

# A documentary film by Dana H. Glazer

The Official Teacher's Companion Guide Common Core Aligned

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Copyright © 2014 Eric S. Singer All Rights Reserved This lesson plan is designed to address, in part or in full, the following California History-Social Science Content Standard(s). It uses California Standards as a guideline, but can be easily adaptable to all 50 sets of state standards. Please use these as a guideline:

- 12.1 Students explain the fundamental principles and moral values of American democracy as expressed in the U.S. Constitution and other essential documents of American democracy.
- 12.2 Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationship among them, and how they are secured.
- 12.10 Students formulate questions about and defend their analyses of tensions within our constitutional democracy and the importance of maintaining a balance between the following concepts: majority rule and individual rights; liberty and equality; state and national authority in a federal system; civil disobedience and the rule of law; freedom of the press and the right to a fair trial; the relationship of religion and government.

This lesson plan is designed to address, in part or in full, the following Common Core standards. It is designed to be taught in 11<sup>th</sup> or 12<sup>th</sup> grade American Government classes:

# CCSS.ELA-LITERACY.RI.11-12.7

Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

### CCSS.ELA-LITERACY.W.11-12.1

Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

### CCSS.ELA-LITERACY.W.11-12.3

Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details, and well-structured event sequences.

### CCSS.ELA-LITERACY.W.11-12.4

Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

### CCSS.ELA-LITERACY.W.11-12.6

Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback, including new arguments or information.

### CCSS.ELA-LITERACY.SL.11-12.1

Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

### CCSS.ELA-LITERACY.SL.11-12.5

Make strategic use of digital media (e.g., textual, graphical, audio, visual, and interactive elements) in presentations to enhance understanding of findings, reasoning, and evidence and to add interest.

### CCSS.ELA-LITERACY.SL.11-12.6

Adapt speech to a variety of contexts and tasks, demonstrating a command of formal English when indicated or appropriate.

**Class Time:** At least 120 minutes, or 3 class periods. (This lesson is designed to contextualize *Parents of the Revolution*, a documentary that follows a group of activist parents in the Occupy Wall Street movement who believe that it is their democratic duty to teach their kids to speak out against injustice. The documentary can be shown in its entirety, or it can be broken up into the suggested clips outlined in this plan. Those clips total approximately 30 minutes of viewing time. An estimated twenty minutes will be necessary for students to complete their assigned sections of the active viewing guide. The remaining time will be devoted to class discussion prior to the film, group discussion after the film and culminating task.)

### **Objectives:**

Students will be able to comprehend and analyze the origins and motivations of the Occupy Wall Street movement and place them in context with the United States Constitution.

Students will be able to humanize Occupy Wall Street parent protesters in order to understand what democracy looked like to them.

Students will be able to assess the role of the police in controlling the protests and, by extension, judge whether or not Occupy represented a proper balance between civil disobedience and the rule of law.

# **Materials:**

*Parents of the Revolution* documentary, can be purchased here for \$19.95: <a href="http://parentsoftherevolution.com/dvd/">http://parentsoftherevolution.com/dvd/</a>

Supplement 1: *Parents of the Revolution* viewing guide

Supplement 2: *Washington Post* article, "What is Occupy Wall Street? The History of Leaderless Movements," 10 October, 2011.

Supplement 3: "Parents for Occupy Wall Street," *The Good Men Project,* 31 October, 2011: <a href="http://goodmenproject.com/families/parents-for-occupy-wall-street/">http://goodmenproject.com/families/parents-for-occupy-wall-street/</a>

Supplement 4: "Morning Bell: Wall Street is the Wrong Place to Occupy," *The Daily Signal*, 18 October, 2011: <a href="http://dailysignal.com/2011/10/18/morning-bell-wall-street-is-the-wrong-place-to-occupy/">http://dailysignal.com/2011/10/18/morning-bell-wall-street-is-the-wrong-place-to-occupy/</a>

Supplement 5: "City Agrees to Largest Occupy Wall Street Settlement Ever," *Gothamist,* 10 June, 2014: http://gothamist.com/2014/06/10/city agrees to largest occupy settl.php

# **Focusing Questions:**

What did democracy "look like" to the parents of the Occupy Wall Street movement? What was their ultimate objective?

What were they protesting? What tactics did they use to protest?

Why and how did they involve their children in the protests?

