

**Transactional Terrains:
Partnerships, Bargains and the Postwar Redefinition of the Public Realm,
New York City 1965-1980**

by

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Submitted to the Department of Architecture in Partial
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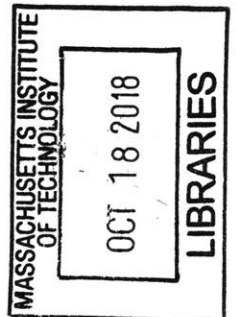
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Abstract

This dissertation traces the architectural and urban history of the privatization of the public realm. At the center of the research is New York City during the “urban crisis” years of the 1960s, as the city grappled with issues of civil rights, urban policy, and physical decline. The period saw an ongoing shift in how city and state governments initiated, financed, and managed architecture and urban development. As an administrative apparatus of crisis management, the public-private partnership was the fiscal and legal device that was at the center of this shift. With the public-private partnership, there was an increased emphasis on transactions between jurisdictional authorities and private sector actors. These transactions privileged negotiations and bargains that exchanged power, responsibilities, resources, expertise, and narratives across a network of public and private sector entities such as city and state governments, quasi-governmental agencies and thinktanks, developers, design practices, and nonprofits.

The 1960s saw the beginnings of an organized cultivation of private sector participation by city and state governments, in the funding, management and provision of public goods (parks, plazas and housing). Privately-owned public plazas, privately-managed public parks, privately-owned and managed low-income housing and Special Zoning Districts are some of the outcomes of these partnerships that have shaped and influenced New York City’s public realm ever since. By examining the ecology and economy of these public-private partnerships, this dissertation seeks to examine the privatization of the public realm in New York City as a series of complex intersections between the city’s economic, political, urban, architectural and real-estate histories beginning in the 1960s.

Thesis Supervisor: Arindam Dutta, Associate Professor of the History of Architecture, Dissertation Supervisor

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Index of Acronyms

UDG:	Urban Design Group
UDC:	Urban Development Corporation
POPS:	Privately Owned Public Space
SZD:	Special Zoning District
NYCPC:	New York City Planning Commission
CPC:	Central Park Conservancy
EDC:	Economic Development Council
BDA:	Boston Development Authority
TDR:	Transfer of Development Rights
FAR:	Floor Area Ratio
RIOC:	Roosevelt Island Operating Corporation
FHA:	Federal Housing Agency
MoMA:	Museum of Modern Art, New York City
MAC:	Municipal Assistance Corporation
MOU:	Memorandum of Understanding
AMI	Area Mean Income
NPO:	Nonprofit Organization
DED:	Department of Economic Development
ABNY:	Association for a Better New York

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Writing a dissertation is a bizarre activity. The document never feels complete, yet it is structured around deadlines. Dissertation writing is a solitary pursuit, yet it cannot be accomplished without company. I could not have completed my dissertation without my advisor, teachers, colleagues and friends at MIT HTC. My advisor Arindam Dutta offered my project endless support and critique. His ability to connect seemingly disconnected concepts and ideas, and confront core assumptions and biases, have shaped my project for the better. Timothy Hyde's patient and careful readings often showed me novel ways of addressing archives, objects, and materials. Mark Jarzombek has enriched both my project and my time as a student at HTC with his astute take on history and methods. I would also like to thank Felicity Scott, Lauren Jacobi and Sandy Isenstadt for their insights, and Kristel Smentek, Caroline Jones and Erika Naginski for the many ways they shaped my outlook towards history and research.

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Introduction

“What draws the rationalized bureaucratized corporate behemoths to New York is the ancient longing for desire and display. New York is now a new bazaar, with sleek symbols glorifying “Seagram” or “PanAm” or “Lever Brothers” or “PepsiCola” —the new doges of Park Avenue.”¹

The quote above is from sociologist Daniel Bell’s essay, “The Three Faces of New York.” The essay featured in the “New York, NY” summer issue of *Dissent* magazine in 1961. The issue was dedicated to New York City with essays from literary critic Irving Howe, playwright Lionel Abel, and novelist Norman Mailer, among others. In his essay, Bell characterizes New York as a marketplace with a fast-moving business environment, high turnover rate, sudden rises and falls in wealth and specialized facilities and skills that form its external economies. However, he wonders why large corporations still bother to come and stay in New York in 1961, especially with the ongoing decline of the manufacturing industry. The answer, in Bell’s opinion, was New York’s recent transformation into the “new bazaar,” where the onus was on the symbolic economy of the city’s large corporations and their gleaming skyscraper towers, which were replacing small industries.² There was a shift in the nature of the transactions as well. The garment industry still displayed its wares in the city, but they outsourced the actual sewing to

¹ Daniel Bell, “The Three Faces of New York,” *Dissent*. Vol. v.8: no.3, 1961, 222. Bell had just published his well-received collection of essays on the end of humanistic ideologies after the Second World War titled *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties* in 1960. In its early years, *Dissent Magazine* sought to find a third position between conservatism and liberalism in the United States with what they called radical democracy.

² Ibid.

New Jersey. Similarly, the publishing industries had their editorial offices in New York, but they contracted out the actual publishing.

The transformation of New York City into a new bazaar in 1961, is a useful metaphor for this dissertation that traces an architectural history of the privatization of the public realm in the postwar city. A bazaar is a site for bargains, negotiations, trades and maneuvers that are continually pushing the boundaries of what is acceptable and legal. The object of exchange finds its value through the terms of the transaction between buyer and seller. There are aspects of salesmanship, display, and marketing that work between a network of friendships and alliances, which allow the transactions to be more than just an economic exchange.

Privatization at its core, as this dissertation contends, is a transaction between two entities—the State and the business community, the public and private sectors—a partnership that entails an exchange of incentives for investments. It can be understood as the incursion of business into an area that was previously monopolized by the State. Alternatively, it could also be seen as the withdrawal of the State, its functions, assets and institutions. Privatization by itself does not adhere to fixed meanings, categories or periodization. It is the partnerships and transactions that offer the processes of privatization its significance.

New York City was indeed a “new bazaar” by the early 1960s. Behind the gleaming skyscraper towers that Bell discussed in his essay, were the early days of what came to be called the “urban crisis,” when the city grappled with pronounced upheavals on issues of civil rights, urban policy, and physical decline.³ New York was also experiencing an ongoing shift in how city and state

³ The urban crisis comes up several times in this dissertation. I have discussed it in Chapter One and Chapter Four to some detail. This dissertation relied on several sources to get a grasp on the period,

governments initiated, financed, and managed architecture and urban development. As an administrative apparatus of crisis management, the public-private partnership was the fiscal and legal device that was at the center of this shift. With the public-private partnership, there was an increased emphasis on transactions that privileged negotiations and bargains between jurisdictional authorities and private sector actors. City and state governments authorized an exchange and transfer of power, responsibilities, resources, expertise, and narratives across a network of public and private sector entities with the introduction of new regulatory mechanisms that operated through these partnerships (discretionary zoning laws, public-benefit corporations, privately funded conservancies, housing vouchers).

The 1960s saw the beginnings of an organized cultivation of private sector participation by city and state governments, in the funding, management, and provision of public services (fire stations, schools) and public goods (parks, plazas and housing). Privately-owned public plazas, privately-managed public parks, privately-owned and managed low-income housing and special zoning districts are the products of these transactions that have shaped and influenced New York City's public realm ever since. The dissertation argues that with this shift, the city transformed into transactional terrains, where public goods that were assumed to be non-exclusive and non-rival came to be redefined through allocatory and exclusionary mechanisms that were part of

Wendall Pritchett, "Which Urban Crisis? Regionalism, Race, and Urban Policy, 1960–1974," *Journal of Urban History*, Vol. 34 No. 2, January 2008 266–286; Irving Kristof, "It's not a Bad Crisis to Live In," *New York Times Magazine*, January 22, 1967; Alice O'Connor, "The Privatized City The Manhattan Institute, the Urban Crisis, and the Conservative Counterrevolution in New York," *Journal of Urban History* 34, no. 2 (2008): 333–53; David R Jones, "Urban Crisis and the Federal Government's Retreat: Catalyzing Public Policy Choices to Save Our Cities," *Fordham Urb. LJ* 19 (1991): 665. Barry Gottehrer, "Urban Conditions: New York City," *The Annals of the American Academy of Political and Social Science* 371 (1967): 141–58.

these partnerships (park permits, income limits, plaza design guidelines and air right ownerships for example):

In order to trace an architectural history of the privatization of the public realm, the dissertation first seeks to complicate the ways by which architecture as a disciplinary construct, is implicated in privatization's processes. To this end, my research will examine the ecology and economy of public-private partnerships to unravel the terms of the transactions that determined the design, viability, and function of architecture and urban development projects in New York City. The nature of these transactions dictated that developers, financiers and other members of the private sector offer investments in the form of funds, expertise and human resources in the provision and management of public services and public goods to the government. In return, the government offered incentives such as tax cuts, floor area bonuses, zoning variances and board memberships.

My research centers around a few fundamental questions: what does the privatization of the public realm mean in legal, aesthetic and economic terms? How have questions of aesthetics, real estate speculation, bureaucratic management and expert culture operated through the terms of these transactions? How were the particulars of ownership, use, and design in a public park or

† As it will be clarified later in this introduction, public and private are ideologically loaded terms that are relative, complementary and not absolute. With that said, in order to define public goods I reach out to economist Paul Samuelson who in 1954 defined it as products that an individual can consume without reducing its availability to another individual, and from which no one can be excluded. The terms "non-rival" and "non-exclusive" comes from this definition. Public goods can include natural living conditions (clean air, water, etc.), cultural heritage (the arts, architecture, customs, etc.), provision for sustenance (education, health, knowledge, etc.) as well as the supply and preservation of the material infrastructure (parks, plazas, traffic routes, etc.) However, many of them do not entirely satisfy the conditions for being non-rival or non-exclusive. While governments are traditionally involved in producing public goods, they may also be naturally available. When I discuss the public realm I mean the streets, squares, parks, green spaces and other outdoor places that in theory, are available for everyone to use.

public plaza, for example, altered by these partnerships? Most importantly, how has this restructuring of the public realm redefined the many imaginaries of the postwar city? By imaginaries, I mean the social imaginaries that emerge from the experiential, historical, physical and geographic aspects of the city, which are sites for conflicting cultural, social, economic, political, aesthetic ideologies and discourses.

Architectural and urban historians are inclined to accept privatization as an economic and political force that is external, and often folded into the “neoliberal.”⁵ The privatization of the city or the public realm is examined as an end result: New York’s Privately Owned Public Spaces (POPS) or Zuccotti Park after the Occupy Wall Street protests, for example.⁶ This dissertation’s disciplinary motive is to extract the privatization discourse from its multidisciplinary theoretical moorings in economics, sociology, political economy, public policy and urban theory, and study the history of the privatization of the public realm as a series of

⁵ By this, I mean that privatization is often wrapped into the broader more nebulous term “neoliberal.” At various times, neoliberal has been referred to as late-capitalist economy, a set of ideas, a globally engaging set of policy measures and also a hegemonic cultural force. There is an interesting article by Professor of History at Princeton Daniel Rogers who describes neoliberalism, as the “linguistic omnivore of our times, a neologism that threatens to swallow up all the other words around it.” Interestingly, the essay led to an open forum online on Dissent’s website, where everyone was accused of being neoliberal: Trump, Hillary and the writers, which drives home the point of the article. Daniel Rodgers, “The Uses and Abuses of ‘Neoliberalism,’” *Dissent* 65, no. 1 (2018): 78–87.

⁶ For example, Jerold S. Kayden, *Privately Owned Public Space: The New York City Experience*, (John Wiley & Sons), 2000.; Michael Kwartler, “Zoning as Architect and Urban Planner,” *New York Affairs* 8, no. 4 (1985): 104–19. They are both excellent works, but they both engage with privatization by studying Privately Owned Public Spaces (POPS) and zoning. Then there are articles such as Arthur Eisenberg, “Beyond Zuccotti Park: Privatization Of Public Assets And Public Space,” Van Alen Institute, 2013; and Thomas Honan, “These Parks Are Our Parks: An Examination of the Privatization of Public Parks in New York City and the Public Trust Doctrine’s Protections,” CUNY L. REV. F. 107, 2015. These two again do not historicize or theorize privatization as much as look at it as an existing legal and political construct.

complex and multifarious intersections between the city's economic, political, urban, and architectural histories beginning in the 1960s.

The dominant narrative on privatization in cities ties it to the mid-1970s and early 1980s with the international stock market crash and oil embargo, which spelled an end to western Keynesian welfare state politics and the rise of a Frederick Hayek-inspired neo-liberal moment, with an argument for deregulation, retrenchment of government, tax cuts and urban competition. The writings of geographer David Harvey, sociologists Harvey Molotch and Sharon Zukin, urban theorist Neil Brenner and so many others have epitomized this moment.⁷

My research backdates the history of privatization in the American city to the 1960s. By doing this, the research reveals how the processes of privatization saw their early beginnings in this period of expansion of governmental regulatory powers, at a moment when the city was experiencing intense upheavals. The dissertation asserts that privatization did not always result in the dismantling, retrenchment and shrinking of government. Instead, these were lateral displacements to informal techniques of government—what sociologist Thomas Lemke called a “prolongation of government,” where power relations between state and civil society actors were simply restructured. Control was merely handed over from one set of bureaucrats to another set of experts.⁸

⁷ Neil Brenner and Theodore Nikolas, “Spaces of Neoliberalism: Urban Restructuring in North America and Western Europe,” (Blackwell, 2002); Harvey Luskin Molotch, Portland State University, and Institute for Policy Studies, *The City as a Growth Machine: Toward a Political Economy of Place: A Summary of a Paper and Presentation*, Portland, Or: Institute for Policy Studies, Portland State University, 1980; David Harvey, *From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism*, 1989; Sharon Zukin, *The Cultures of Cities*, (Cambridge, MA: Blackwell, 1995).

⁸ Thomas Lemke, *Foucault, Governmentality, and Critique*, (Boulder, Colo.: Paradigm Publishers, 2011), 11

There are several common threads in the dissertation's chapters that define the context of New York City in the period. The first of these threads is the notion of crisis. The 1960s were beset by the "urban crisis," while the "fiscal crisis" shaped the 1970s. The category of crisis has been theorized at various times as an instigator of interventions that can be instrumentalized and appropriated to fit the uncertainties of the moment or stabilize what are presumed to be aberrations.⁹ The quotes around the terms signify the imprecision and fuzziness of their definitions.¹⁰ The urban crisis and fiscal crisis were constructs that had statistics and images ascribed to them, but were nevertheless, deliberately open to interpretation. Much like the constructs of *urban* or even *city*, they can selectively engage with a multiplicity of signifiers. They can also be manipulated and deployed as cohesive wholes when needed.

