

Book Review: The Power of Place, Democracy, and Political Change
A Review Essay of *Beyond Zucotti Park: Freedom of Assembly and the
Occupation of Public Space*

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Author Note

Beyond Zuccotti Park: Freedom of Assembly and the Occupation of Public Space, Ron Shiffman, Rick Bell, Lance Jay Brown, and Lynne Elizabeth with Anastassia Fisyak and Anusha Venkataraman, eds. (New Village Press: Oakland, CA, 2012)

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The first time I visited the Occupy Wall Street (OWS) encampment in Zuccotti Park in lower Manhattan, I stopped at the “Information Desk” and chatted with a young woman named Emily—who had taken a few days off from her job in a fast food restaurant in St. Louis, Missouri, to travel across the country and join the movement. Her job was to tell visitors, including swarms of reporters, why they were there. It was late September 2011. Three years had passed since Lehman Brothers filed for bankruptcy, setting off a chain of events; including an economy in free-fall, two massive government bail-outs of the financial industry, millions of homes in foreclosure, and unemployment for millions more working and middle-class Americans. So far, the only organized opposition to the way the government was dealing with this crisis had come from the right, in the voice of the Tea Party—whose core belief was that the government was the enemy and the only solution to inequality was to slash government spending and force people to fend for themselves. I asked Emily how she saw the nascent Occupy movement’s relationship to the Tea Party, specifically the shared disillusionment with our government, and I was not sure who was more confused: Emily, by my question, or me, by her blank stare.

Only ten days had passed since the first demonstrators had colonized the patch of land located two blocks from Wall Street, the metaphorical Ground Zero of the financial crisis. This was enough time for the Occupiers to organize their encampment with a kitchen, a separate sleeping area, a library, and a charger station for computers and cell phones. As I walked through the encampment on that first day, I understood the arrangement of this occupation as an antidote for all that was wrong with America. Hierarchies and top-down decision-making were replaced with “horizontal” social and political organization. Everyone from the homeless man who appeared at regular mealtimes to the unemployed college graduate had equal voice—if he wanted it—in the organization and the goals of the OWS movement during the daily General Assembly.

I visited again, a few weeks later, on the day the movement had averted a forced removal by the NYPD in order for the park to be cleaned. By then, the Occupation had laundry and housework teams. Composting, garbage, recycling—all were taken care of with a bike brigade that took food scraps to nearby community gardens and recyclables and other garbage to city dumpsters. I was moved by the sincerity of the Occupiers. One said that it “quickly became apparent that we needed to be the change we wanted to see.” This new society

was a conscious representation of a harmonious social system that was meant to provide all members a measure of personal fulfillment and public responsibility. There was a secular devotion to a higher calling, a modern-day City on a Hill, and it would perform as a living example of what human beings could achieve with kindness and respect.

Beyond Zuccotti Park: Freedom of Assembly and the Occupation of Public Space serves as a document of the first iteration of the Occupy Wall Street Movement in downtown Manhattan before it spread to other cities across the country. A project of Architects/Designers/Planners for Social Responsibility (ADPSR), the volume brings together professionals in the field as well as activists, scholars, an ACLU attorney, and even an official from Mayor Michael Bloomberg's administration, to explore the relationship between public space and democratic action. In this volume you will find a breathless quality to the thick descriptions of the encampment from participant-observers, along with appreciative nods from the other contributors as they place the movement in some larger political and historical context. Photos depict the various phases of the occupation, including police barricades around the park, occupiers scrubbing the ground of the park, the first march across Brooklyn Bridge, the Sustainability Desk that organized environmental endeavors, and energy bikes that occupiers rode after the fire department confiscated the movement's gas generators (that were used for cooking and charging electronic equipment). Most evocative are photographs of demonstrators, including one of a middle-aged white man wearing a hard hat and carrying a sign that reads: "Occupy Wall Street! Do It for Your Kids." This is a highly partisan document, but its partisanship does not undermine its significance. Pick it up and you, too, will find yourself swept away in the moment. You might also, as I did, begin to raise questions about the *form* of this protest and its relationship to meaningful social and political change.

During that first visit to Zuccotti Park I bumped into several people I knew, including a journalist acquaintance from India who noted approvingly that the OWS received inspiration from the activists in Tahrir Square, Cairo. From the outset several contributors to *Beyond Zuccotti Park*—beginning with two of the editors, Lance Jay Brown and Ron Shiffman, in the Introduction—dispel any notions of American or New York exceptionalism: they pay homage to activists not only in Cairo but also in Tunisia and the Indignados in Spain, as well as

demonstrating public-sector unionized workers under attack in Wisconsin and Ohio. OWS, they write, was a continuation of these earlier uprisings.

