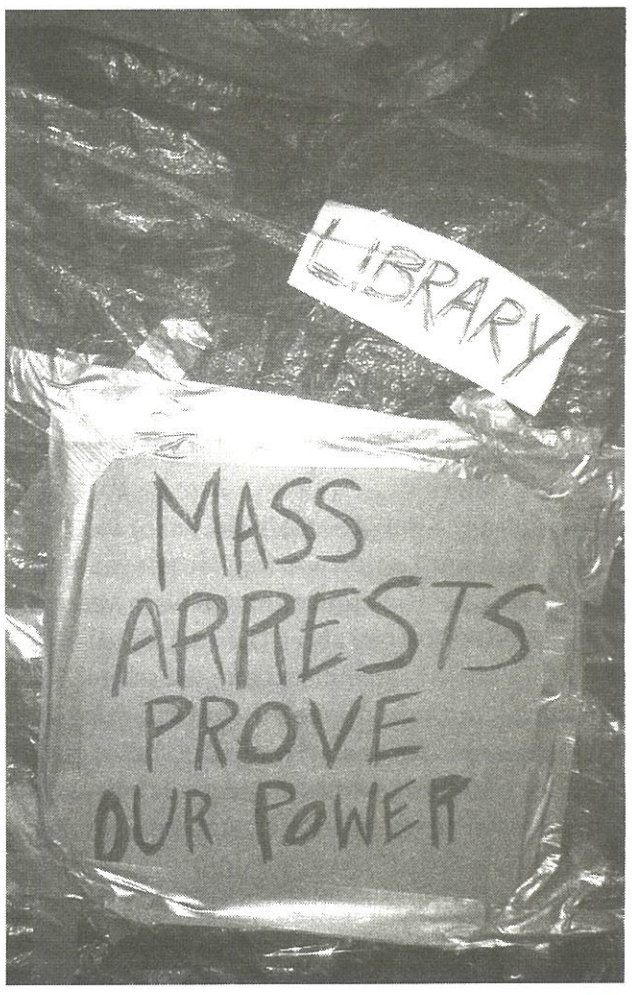

PHOTO BY CHLOE ROSSETTI

JEREMY KESSLER

THIS IS WHAT NONVIOLENCE LOOKS LIKE

Just after 7 AM on Thursday, November 17, hundreds of protesters marched from Zuccotti Park, the scene of a massive police eviction two days earlier, into the warren of streets that surround the New York Stock Exchange. It was the two-month anniversary of Occupy Wall Street, and an entire "Day of Action" was in the works. For the early morning event, marchers hoped to reach Wall Street itself, or as near to Wall Street as they could get given the metal barricades, police vans, motorcycles, and riot police that have effectively privatized that narrow strip of land. It was perhaps the movement's most carefully orchestrated nonviolent action—though you might not have known it from watching the news that day.

For many days prior to November 17, occupiers had met to map out the multiple stages of the action, noting the intersections where police would try to bottleneck marchers and devising routes of retreat that would allow them to re-group when faced with overwhelming police force. In order to spread out the police presence, they planned to stagger the march; sections would leave minutes apart and aim for different access points to Wall Street. With these general contours in mind, over a dozen affinity groups—self-organizing sets of volunteers—met to plan actions within the action: some would break off from the main march to proceed directly to Wall Street through a Duane Reade on Pine; others planned acts of civil disobedience at strategic locations.

The unpredictable movements and the "diversity of tactics" employed by the occupiers—from traditional civil disobedience to absurd dance routines—frequently cause police, spoiled by total compliance, to become panicked or enraged. As a result, the police did as much as the marchers to block access to Wall Street, manhandling pedestrians and "freezing" intersections in order to stanch the unpredictable flow of protest. Perhaps the chief breakdown of police control occurred around 10 AM at the intersection of Broad and Beaver, where several strands of the march met after earlier sit-ins on Pine Street. Unprepared for this secondary flow, the police initially allowed the marchers to take to the street, dancing and singing. Then some creative officers transformed a metal barricade into a plow, using it to sweep up or knock down protesters.

Although this carnival of nonviolent force and violent counter-force attracts media attention, reporters have not quite come around to the stark imbalance between the nonviolence of the protesters and the oppressive reactions of the police. On Thursday afternoon, press reports became surreally fixated on a single act of violence that occurred back at Zuccotti Park, hours after the morning action. Apparently a lone protester threw a mysterious "star-shaped glass object" at a police officer. At some point in its flight, the star cut Officer Matthew Walters's hand, and he went to the hospital for twenty stiches. Sharp, if vague, the glass weapon soared above the hundreds of thousands of words written about the "Day of Action," as if it were a premonition of future assaults. As Mayor Michael Bloomberg stood flanked by white-coated doctors at Bellevue Hospital to update the press on Officer Walters's hand, photos circulated of a protester with blood pouring down his face. Reporters quickly explained why the 20-year-old boy deserved a cracked head: he had thrown an AAA battery at one police officer and stolen the hat off another officer's head. If a bloody face is what you get when you throw a battery, one shudders to imagine what will happen if the police find the elusive star-hurler.

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The over-reporting of protester violence has many causes, but two have loomed largeduring the last several weeks: the divergent organizations of policing and protest on the one hand, and the professionalized relationship between the police and the press on the other.

First, any instance of protester violence creates the illusion of an easily grasped, symmetrical conflict: person versus personone with a glass star, the other with a polymer club. There is something much more difficult to capture about a prolonged yet asymmetrical conflict—an entire police force, with military armaments and intelligence operatives, enacting a strategy of suppression over several months against a shifting, unarmed collective. While there has been some insightful coverage of the composition and the tactics of the occupation (for months, all reporters had to do was go down to the Zuccotti and ask around), reporting from within the corridors of One Police Plaza has been almost non-existent. The secrecy and complexity of police operations—symptoms of an increasingly militarized

OCCUPY ON CAMPUS

RACHEL SIGNER

The New School in Exile, Revisited

I arrived at the New School in the fall of 2008 to do a master's degree in anthropology. Tuition was $23,000 per year—this did not include room or board—but the opportunity to be in a great intellectual community appeased my anxiety about the cost. A little bit.

Tuition was high for a reason: the school, I soon learned, was on shaky financial footing. Founded in 1933 as a refuge for scholars fleeing Fascism and Nazism in Europe, it wasn't the sort of place that produced the sort of people who turned around and gave their alma mater millions of dollars. The endowment was meager, and the school relied on tuition for revenue.

The New School needed to improve its financial situation and its status, and it was going to do it, like any New York institution, through real estate. They were going to tear down one of the original 1930s buildings and replace it with a state-of-the-art gleaming sixteen-story tower, home to studios for designers and artists studying at the New School's profitable design institute, Parsons, and laboratories (for whom, no one could tell you; the New School offers no courses in hard sciences), retail food vendors, apartments, and—most insulting of all, I think, to the symbolics heirs, as we liked to consider ourselves, of refugees from fascism—a fitness center. At the time, the building, at 65 Fifth Avenue, was a multi-purpose meeting place where graduate students could read quietly, have lunch in the café, or find books in the basement library. There had been classrooms upstairs, but at that point they had already been relocated to the Minimalist-style building a few blocks away where my department, Anthropology, was crammed together with Sociology.

Nobody liked the idea of a new building; we thought the old building was perfectly fine, for one thing, and for another we thought the money could be better spent on fellowships for debt-saddled students (like me!). The campus was in an uproar already after the faculty senate, enraged that the university's president, Bob Kerrey, had, after his fifth successive provost left the job, simply assumed the post himself, passed a unanimous no-confidence vote against him. Shortly after news got around about the faculty vote, an unofficial student meeting was called. There were fliers posted around campus by the Radical Student Union. About fifty of us gathered in the basement of the new graduate building on 16th Street. A piece of butcher paper was thrown up on the wall, and a list of demands was produced: we wanted Kerrey and his vice-president, Jim Murtha, to resign; a new provost selected by the student body; a transparent academic budget; and, later, we added one demand that propelled us to action: that the demolishing and "capital improvement" of 65 Fifth be cancelled.