What was the parents' relationship with the police? What is the proper way to balance democratic protest with the rule of law?

How did the movement's critics view Occupy Wall Street movement?

### The Action:

For homework the night before the active lesson begins, teacher asks students to read and highlight Supplements 2 and 4. Students should come to class prepared to discuss the three items from that article that they consider the most provocative and discussion-worthy.

### Day 1

At the beginning of the active lesson, teacher asks students the following set of questions to activate prior knowledge and to assess reading comprehension and analysis of the Washington Post article (15 minutes):

- -What was Occupy Wall Street?
- -What were the protesters protesting? What were their central arguments?
- -What tactics did they use or reject?
- -How did some outside observers criticize the protesters (reference Supplement 4)?

Teacher explains that in the wake of the 2008 global economic crisis, some Americans lost faith in the system of representative democracy outlined in the Constitution and decided to exercise their freedom to assemble under Amendment One of that document. Those protesters believed that since 2008 and in some cases, long prior, the United States government had acted in the interests of the wealthiest American corporations and people while abdicating its responsibility to the remaining "99%."

Teacher explains that Occupy Wall Street protesters sought to establish a new form of government that deemphasized or rejected established forms of representative democracy in favor of a more egalitarian and inclusive form of democracy.

Teacher explains that his/her objective is to humanize Occupy Wall Street protesters in order to better understand their critique of the American system of government and their vision for a different future. In order to do that, teacher will show either clips from or the entire documentary "Parents of the Revolution." (10 minutes)

Teacher hands out Supplement 1: "Parents of the Revolution" active viewing guide prior to viewing film clips. Teacher divides class into groups of four. One student in each group will answer the questions corresponding to Clips #1 and #4, the second student will answer the questions corresponding to Clips #2 and #6, the third student will answer the questions corresponding to Clip #3, the fourth student will answer the questions corresponding to Clip #5.

Teacher also hands out Supplement 5 and asks students to read and highlight for homework.

# Day 2 into Day 3

Teacher screens clips, pausing for a few minutes after each one so students can process and record responses. (roughly 50 minutes)

Teacher asks students to read and highlight Supplement #3 for homework.

# Days 3 and beyond (if necessary)

After screening, groups convene. Each student "teaches" the others in his/her group about the material they covered in their sections of the active viewing guide. Other students in the group do not need to write down the responses as they are taught unless the teacher requires them to. This activity is designed to emphasize synthesis and public speaking skills. (roughly 40 minutes)

*If time permits, teacher can introduce culminating task outlined below.* 

### **Culminating Task:**

The next day, teacher explains that after viewing *Parents of the Revolution*, the President of the United States has decided to convene a virtual panel to address the concerns of Occupy Wall Street's parent protesters and the police. Each protester (80% of the class) has five minutes to outline his or her vision for what democracy should look like in the 21st century. The vision can take any of the following forms:

- -a 600-word written letter to the panel
- -a five minute speech to the panel
- -a five minute documentary film
- -a five minute slideshow with narration

Each product must contain the following:

- -references to sections of the United States Constitution that the student decides are relevant to the case of Occupy
- -references to the role of policing in a democracy (engage themes of civil disobedience and the rule of law)
- -references to the roles and responsibilities of corporations
- -references to citizens and the roles they should play in a democracy
- -perspectives on Supplement 5 concerning Occupy Wall Street protester settlements

The remaining 20% of the class will take the roles of police officers and address the same set of questions from their perspective(s).

Students have a week to complete their products. Once completed, they will upload what they have produced to whatever digital platform (Blackboard.com, class website, etc...) is available.

If desired, teacher can have students react to or respond to other students' products in whatever manner he/she sees fit (discussion board, in-class group discussion, full class debriefing session, debate, symposium, etc...)

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Suppl	ement 1:	Active	viewing	Guiue

Questions to be answered during and after Clip #1 0:00 – 6:17
What are the Occupy Wall Street parents concerned about?
How did they voice their concerns?
To those parents, what did democracy "look like?"
One protester held a sign stating, "Plutocracy is not healthy for children and other living things." What did he/she mean by that?
Questions to be answered during and after Clip #2 11:40 – 14:03
How does democracy work for the protesters of Occupy Wall Street? What systems of government did they practice in the Spokescouncil meeting?