⁹ Crisis has been theorized and historicized by historian Reinhart Koselleck and Michaela Richter. Reinhart Koselleck and Michaela W. Richter, "Crisis," *Journal of the History of Ideas* 67, no. 2 (April 1, 2006): 357–400. Scientist Thomas Kuhn has also spoken about crisis as the antecedent of "paradigmatic change." Thomas S. Kuhn, *The Structure of Scientific Revolutions*, (Chicago, IL: University of Chicago Press, 1996). Karl Marx and Friedrich Engels discussed crisis as an intrinsic part of the contradictions of capitalistic production. Economist Joseph Schumpeter analyzed a crisis situation through his theory of creative destruction which he claimed to be an essential part of industrial mutation. Joseph A. Schumpeter, *Can Capitalism Survive?: Creative Destruction and the Future of the Global Economy*, (New York: Harper Perennial, 2009); Author Naomi Klein explores crisis through the notion of disaster capitalism and neoliberalism. Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism*, (Toronto: Alfred A. Knopf Canada, 2007). A text that I have returned to several times through the dissertation to clarify my position on crisis and crisis narratives is the JAE issue dedicated to "Crisis" which has been particularly useful: *Journal of Architectural Education* 69, no. 1 (2015); and *Architectural Histories*, 1(1), Art. 17. (2013).

¹⁰ The Harvard-MIT Joint Center for Urban Studies—which was supported by the Ford Foundation to address the intellectual and policy issues "confronting a nation experiencing widespread demographic, economic and social changes,"—published a set of essays called *The Metropolitan Enigma: Inquiries into the Nature and Dimensions of America's "Urban Crisis"* in 1968. Interestingly, their deliberate quotes around the word "urban crisis" instantly gave the term imprecision, and allowed a spectrum of responses and negotiable alternatives to respond to the implied urgencies of crises.

This dissertation will not focus on theorizing crisis as a category as there already exists literature on the subject.¹¹ What this dissertation will engage with are the crisis narratives that emanated from New York City in the period, which spoke about the city through nostalgia, fear, pragmatism, cynicism, and hope and that was internalized into the political, journalistic, literary and policy-driven vocabulary. They were deployed by both public and private sector actors at various times to legitimize policy and regulatory shifts to “manage” crises. Through the 1960s, New York City was struggling with a host of welfare programs it could no longer provide due to short-term and long-term debts.¹² The city experienced riots, protests, demonstrations and sit-ins for a myriad of causes and grievances, including the failures of urban renewal, destruction of historic landmarks, chronic shortage of housing, unrestrained office building construction and a nation-wide civil rights movement.

By the mid-1970s, New York was in crisis mode again. The city was now facing imminent bankruptcy and possible default of outstanding debt against the context of an international stock market crash and oil embargo. As New York approached bankruptcy towards the end of 1975, the city encountered strikes and protests yet again.¹³ With President Gerald Ford at the helm, the federal government took a stand not to bail out New York. Ford claimed the act would set a precedent for other cities and that the federal government should not assume a

¹¹ Refer to footnote 8.

¹² The dissertation’s chapters each discuss the nature of New York City’s debt through the 1960s and 1970s to some detail.

¹³The mid-70s saw a garbage strike, postal strike, transit strike, public school strike and a city-wide blackout. Chapter Four discusses the fiscal crisis in some detail.

burden that is not of its own making.¹⁴ He deemed New York symptomatic of all urban liberal centers in the country that routinely promised more than they can provide. While Ford lost subsequent elections, his position on New York City as emblematic of cities that offer benefits at the cost of taxpayer money endured.

Through this period there were publications, articles and reports on New York City's predicament: *The Threatened City*, *Exodus from Fun City*, *The Unheavenly City*, *A City Destroying Itself*, *The Death and Life of Great American Cities*, and *It's Not a Bad Crisis to Live In*, among others.¹⁵ Fortune and Time Magazine each ran special issues on the "economic and social demise of urban America" with New York City as the case study.¹⁶ Ford Foundation and Rockefeller Foundation supported studies on "inner city problems," which included research on the nature and causes of urban ghettos with the National Urban League and the Metropolitan Applied Research Center.¹⁷ Landmark films from the 1960s and 1970s shot on location due to mayor Lindsay's pioneering efforts at changing the processes of acquiring filming permits,

¹⁴ President Gerald Ford's position on the fiscal crisis can be gleaned from his speech given in 1975. President Gerald Ford, "Address to the National Press Club," October 29, 1975. The original documents are located in Box 18, "10/29/75 - Address to the National Press Club" of the President's Speeches and Statements: Reading Copies at the Gerald R. Ford Presidential Library. These were his exact words on New York's bankruptcy: "If we go on spending more than we have, providing more benefits and more services than we can pay for, then a day of reckoning will come to Washington and the whole country just as it has to New York City . . . When that day of reckoning comes, who will bail out the United States of America?"

¹⁵ New York (N.Y.), Mayor's Task Force on Urban Design and William S. Paley, *The Threatened City: A Report on the Design of the City of New York*, [New York]: [publisher not identified], 1967; "Exodus from Fun City," Time Magazine, February 24, 1967; Jon Soder, Edward Banfield, "The Unheavenly City," 1972; Richard J Whalen, "A City Destroying Itself: An Angry View Of New York," 1965; Jane Jacobs, *The Death and Life of Great American Cities*, 1961.

¹⁶ "A Special Issue on Business and the Urban Crisis," Fortune Magazine, January 1968.

¹⁷ Ford Foundation endowed the National Urban League and the Metropolitan Applied Research Center with over 17.8 million between 1966-1977 for research on Equal Opportunities in New York.

etched the image of gritty New York permanently in our minds—the Times Square of Midnight Cowboy(1968) and Taxi Driver (1976), the upper west side of The Panic in Needle Park (1971), Bushwick of The French Connection (1971) Williamsburg of Serpico (1973), Manhattan of Godfather (1972), Mean Streets (1973), Death Wish (1974) and Annie Hall (1977).

Two very distinct responses emerged from a spectrum of reactions to New York City’s problems. At one end, was the perception that suggested the city’s upheavals were the product of racial, social and economic inequities which needed to be addressed—a view shared by President Lyndon Johnson’s Kerner Commission for example.¹⁸ On the other end was the growing conservative movement that quite like Ford, believed the city’s difficult predicament was the product of urban liberalism, unbridled union powers, welfare overloads and an ever-expanding bureaucracy. Sociologists Patrick Moynihan, Nathan Glazer, and journalist Irving Kristol put forward these theories through publications such as Public Interest and National Review.¹⁹

In this milieu of crisis narratives, the rhetoric for participation, collaboration and engagement that emanated from both Republican and Democratic leaders in New York City (John Lindsay, Abraham Beame, Ed Koch and Governor Nelson Rockefeller) was key to the rise of the public-private partnership — best epitomized in one of Lindsay’s campaign speeches in 1965 when he said, “if New York were Pittsburgh, the Mellons could have done it all.”²⁰ In other

¹⁸ United States and National Advisory Commission on Civil Disorders, *The Kerner Report: The 1968 Report of the National Advisory Commission on Civil Disorders*, (New York: Pantheon Books, 1988). Mayor Lindsay was part of the Commission.

¹⁹ Public Interest was a quarterly neo-conservative public policy journal founded by Daniel Bell and Irving Kristol in 1965 that shut down in 2005. National Review is also a semi-monthly conservative magazine founded by the William F Buckley Jr. in 1955.

²⁰ Joseph P. Viteritti, *Summer in the City: John Lindsay, New York, and the American Dream*, (JHU Press, 2014), 111

words, New York City had become too big and complex and everyone, especially the business community, needed to pitch in. This rhetoric was as much about governments soliciting funds and expertise from the private sector as it was about curbing corporations from leaving the city by allowing them to be a part of the city's decision-making processes.

A second thread that determined the political and economic context of New York in the period was the rise of managerialism in urban governance in the 1960s. Managerialism included the organizational restructuring of governmental bureaucracies, seeking expertise and incentive structures, and operating with ideological confidence that the performance of all organizations including city government, can be optimized by the application of project management skills and theory.²¹ The Lindsay administration, for example, collaborated on research with universities and think tanks, appointed project management teams from consulting firms such as McKinsey and Company, and deployed research from New York City-Rand Institute as part of a broader management ethos to control and manage the “the major problems of urban life.”²² An advisory commission of twenty-six business leaders called the Economic Development Council was also formed in 1966 to “bridge the no man’s land of indifference between wall street and city hall.”²³ They lent management experts to city hall for accounting and organizing systems, headed nonprofits and advised the government on how to keep businesses from leaving New York City.

²¹ Chapter One discussed the rise of managerialism in urban governance in 1960s New York City to much detail.

²² Report to the Private Sector from Mayor John Lindsay,” Box 25, Folder Summer 1968: Private Programs, John Lindsay Archives, John Vliet Lindsay Papers (MS 592). Manuscripts and Archives, Yale University Library.

²³ Seth S King, “Business Leaders Joining Officials on City Problems,” *New York Times*, April 7, 1967.

City and state governments formulated new roles that could arbitrate between the government, business community and general public. The urban designer in city government who did not need to pass the civil service exams but worked with the Planning Commission; the landscape architect and historian as Parks Administrator who was appointed by the mayor, paid by a nonprofit Conservancy and reported to the Parks Commissioner; the urban planner and public administrator who becomes the CEO of a public-benefit corporation that existed outside of political jurisdictions and the oversight of voters and taxpayers.²⁴ These new positions claimed a critical distance both from their disciplines and from the government while assuming the narrative of expertise for better design, preservation and economic development.

A third thread that connects the various aspects of this dissertation is how both public and private sector actors reduced New York City's problems to its aesthetic register. This was as an essential strategy that allowed the intentions of redevelopment to be introduced as valid responses to the city's needs. It was also a crucial aspect of place marketing that valorized certain parts of the city as aesthetically pleasing, culturally significant, unique, safe and ready for investments, even as exclusionary mechanisms were incorporated in their very processes that promoted a particular type of use and user. For example, in Chapter One of this dissertation, Lindsay discusses the urban crisis by repeatedly emphasizing on New York City's appearance—the “dismal and shabby physical city,” the “visual anarchy of junkyards and billboards.”²⁵ In response, the

²⁴ Each of these newly roles and positions will appear in the dissertation's chapters. The urban designer in Chapter One, the Parks Administrator in Chapter Two and the CEO of a public-benefit corporation in Chapter Three.

²⁵ John Lindsay., “Remarks by Mayor John Lindsay before the Design-In Conference,” May 13, 1967, Box 70, John Vliet Lindsay Papers (MS 592). Manuscripts and Archives.

Planning Commission introduced discretionary zoning laws that were legislated to regulate both design and private sector investments. Similarly, Central Park is described by the New York Times in 1972 as the “20th-century ruin that nobody wanted,” a quote that appears in Chapter Two. It triggered a sense of urgency for the rehabilitation of Central Park to its picturesque Olmstedian 19th-century pastoral roots.²⁶ Planner Ed Logue changes the narrative of public housing in Chapter Three by explicitly highlighting how the new housing projects on Roosevelt Island were different from the tall and bleak tower-in-the-park model of urban renewal. In Chapter Four, laid off public sector employees paint a grim picture of New York City’s physical deterioration with the “Fear City” pamphlet, which was then used as a bargaining chip with the city government to protest the city’s austerity measures.

In essence, the dissertation unpacks the story of the quintessential postwar American city that came out of the 1950s into the tumultuous 1960s as a declining manufacturing base. By the end of the 1970s, New York had to compete for investments and resources with other urban centers, both nationally and internationally. To attract and keep place-based industries such as real estate and tourism, New York adopted the image of a clean and safe city that was suitable for middle-class families and corporations. Best echoed in the “I Heart New York” campaign of 1977 which is part of my fourth and final chapter, that cemented a new narrative for the city as a consumable and timeless given that was on the mend for economic development.

²⁶ “Zero for Central Park,” *New York Times*, January 22, 1975.

Existing Research

This dissertation is situated within a multidisciplinary field that reaches out to policy, urban design, planning, law and architectural, urban and real estate histories. Critical research on privatization has emerged from the disciplines of sociology, political economy, public policy, urban theory, and economics. Significant among them are economist Paul Starr's essays, "The Meaning of Privatization" and "The Limits of Privatization" that both present a very nuanced idea of privatization as a policy movement, idea, theory and rhetoric.²⁷

Historian Alice O'Connor's essay "Privatized City" discusses how the urban crisis energized the conservative movement that leads to a new model of the city—that she calls the "post-liberal city"—which embraced the rhetoric of privatization, free market choice, and government retrenchment.²⁸ Urban theorist Neil Brenner and geographer and theorist David Harvey have both discussed privatization through their formulation of the neoliberal moment at the end of the 1970s.²⁹ Sociologists Sharon Zukin and Thomas Lemke have discussed privatization through the notion of symbolic economy and neoliberal governmentality, respectively.³⁰

²⁷ Paul Starr, "The Limits of Privatization." *Proceedings of the Academy of Political Science* 36, no. 3 (1987): 124–37.; Paul Starr, "The Meaning of Privatization." *Yale Law & Policy Review* 6, no. 1 (1988): 6–41.

²⁸ Alice O'Connor, "The Privatized City The Manhattan Institute, the Urban Crisis, and the Conservative Counterrevolution in New York," *Journal of Urban History* 34, no. 2 (2008): 333–53.

²⁹ Neil Brenner and Theodore Nikolas, "Spaces of Neoliberalism: Urban Restructuring in North America and Western Europe," (Blackwell, 2002).

³⁰ Sharon Zukin, "Gentrification: Culture And Capital In The Urban Core," *Annual Review of Sociology* 13, no. 1 (1987): 129–47.

Both political theorist Susan Fainstein and art historian Rosalyn Deutsche have written extensively on urban politics and New York City. While Fainstein has focused on municipal regimes in the 1980s and their involvement in the city's urban development as part of economic development strategies, Deutsche speaks more directly to the relationship between art and urban politics. Urban planner Jerold Kayden and architect Michael Kwartler talk about the privatization of public space from the perspective of zoning and its impact on open space and public plazas in New York City.

There are other recent and excellent works that have unraveled the postwar moment in New York from multiple perspectives. Samuel Zipp's *Manhattan Projects*, McLain Clutter's *Imaginary Apparatus*, David Gissen's *Manhattan Atmospheres*, Mariana Mogilevich's *Summer in the City* and Mariam Greenberg's *Branding New York* have each offered a critical understanding of New York City politics and its intersections with architecture and urban development from the standpoint of public housing, film production, environmental history of interiors, Lindsay's mayoral tenure and the rise of city branding, respectively.

In this milieu, my dissertation offers a history of the transformation of the public realm in New York City that began in the tumultuous years of the 1960s. The research engages with privatization as more than an externally deployed economic or political constraint that operates through regulatory and legal mechanisms, but rather as a set of partnerships, transactions, and bargains between the government and the business community that transformed the funding, management and provision of public services and public goods in the city. In doing this, the dissertation offers the missing methodological apparatus to examine how architecture and its processes intersect the processes of privatization.