The sociologist Saskia Sassen takes this notion even further. A long-time scholar of globalization and its effects on migration and quality of life issues for the most marginalized workers, she writes that the worldwide “unsettlements” of 2011 demand that we understand territories in new ways, not as nation-states—an emblem of modernity—but products of the more brutal side of capitalism,” which has begun to break through “century-old cages” of national sovereignty. Elsewhere Sassen has written that this “new territoriality” appeared with the NAFTA agreements between Canada, the United States, and Mexico in 1994 and the creation of the European Union, in the making since 1945. The crisis is not climate change, the current financial upheaval, or even the “violence of economic inequality,” says Sassen. Rather such conditions are symptoms of this new territoriality, which itself has cataclysmic implications. The financial crisis, a result of a mercenary trading culture on Wall Street (that had little to do with lending capital to companies, presumably Wall Street’s reason for being), quickly travelled around the globe in the form of securitized assets. With the collapse of the housing bubble in the United States, which itself was predicated on predatory lending strategies to individuals who did not have the means to pay their mortgages, those assets became “toxic” and led directly to the current financial crisis. By placing themselves in the physical place near the center of global trade, argues Sassen, OWS overturned the “embedded logics of power by introducing logics of sharing and solidarity.”

In his forward to this collection, *New York Times* architecture critic Michael Kimmelman admonishes us to recognize “the political power of physical places,” a trope that appears in many of the essays. Geographer Michael Rios, for example, writes that “urbanists”—by whom he means architects, urban planners, and designers—“equate democracy with neoliberalism and the public realm with spaces of consumption.” The effect is to create indistinguishable public spaces—each with a Starbucks, Staples, Duane Reade drugstore, etc.—that effectively conceal the sensibilities of multiple publics and the existence of unequal social relations. For this reason, writes Rios, the appearance of occupiers in Zuccotti Park was a welcome antidote to the pervasive blandness of downtown Manhattan.

Rios is not the only contributor to refer to “neoliberalism” in his discussion of public space in American urban landscapes. Indeed, the

“privatization” of public space for the benefit of private interests looms large in the story of Zuccotti Park and the OWS movement. Ironically, an around-the-clock encampment could legally take place only in a privately-owned park and not a public one like Union Square, which historian Lisa Keller writes became a “symbol of free speech” in the early 20th century when the Industrial Workers of the World (the “Wobblies”) gave open-air speeches that helped fuel the labor movement. Compared to London, Keller tells us, New York City has not only a dearth of public parks but also far-stricter legal proscriptions on the ways the parks can be used for political protests. This is not to suggest that a neoliberal privatization movement has not appeared in London. It did and to great fanfare during the Thatcher Revolution of the 1980s.

While most of us associate privatization of public institutions in the same period with Ronald Reagan at the helm, sociologist Gregory Smithson notes that privatized public spaces first appeared in New York City in 1961. That year the Department of City Planning (DCP) adopted the “Bonus Plaza” program in order to create public spaces in high-density areas such as lower Manhattan. Developers were permitted to build additional offices at the top of buildings in exchange for providing public space at ground level. Many developers took advantage of this program; but, writes Smithson, the results at first were disappointing. Developers “built defensively.” They created “no-man’s-lands designed to keep the public out.” In 1975, the DCP—influenced by the urban crusader Jane Jacobs’ vision for New York City—strengthened the program when it passed a series of regulations that required developers to make the public spaces (such as Zuccotti, which was then called Liberty Park) more open and usable. Referring to the bank bail-outs (and presumably the bonuses the banks paid to their top executives with government money from the bail-outs), Smithson writes that many protestors objected to government giving “big bonuses to corporations, while they took over a park that had been built to secure a big bonus for a major corporation.”

Arthur Eisenberg, legal director of the American Civil Liberties Union, parses the constitutional implications of this public-private relationship in an essay that considers whether the First Amendment could be applied to Zuccotti Park even though it is privately-owned. In 2007 New York’s City Council passed a law that not only prohibited owners from erecting barriers that might impede access to public spaces, but also required property owners to make formal

application to the City Planning Commission (that runs the DCP) if they wanted to close the park to the public during specific hours for any reason. The City Council authorized the CPC to permit closure only if it were deemed “necessary for public safety.” Even after OWS began its occupation, the park’s owner, Brookfield Property, did not seek relief from the CPC for the 24-hour access requirement. But it did stay in regular contact with the Bloomberg administration, and on 13 October it posted new rulings that limited access to the park. When the protestors were physically removed from the park on 15 November, Mayor Bloomberg said that the “final decision” was made not by Brookfield (or the CPC) but was, in his words, “mine and mine alone.” Eisenberg believes that this “state action” that limited “expressive activity” within the park “should have been subjected to constitutional scrutiny” under the First Amendment.