What challenges did they face? What frustrations did they encounter?
Questions to be answered during and after Clip #3 17:26 – 20:00
What do the police demand at the very beginning of the clip?
What are the protesters telling the police as they forcibly remove them?
Do you think the police are violating the Fourth Amendment to the Constitution? The protesters were occupying a public plaza, required to stay open 24 hours a day. The text of the amendment reads:
"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
Joine Control of the
What constitutional or local arguments if any might support the actions of the
What constitutional or legal arguments, if any, might support the actions of the police?

Should there be any limits to our rights to challenge the government?
Questions to be answered during and after Clip #4 24:30 – 34:11  Why were parents so upset with the police?
Were the parents correct in how they viewed the police as bullies to their kids?
How did the movement treat children? How might this differ from how children are treated in other circumstances?
What tactic(s) did the parents and children use to protest police brutality in this segment?

Questions to be answered during and after Clip #5 58:30 – 106:33
What values and actions do Occupy Wall Street parents want their children to be familiar with?
Tallillar With:
How did the police respond to the May Day protest?
How do you interpret their actions? Do you believe they were justified? Why or why not?
Questions to be answered during and after Clip #6 112:32 – 117:04
How did the parents' demonstrate their vision of democracy in the wake of Hurricane Sandy?

Supplement 2

# **The Washington Post**

What is Occupy Wall Street? The History of Leaderless Movements

By Heather Gautney, Published: October 10, 2011

Accessed 17 June, 2014: <a href="http://www.washingtonpost.com/national/onleadership/what-is-occupy-wall-street-the-history-of-leaderless-movements/2011/10/10/gIQAwkFjaL">http://www.washingtonpost.com/national/onleadership/what-is-occupy-wall-street-the-history-of-leaderless-movements/2011/10/10/gIQAwkFjaL</a> story.html

This piece is part of an <u>On Leadership</u> roundtable on the Occupy Wall Street protests. (For more by Heather Gautney on Occupy, read "<u>Why Occupy Wall Street wants nothing to do with our politicians</u>")

Occupy Wall Street has arrived. Facebook is all-aflutter, and Twitter is all-atweeter, as news of "occupations" and clashes with the powers-that-be spread like wildfire around the country.

Now entering its fourth week, the Wall Street occupation has become a national phenomenon. The president is interested, celebrities are popping by, and pizza shops are adding the OccuPie to their menus. There is even an Occupy video game in development. The movement has spawned hundreds of Occupy locales in a national Occupy Together network. And now there is talk of going global: Occupy the World.

Inquiring minds want to know: Who *are* these people? What exactly are they demanding? Who is leading this thing?

On these issues, the movement has been clear: This is a leaderless movement without an official set of demands. There are no projected outcomes, no bottom lines and no talking heads. In the Occupy movement, We are all leaders.

This is not just a charming mess. We are all leaders represents a real praxis, and it has a real history.

In the 1960s and 70s, feminists convened consciousness-raising meetings aimed at politicizing the various forms of women's oppression that were occurring in private. Women in the ranks were tired of being excluded from the inner circles of leadership where the issues and demands were being decided. And, they were sick of the generalized hypocrisy regarding gender roles. For this reason, feminist consciousness-raising eschewed formal leadership because each woman's experience and opinion had to be valued equally. The personal was the political.

Consciousness-raising was also the heart and soul of gay rights activism. The process of sharing

coming-out stories in a free environment helped others liberate themselves from the closet of ill repute. Again, these stories were told in a non-coercive, leaderless environment that empowered gay men and women to fight for their rights and leave behind a debased life of sexual secrecy.

Both of these movements had enormous impacts on American life. Gay rights liberated our sexuality, and feminism fundamentally changed the way we relate to each other as men and women. All this, without a centralized leadership.

Fast-forward to the late 1990s when protest networks emerged around the world in opposition to the World Bank, WTO and G-8. This time uneven development, debt and neoliberalism took center stage, alongside environmental concerns and world poverty. The protesters were "Anti" globalization as well as "Alter": Free flows of information as opposed to patenting, free movement of people as opposed to policed immigration, and free trade as opposed to NAFTA.

Alter-globalization networks created a veritable movement of movements, which was not led or controlled by any one of them. In the United States, anarchist-inspired spokescouncils convened hundreds of these groups to organize protest actions, conferences and community work. At the meetings, each group would position a single member upfront, in the inner circle, while the rest sat behind, like a human wheel with spokes. There were no leaders with long-standing assignments because every participant was, in essence, a leader. In lieu of a party line, this amalgamation of movements operated according to sets of core, procedural principles—called Principles of Unity—that reflected their anti-authoritarian, anti-discriminatory orientation.