In keeping with the transdisciplinary nature of the project, my research has drawn from legislative, legal and planning documents, governmental reports and white papers, mayoral and administrative archives, newspaper and magazine archives, and architectural drawings, documents, and projects. I have relied on oral histories in the form of personally conducted interviews with urban planner Jonathan Barnett, lawyers Donald Elliott and Stephen Lefkowitz and architect Robert Stern, and previously recorded interviews with architect Kevin Lynch, commissioner Beverly Moss Spatt, urban theorist William Whyte, critic Ada Louise Huxtable, architect Richard Weinstein, and mayors John Lindsay and Ed Koch.³¹ Guy Debord, Jean Baudrillard, Georg Simmel, Henri Lefebvre and Leonardo Benevolo and their writings on the City are works I have returned to several times through the writing of this dissertation.³²

Public-Private

“It is as if, on finding two boxes labeled public and private, we were to open the private box and find two more boxes labeled public and private, which we would do again and again—opening even smaller boxes until we reached the individuals far inside, whom we could then split into respective offices and persons. If the

³¹ Beverly Moss Spatt’s interview is available at: *Interview of Beverly Moss Spatt by Sarah Dziedzic*, Greenwich Village Society for Historic Preservation Oral History Project, August 24, 2017. Richard Weinstein’s interview: *Interview with Richard S. Weinstein by Sharon Zane*, The Museum of Modern Art Oral History Program, June 7, 1994, The Museum of Modern Art. Some of William Whyte’s interviews and appearances are available at: William Whyte, *Night Watch, Today Show*, William Whyte Papers. Rockefeller Archive Center.

³² Guy Debord, *The society of the spectacle*. New York: Zone Books, 1994.; Jean Baudrillard, *Simulacra and Simulation*, Ann Arbor: University of Michigan Press, 1994.; Georg Simmel and Kurt H Wolff. *The sociology of Georg Simmel*, 1950.; Henri Lefebvre, *The production of space*. Oxford, OX, UK; Cambridge, Mass., USA: Blackwell, 1991. Leonardo Benevolo, *The History of the City*, (Cambridge, Mass.: MIT Press, 1980.

boxes have been assembled by reasonably competent lawyers, they may be extremely intricate and some will have misleading labels. But this complexity and the legal manipulation of the categories do not invalidate their usefulness or underlying meaning...public and private give us relative locations.”³³

Concepts such as privatization, private, public, public and private sector will appear several times in this dissertation. These are ideologically loaded terms. The quote above from sociologist Paul Starr highlights the fuzziness of their meaning and contends that notions such as public and private are relative, complementary and not absolute. This dissertation echoes this assertion at the onset. Public and private are not simple opposites as open and closed, or relational terms such as the whole are to the part. Nor do they have clear boundaries. The public can include the market and politics versus the family structure which is private. The public and private can also merely be defined as the state and market respectively. With classical liberalism’s divide between public and private, the relationship was close to that of transparent versus opaque, wherein the government is in the service of the public and hence transparent and accessible, versus the individual who has private rights against the state. Here again, there are nuances such as eminent domain where the government overrides private property rights for public use or when businesses control the workings of the government through lobbying activities. The fuzziness in the meanings of these terms, however, should not deter the importance of a discussion on the privatization of the public realm.

³³ Paul Starr, “The Meaning of Privatization,” *Yale Law & Policy Review* 6, no. 1 (1988): 6–41.

Chapter Overview

The dissertation's chapters are not chronological. Chapters One to Three center on a public-private partnership and the consequent restructuring of a public good, arranged around the broad rubrics of zoning, open space and housing. Chapter Four investigates the broader transformation of New York City in this period, from the 1960s to the 1980s through the notion of the image. The chapters reveal how privatization is not a straight directional shift, but rather a series of processes that work with inherited systems and institutions.

Chapter One examines discretionary zoning laws that were enacted in New York City in 1967 by the New York City Planning Commission in coordination with a new agency, the Urban Design Group (UDG). Discretionary zoning laws were markedly different from the existing rule-based zoning laws, as the Department of City Planning and the Planning Commission enforced them on a case-by-case basis through negotiations with individual developers and owners. In essence, they were the product of several very particular partnerships between the city government and developers, where the government offered tax benefits and floor area bonuses to developers in return for their investment in public benefits such as plazas and landmark preservation. Discretionary zoning laws gave rise to privately-owned public plazas and Special Zoning Districts. By studying the formation of the UDG and unpacking the first Special Zoning District, the chapter argues that with discretionary zoning laws, design came to be an administrative apparatus that certainly made developers comply with higher building and design standards. They also set processes of privatization in motion, that worked through bureaucracies and regulatory systems in coordination with developers and financiers.

Chapter Two investigates the formation of the Central Park Conservancy in 1980, which was the first privately-funded nonprofit to manage a public park in New York City. The

Conservancy was a partnership between the city and a nonprofit volunteer group for the management of Central Park at a time when it had fallen into a prolonged state of disrepair due to an underfunded Parks Department. The Conservancy gathered funds from individuals, businesses, and institutions for the day-to-day maintenance of Central Park on behalf of the New York City Parks Department. In return, the Conservancy wielded greater influence with permits and management decisions, while maintaining a Manhattan-centered donor agenda. The Conservancy institutionalized and corporatized volunteerism by spurring a culture of “giving back” with New Yorkers. Crucial to the fundraising was a rhetoric of urgency for the rehabilitation and restoration of Central Park to its “Olmstedian” roots—a picturesque refuge in the city—that depoliticized the project to aesthetic expression. This rhetoric of rehabilitation and restoration not only shaped the events and activities that were allowed in the park. They also defined the ideal public for Central Park through the issuing of permits. The chapter argues that the formation of a privately-funded Conservancy, specifically for the preservation and maintenance of one park in the heart of Manhattan in New York City was the capitalization of the value of Manhattan’s real estate to its parkland. By examining the Central Park Conservancy, the chapter questions the ways by which the privatization of park management has reinterpreted the idea of a public park.

Chapter Three looks at the public-benefit corporation Urban Development Corporation (UDC), which was formed by New York State in 1968 to increase mixed-income housing stock. It was bestowed with an unprecedented set of powers by Governor Nelson Rockefeller to generate revenue and sustain as a corporation without an overt dependence on federal funds. UDC achieved this by depending on direct investments from private sources and the sale of “moral obligation” bonds—bonds where the State is not legally, but only morally obligated to

replenish deficiencies in funds—among the general public. UDC’s projects were partnerships between the State and several nonprofit and for-profit private entities such as developers, industry groups, private civic organizations and the general public. This model allowed the UDC to acquire a unique institutional identity that brought together the roles of the planner, architect, developer, financier and manager within a single public-benefit corporation. The chapter centers on the trajectory of the UDC—from a public-benefit corporation in 1968 to bankruptcy and eventual reinvention as a technical and tax aid by 1980—and the development of the Roosevelt Island Development, to argue that the unconventional public-private partnership model of the UDC for housing was merely a reinterpretation of urban renewal, where the UDC merged social and economic objectives in an attempt to avoid the pitfalls of 1950s public housing. In the endeavor, the UDC shifted public housing from its focus on the aesthetically and socially undesirable tower-in-the-park model to mixed-income developments that were deemed more economically sustainable.

Chapter Four examines the Fear City (1975) and the I Heart New York (1977) campaigns to investigate how they mediated crises with images and rhetoric that were designed to provoke, seduce and disrupt, and which became currencies of exchange for a changing city. Both the Fear City and I Heart New York campaigns were crisis narratives, which mediated the upheavals of the moment to counter an existing perception of New York and reinforce a new one. There was a representational shift in the two campaigns from “Fear City” (a dystopic, negative reading of the city) to “I Heart New York” (a positive, even utopic presentation of New York) in a short span of two years, which was demonstrative of the growing importance of city branding and marketing. By the beginning of the 1980s, New York City was an idea and concept that everyone loved and aspired to visit—a state of mind much as Billy Joel sang about. This representational shift was in

the interest of place-based industries such as real estate, tourism, and finance, that had already replaced New York's manufacturing industry by the end of the 1970s.

Chapter One

The Laws of Persuasion: Zoning, Manageability and Manhattan's Special Theater District

On March 22, 1982, approximately 170 protesters were arrested in the Theater District of Manhattan, New York City while demonstrating against the impending demolition of the Astor, Gaiety, Morosco, Bijou and Helen Hayes historic theaters.¹ (Fig. 1.1, 1.2) The protesters had erected a temporary stage where famous Broadway performers such as Jose Ferrer, Celeste Holm and Tammy Grimes read plays and gave speeches imploring mayor Ed Koch to save the theaters. Producer and director Joseph Papp started the “Save the Theaters” campaign that financially supported the protests and ran advertisements and articles in newspapers to promote the cause. Nevertheless, the theaters were demolished later that year, and replaced by the John Portman-designed Marriott Marquis Hotel. (Fig. 1.3, 1.4, 1.5) The project attracted criticism not only for its “awkward, gangling and out of touch” design that opaquely towered over the Theater District and Times Square, but also for its new 1500-seat Marquis Theater that was accessible only from the hotel’s third floor.²

The Marriott Marquis was the product of discretionary zoning laws that had been introduced by the New York City Planning Commission and Department of City Planning under Mayor John Lindsay’s leadership in 1967. With the assistance of the newly-convened Urban Design Group (UDG) and the newly-minted position of urban designer in city government, the Planning Commission amended existing rule-based zoning laws, which established standardized percentages and distributions of both land and air uses and light requirements that were applied uniformly across the city, to include discretionary zoning laws. This new type of zoning law

¹ Frank J. Prial, “Court Stay Lifted and Demolition Begins at Two Broadway Theaters,” *New York Times*, March 23, 1982.; Alan S. Oser, “Act 1 of a Zoning Drama in the Theater District,” *New York Times*, November 7, 1982.; and Carol Lawson, “Wrecking Halts at the Helen Hayes to Save Artworks,” *New York Times*, March 27, 1982.

² Paul Goldberger, “Marriott Marquis Hotel: An Edsel in Time Sq.?” *New York Times*, August 31, 1985.

could be enforced on a case-by-case basis through negotiations and bargains with individual developers, allowing the city government to incentivize private sector investments in public benefits such as plazas, parks and landmark preservation with zoning variances, floor area bonuses and tax abatements.

The Planning Commission also changed existing zoning practices by creating a number of Special Zoning Districts, which were areas with unique regulatory environments designed specifically for economic and land use control. The first of these Special Zoning Districts, established in 1968, was the Special Theater District in midtown Manhattan, which spanned between 40th to 57th Street and 8th Avenue to the Avenue of the Americas. This new designation allowed developers to demolish existing theaters provided that new theaters were included in the projects to be built in their place. Developers were further incentivized to incorporate theaters in new construction with a twenty percent floor space bonus. In his plan for the Marriott Marquis, Portman took advantage of these new regulations and proposed demolishing five old theaters. Although the project was supported by the mayor, intense protests led Portman to withdraw the proposal in 1973, though he later revived it in 1980 with the support of Koch, who had been elected mayor in 1978. The delay of seven years reflected New York City's changing political landscape, from the urban crisis years of the Lindsay era in the 1960s when the city was grappling with riots, protests and fiscal deficits, to the Koch years in the 1980s when the city emerged from near bankruptcy with a "pro-development mayor" who aggressively pursued all kinds of private investments to stabilize the economy.³

³ Jonathan M. Soffer, *Ed Koch and the Rebuilding of New York City*, (Columbia University Press, New York,) 2010, 261.

Zoning is a tool to simultaneously control and change the physical makeup of the city, through both law and persuasion. With discretionary zoning laws the powers of persuasion took precedence over the powers of law, with a host of participants coming to the negotiation table. The new zoning environment allowed the Lindsay administration to focus less on preventing harm by way of land use control, and more on capturing value through policies that sought a flexible and conciliatory attitude towards the private sector. Discretionary zoning laws have influenced the way New York City looks, spatially restructuring parts of the city and substantially increasing private sector investment in public amenities.⁴ Discretionary zoning laws have also conditioned the way New York City works, reconfiguring relationships between public and private sectors by way of partnerships that collapsed power and resources.

This chapter examines a shift in New York City's zoning environment in 1967 that entailed the exchange of investments for incentives between developers and the city government. In contrast to developers "wheeling and dealing," as the UDG glibly characterized it with politicians and lobbyists to build what they want, beginning in 1967, the city government chose to offer variances in return for benefits that developers would provide for the city. Richard Weinstein, who was one of the first architects to work at the UDG, aptly described their

⁴ Between 1961 and 2000, New York City built over 16 million additional square feet of floor area than what would have been allowed without discretionary zoning laws. The additional space was in return for over 500 plazas, arcades, and other outdoor and indoor spaces constituting 80 acres of space. By 2007, incentive zoning produced 503 privately owned public spaces at 320 buildings that were granted additional floor area or related waivers in exchange for providing these spaces. These include plazas, urban plazas, residential plazas, public plazas, elevated plazas, arcades, through block arcades, through block gallerias, through block connections, covered pedestrian spaces, sidewalk widenings, open air concourses, or other privately-owned public spaces specifically defined by New York City's Zoning Resolution and accompanying legal instruments. Urban planner Jerold Kayden, along with others, carried out a detailed study of these Privately Owned Public Spaces ("POPS"), which are shared at: <https://apops.mas.org/>

approach to urban development as “public benefits that flowed from variances.”⁵ The Planning Commission and the UDG considered the 1967 amendments imperative for New York City, since, in their opinion, the existing zoning laws were too prescriptive for a fast-changing city with many unique neighborhoods and shifting demographics. In this context, the Commission presented adaptability as key for New York City’s economic development.

Zoning has been studied extensively from a legal and historical point of view. It has also been studied through comparative case studies.⁶ This chapter offers an alternative perspective on zoning through an investigation into the bargains and negotiations that underlay the earliest discretionary zoning laws. Towards this end, the chapter unravels the formation of the Urban Design Group and the transformation of the Special Theater District in Manhattan from a deteriorating neighborhood into a tourist destination by the end of the 1970s. This study of discretionary zoning laws reveals the disciplinary intersections between architecture, urban

⁵ Sharon Zane, Interview with Richard Weinstein. *The Museum of Modern Art Oral History Program*, June 7, 1994, The Museum of Modern Art.

⁶ Some of the useful texts for studying zoning from a historic, legalistic and comparative perspective are: Melvyn R Durchslag, “Village of Euclid v. Ambler Realty Co., Seventy-Five Years Later: This Is Not Your Father’s Zoning Ordinance.” *Case W. Res. L. Rev.* 51 (2000): 645.; Jerold S. Kayden, *Incentive Zoning in New York City: A Cost-Benefit Analysis*. Lincoln Institute of Land Policy, 1978.; Alan S. Oser, “Act 1 of a Zoning Drama in the Theater District.” *New York Times*, November 7, 1982.; “The Constitutionality of Zoning Laws in New York.” *Columbia Law Review* 25, no. 8 (1925): 1047–52. <https://doi.org/10.2307/1114075>.; William A Fischel, *The Economics of Zoning Laws: A Property Rights Approach to American Land Use Controls*. JHU Press, 1987.; Rosalind Tough, and Gordon D MacDonald. “The New Zoning and New York City’s New Look.” *Land Economics* 41, no. 1 (1965): 41–48.; Bruce A. Rubin, “Architecture, Aesthetic Zoning, and the First Amendment.” *Stanford Law Review* 28, no. 1 (1975): 179–201. <https://doi.org/10.2307/1228231>.; Norman Marcus, “New York City Zoning-1961-1991: Turning Back The Clock-But With an Up-to-the-Minute Social Agenda,” *Fordham Urb. LJ* 19 (1991): 707.

design and planning, and their alliances with the political, legal and bureaucratic systems of city government.

