

NIGHT PAPERS

III

ON INEVITABILITY

— KEN EHRLICH

Note: A version of this text was previously presented at The Symposium on Policing and Protest in the UC System & Beyond, organized by Setsu Shigematsu and held at the University of California at Riverside, on May 25, 2012.

As many of you know, I was arrested here at UCR on January 19th, outside of the regents meeting, and eventually charged with felony assault with a deadly weapon. I am happy to be able to tell you that as of May 24th, the Riverside DA has dropped all charges against me. In reflecting on some of the details of my personal experience with police violence and legal proceedings over the past few months, I hope to draw out the systemic and structural dimensions of recent police behavior on campus. Each time there is a case of police violence on a UC campus — and we have witnessed many over the past few years — however unique and specific the circumstance, there are patterns emerging that speak clearly to the logic of the UC administration. I don't want to focus too narrowly on the specific details of my own case, but rather look at the ways in which what occurred here at UCR follows a trajectory whereby administrative tactics continue to shift as the struggles against the privatization of the UC change and intensify. The most visible administrative tactic that has been mobilized — and the tactic most obviously relevant to today's conversation — is the threat or the use of police violence.

But there are many other tactics being deployed as well. The administration has mobilized fear of outsiders who would seek to infiltrate campus actions for nefarious or self serving purposes, as if those involved with Occupy Riverside, for example, have no stake in the future of public education. And the administration has continually appealed to hollow forms of legislative procedure and politics as a way to shift the burden of decision making onto conditions external to the UC. This is not to say that state funding does not seriously affect the UC system. Of course it does, but by constantly shifting the question of funding *exclusively* to the domain of state funding, the administration performs a kind of sleight of hand. The UC uses the specter of outside forces in various guises to reinforce the inevitability of privatization. But of course, privatization is

ON PSYCHIC HALLWAY:
**ONE YEAR
AMONG
THE FENCERS**

— TRAVIS DIEHL

P6.



THE TWELVE STEPS

— PAUL SOTO

P15.

A POST-MARXIST THEORY OF UNHAPPINESS

— CECILIA PAVÓN
TRANSLATED BY
STUART KRIMKO

OBJECT A (B and C)

— KATE WOLF

P9.

ANYONE
TELLING
ANYTHING
IS TELLING
THAT
THING

EVE FOWLER | ANYONE TELLING ANYTHING IS TELLING THAT THING, 2012



Everything I write my friends have told me. I've lived none of this. I was never married, never had lovers, never flirted on the Internet, never seduced anyone in a club or anywhere else. Since I was girl I knew that my days would be dedicated to writing and that therefore I'd never have a normal emotional life. But the world changed very quickly and overnight nobody had a normal emotional life anymore, which meant that I was no longer peculiar and that I became just one among hundreds of thousands of people that refused to live in a monogamous relationship. And life slowed down as a result. Or sped up: at this point it's impossible to say which. But in that slowness — or in that speed — which was soft like a down comforter used as a parachute, I let myself fall. And I fell... I fell, I fell, I fell like in a commercial for chocolate. And suddenly the comforter went back to its original use and I enveloped myself in the warmth of that nest, and there I remained forever: in my house, or in literature, which were basically the same thing, because other people's words were living and breathing under my roof. And the best literature, of course, isn't found in books but in the lives of other people.

All the stories my friends tell me seem interesting, whether or not they have to do with love. Though most of the time they do have to do with love, because what else is there to talk about? Is there a topic of conversation that doesn't eventually lead to love? Maybe politics, but it makes no sense to talk about politics anymore. In the easy back-and-forth of the rocking chair I inherited from my grandmother during the years when there was still enough oil to fuel the world, I look out over the city and

(cont' p.12)

POETRY BY:

GEORGIA SAGRI ■
JOHN DUVERNOY ■
JIBADE-KHALIL
HUFFMAN ■
SOFFIA STIASSNI ■

not inevitable... It is a political course that university administrators have chosen and their actions over the past few years have consistently sought to occlude that very fact. The administration has clearly demonstrated that it is willing to use whatever means necessary to push particular policy choices into place. So when we hear talk of the right to protest or the right to free speech, it's important to remind ourselves of the ways that the protest can be managed. As Joshua Clover points out, if recent struggles on campuses are understood as a question simply of rights — the right to protest or the right to free speech — it is easy to ignore the fact that “administrations must deploy force to implement austerity policies.”¹ Clover implicitly urges us to move beyond the conditions that give rise to ‘free speech zones’ or university committees assembled to draft ‘protest guidelines.’