Most of the meeting's attendees were graduate students in the Social Research division, notably more interested in radical politics than, say, students at Parsons. The meeting was led by a tall, skinny Philosophy graduate named Jacob, and a chain-smoking Politics student with deep bags under her eyes named Fatuma. Before the meeting started, Jacob passed around a pamphlet he'd written about direct action as he munched, ostentatiously, on some dumpster-dived bananas. "I think it's time," he said, as we convened in the basement, "for an action." Another of the leaders was Tim, a gruff, shaggy-haired guy from the Poli-Sci department, who sneered a bit when people's comments seemed too moderate.

At this meeting, two actions were proposed. The first was directed at an upcoming meeting Kerrey had convened with the faculty, presumably to try to convince them to reverse the no-confidence vote. We, the students, had not been invited, and our plan was to show up wearing duct tape over our mouths. The next action would be some kind of sit-in, or occupation. We wrote down our emails and walked back out into the night— revolutionaries.

urban security apparatus—are major obstacles to reportage.

Not only is the decision-making center of police operations resistant to investigation, but so is the experience of the beat cop on the line. The intensely hierarchical structure of policing means that low-level police officers are both operationally in the dark and chronically afraid of being disciplined. The average protesteron the other hand, is empowered and talkative. She may be about to lead an act of civil-disobedience or go on a rant about corporate power. This volatility makes it easy to cover the protester, but it also makes it easy to blame her: it is tempting to trace the eruption of violence on the street to the energetic protester rather than the dour cop. Yet it was the police whose dour wave of billy clubs confronted protesters' nonviolent antics.

Another obstacle to clear-headed reporting of police violence is the formal relationship between the police and the press. At a protest, the reporter with a police-issued press pass is often the only American citizen who can expect robust First Amendment protections. Traditionally, a press pass has emancipated the beat reporter; it gives her a kind of official dignity, indeed, a badge. As many First Amendment scholars have pointed out, there is something bizarre about this phenomenon. The freedom of the press should not attach to a kind of employment, but to a kind of activity. The professionalization of freedom of the press, in this sense, is one more example of the privatization of the public sphere that occupiers protest. Indeed, it is anti-democratic for one group of citizens, in virtue of their private employment, to gain a whole slew of extra rights vis-à-vis the police. This anti-democratic distribution of rights may well distort reporting, as it makes the ability to report a function of the order created by police power. The more the police control a crowd, the easier it is for the press to cover it, as long as reporters retain their privileged status above the masses, a privilege the police itself provides.

In recent weeks we have seen the NYPD correct this peculiar inequality on the streets of Manhattan, as they knocked down and locked up reporters, press pass or no. What's more, the police department clarified that it would not hand out press passes for the purposes of covering Occupy Wall Street. Such preemptive denial of the freedom of press to everyone—even to that special breed of citizen called "journalists"—was a striking example of the de rigueur denial of basic civil rights that some Americans experience on a near-daily basis. In treating reporters like protesters, the police seemed to have lifted the professional veil that generally keeps their more violent tactics out of the papers. Four days after Thursday morning's march, the *New York Times* and a dozen other news outlets fired off a protest to the NYPD: "The police actions of last week have been more hostile to the press than any other event in recent memory." The letter recounted a scene from Thursday when police officers used a metal barricade to beat a photographer trying to snap a picture. Perhaps they had mistaken the flash-bulb for a flying star.

Keith Gessen

"N17"

Was there any point to trying to shut down the NYSE? Most of the really nefarious stuff, the credit default swaps and options and so on, is not traded publicly. That's the whole problem with it, and the big investment banks fought tooth and nail to keep it that way during the fight over financial regulation. If it's being traded in public, in fact, it can't be that bad.

And most of the people making their way to work that day, whose progress we slowed a little bit—these were not the masters of the universe. If you have to show up at 8 am at the NYSE and spend the day yelling orders at a broker, chances are you're not the guy who breaks national currencies and shorts entire economic sectors.

After we were arrested and taken to the Tombs, we got periodic updates, over the phone, about what had happened outside. One of the drug dealers we were in with called his girlfriend, who works for the MTA—we occupied the subway, he said. People cheered. And one of the protesters called a friend: The opening bell of the stock exchange was fifteen minutes late! We cheered some more and high-fived.

It turned out not to be true. The stock exchange opened on time, and shares of companies were exchanged, short positions taken, options called—and good for them. But you have to start somewhere. Some of what Wall Street does is valuable and important; some of it, as in most industries, is neutral and irrelevant and just wheel-spinning; and a certain portion of what it does should be illegal. Everyone on Wall Street knows this. I think what we were saying is that we now know it too.

The duct-tape action was a smashing success; many of our faculty members threw their fists up at us, and a buzz went around campus. Meanwhile, our planning meetings for the occupation continued, as quietly as possible—which later would be cause for our fellow students to accuse us of exclusivity. The truth is we didn't want to get busted. Then, late in the afternoon on December 17th, about sixty of us gathered in the cafeteria at 65 Fifth, a room with glass walls on three sides and, in the back, a little deli that sold terrible sandwiches and coffee. Round tables and chairs were strewn throughout the room. We lounged casually, as if having coffee with friends, as we knew that the administration had, through some whistleblower, caught wind of our scheme. Then, at a designated time, I think around 6pm, we stood up on the tables, taped banners with "NEW SCHOOL OCCUPIED" to the walls, pushed chairs against the main entrance, and probably began chanting something, or cheering.

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I'm not sure at what point we came up with the name "New School in Exile," but it stuck. It was, of course, a reference to the proud history of the institution, its birth as a place of exile. And not only that. When I'd told my parents that I was planning to go do a master's at The New School, I learned that my grandparents had taken continuing education courses there, and my grandmother had also been a secretary for one of the deans.

They were both mostly self-educated. My grandfather had been expelled from City College in the nineteen-thirties for protesting against Fascism in Europe, then gone on to become a journalist for The Daily Worker; my grandmother, who knew Italian and Spanish, had been a union organizer. In Specters of Marx, which I read in my second year of graduate school (by which point I was about $30,000 in the hole), Derrida talks about the ghostly nature of politics, how it moves in cycles. That night, as hundreds of New School, CUNY, and NYU students gathered outside the building, on Fifth Avenue, sending us tweets and text messages of solidarity, and as we huddled inside, writing our list of demands, I felt my grandparents' ghosts inside me, in that building, likely the very same one where they had read philosophy and sociology and tried to channel those ideas into creating a better world.

That night we put up our new "New School in Exile" banners, and a blog was created in that name by a politics student named Scott. Scott, it must be said, was a Leninist, which pissed everybody off and made us worried, because he was our media guy. But for the moment, things were great. Someone from the *New York Times* came in to report on us—at this point the administration was letting people enter and leave the building at will—and an organization from Harlem sent food. Jim Murtha, our vice-president, showed up, with alcohol on his breath, and we booed him. Some NYPD entered and hovered in the lobby near the front door, chatting with the security guards. As the morning hours approached, we played music on our laptops, made signs about neoliberalism and student debt, and worked on our final papers, which were due that week, and most of which were probably about Marx. Some of us slept, a little, on the floor.

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The next day, people began coming from all over campus and other universities to show their support or just check us out. A sign saying "New School: OCCUPIED" had miraculously appeared on the outside of our building, a couple of stories up; people sent us photos via cell phone. I also learned that many of my fellow students in the Anthropology department were unsure what to think. There was a sense that our faculty were not enthusiastic about the occupation, and grad students concerned about keeping good relations with them (who wasn't, really?) were hesitant to align themselves with the New School in Exile. Regardless, some of my colleagues, and students from other departments and the undergraduate divisions, showed up at 65 Fifth for the afternoon meeting on the second day.