The Occupy movement operates similarly, with each locale establishing its own set of organizational practices. Locales, and the virtual Occupy communities in cyberspace, are federated according to a simple yet powerful point of unity: "The one thing we all have in common is that we are the 99% that will no longer tolerate the greed and corruption of the 1%"—an obvious reference to the well-known, yet still appalling, statistic that the top 1 percent of households in the United States own somewhere between 30 to 40 percent of all privately held wealth. And counting.

Occupy Wall Street's organizational presence is the New York General Assembly or "GA," which convenes numbers in the high hundreds at its squat-site in Zuccotti Park. Daily GA meetings are led by facilitators who rotate on a regular basis, and facilitation training is open to all. Specific issues, such as food, medical, legal, outreach, security and others are handled by working groups—also open and inclusive—that periodically report back to the GA. Instead of issuing top-down directives, Occupy groups use a consensus process in which anyone can join in the decision-making and propose an idea. Proposers must field questions, justify the hows and whys of their ideas, and engage a large-scale group discussion. Votes are then cast via an innovative system of hand signals, and proposals are revised until a nine-tenths majority approves.

Of course, all this requires a degree of good faith. Embedded in consensus process is an ethical assumption that decision-making is not a competition: It is not about converting other people to one's way of thinking. It is about compromise. For every person involved, there is a new viewpoint to consider. This can get messy, but efficiency is not the measuring stick of success here. Democracy is.

Similar to the feminist and alter-globalization movements, these groups want to avoid replicating

the authoritarian structures of the institutions they are opposing. This is part of what differentiates them from the Tea Party. Occupy will never become an arm of the Democratic Party because the Democratic Party is part of the problem. These protesters want to prefigure within their own organization the free society they seek to create. And they want to demonstrate against the corrupt and hypocritical culture in mainstream politics and Wall Street—by operating with integrity.

The Occupy movement is a laboratory for participatory democracy. It's a massive crash course in leadership training. Most of these activists have a particular issue, problem or political idea that is meaningful to them, on which they have developed an expert knowledge. Occupy is both a concrete and virtual space for connecting these issues and expertise without any one position or issue taking precedence. This movement is not mired in the competitive mindset of "my issue is more important than yours" that appears to be stymicing Congress as the country slowly crumbles.

Implicit in this structure is also a rejection of the narcissistic, "I know what's good for you" form of leadership, now pervasive in this country, in which lawmakers fail to consider the needs and desires of the people they claim to represent. The failure of representative democracy in the United States is perhaps one of the most serious problems of our time, and the Occupy movement is a symptom of this crisis of legitimacy. The people no longer trust their leaders and are even starting to indict the system itself. They think we can do better. We are all leaders.

Heather Gautney, PhD, is an assistant professor of sociology at Fordham University and author of Protest and Organization in the Alternative Globalization Era (Palgrave Macmillan).

Supplement 3

# The Good Men Project

# **Parents for Occupy Wall Street**

By Lisa Duggan

Originally Posted 31 October, 2011

Accessed 22 May, 2014: <a href="http://goodmenproject.com/families/parents-for-occupy-wall-street/">http://goodmenproject.com/families/parents-for-occupy-wall-street/</a>

# Parents are protesting, Lisa Duggan writes, because they want a better future for their children.

It started simply enough. Dana Glazer and I (Dana is the documentary filmmaker of The Evolution of Dad) were playing email-tag, trying to find a day to have lunch, when he wrote:

Do you think there's a parenting angle to the protests currently going on at Wall Street? I'm itching to go down there with a camera but was thinking that maybe there's a mom / dad angle to this? What do you think?

Not only did I like his angle, I had been thinking along similar lines. Avi Nathman (aka @TheMamaFesto) and I had just finished drafting an open letter to the 2012 Presidential Candidates, which addresses many of the same issues Occupy Wall Street and the numerous Occupations around the world do. We chose to sign the letter, "From the Mothers and Fathers of America." (More on the letter later, and how you can participate.)

