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More on the Wall Street Protest

Posted By [Timothy Zick](#) On September 27, 2011 @ 9:51 am In [Civil Rights, First Amendment](#) | [3 Comments](#)

The Occupy Wall Street protest is now in its second week. As I mentioned in my [last post](#) ^[1], this social-network inspired demonstration faces several obstacles. Among these, two deserve special attention. One obstacle is short term and the other is a more long-term concern.

As the protesters have [recently learned](#) ^[2], the police do not have unlimited tolerance for occupation of public spaces and permit-less demonstrations. It is illegal to march in the streets of New York City without a valid permit. Protesters typically work in advance with police officials to map routes and even to arrange for peaceful arrests. This ensures a space for protest. But it diminishes the disruptive impact and symbolism of public dissent. In this instance, the Wall Street protesters declined to negotiate the terms of their demonstrations. Although they were initially allowed to peacefully occupy park space and were tolerated so long as they did not obstruct traffic, the police have turned up the heat. The orange mesh netting first used at the 2004 Republican National Convention has been taken out of storage and put to use. [Pepper spray has been used](#) ^[3] on several protesters — including some who claim that they were peacefully protesting and in compliance with police demands. The protesters' determination and resolve will be tested as conditions on the ground intensify. They will have to endure escalated uses of force by police. In addition to the sacrifices of time and physical comfort, some will have to be willing to risk arrest and jail time. These challenges are in addition to the usual problems of message control, rogue violence within the movement, and negative press accounts that focus more on violence and conflict than the substance of protesters' grievances.

All nascent social movements face these sorts of short-term challenges as they vie for public attention and attempt to take root in public consciousness. But there is a bigger challenge, one I alluded to at the end of my last post. The challenge is broader and more deeply ideological than day-to-day street politics on Wall Street or the [protests in Madison, Wisconsin](#) ^[4] (a more appropriate analog than the Arab Spring for what is happening on Wall Street today). As Michael Kazin, a history professor at Georgetown University, observed in a [recent op-ed](#) ^[5], "unionists and other stern critics of corporate power and government cutbacks have failed to organize a serious movement against the people and policies that bungled the United States into recession." As Kazin notes, the successes of earlier populist movements (of the left and the right) depended on decades of organizing, institution-building, funding, and articulation of populist platforms. For Wall Street's putative occupiers, the reality of corporate greed and economic mismanagement is evident. But as Kazin points out: "If activists on the left want to alter this reality, they will have to figure out how to redefine the old ideal of economic justice for the age of the Internet and relentless geographic mobility." That serious long-term challenge cannot be met on the streets of Manhattan or in the Capitol building in Madison.

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[1] last post: <http://www.concurringopinions.com/archives/2011/09/arab-spring-on-wall-street.html>

[2] recently learned: <http://www.nytimes.com/2011/09/27/nyregion/wall-street->

demonstrations-test-police-trained-for-bigger-threats.html?_r=1&emc=tnt&tntemail0=y

[3] Pepper spray has been used: **<http://cityroom.blogs.nytimes.com/2011/09/25/video-appears-to-show-protesters-being-pepper-sprayed/?ref=nyregion>**

[4] protests in Madison, Wisconsin: **http://host.madison.com/ct/news/local/govt-and-politics/blog/article_f781c134-3880-11e0-92b1-001cc4c002e0.html**

[5] recent op-ed: **<http://www.nytimes.com/2011/09/25/opinion/sunday/whatever-happened-to-the-american-left.html?scp=2&sq=tea%20party&st=Search>**

[6] : **<http://www.religiousleftlaw.com/2011/09/socio-political-conflict-resolution-nonviolence-a-select-bibliography-and-historical-exemplum.html#more>**

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