We proved to be totally unprepared for this. As a large group of students gathered chairs in a circle, expecting to learn our plan for getting the administration to cave in to our demands, I looked around and realized that I was the only organizer in sight. Where were Jacob, Fatuma, Tim, and Scott the Leninist? Gone. I looked at the gaggle of bright-eyed but uncertain students, threw up some butcher paper on the wall, ripped off my sweater as I began to sweat profusely with anxiety, grabbed a marker, and began to solicit agenda items from the crowd.

Thankfully, someone sensed my confusion and stepped in to help: it was the anthropologist David Graeber. Many New School students knew him through his previous work with the New York Direct Action Network, and they had called him in to help. He gave us a brief workshop on democratic consensus-building, and then stepped aside. And then we were doing it. I facilitated, and people wiggled their fingers, and we moved through our agenda items. We talked about the cafeteria workers, who we wanted to make sure were not losing a day's wages because of our protest, and decided this should be high on the list of our demands. We discussed other things. It was exhilarating to be using this new language, with our hands, to hold a discussion. Soon, meetings were popping up throughout the day in that room, all using the consensus procedures. Graeber moved in and out silently, hardly making his presence known.

Finally, the missing organizers from earlier returned to join the rest of us. They told us they'd learned that, all over the city, anarchist networks had

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Karen Smith

THE LEGAL ISSUES OF ZUCCOTTI PARK

In the early morning hours of November 15, 2011, the New York City Police Department, under the direction of New York City's mayor, Michael Bloomberg, carried out a stealth attack to evict the occupiers at Zuccotti Park. Soon afterward, lawyers on both sides fashioned arguments as to whether the eviction of the occupiers—and the banning of tents, sleeping bags, or any other items which would make it possible for the occupiers to remain through a cold winter—violated their First Amendment rights.

By 6:30 a.m., the lawyers representing OWS were able to obtain a temporary restraining order (TRO), issued by Justice Lucy Billings, that prohibited the City from barring the protesters from the park and permitted them to reenter with their tents and sleeping bags. The Order would remain in effect until 11:30 a.m. at which time a hearing would determine if the TRO should be continued. The case was then reassigned, allegedly, to the next judge "on the wheel," a practice followed by the Courts when a TRO is obtained after-hours.

At approximately 12:00 p.m., Justice Stallman heard oral arguments from lawyers representing both sides. Later that afternoon, Justice Stallman issued a decision granting the protesters the right to continue their protest in the park, but denied them the right to bring their tents and sleeping bags with them or to remain overnight. Justice Stallman held that the First Amendment does not include the right to have the accoutrements (sleeping bags and tents) which enable people to exercise their first amendment rights. It appears that he may now even be prepared to hold that the First Amendment does not apply to Zuccotti Park as it is not a "public" park.

Between the time the City was served with Justice Billings original TRO and the time Justice Stallman issued his decision, the City refused to follow the directives of Justice Billings' order, denying protesters the right of re-entry to the Park. After Justice Stallman issued his order, the City, without any authority, co nstructed barricades around the park and searched anyone attempting to enter it, a practice which continues to this date.

In all likelihood the lawyers representing OWS asked the legal working group what they hoped to accomplish with the lawsuit. Questions about how important it was to get OWS back into Zuccotti Park and how soon they needed that to happen were probably discussed. The attorneys probably analyzed the likelihood that such relief could be won (in light of previous decisions made by the New York and federal courts which define the area of First Amendment law), the prior decisions by Justice Stallman, and the slowness of the legal system.

Lawsuits take time and money and are a drain, especially when the deck is stacked against you. Before entering into a law suit, people should be clear about the suit's aims. Is it: publicity, re-dress of some wrong, financial recompense, to buy time, to gain allies, to isolate your enemies, or to expose contradictions?

In the Zuccotti Park case, given all the elements just mentioned, focusing on the illegality of the City's enforcement of Brookfield Properties' private property rights would have been a good way to go forward. I am not suggesting that this argument would have "won" the day, or that Justice Stallman would have held that the de facto lockout was illegal, but in the context of a political lawsuit, the goal of "winning" must be re-examined. Focusing on the illegality of public enforcement of private property rights would serve to support OWS's message about how the 99% has been systematically screwed by exposing a Mayor serving the interests of the 1% (he himself being among the 10 richest people in the country, in a percentage smaller than the 1%).

The City maintains that it stepped in to remove the protesters pursuant to its "general police powers" to protect the health and safety of its citizens, which were threatened, among other things, by the alleged unsafe and unsanitary conditions in the park, and to enforce the park rules issued by Brookfield Properties at their request.

The City has to argue that its actions fell within their general police powers to protect the public as there is no other legal basis for the City's actions. If an owner wishes to evict someone from their property, they have to bring a proceeding or an action. If it is a squatter (a legal, not moral term), as in this case, the owner has to bring an "ejectment action" in State Supreme Court (as there is no landlord tenant relationship. If there were a landlord tenant relationship, the landlord would have to commence a proceeding in Housing Court.) Even if Brookfield had commenced the appropriate action, the NYPD probably could not evict. It would be the City Marshall who would evict, and then only after there had been issued a decision by a Court, after a hearing or trial was held, and then, only after a warrant was issued and served on the Marshall. Even more importantly, the law of this State has been settled for over sixty years: no violence can be used to carry out an eviction.

So we are left with the City's claim that it was authorized to remove the protesters pursuant to its general police powers. However, an examination of the facts in the case shows otherwise. We must not ignore the Mayor's admission, on prime time television, that Brookfield did not ask for the City's intervention until after the Mayor and his Police Commissioner had already decided, over the November 12th /13th weekend, to evict the protesters and that the "request" to intervene was solicited by the Mayor. Also, not to be ignored is that the so called "rules" allegedly issued by the owners of Zuccotti Park, which the City offered to enforce, were changed after the occupation started but before the eviction, possibly in anticipation of the eviction. The entire rationale by the City is questionable when one considers that after the attack at the World Trade Center on September 11, 2001, when the conditions in lower Manhattan were undisputedly unsafe and unsanitary, the City encouraged people to return to their homes and work despite the deplorable conditions resulting from the attack.

One of the most curious aspects of the case, however, is Justice Stallman's failure to hold an evidentiary hearing on the allegation that there were unsafe and unsanitary conditions in the park sufficient to justify the City's actions. When I retired as an Acting New York State Supreme Court Justice (in September 2010), I was the senior judge in the City Part, handling cases to which the City was a party. I handled many TROs against the City, as did the two other judges who were assigned to that Part. While there are no hard and fast rules, the vast majority of us would have held a hearing to determine if the allegations of "unsafe" and "unsanitary" conditions were supported by evidence. Such evidence would be in the form of documents and sworn testimony where each side would be given the right to call witnesses and cross examine the other side's witnesses. The submission of sworn written affidavits alone, would not have been enough. Absent such a hearing, the claims are merely unproven allegations, and thus insufficient to justify the City's actions.

Nor is there any justification for the City and its police to have totally ignored Justice Lucy Billings' TRO. The City was legally served with the order, but blatantly ignored it claiming that "The City was seeking clarification of the order." What the City was apparently seeking was the reassignment of the case to a judge more sympathetic to its position.

mobilized and were ready, were near the school even, waiting, to join us. They wanted to come in that night. We discussed it; I remember not liking the idea, but I can't remember why. Eventually we voted it down. It didn't matter. At around 1 AM on the second night of the occupation, about one hundred and fifty people, with Mohawks and patched-together cargo pants and Doc Martens, came pouring into the building. Graeber had found a side entrance unguarded by the security guards. As the students ran in, the guards attempted to stop them, throwing them up against the wall or grabbing at their limbs, but the anarchists pushed through and nearly every single one of them made it into the cafeteria, where we were cheering. We hadn't liked the idea, but now, we felt, we were stronger. There were over two hundred of us. The negotiations were continuing with the administration. We felt that it was possible we would succeed.