That the UC administration would distort facts in support of particular policies is hardly surprising. In fact, it is consistent with the politics of austerity beyond the university. *We have no choice.* But it is precisely this logic of inevitability that I am most interested in disrupting. What is called for when the policies of an administration are described and framed as inevitable? Why resist when the administration seems to have made a decision to pursue privatization whatever the cost and to deploy police violence as a tool to achieve these ends?

First, some context: As a lecturer in the art department here, from the perspective of my ‘discipline’, my stake in the struggle might for some pose very basic questions. Why even protest the current direction of the University? Why get involved in the dynamics of the university at all? As an artist who operates in many contexts, why expend time and energy on this particular struggle? To these questions, I would say first of all that the issue at hand is not simply increases in fees, but the implementation of a set of policies across the university that mirrors neo-liberalism in general. As important and devastating as tuition increases have been and will no doubt continue to be, I am also concerned with capital investments, administrative salaries, the ballooning of student debt and its ramifications in the broader economy, an increasing reliance on part-time employees, the slow but steady erosion of the benefits of University workers, the conflicts of interest of the UC regents, and on and on. What is ultimately at stake is the administrative or capitalist logic that renders all university activity as reducible to quantifiable segments. *This must be challenged.*

The legacy of site-specific art practices, which my work is indebted to, highlights the importance of the sites of the production, distribution and reception of art. Historically, this has meant important interventions into the presumed neutrality of the gallery and museum and expanded what constitutes the parameters of contemporary art. This legacy, with all of its adherents and critics, genres and permutations, ultimately reminds us that artistic practice, like other cultural forms, cannot be isolated from context. This is not a determinist philosophy of art in which intention and meaning are fixed, but rather a means of reckoning with the complex and often overdetermined figures that inform the contemporary imagination. If we can bracket the hyper-inflated commercial markets for contemporary art as a site of investment, particularly since 2008, the sites of art education — art schools, universities, and educational programming at art institutions — function as important nodes in the construction and reproduction of certain notions of taste. For those of us who are not interested in simply training the next generation of participants in the impoverished economies of contemporary art or instrumentalizing the relationship between teacher and student, the site of the university is a critical one, one that cannot be taken for granted. So then just as art pedagogy is something that is not a given, the atmosphere of the university is not neutral. If I encourage students to become fluent in the ways that images signify culturally as one of the keys to producing meaningful artistic work, it becomes impossible not to analyze the rhetorical and semiotic moves that the administration makes as it undermines the potential for students to achieve a robust education. If as a teacher I try to stress the importance of an awareness of the context for producing, distributing and reading cultural production, it is impossible to ignore the unraveling of the public dimensions of the university before our eyes.

Consider for a moment the ways that “creative interventions” by artists are more than ever being leveraged by real estate developers and business interest in the name of capital investment. The ‘creative economy’ as it is often perversely called is still — nearly four years after the economy was widely declared to be on the brink of collapse — being trumpeted as an engine of economic activity. Of course, the benefits of these so-called creative economies rarely reach artists themselves; they more often than not function as drivers of profit that extract wealth from the activity of artists. Indeed, the perception of a creative lifestyle has become standard corporate business practice. The perceived freedom and flexibility of the artistic lifestyle is marketed into extended precarious

labor conditions for larger and larger segments of the population. Martha Rosler, writing recently in the journal *e-flux*, details the manner in which notions of the “creative class,” contemporary urbanism and consumption are intricately connected in the global economy.²

With these dynamics in mind, in the fall of 2009, I bought the domain name *markyudof.com* and initiated a series of conversations with friends and colleagues about what might make the most sense to do with this very unique and loaded web address. In anticipation of the March 4, 2010 statewide day of action on behalf of public education, and with the support of colleagues at UCSD including Ricardo Dominguez, I published a website announcing the resignation of UC president Mark Yudof. It read in part:

I have been struck by the vibrancy of the student occupations and the energy around organizing against the budget cuts. It is clear to me now that we must all do our part to avoid social death. In that spirit, I have decided to go back to school to study the history of social movements.