The overhaul of zoning laws in 1967 was part of the Lindsay administration's crisis management at a time when several cities in the United States saw massive upheavals. In New York City alone, the Harlem riots of 1964 were followed by a twelve-day transit strike, a teachers' strike, a sanitation strike, and anti-urban renewal protests. References to the physical city and its "dismal" environment manifested in Lindsay's speeches and writings during his election bid in 1965 and after. There was an underlying notion of environmental determinism to this rhetoric that echoed nineteenth-century social reformers such as Jacob Riis and Charles Booth who proposed that living conditions shaped behavior and character.⁷ The Lindsay administration linked the urban crisis to the city's "visual anarchy," and hoped that improving the city's "physical presence" would in turn improve the ways in which the average New Yorker reacted to urban problems.⁸

Lindsay's aesthetic and formal concerns for the city obfuscated an underlying intent to stem the exodus of corporations from city's office towers that followed the white flight of the late 1950s and early 1960s.⁹ In the mid-1960s, Fortune 500 firms, law firms, and advertising

⁷ Charles Booth, *Life and Labour of the People in London*, London and New York: Macmillan and Co., 1892.; and Jacob A. Riis and Luc Sante, *How the Other Half Lives: Studies among the Tenements of New York*, New York: Penguin Books, 1997. In the aftermath of the Harlem riots of 1964 and the Watts riots of 1965, this notion was even echoed by the Federal Housing and Urban Department head Robert Weaver, when he blamed the "deprivations of the environment" as the primary causes of discontent among the urban poor.

⁸ New York (N.Y.), Mayor's Task Force on Urban Design., and William S. Paley. *The Threatened City: A Report on the Design of the City of New York*. [New York]: [publisher not identified], 1967.

⁹ Several companies left NYC at the time, such as Pepsico, American Can Company and General Telephone, among others. For more on the corporate exodus refer to: Kim Moody, *From Welfare State to Real Estate: Regime Change in New York City, 1974 to the Present*, New York: New Press:

agencies were leaving the city for suburban office complexes or other cities, citing reasons such as increasing property and commuter taxes, bad public-school systems, astronomical rents and excessive crime. The businesses and corporations that chose to remain in the city welcomed the renewed focus on regulating the physical appearance of the city, which not only increased property values, tourism, and investments, but also, and most importantly, restored New York's image as the financial nerve center of the country.¹⁰

As art historian Rosalyn Deutsche has articulated, portraying a city's urban problems as aesthetic in nature allows redevelopment to be introduced as a governmental response to city needs.¹¹ Discretionary zoning laws did just that. As laws, they helped encourage certain attributes of urbanism through regulations that made developers comply with higher building and design standards. They also set processes of privatization in motion that worked through bureaucracies and regulatory systems in coordination with developers and financiers. This new cooperation with the private sector was not universally embraced, however. As early as 1967, Commissioner Beverly Moss Spatt had openly criticized discretionary zoning laws and Special Zoning Districts with a dissenting report theatrically titled "Brightlights and Bottlenecks or Will Bonus Conquer

Distributed by W.W. Norton & Co., 2007, 13. For more on New York's transition, Robert Fitch, *The Assassination of New York*. Verso (April 17, 1996).

¹⁰ Image was very important for the business community in New York City even before the 60s. This is discussed to much detail in chapter 4, where I discuss the relationships between privatization and image.

¹¹ Rosalyn Deutsche, *Evictions: Art and Spatial Politics*, (Cambridge, Mass.: MIT Press, 1996). 55-57 As Deutsche theorized it, notions of beauty and utility furnished the alibi for redevelopment in the city and are presupposed to lie outside the socio-material conditions of the city. In *Evictions*, she connects this focus on urban aesthetics to the construction of image and profile.

All?”¹² In the report, she censured the city’s case-by-case enforcement of zoning laws, and the inadequate guidelines for and oversight of the bargains between city and developers, accusing the government of having opened “a Pandora’s box of tax incentives and floor area bonuses.” In Spatt’s opinion, discretionary zoning laws further complicated the implementation and enforcement of zoning laws, while rewarding developers who were already going to reap financial gains from the projects.¹³

The Urban Crisis and the Cause of the Physical City

The urban crisis was the crucible that catalyzed many of the policy shifts in New York City in the 1960s. This period saw prolonged urban unrest not just in New York City, but in Hartford, Baltimore, Washington DC, Newark and Camden, as well as other cities. The unrest was defined by riots, protests and marches drawing attention to issues such as racial inequity, civil rights, physical deterioration of cities and the failures of federal policies such as urban renewal. In New York City, the criticism of urban renewal centered around public official Robert Moses who had demolished neighborhoods and cherished landmarks, and racially segregated the city with bifurcating highways and public housing. Urban renewal in the United States was tied to Title I of the US Housing Act of 1949 that increased federal influence in slum clearance, the construction of public housing and mortgage insurance.¹⁴ By the mid-1960’s, Title I was a federal

¹² Beverly Moss Spatt, “Dissenting Report of Commissioner Beverly Moss Spatt: Brightlights and Bottlenecks or Will Bonus Conquer All?” New York City Planning Commission, November 1, 1967.

¹³ Ibid.

¹⁴ The term “urban renewal” first became a part of official terminology with the US Housing Act of 1954.

program that had mostly benefitted city officials, business interests, developers and big planning and architecture firms.¹⁵ The funds it provided for urban renewal had been utilized more for the building and expansion of hospitals, universities and cultural centers such as the Lincoln Center, than the construction of middle and lower income housing in New York. In this era, urban renewal drew criticism from across the political spectrum. Martin Anderson, a conservative at the Harvard-MIT Joint Center of Urban Studies, spoke of the policy as “very costly, destructive of personal liberty, and not capable of achieving the goals put forth by Congress.”¹⁶ Author and urbanist Jane Jacobs offered a liberal critique, calling urban renewal a “deleterious product” of planning and a “wistful myth” that assumed that money could wipe out slums.¹⁷ Both assessments unanimously pronounced urban renewal to have had a negative impact on the city.

The crises of the 1960s galvanized two additional responses that had a lasting impact on New York City politics. On the one end of the spectrum was the notion that the urban crisis was the product of the racial inequities of urban renewal policies themselves, which in part produced black ghettoization. This view was shared by president Lyndon Johnson’s Kerner Commission and their “Report of the National Advisory Commission on Civil Disorders” from 1968 that blamed housing, social services and the education system for the lack of opportunities among

¹⁵ SOM for example worked on several Title I projects such as Harlem Lenox Terrace and Corlears Hook projects with Robert Moses.

¹⁶ Martin Anderson, *The Federal Bulldozer; a Critical Analysis of Urban Renewal, 1949-1962*. Cambridge: M.I.T. Press, 1964. 16. He later became domestic policy adviser to president Ronald Reagan in the 1980s

¹⁷ Jane Jacobs, *The Death and Life of Great American Cities*, 1961.

black population. The Commission also blamed the mainstream media for looking at the country and its problems with “white men's eyes and white perspective.”¹⁸

On the other end was the conservative movement that rose to prominence through publications such as *The Public Interest* and *Commentary*, and individuals such as sociologist Patrick Moynihan, Nathan Glazer and journalist Irving Kristol who believed the urban crisis was the product of urban liberalism. In their opinion, while racial inequities did exist, the solution to urban problems was not an increase in federal and state funding with more Great Society programs, but rather the adoption of a fiscally conservative approach to urban policies that favored privatization, decentralization and retrenchment of government.¹⁹

Lindsay, who became the mayor of New York City in January 1966, was a moderate Republican who did not, overtly at least, subscribe to these extreme viewpoints on the urban crisis (although he was a member of the Kerner Commission). He spoke of “managing” the urban crisis in New York City through an overhaul of the city’s planning, programming and budgeting systems. His administration collaborated with the New York City-Rand Institute, appointed project management teams from consulting firms such as McKinsey and Company,

¹⁸ United States and National Advisory Commission on Civil Disorders. *The Kerner Report: The 1968 Report of the National Advisory Commission on Civil Disorders*. New York: Pantheon Books, 1988.

¹⁹ *Commentary Magazine* was edited by Norman Podhoretz from 1960 to 1995. Podhoretz was a liberal Democrat who turned neoconservative in the 1970s. The magazine published the very influential essay by Irving Kristol, “Urban Civilization & Its Discontents” on July 1, 1970. *Public Interest* was a neoconservative public policy journal founded by Daniel Bell and Irving Kristol in 1965. Bell left in 1973 as he believed the magazine was leaning too much to the right. Sociologist Nathan Glazer replaced him. The publication was discontinued in 2005.

Meridian Engineering and the Vera Institute, and sought members from the private sector to form volunteer-based task forces and advisory thinktanks.²⁰

Lindsay also worked with groups such as the Economic Development Council (EDC), which was headed by chairman of Chase Manhattan bank David Rockefeller, and whose members included the heads of Equitable Life Insurance, Nassau Smelting, Consolidated Edison, RH Macy and Company among others. The EDC was one of the earliest examples of the private sector actively influencing city government decisions and policies. Its members met with the mayor once a month, lent management experts to city hall for accounting and organizing systems, and headed nonprofits with slum redevelopment and job development goals.²¹ The EDC also recruited advertising agencies such as Young and Rubicam Inc. to find ways to assert the “symbolic economy” of New York City and “awaken public pride and confidence.”²² The resultant advertising campaign, titled “New York is New York, is there anywhere else?”, was designed to lure and keep industry in New York with ads placed in *The Wall Street Journal*, *The*

²⁰ Report to the Private Sector from Mayor John Lindsay,” Box 25, Folder Summer 1968: Private Programs, John Lindsay Archives, John Vliet Lindsay Papers (MS 592), Manuscripts and Archives, Yale University Library. Mayor John Lindsay and Henry S. Rowen of the Rand Corporation, announced the formation of the New York City-Rand Institute in 1969, which was a nonprofit corporation that was under the oversight of a board of trustees set up jointly by the City and Rand. The Institute conducted research on city government policy and operations. In all 250 analysts with business and public administration backgrounds were hired during his time in office. For more on the Rand-New York Corporation refer to: Peter L. Szanton, “Analysis and Urban Government: Experience of the New York City—Rand Institute,” *Policy Sciences* 3, no. 2 (1972): 153–61.

²¹ These monthly meetings with the mayor led to the formation of the New York City Public Development Corporation in 1966 that managed the city’s industrial parks and unused land by leasing public land for 99 years from the city, and then re-leasing the land to New York-based businesses to help initiate development projects. The Public Development Corporation was a semipublic agency, which was sanctioned by the city to control city owned land and issue bonds to finance tax-exempt industrial development projects.

²² Phillip H Dougherty, “Advertising: City in Drive to Lure Industry,” *New York Times*, September 8, 1967, sec. Advertising News. This reappears in Chapter Four.

New York Times and *The News* in 1968. While the EDC raised all the money for these ads, the city government offered research and publication facilities. (Fig. 1.6, 1.7)

Through the urban crisis years, New York City also remained the site for an intense ideological speculation on the condition of the city. In a 1967 white paper titled “The Threatened City,” written by Lindsay’s newly formed Task Force for Urban Design whose volunteer members included the architects Philip Johnson, Robert Stern and I.M Pei, New York City was characterized as a sick organism, whose existence was threatened by pathologies that needed treatment and intervention. New Yorkers in turn, were declared deadened by the city’s physical environment, which was encumbered by “depressingly blank architecture, arid street scenes, baleful housing” and “mock biblical municipal disasters”²³ The report quoted San Francisco-based critic Alan Temko who claimed to have moved to the West Coast because New York was spinning toward “Mumfordian doom and malignant weariness.” Temko portrayed the city as “over grown and over congested, ill managed and ill-kempt, usually sullen, sometimes violent and scarred by enormous gray areas.”²⁴

²³ Ibid. 9

²⁴ New York (N.Y.), Mayor’s Task Force on Urban Design., and William S. Paley. *The Threatened City: A Report on the Design of the City of New York*. [New York]: [publisher not identified], 1967, 4 The Threatened City report was accompanied by a series of documentaries made by WCBS under Paley’s guidance that were written by writer Gordon Hyatt, *Our Vanishing Legacy* (1961), *A Question of Values* (1964) and *A Fantasy of Forgotten Corners* (1966) that each belabored the need for better design and the preservation of the cultural heritage of New York and its aesthetics in the face of uncontrolled destruction. *Our Vanishing Legacy* in particular, was solemn and portentous in tone about the ill effects of renewal, specifically focusing on the destruction of Pennsylvania station in New York City calling the city “a big stage set put up for the acts of each generation, then struck from the skyline to make room for the new show.”

Likening the city to an organism that responded to a specific environment harkens back to some of the theories of the Chicago School of Sociology during the Progressive Era, when sociologist Robert Park pioneered the idea of urban ecology, wherein cities were theorized as living organisms that developed organically in “natural patterns” like ecosystems under forces similar to those of Darwinian evolution, engaged in a constant struggle for resources under varying factors. Blight, which was a term first used in reference to plant diseases, was transposed to the city as organism, to characterize decay in urban environments and societies.²⁵

Speaking of the dismal “physical environment” of the city to the American Institute of Architects, Lindsay identified design as “a weapon against crises.”²⁶ Architecture in New York had been neglected for more pressing issues such as crime, juvenile delinquency, race riots and slums.²⁷ The quality of architecture shaped the physical environment of the city, which as Lindsay surmised, shaped the human predicament, including the availability of jobs, friends and recreation in the city. The notion of “environment” that appears several times in Lindsay’s speeches, essays

²⁵ For more on their work, refer to: Robert E Park, Ernest W Burgess, and Roderick Duncan McKenzie, *The City* (University of Chicago Press, 1984).; Robert E. Park, *Human Communities: The City and Human Ecology*, vol. 2 (Free Press, 1952).; and Robert E Park, “The City: Suggestions for the Investigation of Human Behavior in the City Environment,” *The American Journal of Sociology* 20, no. 5 (1915): 577–612. The Chicago school referred to a group of scholars from the University of Chicago’s sociology department during the 1920s and 30s, who produced a large body of research on urban environments called “urban sociology.” Their work examined how social structures and environmental factors shaped human behavior over genetic and personal makeup. The group’s work was rigorous with data and data analysis. By placing quantitative and objective data over subjective theorizing, the Chicago School suggested a paradigm shift in sociology. Robert E. Park came to the department from a background in philosophy and journalism. Ernest Burgess came from urban ecology and geography. They brought in multiple perspectives to the study of urban environments.

²⁶ John Lindsay, “A Public Servant Looks at Design,” Box 53, Folder: American Institute of Architects (5/17/67), John Lindsay Archives, John Vliet Lindsay Papers (MS 592). Manuscripts and Archives, Yale University Library.

²⁷ John Lindsay, “Remarks by Mayor John Lindsay before the Design-In Conference,” May 13, 1967, Box 70, John Vliet Lindsay Papers (MS 592). Manuscripts and Archives, Yale University Library. 2

and letters, can be understood as a system that was the sum product of physical, natural, technological and cultural factors, together with the inhabitant.