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Eventually the security guards in the lobby, outside the cafeteria, stopped letting people enter and leave the building. We had enough food and water to last us awhile, and we were energized by our recent growth in numbers. Negotiations were going on in a reading room off the cafeteria between, on our side, Fatuma and some of the other main organizers, and a few selected representatives from the administration and the faculty. Even as the police grew stricter, though, we were still fairly casual about venturing out of the cafeteria to the bathrooms, which were located right outside the cafeteria doors. Then, on the third night of the occupation, the police walked over to the bathrooms, and planted themselves in front of them. There would be no more free pass to the bathrooms. This had not occurred to us. They'd found our blind spot.

People immediately began talking about building a compost toilet with paper walls in the back of the cafeteria. Hey, it was more eco-friendly, anyway! Other people, however, looked sick at the thought. We still had lots of food, donated by supporters, but everyone immediately stopped drinking and eating. It got tense. People grew quiet.

As the negotiations continued in the next room, little by little news came in: they were granting the student government the power to e-mail the entire student body, something they hadn't previously been able to do; a socially-responsible investment committee would be formed; no one who had occupied would be expelled. We were mostly getting what we wanted, except a few things, such as the opening of the university's accounting books, the immediate resignation of Kerrey and Murtha, and, most importantly, the building. There would be no compromise. The building was going down. And we, too, were on the verge of going down. Standing in front of the glass windows, peeking out from behind the butcher paper that read "NEW SCHOOL IN EXILE" and "EDUCATION IS NOT ABOUT PROFIT" at the numerous police officers and large-bellied security guards prohibiting our access to the toilets, we knew that our occupation was over.

The administration did, however, offer to create of an interim study space for students (which became the site of the recent, also brief, New School occupation in November of this year). They also said that a group of students would be allowed to be on the committee that was planning the new building.

So it was that I found myself a few weeks later, drinking bad coffee at nine in the morning next to our new provost, Tim Marshall, alongside architects and administrators—who nervously eyed the other student representatives and me—looking over various blueprints that the venerable architectural

he did wrong because he threw his life away, and that no man had a right to undertake anything which he knew would cost him his life. I inquired if Christ did not foresee that he would be crucified if he preached such doctrines as he did, but they both, though as if it was their only escape, asserted that they did not believe that he did. Upon which a third party threw in, "You do not think that he had so much foresight as Brown." Of course, they as good as said that, if Christ had foreseen that he would be crucified, he would have "backed out."

Such are the principles and the logic of the mass of men. It is to be remembered that by good deeds or words you encourage yourself, who always have need to witness or hear them.

I had encouraged myself at that cocktail party: there were words I needed to witness in those years, and if no one else would say them I simply had to say them myself, so I could hear them from someone. That's what Thoreau was doing, too, in his argument with Walcott and Staples, and in the many pages he wrote and speeches he gave on John Brown, and in so much of his writing. Doing so literally killed him, it turned out—he stayed up late that snowy December 3rd, arguing instead of recovering from the cold that instead developed into his terminal bronchitis—but as he also wrote, about people who said John Brown threw his life away: what way have they thrown their lives, pray?

Encouragement is underrated, wherever and whenever individual action has been made to seem hopeless. We want to see the results. *The Onion*, as always, nailed it: Nation Waiting For Protesters To Clearly Articulate Demands Before Ignoring Them ("As the Occupy Wall Street protest expands and grows into a nationwide movement, Americans are eagerly awaiting a list of demands from the group so they can then systematically disregard them and continue going about their business..."). That was a few weeks ago; then the collective wisdom in the thoughtful discussions of Occupy Wall Street seemed to converge on their lack of demands being one of the movement's greatest strengths, or at least not a serious weakness. Cynically: it makes the movement a blank slate onto which anyone can project what they want. Hopefully: it is a practice of democratic involvement, a process, something like being alive.

Thoreau would have been cheered by the people living in Zuccotti Park—would have written a page of bitter irony on the people said to be living elsewhere, and the other occupations they see fit to prefer. He wouldn't have written much about it in his Journal, the way he didn't write much about the few signs of hope in the antebellum 1850s, though he joined them (the Underground Railroad, for example). Then again, it's now been three months,

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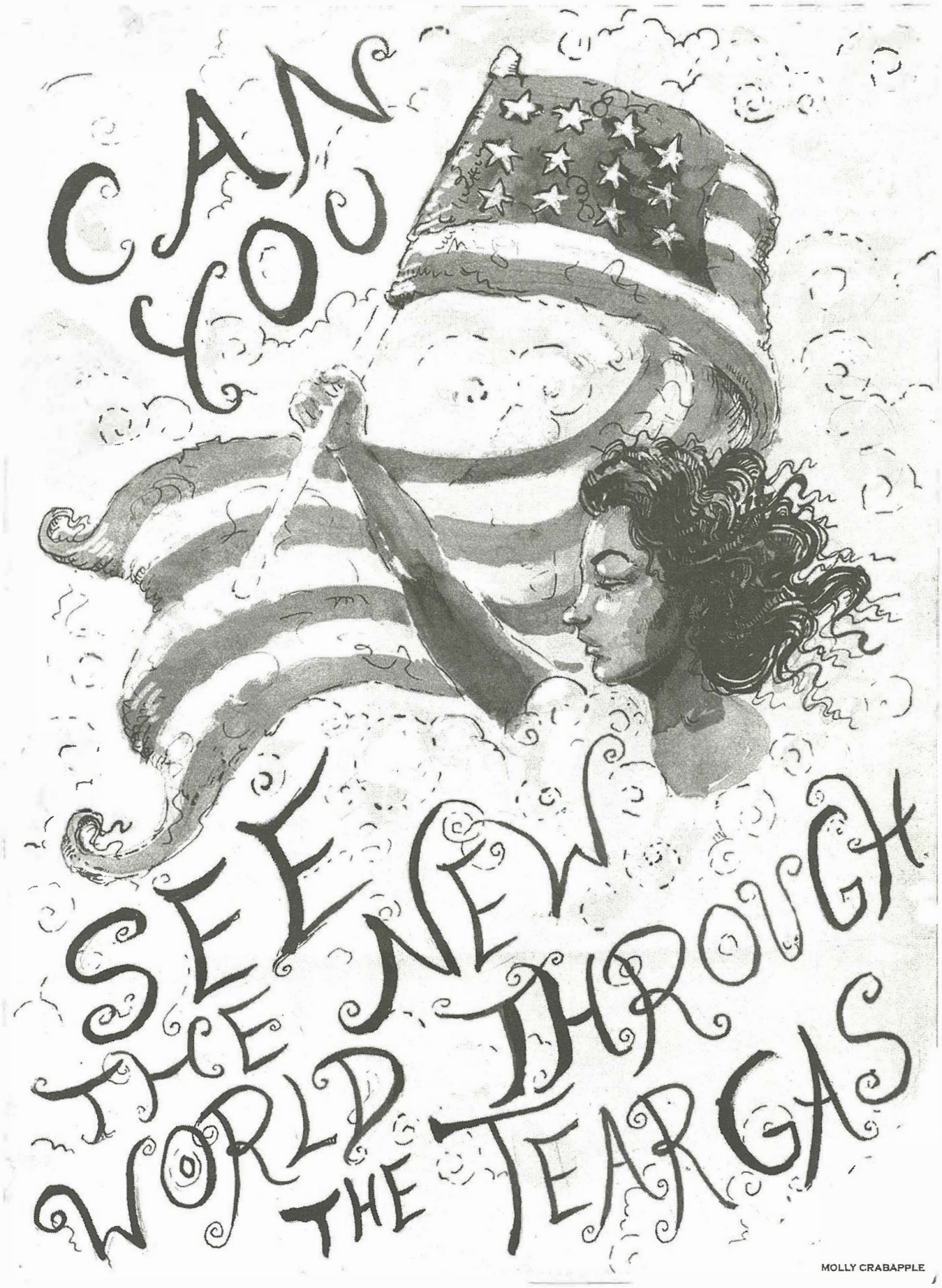