It is not enough to demand lower fees for students and proper funding for top-notch research. We must rethink the entire structure of the University as the first step in rethinking the way our society itself is structured. I look forward to working together with you on this important project.

This obviously satirical experiment intervened in public discourse in a number of ways. Rather than petitioning for the president to resign, I chose to simply announce his resignation. I attempted to playfully unmask the inevitability of the administrations austerity agenda by staging a moment to say *What if...?*

Media coverage and a labor relations investigation followed. I ultimately received a counseling memo, which encouraged me to be more careful in my research, and cited two violations of university policy. One violation was the improper use of the seal of the university, which poetically reads “let there be light” and the other was impersonating a university official. To anyone who spent more than a few seconds reading the content of the website, it was clear that the material in question was satirical and not “impersonation.” Around the same time, Ricardo Dominguez was facing criminal charges for his electronic civil disobedience action on the office of the president’s website on March 4th. The fact that Ricardo was granted tenure for the very work that he was being criminally persecuted was an irony seemingly lost on the UC administration. These investigations garnered much important support for Ricardo and myself, but also had the effect of channeling energy away from collective action.

Last December, I offered a book bloc sign making workshop at Machine Project in Los Angeles. Reading press coverage of student struggles in Italy and the UK over the past couple of years I’d become familiar with the book bloc: a tactic used in demonstrations that, like the resignation website, has multivalent public visibility. Riffing on the black bloc — the hoodie clad groups in demonstrations usually associated with militant action and property destruction — the book bloc has taken to painting book covers on signs that are carried into demonstrations and direct actions. On the one hand a shield that offers defense if or when the police become violent, the painted signs also take poetry and knowledge to the street. The structural and systemic violence of austerity measures becomes starkly visible as police literally attack the form of the book. Having witnessed the brutal violence of the UCPD at Berkeley and Davis on video, I imagined that attending the

actions on campus on January 19th on the day of the regents meeting could put me in a situation where police again attacked peaceful demonstrators. I did not however anticipate the severity of the assault I experienced.

I carried a book bloc shield painted as the cover of a book of essays by the French-Greek philosopher Cornelius Castoriadis titled *Figures of the Thinkable*. I participated in the rally outside of the regents meeting for several hours that day. Riot police prohibited the crowd assembled from entering the meeting where the public comment period had been cut off after only 20 minutes. Outside, emotions raged. I was not present in the regents meeting, but from all accounts when students began holding a general assembly, the regents simply left the room. Helicopters circled overhead. What appeared to be military personnel stood on rooftops of nearby buildings. More police in riot gear arrived. When police from the Riverside Sheriff’s department arrived the mood grew noticeably tenser. But while students were angry, I did not witness a single act of aggression on the part of a demonstrator. Suspecting that the regents might be leaving out of the back of the building a large crowd gathered there. As police attempted to form a barrier between the crowd and the building, things got out of hand. As demonstrators chanted “hold the line” and police swung batons, a cop grabbed the top of my shield

and tried to yank it out of my hand. Instead he pulled me into the line of police. When my body crossed that threshold I was kicked and batoned, thrown to the ground and beaten. I was ultimately dragged away by my foot. I learned later that at that moment one very courageous student stepped in to try to assist me, to try to prevent further assault. That student was Luz Munoz. Though we have spoken personally I would like to take this opportunity to thank her publicly for intervening in that moment. We were both arrested and taken into a conference room, where we sat watching groups of UCPD cycle through, taking breaks to



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rest and presumably return to the “front lines.”