This idea of the city as an interconnected set of distinctive parts reflected a number of emerging theories from that time. The ecological thinking of British anthropologist and cyberneticist Gregory Bateson, who associated the physical environment of the city with the cultural ideas of the urban public; the work of artist and theorist György Kepes, who reinforced the notion of the city as “collective form” where design and technology, visual perception and scientific innovation informed each other; and the Rockefeller Foundation-funded research between Kepes and architect Kevin Lynch, *The Perceptual Form of the City* (1956) that proposed the city as a visual environment that defined a person’s perception of place and time. Disruptions in this environment—pollution, demolition, and noise—disturbed the individual’s “biological rhythm,” with senses idling and bodies less used.²⁸

By the end of the 1960s, the urban crisis had helped delegitimize the notion that had been central to the city until that time: that the state can and did work for public good. Instead the dominant message prompted by the city government was for every individual to exercise a social responsibility and sentimental pride for his or her own neighborhood and the city. Discretionary zoning laws shored this rhetoric of participation with the introduction of bargains and incentives to the zoning process. They made the city’s responses to crises palatable to everyone—business

²⁸ “Enhancing the visual environment,” Kevin Lynch papers, MC 208, box 14, Folder: Environmental Perception: Research and Public Policy, 1976, Massachusetts Institute of Technology Institute Archives and Special Collections, Cambridge, Massachusetts.; Gregory Bateson, *Steps to an Ecology of Mind: Collected Essays in Anthropology, Psychiatry, Evolution, and Epistemology* (University of Chicago Press, 1972).; Architect Fumihiko Maki and Masato Ohtaka’s essay *Some Thoughts on Collective Form*, featured in the Kepes edited *Structure in Art and Science*, talks of a need for a new visual and formal language for the city which was not a homogenous whole but rather a “dynamic field of interrelated forces.”

community, developers, financiers, neighborhood associations and volunteer-led self-help groups—by bringing them to the negotiation table. The outsourcing of the construction and management of public facilities that transpired in these bargains, permanently transformed the public realm of the city.

While discretionary zoning laws were designed to dismantle a centralized, one-size-fits-all regulatory model, they in fact calibrated a lateral displacement to informal techniques of government, whereby the localization of the enforcement of zoning laws transferred control from one set of bureaucrats to another set of experts. Sociologist Thomas Lemke describes such displacements as the “prolongation of government” as against a dismantling or retreat of government, as they restructure power relations between the state and civil society actors.⁸⁸ The urban designer in city government was one such new actor who bridged the political and technical, between mayoral politics, urban policies, regulatory stipulations, contract documents and citizen demands. Lindsay’s Task Force described the role of the urban designer in city government as “providing a chassis” for private enterprise, while allowing the city government to be more effective with design decisions and facilitating partnerships with “good design” in mind.⁸⁹

The Zoning Overhaul of 1967 and the Urban Design Group (UDG)

Convened in 1967 by chairman of the Planning Commission and director of Department of City Planning Donald Elliott, the UDG began with architects Jacquelin Robertson, Richard Weinstein,

⁸⁸ Thomas Lemke, *Foucault, Governmentality, and Critique*, Boulder, (Colo.: Paradigm Publishers, 2011), 11. The idea of prolongation is discussed later in this chapter.

⁸⁹ Ibid. 17

Jonathan Barnett, Myles Weintraub and Giovanni Pasanella. The members of the UDG had already been part of the Lindsay election campaign in 1965 where they wrote white papers on architecture, design, and planning under the direction of Elliott. The UDG initially worked out of a central office within the Planning Commission and functioned much like an architectural partnership with operational independence.⁶⁰ They developed and commissioned concept designs for area development and renewal in the city, worked closely with other city agencies, and most importantly remained the central figures bargained in the field for quality design” on behalf of the city. (Fig. 1.9) Both Elliott and Barnett have described the UDG as a non-hierarchical group of newly graduated architects who believed the city needed regulations that involved developers at an early stage in order to implement complex planning initiatives.⁶¹ When creating the position of urban designer, Elliott turned to the Boston Redevelopment Authority (BDA) under Ed Logue as it was the only other planning department in the United States with urban designer positions already established by 1967. The urban designer position at UDG much like that at BDA, did not require civil service exams that had otherwise been mandatory for city employees.⁶²

⁶⁰ Jonathan Barnett, *Urban design as public policy; practical methods for improving cities*, (Architectural Record Books, New York, 1974), 8.

⁶¹ Donald Elliott, Interview with lawyer Donald Elliott, chairman of the New York City Planning Commission during the Lindsay Administration, Recorded interview in person at Bryant Rabbino LLC, New York City, July 22, 2016.; Jonathan Barnett, Interview with Jonathan Barnett, Recorded interview in person at the University of Pennsylvania, Philadelphia, May 23, 2016.

⁶² The Boston Development Authority (BDA) under Ed Logue had the position of the urban designer as early as 1965. In my interview with city planner Jonathan Barnett at the University of Pennsylvania, he spoke about calling up the BDA to ask about the civil service exams when he was told that they already had a Jr. Urban Designer, Asst. Urban Designer, Urban Designer, or as Barnett summed it, “a whole banana republic.” New York went on to create similar positions in the Planning Commission. The applicant is still expected to take an internal exam that focuses on the design portfolio and a technical oral exam.

Urban design had its disciplinary roots in the Harvard Urban Design Conference convened by architect and city planner José Luis Sert in 1956. It was a product of the 1950s when cities were receiving generous federal funds and subsidies specifically for urban causes.⁶³ At the conference in 1956, Sert outlined urban design as a collaborative effort between architecture, planning and landscape architecture, that dealt with the physical form of the city.⁶⁴ This disciplinary outlook changed by the 1960s with growing public suspicion of large-scale planning. If planning had alienated both the citizens and the business community with its totalizing and rigid stance towards the city by the 60s, the urban designer in city government was to arbitrate between these divisions. Barnett characterized the planner as a future-focused figure who was concerned with the allocation of resources, and the architect as a designer of buildings who responded to contract documents. The urban designer in comparison designed the city around the building with three-dimensional capacities that goes beyond “parceling out land for zoning purposes.”⁶⁵ Much like the architect, the urban designer interacts with different

⁶³ Jose Luis Sert started the first Master of Urban Design degree at Harvard University in 1960 after the Urban Design Conference in 1956 that argued for greater cooperation between the roles of architects, planners and landscape architects. The degree was a joint degree for students who already had professional degrees in architecture, landscape architecture or planning. Through the 60s, private organizations such as the Rockefeller Foundation sponsored programs for urban design research in the context of the “urban crisis” that popularized the concept. The foundation funded research projects with Jane Jacobs, Kevin Lynch, Ian McHarg, Christopher Tunnard, Edmund Bacon, Christopher Alexander among others. By the 70s and 80s, urban designers were part of city government all over the country. Please refer to: Jonathan Barnett, *An Introduction to Urban Design* (New York: Harper & Row, 1982).; Knud Bastlund, *José Luis Sert; Architecture, City Planning, Urban Design*. (New York: Praeger, 1967).; and Alex Krieger and William S. Saunders, *Urban Design* (Minneapolis: University of Minnesota Press, 2009).

⁶⁴ Eric Paul Mumford, *Defining Urban Design: CIAM Architects and the Formation of a Discipline, 1937-69*, (Yale University Press, New Haven, 2009). 45

⁶⁵ Jonathan Barnett, *An Introduction to Urban Design*, New York: Harper & Row, 1982.

professionals during the design and construction phase, however, according to Barnett, the scale is magnified to that of the city.

In 1967, the Planning Commission and the UDG started the process of amending New York City's zoning laws. In the words of deputy executive director of the New York Planning Commission Sidney J. Frigand, the city needed "strategies that would be adaptable to continuing change."⁶ However, how different were the 1967 amendments from what existing until then? New York City enacted its first citywide zoning law in 1916 which was the first comprehensive set of laws in the United States. Manhattan's borough president George McAneny and the chairman of the Heights of Buildings Commission Edward Bassett were the architects of the 1916 zoning laws. The primary objectives of the 1916 laws were the protection of the Fifth Avenue carriage trade and the regulation of the relatively new building type: the skyscraper.

At the turn of the century, Manhattan saw a speculative building boom owing to a new subway system and the rapid construction of loft buildings by garment manufacturers.⁶⁷ The Arthur Gilman and Edward Kendall designed Equitable Life Building on 120 Broadway in Manhattan was emblematic for the problems of unregulated skyscraper construction. It was built in 1870 in Manhattan with a floor area of 1.2 million square feet on an acre plot. The building created a wall on Broadway that blocked all light and air to the street.

In response to these issues, the 1916 zoning laws centrally focused on regulating density and the equitable provision of light and air. Restrictions were only imposed on a building's bulk

⁶ "Press Release 119-The New City: Architecture and Urban Renewal" (The Museum of Modern Art, December 11, 1967). 1

⁶⁷ David W. Dunlap, "Zoning Arrived 100 Years Ago. It Changed New York City Forever." New York Times, July 25, 2016, sec. NY/ Region.

and not on the height, as long as the building has setbacks from the street at certain heights. Architect Hugh Ferriss' drawings famously delineated the resultant tiered skyscrapers in 1922.⁶⁸ The 1916 zoning laws shaped New York City as continuous street walls, where buildings were attached to each other with retail storefronts and mixed uses. The restriction on density made small plots almost impossible to work with, while large plots engendered an interesting variety of responses such as Empire State building, RCA building, Central Park West among others.

A slew of zoning ordinances in small and large cities and villages in the United States and even Canada were modeled on the 1916 New York City zoning laws, in the aftermath of the United States Supreme Court case *Village of Euclid, v. Ambler Realty Co.* from 1926. The case was the first instance of zoning litigated in court. It was also the first time the Court upheld the state's police power in zoning. Ambler Realty owned substantial land in Euclid, a suburb of Cleveland. In an attempt to control the expansion of industrial Cleveland into Euclid, the village of Euclid passed zoning ordinances that effectively changed the land use of the property owned by Ambler Realty. This prevented Ambler Realty from developing the land exclusively for industrial use. They sued the village for the unreasonable extension of the village's "police power" that depreciated the value of their property in Euclid. The supreme court sided with the Village of Euclid, claiming that zoning ordinances were exercised for the greater "public welfare" and there was no substantial proof that Ambler realty was in fact suffering any loss, and that the claim of depreciation came from speculation only. The court's statement justified the role of police power in zoning by claiming that zoning ordinances were constitutional unless

⁶⁸ Hugh Ferriss, *The Metropolis of Tomorrow*. Princeton, N.J.: Princeton Architectural Press, 1986. They were commissioned by architect Harvey Wiley Corbett to draw "step-by-step perspectives" that showed the formal and architectural consequences of the new 1916 zoning laws.

clearly shown to be arbitrary, unreasonable, and without a "substantial relation to the public health, safety, morals, or general welfare."⁶⁹

Regulating pure aesthetic goals would be an encroachment upon the constitutional rights of private citizens. The government can control private development and its aesthetic outcome only through the police power of zoning laws when it is categorized under the rubrics of protecting the "health, safety, morals, and public welfare of citizens."⁷⁰ As clarified in another case *Berman v Parker* from 1954, the Supreme Court defined the concept of public welfare as including the spiritual, physical, aesthetic and monetary values of a community.⁷¹ The legislature could determine if a particular community is both "beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled," all under the rubrics of public welfare.⁷² The city government extends the police power of zoning as a legal instrument that reflects the collective values of citizens through the rubric of public welfare.

In 1961, New York City zoning laws were completely rewritten under the leadership of real estate developer and philanthropist James Felt.⁷³ This iteration responded to the drastic changes

⁶⁹ US Supreme Court, *Village of Euclid v. Ambler Realty Co.* 272 U.S. 365 (1926). Quote from Mary Spearing's "Landmark Preservation: The Problem of the Tax-Exempt Owner," *Fordham Urb. LJ* 3 (1974): 123.

⁷⁰ Jerold S. Kayden, "Understanding the " Code" of Codes." *Perspecta*, 2004.

⁷¹ *Berman v. Parker* (No. 22) 348 US 26, (US Supreme Court 1954). For more legal details refer to: <https://www.law.cornell.edu/supremecourt/text/348/26>.

⁷² *Ibid.*

⁷³ James Felt was the commissioner of the New York City Planning Commission before lawyer Donald Elliott. Felt had already been a part of many governmental and quasi-governmental agencies such as the City Housing Authority and the Mayor's Committee for Better Housing, when he became

the city had undergone since the 1930s with deindustrialization and suburbanization. The 1961 zoning laws were strict rule-based codes that had its intellectual origins in the ideals of modernism and urban renewal—clear distribution of land uses, air, light and public spaces regulated to standardized numbers and percentages, along with slum and blight removal. At the center of the 1961 zoning laws was the emblematic image of the Ludwig Mies van der Rohe-designed Seagram Building in midtown Manhattan with its thin and tall form that is set back from the street with a public plaza upfront.⁷⁴

Lawyer Norman Marcus, who was general counsel to the Planning Commission, likened the city shaped by the 1916 zoning laws to a patchwork quilt and that of the 1961 zoning laws to a maze.⁷⁵ This comparison is intriguing as it reflects the intrinsic differences between the two sets of zoning laws. The 1916 zoning laws shaped the city from the street with the existing context almost always defining the nature of the new development. It brought together an assemblage of different types of buildings that were sewn together in a quilt like fashion by the concept of the

commissioner. Felt's 1961 zoning resolution was in clear opposition to Robert Moses and his urban renewal in the city. The James Felt Papers are at the Avery Architectural and Fine Arts Library.

⁷⁴ The Seagram Building itself has an interesting history with the case, *Matter of Seagram Sons v. Tax Comm*, which was a New York Supreme Court case where the owners of Seagram Building, Joseph E Seagram and Sons, appealed the high property tax levied by the city. Property taxes are determined based on capitalized rent income and the possible cost of reproducing a similar building. The owners argued that the construction costs of the Seagram tower were clearly more than its capitalized rental value, thus appealing the city's property tax assessment. New York state tax commission ruled that the additional money invested in the building was for prestige and it should be taxed. The ruling brought out this idea that the additional costs that go into "prestige" had a rental value. Architectural Forum and New York Times debated this ruling and criticized it for possibly discouraging good architecture and the hiring of good architects.

⁷⁵ Norman Marcus, "New York City Zoning-1961-1991: Turning Back the Clock-But With an Up-to-the-Minute Social Agenda," *Fordham Urb. LJ* 19 (1991), 707.

street wall. In comparison, the 1961 zoning laws created a mazelike network of similar looking stand-alone buildings (think Seagram Building) that allowed streets to puncture through.

The 1961 zoning laws introduced several new concepts, namely Floor Area Ratio (FAR), Development Rights Transfer (TDR) and plaza bonuses. With FARs, plot area and use quantify achievable floor space. So, if the FAR for a certain zone was 10 and the plot size was 25,000 square feet, the building area would be 250,000 square feet, which in keeping with standard building setbacks would shape the shell of the building. While the 1916 codes allowed higher densities in larger plots, the 1961 codes shaped the city entirely based on FAR zoning values that divided the city based on uses. A second concept was that of Development Rights Transfer or TDRs, where the plot in consideration for the FAR calculation was not just restricted to the project site, but also all other plots owned by the developers within the same block. Unused FAR could then be transferred between plots. Developers could also lease an adjacent underused plot and transfer the unbuilt developable area of the leased plot to his or her project site. The transfer of development rights in 1961 created value to a plot “ahead of labor,” or in other words, value was ascribed to a building even before its construction merely through the concept of unused floor area.⁶⁶ A third concept was that of plaza bonuses, where an extra twenty percent floor area could be added to a new building if a public plaza—like in the case of the Seagram Building—was offered in the plot.⁶⁷

⁶⁶ Zoning, Politics of Zoning, “Development Rights Transfer in New York City,” *Economics* 158 (1967): 339.