YOTAM MAROM

Occupy Wall Street Meets Winter: A to-do list

On September 17th, we took Liberty Square and then hit the streets, rejecting the marching permits they offered us, refusing their sidewalks. Since then, the season has changed. Autumn has ended and winter is upon us. We've lost Liberty Square, and each day brings news from across the country that another occupation has been evicted. Winter is here, and with it the cold, the realization that you can't run on empty, not if you want to last. Winter shouts that that the next decade of organizing won't be sustainable if it looks like the first two months that it took to light Autumn's fire. Winter says you we need to be more than a string of events or actions or press releases, more than an endless meeting. Winte

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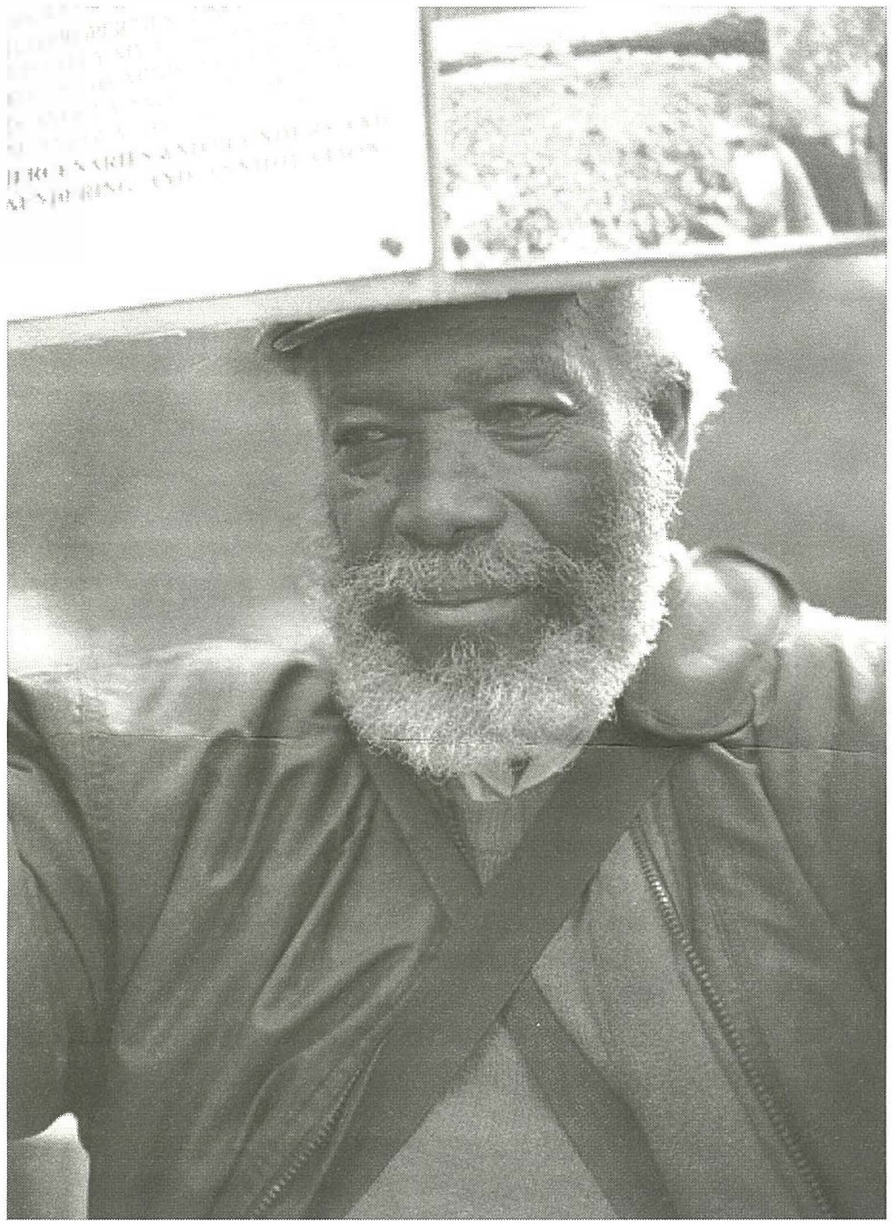
since September 17—a season, approaching fall to approaching winter—and he always loved to track the seasons.

He would savage the Walcotts and Stapleses who complain all around us that the occupiers aren't doing enough, as though doing nothing were better. Walcott and Staples want demands, while the OWSers, it seems to me, are there for its and their own sakes. It's a strangely Transcendentalist movement, encouraging by example without demanding imitation or anything else—they're not asking you to go camp out in the park any more than Thoreau wanted everyone to live in a cabin. As for me, all I know is that now there is one thing I can bear to see and hear about on the news every day: domestic news bringing something new, an imaginable future that's not like the present.



OWS PORTRAITS BY MATTHEW CONNORS

the knowledge that we won't be in the headlines every day; that burn-out and martyrdom are no good for anyone and no good for the cause. Winter is here to remind us that revolution is not an event but a process, and that social transformation means not only harnessing a moment, but building a movement.

But winter is not sad, and it's not tragic; it's just real. We will use the winter to become the movement we know is necessary.

We Will Not Hibernate: A To-Do List for the Winter

Grow. We will continue to build relationships with communities who have been fighting and building for decades already, from tenants organizing eviction defense in Bed-Stuy, to AIDS activists in the Staten Island. We will grow [illegible]ing on struggles that protect people from the daily assaults [illegible]e—from austerity to police brutality—and by waging [illegible]t peoples' needs, like reclaiming foreclosed homes. We [illegible]oen calls to action and the expectation that they are [illegible]ement; we will organize the hard way, because the [illegible]We will have the million one-on-one conversa-

way: [illegible]

[illegible]ement, door to door if we have to, and we will

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do it out in the open, because we have nothing to fear and nothing to hide.

Deepen. We will finally take the time to learn how to do what we are doing better, from those who have been doing this for so long—from the land liberation movements in Brazil to the women on welfare building community power in Yonkers. We will also teach, because we are reinventing the struggle as we go, and we have learned a lot already. We will ask each other difficult questions we never had time for: How do we organize in a way that is inclusive and liberating? How do we build a movement led by those most marginalized and oppressed? How do we use decentralization to actually empower people and address the imbalances we face in society? We will think radically about what systems and historical processes led us to where we are now, dream deeply about the world we want instead and the institutions we will need in order to live it out, and plan thoroughly for the building and the fighting it will take us to get there.

Build. We will create stable platforms for organizing and growth, and the foundations necessary for a concerted long-term struggle—from facilitation training to office space. We will create mechanisms to meet people's basic needs using the skills we honed at Liberty Plaza to provide things like food, legal aid, shelter, education, and more, and to do it all in a way that is in line with the values of the world we are fighting for. We will continue to build systems for de-centralized coordination and decision-making, because liberation means participation, and participation demands structures for communication, transparency, and accountability. We will take our cue from the neighborhood assemblies in Sunnyside, and the university assemblies at CUNY, who are pioneering a shift from general assemblies to constituent assemblies—assemblies in neighborhoods, workplaces, and schools. We will build there, because that's where people actually live and work, where we have direct, concrete, and permanent relationships with a space, the institutions in it, and the people around us.

Liberate. We will take new space, indoors and outdoors. We will do it because the movement needs bases in which it can create the values of a free society, begin to build the institutions to carry them out, meet peoples' needs, and serve as a staging ground for the struggle against the status quo. We will take space for the movement to have a home and workplace, but we will also take space back for the communities from whom it has been stolen, and for the families who need it in order to survive. We mean not only to take space for its own sake, but to liberate it; we will transform foreclosed houses into homes, empty lots into gardens, abandoned buildings into hospitals, schools, and community centers. We will use the space we win for dreaming up the world to come.