Before I could hit send, Dana wrote back to say he had found this group while Googling—Parents For Occupy Wall Street. They were planning **the world's largest sleepover in Zuccotti Park** on Friday, October 21, and he was going to be there to film the event—and did I want to come?

# Lock Your Doors, Mary: It's Those Dirty Community Organizers

"The newspaper said, "Say, what you doing in bed? I said, "We're only trying to get us some peace."

Kirby Desmarais, the organizer of PFOWS was younger than I expected her to be, not yet 30. She's a a young mother, too—her daughter is only 18 months old (and adorable). She manages EverythingInddependent.com, a company she built herself, and which she runs with her husband, Mark. *Everything* promises to help independent artists and bands find success, "through management, placement, networking and analytics."

Despite their already-busy life, full of work and family obligations, Kirby and Mark were

able to organize PFOWS in about eight days—from passionate concept to successful execution (over 200 people stayed the night)—including a website, a banner, and hot yellow t-shirts reading "Parent SECURITY." Oh, and they also secured a CNN crew to embed themselves for the duration; beloved kid's musician Dan Zanes and band to play for the crowd ("Pay Me my Money Down", of course, among other favorites), and Dana and I to film the event, as well.

That's right—just your typical law-less, job-less, communists-hippie types. Like those *NY Post* headlines warned you.

Kirby and her husband and daughter had visited Zuccotti a few times before and noticed many parents with kids doing the same. She got the idea to create a safe, designated place for families within the park, so parents could participate in the occupation and take care of their kids' needs at the same time. She reached out to the organizers of OWS, aka the General Assembly, with her idea for a family sleep-in.

The GA welcomed Kirby's idea and the group and said they would designate an area on the Broadway side of Zuccotti park for the congregating parents. Kirby also spoke to the New York City police department to discuss safety issues, and together they helped her devise the security guidelines employed that night (all parents had to bring a child to be welcomed into the space, show photo ID, and sign in and out) as well as an exit strategy, should the need arise to leave the space quickly.

Kirby was expecting 200 parents to show. During the course of the evening, from 4 PM when the first few parents and kids trickled in, to 10 PM when I finally left, they would have to expand the roped-in space two times.

By the time the event ended Saturday morning, over 500 people had signed in at the checkpoint in Zuccotti Park.

### Mommy, Why Do We Occupy?

Many people are waiting for the organizers of Occupy Wall Street (and by extension, Parents for OWS) to declare an official agenda, and publish a list of demands. But my experience at the park Friday night tells me that's not going to happen anytime soon.

In my opinion, Occupy Wall Street's first accomplishment was to bring international attention to the devastating effects of the criminal action(s) of the multi-national banks and financial institutions on American taxpayers—specifically the years of fraudulent lending that created the mortgage-apocalypse, the housing collapse and the 2008 recession—which has yet to be prosecuted (although the Federal Housing Finance Agency is now in the process of suing 17 of the financial institutions involved).

OWS' next action, or actions, will be determined by the crowd. The people organizing and participating in Occupy Wall Street are practicing (and expanding, daily) a horizontal, consensus-driven, living form of democracy. Here, the whole truly reflects the sum and the strength of the individual parts. Yes, there is a body driving the concept and execution of OWS—the General Assembly—but there is no one, elected, governor of the park directing it's actions.

The head of this body keeps changing, depending upon the needs and desires of the

group, at that moment. This structure may ensure it's survival—if you chop off the "head" of OWS, another will grow in its place, immediately.

Members of various working committees—completely volunteer-powered—execute the tasks necessary to keep things flowing in Zuccotti; i.e., food service, sanitation, press and publicity, and daily events, like hosting PFOWS.

Direct Actions, such as the march to Columbus Circle on Friday the 21st, to join Pete Seeger, is voted upon by everyone in the park, using the now infamous human megaphone method. (An incredible thing to witness).

### What Do the Parents Want?

Some of the values of PFOWS are reflected in the sign posted under their banner Friday night, pictured above. The broad mission they commit to is written on their website:

With our children's best interests in mind we join together peacefully to support the Occupy Wall Street movements across the US on our children's behalf. We're speaking for the 99% that can't speak up for themselves.

#### and

[We are] a collective community for Parents & Organzations in support of Occupy Wall Street. We choose to remain nonpartisan and offer a platform and forum for all to be heard in support of the Occupy Wall Street Movement.