⁶⁷ This incentivized public plaza came in for a lot of criticism as the decade progressed, as there were no prescriptions in the laws for the quality of plaza space in terms of material and facilities specifications, or sunlight and direction of the plazas. Manhattan saw a slew of such plazas—almost 500 of them in the next forty years—some of which are unusable and unsafe. According to Jerold Kayden roughly 40 percent of the plazas in New York by the year 2000 were useless, with “austere designs, no amenities and little or no direct sunlight.” Half of the buildings had spaces that were

When Elliott and his team at the UDG started amending zoning laws in 1966, they retained the concepts of FAR, TDR—later also called Air Rights Transfers—and plaza bonuses as important devices for the case-by-case nature of discretionary zoning laws. With Discretionary Zoning Laws, each plot and developer could individually approach the Planning Commission and the Department of Planning for specific negotiations. The city government followed a multi-stage legal procedure in each of these negotiations by seeking consensus between the Planning Commission, Department of City Planning and Board of Estimate, along with multiple public hearings. Negotiations with developers required the presence of Elliott and were conditional on hearings and public approvals.

The 1967 zoning amendments also signify the first time that landmark preservation of both public and private property became part of discretionary zoning laws. While preservation and zoning laws are enacted and enforced separately, they intersected in 1967.⁷⁸ The general counsel to the Planning Commission Norman Marcus, called the integration of zoning with preservation an arranged “shot-gun marriage” in 1967, where the city government offered incentives to developers for undertaking landmark preservation of privately owned buildings and places that represented the city’s cultural, social, economic, political, and architectural history.⁷⁹ Landmark preservation laws had been unpopular as developers and property owners had to bear

illegally closed or otherwise privatized. For more refer to: Jerold S. Kayden, “Meet Me at the Plaza,” *New York Times*, October 19, 2011, sec. The Opinion Pages. Jerold Kayden’s book *Privately Owned Public Space: The New York City Experience.*, is an excellent source for more details of the proliferation of plazas around New York after 1961.

⁷⁸The newly appointed Landmark Preservation Commission legislated landmark preservation laws in 1965.

⁷⁹ Mary Spearing, “Landmark Preservation: The Problem of the Tax-Exempt Owner.” *Fordham Urb. LJ* 3 (1974): 123.

its costs without any sort of control on the regulation.⁸⁰ However, the UDG and Planning Commission changed that with discretionary zoning laws, where they incentivized preservation by way of zoning.

The Special Theater District, Manhattan

In 1968, the Planning Commission and the Department of City Planning designated the area that spanned between 40th to 57th Street and 8th Avenue to the Avenue of the Americas, as the first Special Zoning District in New York City. (Fig. 1.8) The Special Zoning District was an area that maintained a unique regulatory environment for a variety of reasons: to jumpstart urban redevelopment, attract investments, encourage landmark preservation and shape architecture and design. The New York City Zoning Resolution describes the purpose of the Special Theater District as an attempt “to preserve, protect and promote the character of the area as the location of the world’s foremost concentration of legitimate theaters,” which helped the City of New York achieve “pre-eminent status as a cultural showcase, an office headquarters center, and a cosmopolitan residential community.”⁸¹

Among other purposes for the district was to “provide an incentive for possible redevelopment” of the area and provide “freedom of architectural design” so theaters could be

⁸⁰ Losses in market value that come from landmark designation are borne mostly by the private property owners. The designation is established through a complex process in which the owner participates, however without enough control. For more refer to “The problem with NYC’s Landmark Preservation,” in the *Defining ideas journal* by the New York Hoover Institution written by Richard A Epstein (April 20 2015). As part of the landmark preservation laws, the owner of a landmarked building was entitled to earn an annual return of six percent on the value of the property, or partial or complete tax exemption and remission of taxes in return for undertaking preservation.”

⁸¹ New York Zoning Resolution, Art. VIII: Special Purpose Districts, Ch. 1: Special Midtown District, § 81-06: Special Theater District, added pursuant to City Planning Report CP-20000 (Nov. 1, 1967).

accommodated within multiuse structures for the specific purposes of economic development.⁸²

While the legislation included design outlines for ground floor uses of buildings within the District—illuminated signs, signage and glazing—much of the regulatory language avoids specific design guidelines with broad subjective ideas such as “preservation of character and scale.”⁸³ The lack of specificity was a part of the intended legislative flexibility where each project in the District was to be a product of individual bargaining and negotiation.

The zoning resolution placed the theaters—or the Great White Way as it was colloquially called since the nineteenth Century—as the favorable anchors of the District. The Times Square area that abutted the Great White Way was quite the opposite. By the late 60s, the area between 42nd St and 7th and 8th avenue was declared the “worst block in town” by the New York Times due to its high crime rates. Writer Marshall Berman considered Times Square in the period as tipped with every national trend of urban decay, while author James Traub described the area as descending to a “feral state” at night.⁸⁴ Cinemas, theaters, and stores in the area had started to cater to the porn industry by the early 60s. There was undoubtedly an urgent need in the Lindsay administration to turn around Time Square and its physical deterioration for the economic wellbeing of the theater industry. More importantly, however, the west side presented yet

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Marshall Berman, *On the Town: One Hundred Years of Spectacle in Times Square* (New York: Random House, 2006). James Traub, *The Devil’s Playground: A Century of Pleasure and Profit in Times Square* (Random House, 2007), 243. The area between 42nd St and 7th and 8th avenue was declared the “worst block in town” by New York Times on March 14, 1960 with high crime rates. Movies such as *Midnight Cowboy* (1969), *French Connection* (1971), *Taxi Driver* (1976) and *Death Wish* (1974)—which were shot on location in New York and Times Square in the period, reflect the grimness and desolation of the period. See chapter 4 for more on Times Square.

underdeveloped land in Manhattan. The rapid building of office towers in the Upper East Side of New York in the early 60s had to be moved westwards, to prevent further congestion and overbuilding. Developers such as Seymour Durst of the Durst Organization had already begun assembling properties at low prices to the west of Sixth Avenue, with the idea that the city government would eventually clear out the porn industry of Times Square, leading the area into a property boom. The Theaters of the Great White Way were the economic foundations for this shift to the west side.⁵⁵

Construction was not discouraged within the District. Developers were instead persuaded to build and include theaters in their new projects in return for an incentive—a twenty percent bonus in floor area. With this, the FAR for some buildings in the Theater District jumped from 15 to 21.5, substantially increasing the density of built area. The Planning Commission and the UDG also amended development right transfers with respect to landmark buildings within the District where not only plots within the same block but also across the street and intersection, even with separate owners, could share unused development rights. The District’s old landmark buildings with unused development rights transformed into “battlegrounds” between owners, developers, and citizens.⁵⁶ The theater incentive in the District would go on to produce Circle in the Square, American Place, Minskoff and Marquis theaters among several others. (*Fig. 1.10*) As was argued by New York Times critic Paul Goldberger in the 80s, most of these newly built

⁵⁵ The Durst Organization, one of New York’s oldest real estate company developed the buildings, 114 W 47th St, 1155 Avenue of the Americas, 1133 Ave of the Americas, all in and around Times Square and the Theater District in the 70s and 80s. For more, see James W. Carrington, “New York City’s Theater Subdistrict and The Challenges of Special District Zoning,” (*Master of Science in City and Regional Planning thesis*, Pratt Institute, 2010).³⁵

⁵⁶ Paul Goldberger, “Architecture View; Theaters and Churches are the city’s new Battleground,” *New York Times*, May 30, 1982

theaters were not architecturally valued or economically viable, having only been constructed for the purposes of generous floor area incentives for new towers.⁸⁷

The Marriott Marquis hotel was one of the earliest product of discretionary zoning laws within the District. Completed in 1985 by architect-developer Portman and Western International Hotels, the Marriott Marquis is a fifty-story, 2000-room hotel with a thirty-seven-story atrium, and a theater on its third floor. The project introduced a new multiuse typology in New York City: the theater within a hotel. The hotel's H-shaped walls rise over Times Square cradling the theater on its lower floors. With the theater on the third floor, the hotel lobby is pushed up to the eighth floor of the building. While mayor Koch considered the Marriott Marquis a centerpiece in his efforts to revitalize the Theater District and Times Square, Portman admitted that the architecture was about disconnecting from the street, as "there was nothing there to relate to."⁸⁸ The proposal for Marriott Marquis provoked protests from members of the New York theater community both in 1973 and in the spring of 1982.

Following the protests of 1982, the Koch administration decided to pull back from its exclusive focus on incentivizing new theater construction to incentivize the preservation of existing buildings against redevelopment pressures instead. The Preservation Commission quickly designated over forty-four theaters and playhouses such as the Barrymore, John Golden and the Palace theaters as landmark buildings. In order to compensate theater owners for their restricted use due to landmark status, the city offered an additional twenty percent buildable area bonus to developers for the rehabilitation of theaters. If a theater was landmarked, any unused

⁸⁷ Paul Goldberger, "Theater Zone: Panacea or Problem," *New York Times*, October 1, 1983

⁸⁸ Karrie Jacobs, "Times Square (finally) grows up," *Architect Magazine*, December 29, 2015

FAR in the plot could be transferred to a non-contiguous plot where development was possible. This was called distant transfers.⁸⁹ This move broadening the very definition of contiguity and adjacency in the case of landmark buildings and Special Zoning Districts, where not only plots within the same block, but also across the street and intersection, even with separate owners could share unused development rights.

The Special Theater District did not manage to accelerate the area's redevelopment through the 70s, despite discretionary zoning. It was the 42nd Street Development Project, which was floated by the New York State-run public benefit Urban Development Corporation (UDC) that finally produced the results the city wanted.⁹⁰ The development was a 13-acre site that included two city blocks along 42nd Street between Broadway and 8th Avenue. The project proposal included a merchandise mart, office towers, entertainment-related facilities and the Liberty, Victory, Selwyn, Apollo, Times Square, Lyric and Empire theaters that were all protected from demolition. Developers were attracted to the area for the sizable tax abatements. By the end of the 80s, Times Square's porn industry was almost gone. It took along several historical and local bars, restaurants and small businesses. In 2001, the city government reconfigured the Special Theater District into the Special Theater Sub-District—which included the area west of Eighth Avenue from 42nd Street to 45th Street—in an effort to broaden the development right sharing zone.

⁸⁹ For more on distant transfers refer to: Furman Center for Real Estate and Urban Policy, "Buying Sky: The Market for Transferable Development Rights," October 2013.

⁹⁰ For more on the UDC and its eventual bankruptcy, refer to Chapter 3, which centers on the public-private partnerships that went into the development of Roosevelt Island.

Since 1968, the Planning Commission has designated over sixty-four special zoning districts in New York City. Within these districts, TDRs have become powerful devices to attract private sector investments. A third of the residential and commercial buildings constructed below Central Park in the last decade used development rights acquired from other lots.⁹¹ TDRs have allowed developers to build bigger buildings than what the zoning resolution would permit before the transfer. Discretionary zoning laws opened doors to the hyper-density of Manhattan in the years after 1967. In his article “How to Make Midtown Livable” from *New York Magazine*, urbanist William Whyte talked of the “canyon-like” and “physically menacing” effects of the density increase in Manhattan by 1981, where FAR bonuses led to the loss of the most important amenity available to the public: light and air.⁹² In the same article, Whyte also recounts the peculiar “fright plan” that developers used to work around the discretionary zoning system, where they would deliberately present the worst design for the plot and then negotiate improvements in return for better incentives.

As for the UDG, they were dispersed to smaller local offices by the mid-70s. Robertson moved to the newly convened Office of Mid-Town Planning and Development, Weinstein to the

⁹¹ In 1973, the city even started the practice of “banking” air rights to accelerate development. The city government first attempted this in the Special South Seaport District in Manhattan. Banked air rights could be accumulated in bulk by a private entity for later use. A group of banks headed by Chase Manhattan acquired over a million square feet of development rights in the district as security against the loans offered to the city for the establishment of South Street Seaport Museum.⁹² The banks sold about half a million square feet of those rights to developers for specific projects such as Continental Insurance Building at 180 Maiden Lane, 175 Water Street, and 199 Water Street. This was an attempt from the city to regulate new development in the District, without depending on individual developers and the whims of the market. Since the banks owned all air rights in the district, the value of the rights were effectively controlled. This was not the case with the Theater District where the value of the rights fluctuated with individual buying and selling patterns.

⁹² Ibid.

Office of Lower Manhattan Development, Barnett remained at the UDG, Pasanella quit, and Weintraub went back to his architectural practice. According to Elliott and Barnett, the new Koch administration perceived the UDG as an overly centralized agency that wielded too much leverage and control over all of New York City’s boroughs.” Koch had a general dislike for Lindsay era policies. While he retained the overhauls to the zoning system, he dismantled the UDG—a move summarized by Barnett as simply, “Koch hated Lindsay’s people.”³⁴

“Are our cities manageable?”³⁵

The above quote is the title from mayor Lindsay’s address to the American Society of Newspaper Editors on April 20, 1967. In the speech, the mayor who was just a year into his mayoral duties spoke of a “climate of fear” for the “man on the street,” and an impending ominous “war on crime” by a “humanized city government.”³⁶ The speech touched on all the familiar talking points—crime, pollution, housing, police and welfare. However, the question of manageability with respect to the big city stands out as a central anxiety that seemingly determined much of the city government’s rhetoric, ideology, and policies in the late 60s. The urban crisis of the 60s brought to light a moment when cities around the United States saw the gradual ebbing of federal money for urban centers. New York City was experiencing operational

³⁴ Jonathan Barnett, Interview with Jonathan Barnett, Recorded interview in person at the University of Pennsylvania, Philadelphia, May 23, 2016.

³⁵ Ibid.

³⁶ John Lindsay, “Are Big Cities Manageable? Address by John V Lindsay, Mayor of the City of New York before the American Society of Newspaper Editors,” April 20, 1967, Box 70, John Vliet Lindsay Papers (MS 592). Manuscripts and Archives, Yale University Library.

³⁷ Ibid.

deficits and frequently maturing short-term debts that would soon to come to a head by 1974 with the international oil embargo and stock market crash which is discussed in Chapter 4. While these problems had been developing much before Lindsay' time in 1967, they compounded during his tenure.

Lindsay's aesthetic and formal concerns for the physical city was part of his administration's crisis management. It was as much about changing the way the city looked, as it was about adapting and adjusting the way the city worked. In the cause of the physical city were undoubtedly ideas of a New York City that appeared cleaner, safer and more attractive for middle-class families and corporations. Fundamentally, however, the city government was outsourcing the provision and maintenance of public benefits via the mechanism of zoning, in order to reduce dependence on state and federal funds. As the brainchild of the UDG, discretionary zoning joined the forces of design, politics, and law to restructure urban development in New York City by engaging the private sector in ways that had never been done before.

The UDG's criticism of the rigid and uncompromising nature of the New York City zoning laws as it was in 1967, staked a claim for a new regulatory environment where, as Weinstein surmised, they subverted the wheeling and dealing of developers through bargains, negotiations and the localization of the enforcement of zoning laws. Localization meant the introduction of a new set of actors to the table—the urban designer, developer, owner, NGOs, citizen groups and individuals—who redefined entrenched and opaque bureaucratic practices and relations. The new environment offered channels for the privatization of the public realm by engaging private sector actors in decisions that were formerly monopolized by the public sector.