Fight. We will continue to use direct action to intervene in the economic, political, and social processes that govern peoples' lives. We will use our voices and our slogans, our banners and our bodies, to shine a spotlight on the classes and institutions that oppress and exploit. We will make it so that the tyrants who are ruining this planet cannot hold conferences or public events without our presence being felt. We will fight in a way that is not only symbolic, but also truly disruptive of the systems of oppression we face. We will block their doorways and their ports, interrupt their forums, and obstruct the systems of production and consumption they depend on. We will do it until they will have no choice but to disappear.

And then Spring will come.

Astra Taylor

OCCUPY & SPACE

Even before Liberty Plaza was raided many of us were asking what was next for Occupy Wall Street. The movement, we said, was about more than holding a space, even one in the heart of Manhattan's financial district. Occupation, I often heard, was a means, not an end, a tactic, not a target. The goal, from the beginning, was to do more than build an outdoor urban commune supported by donations solicited over the Internet. We wanted to discomfit the one percent, to interrupt their good times and impact their pocketbooks—or overthrow them entirely.

The dual threat of eviction and inclement weather meant next steps were never far from people's minds. The camp can't last forever, we'd say knowingly, while friends nodded in agreement. And yet, when the raid actually happened—when Bloomberg sent one thousand police officers dressed in riot gear, and paramilitary helicopters hovered overhead, when the entire encampment was hauled off to the garbage dump and half-asleep occupiers were dragged to jail—it was a shock. Circling the police barricades that night many of the faces I passed in the street looked stunned; some individuals crumpled on the sidewalk and wept. The loss of Liberty Plaza was experienced as just that—a real loss, a possibly profound one. By dawn photos began to circulate of the park, freshly power-washed, empty and gleaming, almost as though we had never been there, though the police ringing the periphery and the newly installed private security guards gave us away.

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No one can really say what unique coincidence of events and factors caused OWS to break into mainstream consciousness when so many well-intentioned and smartly planned protests with similar messages fell flat in the months leading up to it, but certainly the encampments were crucial (crucial though not sufficient, since one protest that took place shortly before OWS actually involved camping). By taking space and holding it OWS has captivated America like no protest movement in recent memory. Yet the crackdowns on occupations across the country have shown it will be difficult, if not impossible, to maintain these bastions of resistance moving forward: We are simply outnumbered, outfunded, and outgunned. While some groups, like Occupy Oakland, have heroically attempted to reclaim the space from which they were ousted, they have been rebuffed each time by overwhelming force. (And there have been more wily kinds of subversion, too: At Oscar Grant Plaza, the original site of the Oakland camp, the authorities have reportedly kept the sprinklers on, turning the lawn into a soggy mess unfit for sleeping.) Here in New York, though the raid on Liberty Plaza was the moment we had all been waiting for, we were still caught off guard. Most of us had no ready or clear answer to the question of how to move forward without the park. It turned out, though, that a small group had been secretly devising a plan to occupy a second space. They jumped into action, weaving through the crowd, instructing everyone to meet at Canal Street and 6th Avenue. A few hours later a couple hundred people amassed at a site called Duarte Square, a giant empty lot not far from the entrance to the Holland Tunnel owned by Trinity Church. Activists cut a hole in the fence surrounding the space and moved in, carrying large yellow signs, some attached to basic wooden frames alluding to shelter. OCCUPY. LIBERATE. The church had been, and still claims to be, supportive of OWS, offering office and meeting space and bathroom access to occupiers before and after the raid, but they did not appreciate the sudden invasion of their property. By noon the police had been called and clergy members watched, impassive, as protesters were beaten and dragged away.

Since that morning Duarte Square has become a flashpoint of sorts, the quixotic focus of one of OWS's most disciplined organizing campaigns. On the night of November 20th I joined a candlelight procession following a small fleet of illuminated tents stenciled with the movement's new slogan: "You cannot evict an idea whose time has come." Those tents, carried high on sticks, playfully reminded everyone we passed that Occupy was not over. Waiters smoking near staff entrances cheered us on as we paraded by, drivers honked their support, and an angry woman outside a bar made the "loser" signal at us, her eyes locking briefly with

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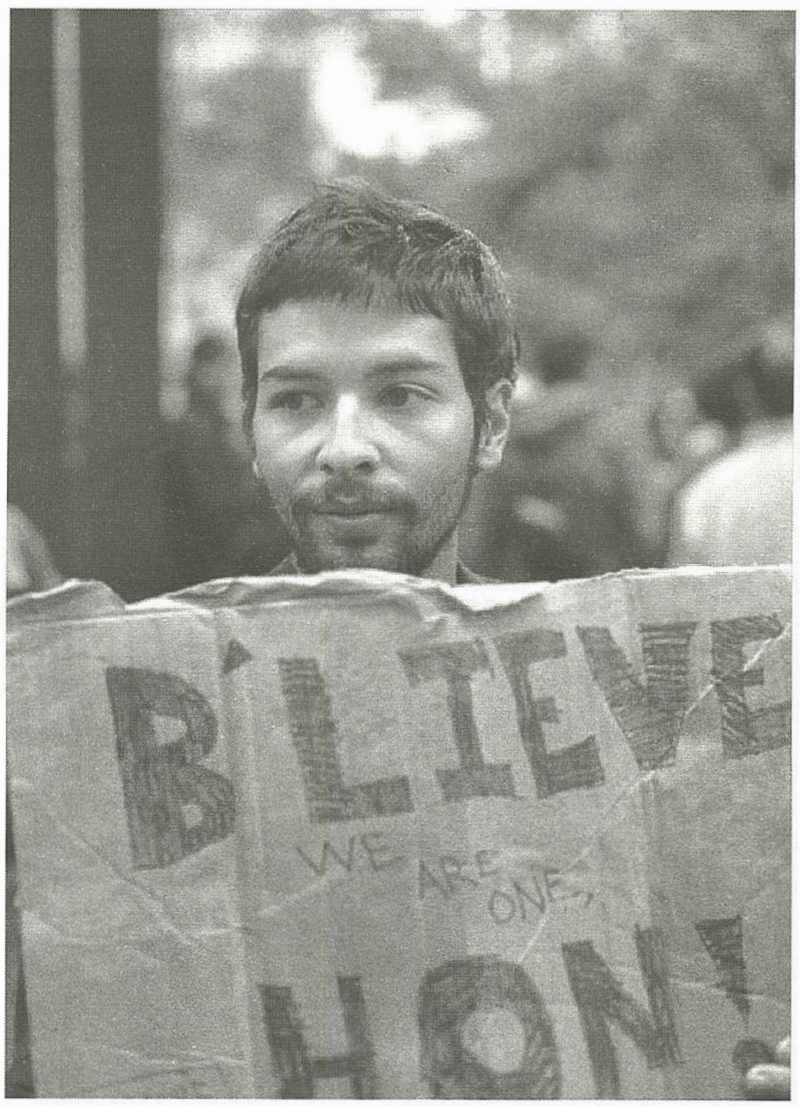

mine. The march arrived at Duarte Square, where we covered long sheets of paper with pleas directed at church officials, and I felt conflicted. I have no doubt the space could be put to better use by the movement (right now it's waiting to be developed into a 429 foot tall "residential tower"), but there was something odd about our appeals for sanctuary. If, by some miracle, the church granted us permission to stay there, would it even be an occupation?