Standing in Times Square along with OWS and tens of thousands of its supporters—many of whom had travelled from other parts of the country—to mark the one-month anniversary of the occupation, it was impossible not to get swept up in the excitement. “This is what democracy looks like,” chanted the occupiers to a syncopated rhythm. There were veterans of earlier struggles, trade unionists—including a bi-coastal SEIU operative who was in the middle of contract negotiations for the Nurses’ Union in Oakland, California—professors and National Lawyers Guild attorneys serving as witnesses in the event of police violence against the demonstrators. As the streets were filling up with people and pulsing with excitement, a New York City cop smiled at me and told me to be careful. Using this as an opening, I talked to him for a few minutes. Even though it did not come across in the news coverage of Zuccotti Park and the OWS, I learned from that officer that he—and more than a few of his colleagues—resented the billionaire mayor and his one-percent cohort. The mayor had refused to negotiate with the NYPD, which had been working without a contract for more than a year (it still has no contract).

As heady as the experience was, my mood was tempered by the knowledge that the movement was unwilling to go beyond sloganeering and symbolism. *Adbusters*, the Canadian magazine that played a key role in starting OWS, was now encouraging the movement to support a global one-percent tax on financial transactions and currency trades, known as the Robin Hood Tax, at the G20 Leaders Summit that was slated to convene the following week in France. The tax was supported by many liberal economists, including Joseph Stiglitz, the

Nobel laureate, who not only had written about the one percent in *Vanity Fair* five months before the OWS movement began,¹ (¹ See, Stiglitz, J.E. (2011, May). Of the 1%, by the 1%, for the 1%. *Vanity Fair*. Retrieved from <http://www.vanityfair.com/society/features/2011/05/top-one-percent-201105>.) but also had publicly delighted in seeing an oppositional movement from the left take shape.² (² See, Lopez, L. (2011, Oct. 3). Joseph Stiglitz was a Occupy Wall Street yesterday and he looked like he was having a great time. *Business Insider*. Retrieved from <http://www.businessinsider.com/joseph-stiglitz-was-at-occupy-wall-street-yesterday-and-he-looked-like-he-was-having-a-great-time-2011-10>) But OWS refused to endorse the Robin Hood Tax, despite the fact that as a modest proposal it was achievable and would have provided the movement with additional traction and thus help it shape a longer-range plan and begin to build an organization that could effect change. As one activist told Michael Greenberg writing for the *New York Review of Books*, the Adbusters' proposal was illegitimate, nothing more than "mass-maneuvering, a call to action from some far-off mountaintop."³ (³ See, Greenberg, M. (2011, Dec. 8). Zuccotti Park: What future? *The New York Review of Books*.) It represented, above all, a breach in the twin principles of horizontalism and consensus.

This volume, while making a good case for a project that connects place with political power, is—like the OWS movement itself—both provocative and frustrating. Exploring the complicated relationship between the built urban environment, public and private interests, and democracy opens up new opportunities for understanding social action. Yet it fails to build on this momentum and connect it to a larger undertaking that explores a more profound democracy and how to achieve it. *Beyond Zuccotti* contributors, including the non-participants, are clearly dismayed by the rising inequality between a small fraction of the nation's wealthy and an expanding population of impoverished Americans. They celebrate the progressive grassroots opposition to the unfairness of the government's willingness to save the financial institutions with public money while leaving the public more vulnerable than ever. By making Wall Street its symbolic target and branding itself as the movement for the 99 percent, OWS brilliantly redirected the public's attention to the problem of extreme inequality, and recast it as a moral issue. But the movement failed to translate moral outrage into effective class politics. Undoubtedly, it helped put a watered-down notion of class at the center of the recent presidential campaign, but its rejection of top-down decision making, and its celebration of a "leaderless

movement” and “horizontalism” made it difficult, if not impossible, for the movement to have more than a symbolic effect.

In privileging form over content, many of the essays in this volume fall victim to the same problem that the movement faced. Walking down the street (or across the Brooklyn Bridge), exercising public expression and the right to assemble, and maybe even camping out in a public park are all elements of democracy. One contributor lauds the movement as anarchist “in the best sense of the word.” Another writes that the “‘practicing of place’ is a means toward democratic ends,” while still another concludes that social movements are “fundamentally about public space.” But as important as the Bill of Rights is, we also need political structures with leaders who represent our interests and can advocate on our behalf, even run for public office and be accountable to us. Maybe OWS was a leftwing version of the Tea Party. But that may be giving OWS too much credit. The Tea Party’s origins can be traced to Barry Goldwater’s defeat in his bid for the presidency in 1964. That sparked some 35 years of political organizing, much of it tedious and without the kind of immediate gratification that comes with street protests and large-scale arrests. Even with the losses it suffered last November, the Tea Party will be a force to be reckoned with in Congress. Like Senator Goldwater a half century ago, they have a modest goal: to simply obstruct legislation. If only OWS had been willing to engage with politics, organize around issues, endorse candidates, circulate petitions, raise funds, and round up voters, they might have helped mobilize a political opposition to the Party of No.

Author Biography



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