In an effort to preserve and accentuate its disciplinary boundaries and its role within government and city, urban design has been construed as the art of designing cities without the design of buildings.⁷ This distinction also serves to preserve the distinction between public and private interests in the urban setting, where the building is clearly identified as private property against the city, which is in the public domain. By outsourcing public benefits via discretionary zoning, the Lindsay administration allowed the real estate community in New York to wield greater influence on the quality, maintenance and use of public facilities and services. This shift in essence, complicated the notion of public interest as it increasingly came to be entangled with private rights and private profits. Zoning is a policy mechanism that is designed to protect public interest. However, with discretionary zoning laws, development that is in the public interest only exists due to the partnerships between city, developers and financiers. Maintaining economic activity in the private sector then, becomes an unwieldy part of public interest.

New York City was the first city in the United States to enact a complete set of zoning laws in 1916, which paved the way for other cities in the United States and around the world. Discretionary zoning laws had a similar effect. Since the 1970s, several cities in the United States and other parts of the world, such as Mumbai, Hong Kong and Sao Paulo have enacted similar zoning laws that operate through negotiations and incentives to demonstrate flexibility and pragmatism. In each case, they have engendered complex public-private partnerships. Between the years 1961 to 1975 alone, developers have shown to have gotten over 7.5 million square feet of additional floor area in incentives in New York City, totaling to an amount of \$186

⁷ This was most clearly articulated by Jonathan Barnett in *An Introduction to Urban Design*, (New York: Harper & Row, 1982).

million for spending approximately four million dollars on public benefits.* While the four million dollars-worth of public benefits can still be argued to be in the public interest, it does bear the question of the advantages of this form of exchange between the government and developers. This chapter asserts that in their results at least, discretionary zoning laws were a form of urban renewal. Urban renewal in the 1950s transformed large portions of the city through rule-based laws and federal funds. Discretionary zoning laws also managed much of the same. However, renewal this time was paid for by the local real estate community.

* William H. Whyte, "How to Make Midtown Livable," *New York Magazine*, March 9, 1981, 26 In New York City, discretionary laws have resulted in over 82 acres of privately-owned public spaces since 1967.

Chapter Two

The Moral Obligations of Debt: The Urban Development Corporation and Roosevelt
Island Development, 1968-1975

At a press conference in the Red Room of the Capitol in Albany on February 28, 1968, New York Governor Nelson Rockefeller announced the birth of a “revolutionary multibillion-dollar plan” to create a “special corporation with drastic powers” which would build low and moderate-income housing by raising capital from private and public sources.¹ The special corporation was the New York State Urban Development Corporation (UDC), which was started by Rockefeller in 1968 and headed by the planner and lawyer Ed Logue. Rockefeller cited the formation of UDC as part of “extreme measures before another summer begins” in the wake of countrywide riots in Birmingham, Chicago, New York, Minneapolis, Newark and Detroit among other cities in the summer of 1967.²

In the same year, President Lyndon Johnson convened the eleven-member Kerner Commission headed by Governor Otto Kerner to investigate the reasons for the repeated urban riots in the United States.³ The Commission’s report suggested that urban renewal, housing policies and the lack of opportunities among black population had led to “ghettoization,” and that grievances related to housing were one of the central factors in nearly every disorder in the cities they surveyed.⁴ The report proposed “racial integration” as a remedial measure. The

¹ Sydney Schanberg, “Governor Offers a \$6-Billion Plan to Rebuild Slums,” *New York Times*, February 28, 1968.

² The US experienced over 150 race riots in 1967. The media dubbed the year as the *long hot summer* with over 11,000 people arrested and over 74 deaths. For more on the riots refer to, Malcolm McLaughlin, *The Long, Hot Summer of 1967: Urban Rebellion in America*, 2014.; John S. Adams, “The Geography of Riots and Civil Disorders in the 1960s,” *Economic Geography* 48, no. 1 (1972): 24–42.

³ United States and National Advisory Commission on Civil Disorders, *The Kerner Report: The 1968 Report of the National Advisory Commission on Civil Disorders*, (New York: Pantheon Books, 1988).; Angus Campbell et al., *Supplemental Studies for the National Advisory Commission on Civil Disorders*. (New York: Praeger, 1968).

⁴ Ibid.

Commission proposed the construction of over six million new low-and middle-income housing units with “a thrust in non-ghetto areas.”⁵ The report marked an end to the “towers in the park” model of urban renewal that relied on state funds.⁶ Instead, the federal government pushed for mixed-income smaller-scaled housing that private entities could build and manage in return for governmental subsidies and tax benefits.⁷

The UDC was the product of this moment in 1968 when New York was experiencing a severe shortage of housing. The number of renter-occupied low-income housing had dropped by sixty-six percent between 1950 and 1960 in New York City. Nationally, renter households in the lowest twenty percent of the income distribution were spending over forty percent of their incomes on housing.⁸ Some of the primary deterrents to publicly-owned and managed housing were high cost of constructing and operating housing units, high rates of housing abandonment,

⁵ Ibid.

⁶ The Tower in the Park referred to tall public housing projects that were designed as stand-alone buildings with open space around them, as against urban slum sprawl that spread horizontally with little open space. Chapter One discusses the term ‘blight.’ Owing to its vagueness of meaning, “blight” became a rhetorical device that allowed renewal advocates in cities to reorganize property rights and assert the detrimental effects of certain dangerous neighborhoods on the rest of the city. For more refer to: Robert E. Park, Ernest W Burgess, and Roderick Duncan McKenzie, *The City* (University of Chicago Press, 1984).

⁷ Building more mixed-income smaller-scaled housing was not easy in 1968. Since the end of the Second World War, the federal government had been assisting middle-income families with home ownership by offering low-interest mortgages and loans. They were the demographic marked to pay their taxes and help stabilize rent and property values. As a result, a divide had already taken place along racial lines with suburbs thriving and city centers teeming with public housing. When the federal government proposed more mixed-income housing in the 1960s, they were aware it would only be possible with private sector support.

⁸ Committee on Housing Statistics, “Housing Statistics Handbook, Basic Housing Statistics, The City of New York,” November 1967, Box 243, *Cities-Housing 1967*, Edward Joseph Logue Papers (MS 959). Manuscripts and Archives, Yale University Library.

and racially-charged vociferous voter opposition to funding and accommodating low-income housing units.⁹ At the time, there were two national urban development and housing programs that exclusively focused on low-income housing. One was the mammoth urban renewal program that was attached to Title I of the US Housing Act of 1949 that increased federal influence in slum clearance and the construction of public housing. The second was President Lyndon Johnson's Model Cities program that had only been introduced in 1966 as part of the Great Society set of programs. The program began as a remedial strategy to urban renewal. It provided federal funding to municipalities and local agencies in support of projects that addressed both the physical and social needs of "model neighborhoods" in the country.¹⁰

Between 1949 and 1967, renewal agencies cleared over two thousand acres for urban renewal in New York. They rebuilt only two hundred acres with new housing projects. These projects each took the agencies an average of thirteen years to complete. As of 1968, New York State had over one hundred and fifty stalled urban renewal projects. Rockefeller put down the

⁹ Voters refused to authorize subsidies for public housing in referendums held in 1964 and 65 in New York State. Upstate New York voters did not want to pay higher taxes or accommodate poorer families in their communities. Ed Logue mentions the problems of getting voter approval for public housing several times in his writings.

¹⁰ Model Cities' goals included comprehensive planning, rebuilding, rehabilitation, social service delivery, and citizen participation. Model Cities faced much criticism for being too broad and ambitious, and not nearly as effective. The federal government discontinued the program in 1974. Its success and failure as a program have been debated, most recently by Susanne Schindler, "Making Sense of Model Cities," *The Architectural League's Urban Omnibus*, November 1, 2016. Also refer to, Bernard J. Frieden and Marshall Kaplan, *The Politics of Neglect: Urban Aid from Model Cities to Revenue Sharing* (Cambridge, Mass.: MIT Press, 1977).; and Charles M. Haar, *Between the Idea and the Reality: A Study in the Origin, Fate, and Legacy of the Model Cities Program* (Boston: Little, Brown, 1975).

slow pace to bureaucratic red tape, petty politics at the local level and a lack of incentives to attract private developers into urban renewal."

In the hopes of working around these problems, Rockefeller bestowed the UDC with an unprecedented set of powers. It was one of the earliest organizations of the scale in the United States that could gather capital resources in the form of funds, loans, grants and subsidies from both public and private sources, and initiate and partner with the private sector in the design, construction, and management of projects. It could raise capital by issuing long-terms bonds and short-term notes.¹² It could sell or lease its interest in any project at any time and reinvest the interest, income or profit towards the payment of outstanding bonds or notes. Most importantly, the UDC did not need voter approval for any of its functions. In essence, the UDC operated as a hybrid entity between private firms and public agencies. It brought together the roles of a planner, architect, developer, financier and manager within a single public-benefit corporation to acquire and clear land, finance, design, build and manage a project.

Between 1968 and 1975, UDC built low, moderate and market-rate housing along with commercial, industrial and civic projects. It experimented with new housing typologies that resulted from mixing income groups, densities and uses. It championed new and established architects, planners and landscape architects. It partnered with developers, institutions, renewal agencies and city governments at various stages of the project. Some of their projects include

¹¹ Sydney Schanberg, "Governor Offers a \$6-Billion Plan to Rebuild Slums." *New York Times*, February 28, 1968.

¹² A bond is a form of loan where the company that issues the bond borrows money from the public. The company agrees to repay the bond at a certain time and predetermined interest rate. The issuing company makes periodic interest payments to its bondholders. It also repays the principal amount at the end of the bond's term, or maturity date. For a simple description on types of bonds, please refer to <https://investor.gov/introduction-investing/basics/investment-products/bonds>.

Josep Lluís Sert's *Eastwood* and John Johansen and Ashok Bhavnani's *Island House* and *Rivercross* in Roosevelt Island (developed with Welfare Island Development Corporation and Turner Construction Company); Giovanni Pasanella's *Twin Parks* in the Bronx (developed with Starrett Brothers and Eken Development Corporation); and Kenneth Frampton's *Marcus Garvey Village* in Brooklyn (developed with the Institute for Architecture and Urban Studies). (Fig. 2.1, 2.2, 2.8, 2.9, 2.10) Outside the city, UDC built housing in Rochester, Ithaca, Syracuse, Niagara Falls and Buffalo among other cities and towns in New York.

This chapter examines UDC and its most complex housing project—Roosevelt Island development, to study the corporation's organizational, legal and financial mechanisms that were conceived and implemented to partner with the private sector for the construction of state-subsidized housing.¹³ The chapter argues that UDC's partnerships with the private sector were not tools of governmental devolution from state-subsidized housing. They were in fact, devices that helped expand the reach and scale of federal housing programs. UDC took on housing and urban renewal projects that nobody wanted to touch in New York and tried to make them profitable and “packaged” enough for the private sector to want to participate. As an organization, the UDC was not very different from urban renewal, in theory. With urban renewal, the federal government offered grants to local agencies to clear and acquire land. It was then handed over to private developers with the promise of Federal Housing Administration

¹³Public housing is housing that is financed, built, owned and managed by the state. Other terms that appear in this chapter are subsidized housing—housing that is supported by direct subsidies, rent supplements, below-market interest financing and mortgage insurance; Low-income housing—tied to area mean income (AMI) that is established locally and differs geographically; Affordable housing—housing where the mortgage or rent payments are not higher than 30% of the family's pre-tax income.

(FHA) backed mortgages and tax subsidies. What was different with the UDC was the way it maintained a renewal-like vision to housing while also accepting private sector monies, disregarding local zoning and building laws and entirely circumventing voter approvals. This allowed UDC to claim self-sufficiency and institutional autonomy in ways urban renewal agencies could never assert.

It was this claim to self-sufficiency that ultimately led to UDC's bankruptcy in 1975. By then, UDC had become the nation's largest developer of state-subsidized housing in all its forms with over one billion dollars' worth of projects halfway completed, one billion dollars in outstanding bonds and over one million in daily expenses.¹⁴ 1975 was the year when New York City was itself on the verge of bankruptcy. The stock market was in a slump and banks were refusing to take on UDC's debt, leaving them with no money to pay their ongoing obligations.¹⁵ Incoming governor Hugh Carey who followed Rockefeller, created the Moreland Commission as a response to the imminent collapse of UDC, to make a "thorough study of UDC operations, structure, finances and its relationship to other state agencies."¹⁶ A central part of this investigation was moral obligation financing, which according to the report, was at the core of the State's debt structure and its effect on the State's credit.

¹⁴ Urban Development Corporation, "New York State Urban Development Corporation Annual Report." 1971-75

¹⁵ New York State and Moreland Act Commission on the Urban Development Corporation, *Restoring Credit and Confidence: A Reform Program for New York State and Its Public Authorities: A Report to the Governor* ([Albany, N.Y.]: The Commission, 1976). 90.

¹⁶ Ibid.

The State of New York introduced moral obligation bonds for the first time in 1960 as a way of circumventing voter approval for the building of state-subsidized housing.¹⁷ While the UDC issued these bonds, the state was only morally and not legally bound to replenish the reserve when there was a deficiency of funds. What moral obligation bonds brought about was a condition of delusion where the State did not account for the bonds in the State debt.¹⁸ The governor always spoke of the State not spending a dime for these projects, often talking about UDC projects as paying their way. The Report called this a “euphoria” shared by government and business, “rhetoric of self-sufficiency” that eventually led UDC to take on too many risks.¹⁹

Existing research on UDC proposes the agency as indicative of “entrepreneurial undertaking” on the part of the State and as different from urban renewal, unravels it as a “social enterprise model” comparable to the Tennessee Valley Authority, and concentrates on its many housing and urban planning projects.²⁰ My chapter sees a gap in the existing research on the

¹⁷ Bond lawyer John N. Mitchell, who was involved in the Watergate scandal and later became United States Attorney General, is given credit for creating the moral obligation bond and its legal language. A moral obligation bond is a bond that permits the issuing government to appropriate funds to make up for any shortfall or in the service of debt. However, the government is only morally - and not legally – bound to this security. These bonds have a higher yield than general obligation bonds because of the risk. Also, interest income from moral obligation bonds is exempt from federal taxes and state taxes if the investor lives in the state or municipality issuing the debt. After the UDC debacle, moral obligation bonds got a bad rap.

¹⁸ New York (State)., and Moreland Act Commission on the Urban Development Corporation and Other State Financing Agencies. *Restoring Credit and Confidence: A Reform Program for New York State and Its Public Authorities: A Report to the Governor*. [Albany, N.Y.]: The Commission, 1976. 4

¹⁹ Ibid.

²⁰ Yonah Freemark's Master thesis from MIT discusses the UDC as an entrepreneurial state undertaking. Freemark unpacks the UDC and many of its projects and differentiates the agency from renewal. Yonah Freemark, “The Entrepreneurial State: New York’s Urban Development Corporation, an Experiment to Take Charge of Affordable Housing Production, 1968-1975” (Masters Thesis, Department of Urban Studies and Planning, Massachusetts Institute of Technology, 2013).