In the weeks that have followed Trinity Church has not budged, while a core group of organizers show no signs of relenting in their efforts to take the space, promising another attempt to "liberate" Duarte Square on December 17th, soon after this gazette goes to press. They imagine a new kind of occupation, better organized, more cohesive, and in some ways more exclusive, than the one at Liberty Plaza, and there is much to admire about their vision. In pursuit of it they have circulated petitions, solicited op-eds, and rallied faith leaders to their cause, consistently highlighting the contradictions between Trinity Church's scriptural duties and its status as New York City's third largest landholder. "In terms of them being a real estate company, their stance makes sense," the Reverend at Church of the Ascension in Greenpoint, Brooklyn, told the press. "In terms of them being a church, it makes no sense. The question is, where are their obligations?" Raising the stakes, a group of three young men, former occupiers, declared a hunger strike demanding access to the vacant lot, which they sat down next to. The church quickly had them arrested for trespassing and, when they returned, arrested them again, underscoring the congregation's inflexibility on the issue. Meanwhile, many movement sympathizers looked on in confusion. Given the various elements and issues at play—the eviction from Liberty Plaza, the lack of open space in which to peacefully protest in our city, the inequities of property ownership, the church's ostensible sympathy towards OWS, the presence of hunker strikers, and the entreaties to religious figures who were also ruthless real estate moguls—the thread was getting hard to follow. Sill I signed the group's latest petition, not wanting to lose faith.

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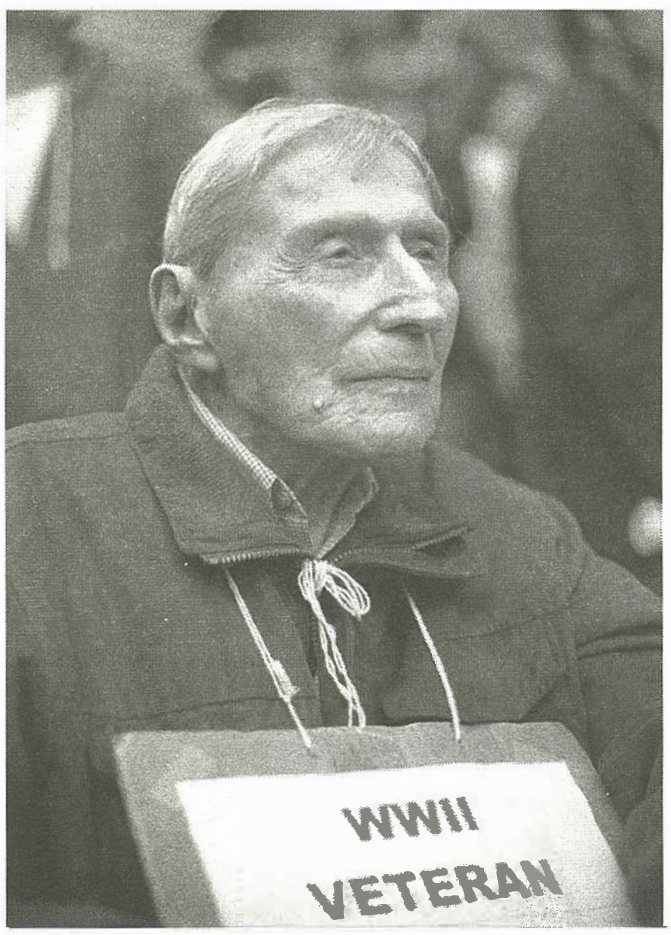
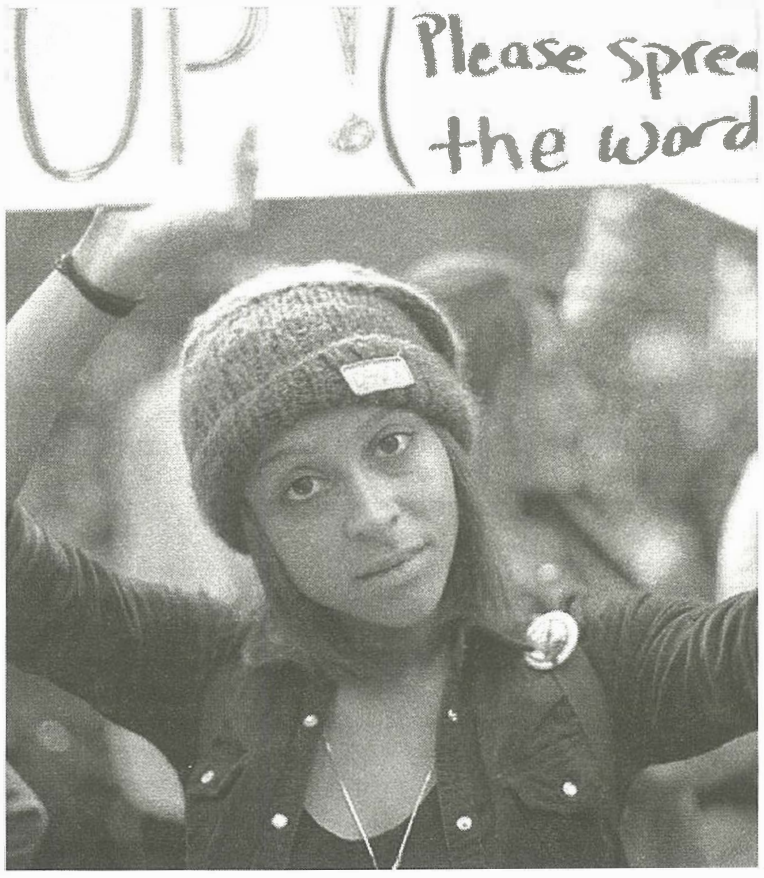
So far, in New York at least, energy for protest has not waned. The movement can appear anywhere at any time. There are inventive demonstrations every day, too many for any one person to keep up with, and more in the works. Yet attempts to occupy and hold space beyond Liberty Plaza have has missed the mark more than they have hit it, from the ridiculous and ridiculed takeover of the non-profit gallery Artists Space to the failed occupation of a student center at the New School, which initially had enormous promise yet quickly devolved despite the fact the building was secure thanks to support from sympathetic faculty and administrators.



OWS PORTRAITS BY MATTHEW CONNORS



Without a doubt, the most successful attempt to expand the concept of occupation took place on December 6th during a national day of action called "Occupy Our Homes," an attempt to refocus attention and outrage on the havoc wrecked by the mortgage crisis—a crisis experts say is only half over (around 6 million homes have been seized since 2007, and over the next four years an estimated 8 million more are predicted go into foreclosure). In Chicago, a homeless woman and her baby moved into a foreclosed home with the blessing of the previous owner and the help of more than forty supporters; in Atlanta, protesters made an appearance at foreclosure auctions in three counties; in Denver, activists collected garbage from abandoned properties and delivered it to the mayor; in Oakland, a mother of three reclaimed the townhouse she lost after becoming unemployed while another group held a barbeque at a property owned by Fannie Mae. "To occupy a house owned by Bank of America is to occupy Wall Street," one activist told me, explaining the underlying logic. "We are literally occupying Wall Street in our own communities."

In New York, Occupy worked with a variety of community organizations and allies to host a foreclosure tour and coordinate the re-occupation and renovation of a vacant bank-owned property. When we reached our final destination, a small house at 702 Vermont Street in Brooklyn, the new residents, a previously homeless family of four, were already inside, along with a veritable army of activists coordinating the event and scheduling rotating teams to guard against eviction. Tasha Glasgow, the mother, was almost too shy to speak, but managed to express her sincere thanks to everyone assembled. Alfredo Carrasquillo, the father of her two children, including a 9-year old daughter who is severely autistic, held back emotion as he addressed the crowd, making sure to acknowledge the NYPD who dotted the sidewalks and could be seen on the roofs of nearby buildings. "I'm just hoping they don't wake me up in my bed at 2 am," he joked. As of this writing, almost a week later, the NYPD has not made any arrests at the house, though they have repeatedly intimidated the people staying there. The neighbors, in contrast, have welcomed the occupiers with open arms, inviting them over for tea and to baby showers held on the block. One woman, who lives a few doors down, said they could use her kitchen a few nights a week since the utilities in the occupied house aren't hooked up.