While Luz was eventually released, I was transferred to the UC police station and later to Riverside County Jail. It was as I was being transported to county jail that I learned that I had been charged with assault with a deadly weapon. When I’ve told this story, inevitably people want to know: what was the assault? Who did you assault? And how? I have no idea. The following afternoon, with the help of many generous people, I was able to post bail and was released from jail. The next day Chancellor White sent out his weekly letter to the campus. In it he praised the police and stated that “two individuals were booked for alleged felony assault of police officers. These two individuals were older men from Los Angeles and Co-

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1 <http://reclaimuc.blogspot.com/2012/05/reflections-from-uc-davis-on-academic.html>

2 <http://www.e-flux.com/journal/culture-class-art-creativity-urbanism-part-i/>



Spiral Jelly

rona...not UC students. We never seek to use force. But the reality is that some individuals became unlawful aggressors and dangerous to others. Despite several warnings to stop, they chose not to do so. That is a choice that has consequences. And while our co-workers who are police exercised great restraint, they did need to use force at times on Thursday outside the meeting venue to protect themselves and ensure safety for others."

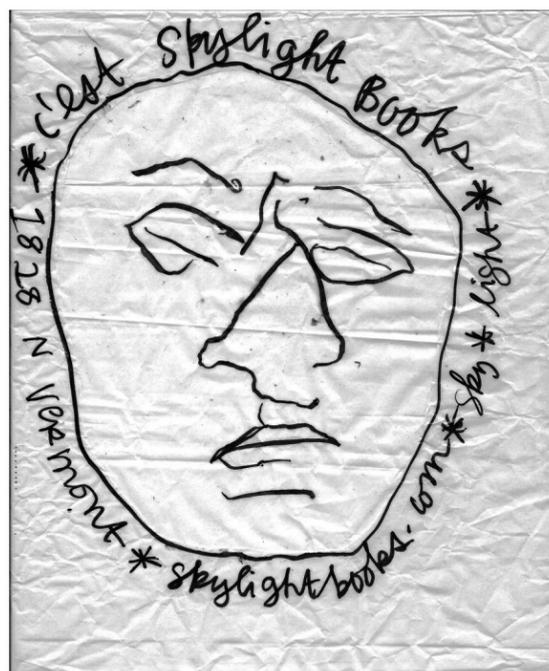
I admit that part of what bothered me about this letter is being characterized simply as an "older man from Los Angeles" (am I *that* old?) but if we look closely at the content of what the chancellor is saying, the message is quite clear. There is first of all the presumption of guilt, that if charged by police with a crime one is automatically assumed to have committed it. Worse is the suggestion that it was aggressive individuals who created an unsafe space when it is clear that the unsafe conditions were in fact produced by the presence of two militarized police forces on campus. Perhaps most disturbing of all, however, is the reference to those "outside forces" that might somehow corrupt the space of the university. A public university has by definition a relationship to the broader public, one that should be cultivated not buttressed against. And given the fact that officers from other campuses as well as police departments external to the university had been called onto campus that day, it seems an especially peculiar to suggest that outside agitators were the problem.

A letter drafted and signed by several of my colleagues in the art department and forwarded to me was sent to the Chancellor on February 7th indicating that one of those arrested was a lecturer on this campus and suggesting that it was important to clarify this fact publicly, especially given the content of the Friday letter. The chancellor chose not to do so. Instead, the university administration has been completely silent about the fact that a UC employee was assaulted and falsely accused. To give the chancellor the benefit of the doubt, perhaps he was unaware at first that it was a UC employee and not simply some older man from Los Angeles that was arrested — hard to believe given the recent labor relations investigation into the Yudof resignation website — but he was certainly made aware of it when he received the letter from several members of the art department faculty. He has chosen to remain silent about this basic fact and one has to wonder, why?