Isn't that the first job of any parent? To speak for those who cannot speak for themselves? To protect their children and teach their children to use non-violent means, to "use their words," to express their demands and concerns?

I found no one at this group advocating for the re-distribution of anyone's wealth. What I found were thoughtful, educated, concerned parents joined together to protest an injustice, and to re-assert the democratic values this country was founded upon.

These parents believe that their children can build a life rich with reward and meaning—without diminishing the lives of others in the process.

For further information about Parents For Occupy Wall Street, visit their Facebook page, which details upcoming meetings and actions.

Originally appeared at The MotherHood Online.

Supplement 4

# The Daily Signal

Multi-media news platform of The Heritage Foundation, a conservative policy institute.

Morning Bell: Wall Street is the Wrong Place to Occupy Mike Brownfield

Originally Posted: October 18, 2011

Accessed July 17, 2014: <a href="http://dailysignal.com/2011/10/18/morning-bell-wall-street-is-the-wrong-place-to-occupy/">http://dailysignal.com/2011/10/18/morning-bell-wall-street-is-the-wrong-place-to-occupy/</a>

A new *USA Today*/Gallup poll shows that when it comes to assigning blame for the country's economic woes, more Americans point the finger at Washington, not Wall Street. Yet for weeks, the so-called Occupy Wall Street protesters have camped out in the heart of America's financial district—and have raised their voices in cities across the country and around the world—decrying the capitalist system as the root of all evil.

On Sunday, these anti-capitalist protesters got a helping hand from none other than the President of the United States. Barack Obama was all too glad to lend support to the protests—which have at times been marked by shows of violence and lawlessness—saying during a speech dedicating the Dr. Martin Luther King Memorial that King would have supported the movement. And yesterday, a White House official said that during his latest "jobs" bus tour, the President would be speaking to the "the interests of the 99 percent of Americans"—echoing the protesters' "99 percent" slogan.

It's all very ironic. President Obama's policies have helped create and prolong the economic conditions that are causing America's frustrations. It's not surprising that, at a time of 9.1 percent unemployment, there is great dissatisfaction with policies that hurt the economy while helping political cronies and bailing out banks and financial groups.

But the policies that the Occupy Wall Street protesters are advocating—and their rejection of the capitalist system—won't make the economy any better for the 14 million unemployed Americans and all those who are struggling in this stagnant economy. In fact, many of the demands voiced by the protesters are outright dangerous and would send us further from their own stated goal of improving economic conditions for the "99 percent."

For instance, calls for severe limits on trade are a prescription for a second Great Depression and would hurt the poor in America and around the world most of all. The

same is true for penalizing financial transactions through additional taxation or regulation. Capital is the lifeblood of job creation—starting viable new businesses or expanding existing employment opportunities is impossible without a thriving financial sector.

As the life of Steve Jobs shows, the free market has provided more wealth and spurred more innovation than any other system in history. Much as they try to vilify private enterprise, the protesters cannot deny this fact, especially as they use their iPhones to connect to AT&T or Verizon wireless networks in order to spread their messages on Facebook and Twitter. All of those innovations were bred and put into their hands because of the free market. Capitalism, by which is meant nothing more or less than respect for private ownership and the freedom to transact with other human beings, has provided more opportunity, increases in living standards, and overall well-being for the greatest number than any other system ever devised. It depends on freedom and in turn generates more freedom.

The protesters are right to decry out-of-control bailouts and corporate subsidies. The Heritage Foundation, too, has long denounced out-of-control bailouts and subsidies. Expanding the size of government will not end such policies, however. Instead it will expand them, as Obama's expansion of bailout programs and support for aid to favored, politically connected energy companies shows. Moreover, while the protesters are decrying Wall Street bailouts, many are advocating for more bailouts for themselves, such as student loan forgiveness and mortgage bailouts. This is just as contrary to the capitalist system as is bailing out failed industries.

Ultimately, the protesters are expressing dissatisfaction with the direction America is heading. That dissatisfaction is shared by many Americans on the right, left, and center. America is headed in the wrong direction. But the answer is not to accelerate the present course of more government and less freedom. Instead we need to free ourselves from over intrusive government and trust the 99 percent to make their own decisions in a free marketplace.

The protesters are right to be frustrated with the state of the economy, the continued unemployment, and the lack of job creation and opportunity. But there's a better way to solve the problem—the government should do no more harm, get out of the way, and let private, free enterprise work.