Not only does the occupation of abandoned foreclosed homes connect the dots between Wall Street and Main Street, it can also lead to swift and tangible victories, something movements desperately need for momentum to be maintained. The banks, it seems, are softer targets than one might expect because so many cases are rife with legal irregularities and outright criminality. It's not uncommon for customers to be misled, crucial paperwork lost and documents robo-signed. While the mortgage crisis involved credit default swaps and securities and other complex

financial instruments, one thing that clued investigators in to the systemic fraud now known to have taken place at Countrywide (right before it merged with Bank Of America) were the extra Wite-Out dispensers on brokers' desks, the tool of choice for low-fi chicanery: signatures were forged, paperwork faked, and numbers fudged, leaving countless people with subprime mortgages when they qualified for better ones. This duplicity is why banks often change their tune when threatened with serious scrutiny; they count on cases to go uncontested, as the vast majority do, because they often lose if actually taken to court. In Rochester, one bank called off an eviction when they got wind that a protest—a blockade and a press conference—was being planned.

It's interesting, given the glowing media coverage Occupy Our Homes received, that the action—billed as Occupy's big leap forward—was not exactly innovative. Take Back The Land, which started in Miami, has been rehousing people in foreclosed properties since the mortgage crisis began. Going further back, the same techniques and rhetoric can be traced to the squatters campaigns that took off in New York City in the late '70s (indeed, some of the squatting pioneers are now mentoring a new generation of activists) and the largely forgotten poor people's movements of the late eighties and nineties. On May 1st, 1990, in an effort remarkably similar to Occupy Our Homes, homeless activists in eight cities reclaimed dozens of government owned properties, many of which they wrested control of for good. Occupy, in other words, is not breaking new ground, but bringing public attention to the kind of civil disobedience that typically goes under the radar.

But what's clear—and terrifying—looking back on the occupation efforts of decades past, is that the potential base of support today is far broader than previous generations of activists could have ever dreamed. With one in five homes facing foreclosure and filings showing no sign of slowing down in the next few years, the number of people touched by the mortgage crisis—whether because they have lost their homes or because their homes are now underwater—truly boggles the mind.

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Occupy Wall Street's battle is nothing compared to what early civil rights advocates faced. Our predecessors had to convince their opponents to radically shift their worldview and abandon deeply held prejudices. Today, in contrast, public sentiment on economic issues broadly aligns with Occupy Wall Street. Americans are angry at the banks; they are angry about inequality; they are angry at politicians' servility to corporate interests. The challenge, then, is convincing people that their anger is worth acting on, that something can be done. The path forward isn't obvious. It's difficult to organize against something as abstract as finance capital. How do you occupy something that is everywhere and nowhere? Organizing around the mortgage crisis is a good step, for not only does it link seemingly arcane issues, like deregulation, to daily life and connect grassroots direct action to the action of the legislative variety (like the state attorney generals who are stepping up their inquiries into illegal home seizures and other mortgage misdeeds), it also promises small successes along the way, like offering shelter to a family that would otherwise be on the street. But not everyone is a struggling homeowner or already homeless; not everyone will identify with this particular struggle enough to join it.

Indeed, one problem facing many of Occupy's early adopters is that, given high rates of student debt and unemployment, they may never have a chance to achieve that version of the American dream. As one of the big yellow signs at Duarte Square put it the morning after the eviction of Liberty Plaza: "I will never own a home in my life." For these people questions of space and where and how to occupy take a different shape. For individuals who are not part of a student body, or rooted in neighborhood, or part of a union, the need, first of all, is to make a community from scratch, to cohere with a group under a common identity and find common cause. A community in formation was part of what the experiment at Liberty Plaza promised. Liberty Plaza was a space to be together, a space to struggle in and over—a space that grounded and oriented the movement, however imperfectly at times.

Space matters for Occupy. But when we seize it—whether it's the sidewalk, the street, a park, a plaza, a port, a house, or a workplace—we must also claim the moral high ground so that others can be enticed to come and join us there. Occupy Our Homes made clear the connections between the domestic sphere and the financial sector: The occupation of abandoned bank-owned properties is actually a reclamation, a taking back of that which has been taken away, a recouping of something already paid for through other means (by unfairly ballooning monthly payments and the still-indeterminate government bail out, for example). The focus on Duarte Square, I fear, fails to draw the same kind of obvious unswerving link to the urgent issues that Occupy Wall Street emerged to address. At a direct action meeting a few weeks ago a young man spoke up. "We just need to occupy something," he said impatiently. "Anything!" But if Occupy Wall Street takes the wrong space—or fails to clearly articulate the reasons why it is taking the right one—it may end up as lost as if it had none at all.

CONTENTS

ABOUT US

THIS GAZETTE WENT TO PRINT ON DECEMBER 14TH 2011
AND IS THE THIRD IN A SERIES
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SCALES OF INCOME **WALKING TOUR** *by* THE PERCENTS

WALK THE SCALE of the U.S. WEALTH UNIVERSE

1 MILE : $20 K/YR

MORE $

the 1%
(THE TOP 1ST PERCENTILE)
PELHAM PARK (MILE 19.5)
AVG.INCOME: $506K /YR
The top 1st percentile receives 17% of total income

the 0.5%
(THE TOP .5TH PERCENTILE)
INDIAN POINT (MILE 41.2)
AVG.INCOME: $878K /YR
Most of the top 0.5th percentile works in banking or finance

the .01% THE TOP .01ST PERCENTILE AVG.INCOME: $27M/YR

the .1% THE TOP .1ST PERCENTILE AVG.INCOME: $2M/YR

TOP OF THE PARK (MILE 7.8)

UPPER WEST SIDE

UPPER EAST SIDE

3.9 WALK FROM THE AVERAGE TO THE LOWEST
HRS. TO RED HOOK

425 WALK FROM THE AVERAGE TO THE HIGHEST
HRS. TO PRINCE EDWARD ISLAND

the 5% THE TOP 5TH PERCENTILE AVG.INCOME: $411K/YR
The top 5th percentile includes all households earning above the 95th level

MIDTOWN

PENN STATION (MILE 3.6)

the 10% AVG.INCOME: $127K /YR
The top 10th percentile includes all households earning above the 90th level

CHELSEA

MURRAY HILL

MEATPACKING

EAST VILLAGE

DOWNTOWN

LES

WEST

GREENWICH

W. BROADWAY

BARCLAY

CHURCH

BROADWAY

FEDERAL PLAZA (MILE .6)

the 25% THE TOP 25TH PERCENTILE AVG.INCOME: $67K /YR
The top 25th percentile includes all households earning above the 75th level. (While the 1% of top income earners belong to this percentile, the majority of the 25% are "upper-middle class.")

ZUCOTTI PARK (MILE 0)

CEDAR

the 99% THE BOTTOM 99TH PERCENTILE AVG.INCOME: $54K /YR
The bottom 99th percentile includes all households earning below the 99th level. (While the majority of this percentile are "middle class," more than 1 million households earn more than $250K/yr.)

THE ISLE OF MANHATTAN AS

A RELATIONAL MODEL OF INEQUITY

"MAPPING WEALTH IN PHYSICAL SPACE"

the 90% THE BOTTOM 90TH PERCENTILE AVG.INCOME: $31K /YR
The bottom 90th percentile includes all households earning below the 75th percentile (less than $127K/yr.)

BATTERY TUNNEL (MILE -1)

the 50% THE BOTTOM 50TH PERCENTILE AVG.INCOME: $15K /YR
The bottom 50th percentile includes households earning an average of $15K/yr. All people in this percentile have incomes comparable to the "poverty level" for one person (about $11K/yr.)

GOVENOR'S ISLAND (MILE -2)

LESS $