If the administration uses police violence in the service of specific policies, then it also must be said that the administration rhetorically and symbolically defends police violence, even, at times, through silence. This is the other side of efforts to establish the inevitability of austerity. Through a variety of tactics including fear of outsiders, the catch all logic of security, appeals to legislative processes beyond the UC and through rhetorical appeals to tolerance, rights, and diversity and at times with absolute silence, the UC administration continues to wage an aggressive campaign on behalf of policies that undermine the core values of a public education. As many of today's panelists have taught us, we cannot view instances of police brutality and violence — whether on campus or elsewhere — as isolated incidents. If we look at the larger context of policing in the U.S. at this moment, there are many troubling trends. The Occupy movement was and continues to be one of the most significant social movements of my lifetime. One of the legacies of this movement, though certainly not the only one, will be the nationally coordinated violent eviction of the encampments. The coordination that has been reported between the Dept of Homeland Security, city governments and police forces, along with the FBI, sug-

gests a new chapter in the history of police repression in this country. Given the cooperation and coordination between UCPD and external police forces, it seems fair to ask what degree of inter-agency strategic task-forcery is being leveraged to violently repress resistance to administrative policies? When combined with the technologically sophisticated militarization of local police forces — for example, the use of surveillance drones at the NATO summit or the introduction of sound cannons as a crowd dispersal device — the often heard cry of "who do you protect, who do you serve?" is a question well worth asking. And of course, as Michelle Alexander points out so clearly and powerfully, people of color are very often the least protected and the least served. There is nothing like spending a night in the Riverside County Jail to be reminded of this stark reality. That Riverside is the most racially and socio-economically diverse of the all the UC campuses makes many of our students more vulnerable to police brutality and to systematic repression.

As the title of today's symposium suggests, protest is often viewed as the dialectical other to police force. No doubt we are in an antagonistic struggle against the logic of the administration and the logic of the police. But traditional protest implies a reaction to policy, an appeal to an external force that might somehow adjudicate our grievances. If we are simply protesting tuition hikes or the latest grievous and undemocratic policy of the administration, do we risk putting ourselves in a reactionary relationship to stunted administrative logic? If we understand the struggle against austerity and privatization on campus as part of a larger struggle that relates to financialization, debt, and the transnational flows of capital, to economic and social justice, how can the particularity of this struggle with all of its limits and possibilities forge connections to other struggles, other geographies? The transformative potential of the fight against privatization will not be measured exclusively on what sort of grand historical transformation we are able to effect nor will it be judged simply by instances of pure affect or the experiences of temporary micro-communities. Rather it represents an ongoing opportunity to create sites of resistance that link the interests of students, workers and faculty to other movements that refuse the imposition of inevitability.



DEAR LEE

— AMY ALBRACHT

Dear Lee,
You mentioned that city hall weddings are the best, in your experience. Have you been married or is it just something you've observed? The closest I came to marriage was pressure to be someone's baby mama. Take care, me

Dear Lee,
I've been doing home improvement too, if you count finding a stick in the yard to jam into the ground to tie up the tomato plants. Take care, me

Dear Lee,
Tomorrow I am going to a picnic in my mother's side of the family's cemetery. I'm sure it will be interesting, but I really can't be bothered. I will try to get my great aunt to tell me a story that I heard second hand. Here is what I remember. When her husband was alive he either wouldn't let her see movies or he wouldn't tolerate movies starring people that weren't white. After he passed, she started watching what she wanted and she caught up on Sidney Poitier's films. She wrote Mr. Poitier a letter that moved him to call her on the telephone; she rushed in from the garden just in time to catch it ringing. I'm curious about what they talked about. I'm curious if this story has any truth to it. Would you wonder about something like that? It seems like you stay out of other peoples' business. Take care, me

Dear Lee,
I didn't get a chance to ask my great aunt about Sidney Poitier. They have meetings to preserve and tend private cemeteries around here; they call it doing "cemetery work." I didn't do any work, except to bring a dish for the luncheon afterwards. It was like a business meeting; they made some decisions that I didn't understand and that don't concern me. Take care, me

Dear Lee,
I met a man at the cemetery work who told me that he is illiterate, I think he is the first adult I've ever met that I know can't read or write. Actually, that was the least surprising thing he told me. I don't think we are related. He has two sons buried there and he told me a lot about them. I didn't encourage him but he was bent on talking. He is an extreme person and maybe out of his mind, like he claimed. Take care, me