Supplement 5

For accompanying photographs, please have students access this article on the web.

# Gothamist

City Agrees to Largest Occupy Wall Street Settlement Ever

By Nick Pinto

Originally posted June 10, 2014
Accessed July 17, 2014:
http://gothamist.com/2014/06/10/city\_agrees\_to\_largest\_occupy\_settl.php

During Occupy Wall Street's heyday in 2011 and 2012, the NYPD <u>made them</u> pay, <u>again</u> and <u>again</u>, for exercising their right to assembly and free speech. Nearly three years later, New York City taxpayers are still paying for the NYPD's approach to policing lawful protest. Today, lawyers announced the largest settlement with New York City yet, with the city paying out \$583,024 to 14 protesters who were arrested for disorderly conduct on January 1st of 2012.

Sources familiar with today's settlement said that that the case was ready to go to trial before <u>Judge Shira Scheindlin</u> until a few months ago, when, while being deposed for the trial, a senior NYPD official who was present during the arrests was unable to point out in videos of the event a single moment when any of the defendants committed any act of disorderly conduct.

According to the protesters' complaint, the demonstrators were part of a march passing through the East Village that night when police ordered them to disperse.

"This was a constitutionally unlawful order," said Wylie Stecklow, a lawyer for the protesters, at a press conference at City Hall today. "The march was not yet blocking the sidewalk, and just minutes before this unlawful dispersal order, the police had ordered the marchers to keep walking."

Apparently not content with denying a group of citizens their right to assemble, the police then decided to kettle them for good measure, surrounding them on 13th Street, preventing them from leaving, all the while ordering them to disperse. Finally, the plaintiffs were arrested, charged with disorderly conduct, thrown into police wagons, and held at the precinct for five hours before being released with desk appearance tickets.

By the time their cases made it to prosecutors, the D.A.'s office didn't think there were grounds to prosecute, so the charges were dropped. No harm done! Two of the defendants who settled at an earlier stage will receive \$5,000 from the city. The remaining 12 will receive \$20,002. The protesters' lawyers will receive \$333,000 in

costs and fees.

Today's settlement comes on top of the \$82,500 paid to a protester to settle a suit alleging he was beat up by cops, the \$350,000 paid over the city's trashing of media equipment and Occupy's library during the eviction from Zuccotti Park, and the \$50,000 paid to three people apparently arrested because police thought they might have been thinking of attending a protest later.

The lawsuit over <u>Anthony Bologna's pepper-spraying</u> of kettled young women hasn't even been settled yet. (For an even more comprehensive and dismaying look at how the NYPD handled the Occupy Wall Street protests, <u>take a look at this report</u> released by law schools at NYU and Fordham.)

The Occupy payouts are still dwarfed by the <u>\$18 million payout</u> the City made to the thousands arrested during the 2004 RNC.

David Thompson, the lead lawyer for the protesters, said the settlement is clear evidence that the NYPD needs to change how it treats political protesters.

"The mass arrest of nonviolent protesters has no place in any democracy," Thompson said. "Arresting nonviolent protesters helps to protect the true wrongdoers, who are the people, politicians and institutions that have corrupted our economic and political life. The NYPD pursued a policy of arresting thousands of people who were doing nothing wrong."

Payouts to wronged protesters are a start, not an end, Stecklow said. The city needs to retrain its police force, which is frequently misinformed and mis-trained when it comes to understanding the legal circumstances under which they can restrict protesters free speech rights.

"Occupy was and is a demonstration of the disillusionment and sorrow that many of us feel about America," said Jennifer Peat, a 36-year-old organizer for the Screen Actors Guild, and one of the plaintiffs in the suit. "Public speech, and the right to dissent, are core values important for our democracy, and I hope that this settlement will lead those in power and the NYPD to better respect our First Amendment rights."

"We've often been seen as out of control, or disorderly," said Garrett O'Connor, another plaintiff. "This is a demonstration that it was quite the opposite. We were out there to send a message, and our rights were suppressed."

In a statement, a Law Department spokesperson said, "This involved a fast-evolving, complicated policing situation occurring over many hours where only a small fraction of protesters was arrested. Settlement was in all parties' best interest."

<u>Nick Pinto</u> is a freelance writer who previously wrote about <u>Occupy's undercover officer</u> for Gothamist.