UDC. The public benefit corporation has not been sufficiently analyzed as the product of a particular historical moment in 1968 before New York's fiscal crisis and the Nixon moratorium on federal funding for programs in urban centers.²¹ It was a big government solution to the problem of low-income and moderate-income housing that came after the failures of urban renewal.

The UDC was very similar to a 1950s renewal agency. Lawyer Stephen Lefkowitz who was special counsel to UDC in 1968, identified the urban renewal components of the 1949 Housing Act as the foundation for the legislative language of the New York State Urban Development Corporation Act of 1968. Although there were several significant twists. By claiming autonomy and self-sufficiency, the UDC mimicked a private agency while still holding the powers of a public bureaucracy. This chapter posits UDC as a vital part of the evolutionary arc of private sector involvement in state-subsidized housing from urban renewal in the 1950s to the years after 1975, when housing laws veered from actually building housing units to rehabbing existing housing, direct cash assistance to low-income tenants, and subsidy and rent voucher programs to live in privately-owned and managed housing. As for the moral obligation bonds, the state government discontinued issuing them for funding capital projects in the years after the UDC debacle.

Eleanor Brilliant's book is another study of what she calls the social enterprise model of UDC. She compares the UDC to Tennessee Valley Authority in her book, *The Urban Development Corporation: Private Interests and Public Authority*. Brilliant wrote the book in 1975, right before the fall of UDC, which is only mentioned in an addendum to the book. Eleanor L. Brilliant, *The Urban Development Corporation: Private Interests and Public Authority*, (Lexington, Mass.: Lexington Books), 1975. Karen Kubey, "Low-Rise, High-Density Housing: A Contemporary View of Marcus Garvey Park Village," *Urban Omnibus*, (July 18, 2012), <http://urbanomnibus.net/2012/07/low-rise-high-density-housing-a-contemporary-view-of-marcus-garvey-park-village/>.

²¹ Chapter Four of this dissertation discusses the fiscal crisis to some detail.

Let There Be Commitment: Logue, Lindsay and Rockefeller

Logue was first invited by Mayor John Lindsay to New York City in 1967 to be the head of a new task force that studied the problems of housing and urban development. At the time, Logue was teaching at Boston University. He had previously been Development Administrator for the Boston Redevelopment Authority (BRA) under Mayor John Collins from 1960-67. During Logue's time at the BRA he oversaw the development of Government Center, Waterfront and Downtown Boston that accounted for the acquisition, rehabilitation and relocation of land, buildings, and people on a massive scale. Logue's work at the BRA evoked protests from Bostonians for its renewal and relocation policies that ultimately resulted in his loss in the Boston mayoral elections of 1967.²²

As part of Lindsay's task force in 1967, Logue published his findings in the report *Let There Be Commitment*. In his report, Logue started by declaring past and present housing, city planning and urban renewal programs as having failed to solve the problems of New York City's deteriorating neighborhoods and poverty. He instead suggested offsetting inadequate federal renewal and Model Cities funds with investments from private enterprise by making them aware of "their stake in the community."²³ He made a case for private investment by demonstrating how the federal government had only \$725 million available for renewal funds in 1966 when application requests from hundreds of cities exceeded 1.2 billion dollars. According to Logue,

²² Richard Schickel, "New York's Mr. Urban Renewal," *New York Times*, March 1, 1970.

²³ Study Group on New York Housing and Neighborhood Improvement, New York (N.Y.), and Office of the Mayor, "*Let There Be Commitment*": *A Housing, Planning [and] Development Program for New York City*. (New York, 1966). ii

New York City did not have the public resources from its treasury to finance its programs. Along with private sector investments, Logue prescribed state intervention over home rule for the city.²⁴

This divide between home rule and state intervention was an important distinction that goes back to the progressive era of the early 20th century when groups such as the National Municipal League advocated for local administration over what they considered to be the corrupt political machines of state politics. Home rule relies upon the distinction of the city as an independent social and economic entity.²⁵ This divide between state intervention and local government set the stage for the imminent opposition between governor Rockefeller and mayor Lindsay with the formation of UDC in the next year. The most intriguing part of the report however, was Logue's support of urban renewal in New York City as the most "flexible tool to achieve the goals of planning, housing, and development programs."²⁶ This endorsement came at a time in New York City's history when urban renewal had become the target of criticism from the media, academics, and citizens.²⁷ He however, distanced himself from Robert Moses' brand

²⁴ Ibid. 32

²⁵ Municipal home rule started in the Progressive Era of the early twentieth century in the United States. It involves a home rule charter that is the city's primary governing document over local issues. State law continues to prevail at the state level. Home rule offers local control and reduced state intervention in city affairs. For more, refer to "Home Rule and the New York Constitution," *Columbia Law Review* 66, no. 6 (1966): 1145–63 and <http://www.nlc.org/local-government-authority>

²⁶ Study Group on New York Housing and Neighborhood Improvement., New York (N.Y.), and Office of the Mayor., *"Let There Be Commitment": A Housing, Planning [and] Development Program for New York City*.

²⁷ Ibid.

of urban renewal by stressing on private investments and rehabilitation of existing neighborhoods over demolition and relocation.²⁸

City planner Robert Moses was urban renewal's most divisive and vilified figure from the 1950s in New York City. His legacy epitomized the automobile-centered city with public works as its spectacle.²⁹ During his time, Moses used urban renewal funds for the building and expansion of hospitals, universities and cultural centers such as the Lincoln Center, over the construction of low-income housing. To understand Logue's proposal for urban renewal, it is important to first unpack the intersections between urban renewal, federal funds, and federal housing policies as they existed before 1967.

Housing Policies and the Private Sector

Federally funded public housing began in the United States as a part of President Franklin Roosevelt's New Deal policies in 1933. The New Deal tied public housing to public works, with over forty-nine projects starting in thirty-six cities between 1933-39. The program included slum clearance and low-rent housing. The federal government did not want to get into competition with the private housing industry and drive the prices of housing down.³⁰ The first round of public housing included *First Houses* in East Village Manhattan (1936), and *Harlem River*

²⁸ David W. Dunlap, "Edward Logue, Visionary City Planner, Is Remembered," *New York Times*, April 23, 2000.

²⁹ As Robert Stern's book *New York 1960* recounts: Robert Moses built over 13 bridges, 416 miles of parkways, 658 playgrounds, and 150,000 housing units across the City of New York. The term "Public works as a spectacle" comes from Marshall Berman, *All That Is Solid Melts into Air: The Experience of Modernity*, (New York: Simon and Schuster, 1982). 300

³⁰ Christina Rosan and Yuan Huang, "Policy Shift: How the U.S Developed a Hybrid Model of Affordable Housing Provision" (Wilson Center, December 18, 2014). 11

Houses in Harlem, Manhattan (1937). The federal government started the FHA or the Federal Housing Authority that regulated the rate of interest and terms of housing mortgages in 1934. In 1937, the federal government created the United State Housing Administration (USHA), which offered loans to local authorities for ninety percent of the cost of slum clearance and housing. Both these agencies were a part of the Housing Act of 1934.

The Housing Act of 1949 was the first time the federal government enunciated its role in housing through legislation. When passed under president Harry Truman, the 1949 Act spoke of the government providing "a decent home and a suitable living environment for every American family."³¹ The act proposed 810,000 housing units for low-income families over six years by offering federal financing in the form of loans and grants for slum clearance to urban redevelopment agencies. The redevelopment agencies were to acquire and clear blighted land and then hand it over to the developers to build low-income housing and other improvements on the land, in accordance with the redevelopment plan. The grant had a matching local fund that was used to cover the difference of project costs to the local public agency and the amount that private redevelopers paid for the land. The 1949 Act also allowed United States government agencies such as the Federal Housing Agency (FHA) to provide mortgage financing to the private sector in order to expand housing for middle and upper-income families. The period saw the construction of *The Carver Houses* in Spanish Harlem, *Riis Houses* in East Village, Manhattan, and *Melrose Houses* in the Bronx (1952). It was only with the Housing Act of 1954

³¹ US Department of Housing and Urban Development, "Housing Act of 1949," Pub. L. No. Public Law 81-171 (1949).

that the federal government under president Dwight Eisenhower, used the words “urban renewal and urban blight” by name in legislation.³²

The Housing and Urban Development Act of 1968 was enacted a year after *Let There Be Commitment*. The Act coincided with the formation of UDC. The 1968 Act was the first time when the government articulated how it could solicit partnerships not just from nonprofits and cooperative entities, but also for-profit companies.³³ The bill was designed by senators Robert Kennedy (D-NY) and Charles Percy (R-IL) to make the process of building and managing public housing attractive for private enterprise. Called the “Magna Carta to liberate our cities” by President Lyndon B. Johnson, the Act addressed the urban crisis and housing shortages in US cities.³⁴ In his *Special Message to the Congress on Housing and Community Development* in January 1964, President Johnson spoke of the country’s requirement for more housing and orderly community development for a growing population. He proposed a national housing policy that along with low-income families, minorities and elders needed to encourage “more effective cooperation between government and industry for the joint benefit of homeowners, tenants, and the industry itself.”³⁵

³² US Department of Housing and Urban Development, “Housing Act of 1954,” Pub. L. No. Public Law 83-560 (1954).; John M. Clapp, “The Formation of Housing Policy in New York City, 1960-1970,” *Policy Sciences* 7, no. 1 (1976), 77–91.

³³ Alexander Von Hoffman, “Calling upon the Genius of Private Enterprise: The Housing and Urban Development Act of 1968 and the Liberal Turn to Public-Private Partnerships,” *Studies in American Political Development*, 27(2), 165-194. 166

³⁴ US Department of Housing and Urban Development, “Housing and Urban Development Act of 1968,” Pub. L. No. Public Law 90-448 (1968).

³⁵ Lyndon B. Johnson, "Special Message to the Congress on Housing and Community Development.," January 27, 1964. Available online by Gerhard Peters and John T. Woolley, The American Presidency Project. <http://www.presidency.ucsb.edu/ws/?pid=26035>.

President Johnson's comments alluded to this notion that was shared by President John F. Kennedy before him, which was to include the private sector with policies that encouraged the "private industry to build and finance more housing in the lower price ranges to meet the unfilled demands of moderate-income families."⁶ The 1968 Act proposed policies that would increase the supply of low and moderate-income housing by "1000 percent" with the promise that the public and private sectors have the capabilities necessary to the full realization of the national goal of "a decent home and a suitable living environment for every American family."⁷

President Johnson called for 300,000 new housing units for low and middle-income families in the next year and 26 million new units in the next decade. Organizations such as National League of Cities, National Housing Conference, US Conference of Mayors, and architects and planners supported the bill. Conservative organizations such as Mortgage Bankers Association of America and National Association of Real Estate Boards that usually resisted any form of state-sponsored housing policies also supported the bill. As a part of the Act, the federal government focused on offering interest-free loans for pre-construction expenses, technical assistance to nonprofit agencies, and guarantees for loans taken by private developers for the development of new communities.⁸ In the same year, Rockefeller invited Logue to be part of a larger state-supported agency for urban development that could generate jobs through the

⁶ Ibid.

⁷ US Department of Housing and Urban Development, "Housing and Urban Development Act of 1968," Pub. L. No. Public Law 90-448 (1968).

⁸ There were two new programs: Section 236 and 235. With the Section 236 program, the government provided an interest rate reduction payment to developers when they secured loans from private lenders for the building of low and moderate-income housing. Section 235 was focused on home ownership for middle-income families by offering government insured mortgages with no money down. It also subsidized interest payment to these mortgage loans to one percent.

construction of low and moderate-income housing in areas where it was not financially feasible for the private sector to do it alone.

Housing policy in the United States had included forms of industry and government collaboration before 1968. Guarantees for loans and mortgages, and tax concessions and abatements were offered to developers with the New Deal in the 1930s and the Mitchell Lama programs in the 1950s. In the years after 1968 and before 1975, UDC took these collaborations several steps further. It identified projects and potential associates such as private developers, development authorities, housing agencies, civic associations and community groups. It then brought the interested entities together to sign an agreement, form a community advisory committee and share responsibilities and costs. It then acquired land through purchase, condemnation or transfer from municipalities or urban renewal agencies. It got private developers to provide equity funds, oversee construction, and participate in the ownership and management of the project. In return, UDC arranged for subsidies from federal and state programs for the developers and charged a fee for costs and risks in the development of the project.

The Urban Development Corporation

“You must be reasonable, by that I don't mean agreeable.”⁹

The above quote is from an article in Life Magazine, “Bold Boston Gladiator—Ed Logue” from 1965, which was part of a special double issue on the American City. The article spreads over

⁹ Henry Grossman and Ted Polumbaum, “Bold Boston Gladiator—Ed Logue,” *Life Magazine*, no. Special Double Issue: The US City, Its Greatness is at Stake (December 24, 1965). 127.

several pages with pictures of Logue—then still a part of the BRA—as the brash and fast-paced administrator who was getting things done while being “passionately devoted to fitness, family, football, Yale and the city.”⁴⁰ A few years later in 1970 when Logue had already become the CEO of UDC, another article in the *New York Times* titled “New York’s Mr. Urban Renewal” painted a similar picture. In the article acquaintances and colleagues describe Logue as smooth and glib, autocratic enough to have “paper arrangements with paper tigers that could legitimize whatever he feels like doing,” and supportive of urban renewal a whole decade after Jane Jacobs’ powerful critique of 1950s urban planning policies.⁴¹

Nevertheless, as the article surmises Logue was the best choice for UDC as he could get things done on the fast track and because his work in New Haven and Boston had managed to attract more federal rebuilding funds than any other city in the United States.⁴² After his report *Let There be Commitment*, Lindsay wanted Logue to head a housing and renewal agency in New York City in 1967. Logue refused the position as he did not think it offered him enough power to circumnavigate the regulatory and bureaucratic hurdles of New York’s public housing.⁴³ When governor Rockefeller presented Logue the idea of UDC as the “agency with drastic powers over localities,” Logue accepted it.

⁴⁰ Ibid. 134

⁴¹ Richard Schickel, “New York’s Mr. Urban Renewal,” *New York Times*, March 1, 1970.

⁴² Ibid.

⁴³ Logue wanted to create a development administration that would control the City Planning Commission, which Lindsay apparently refused. For more refer to on the Lindsay-Logue relationship please refer to, “Bridging the Gap from Rhetoric to Reality: The New York State Urban Development Corporation.” *Architectural Forum*, no. 131 (November 1969): 70–73. 71

The Urban Development Corporation Act 174/68 was legislated on April 10, 1968. It describes UDC as a corporate governmental agency of the state that constitutes a public-benefit corporation.⁴³ As a public-benefit corporation, UDC was designed to “promote the safety, health, morals, and welfare of the people of the state of New York” by cultivating a vigorous economy that created new job opportunities, reduced unemployment and the level of public assistance, increased revenues and established diversified local economies. Much like urban renewal, UDC was to invigorate the economy by correcting “blight and deterioration” through “clearance, re-planning, reconstruction, redevelopment, rehabilitation, restoration, and conservation” of areas through “public and private improvement programs.”⁴⁴ To this end, UDC could provide or gather capital resources from the public and private sector for low and moderate-income housing, and industrial, manufacturing, commercial, educational, recreational and cultural facilities.

Organization

UDC was territorially decentralized in administration. Decisions were centrally controlled and authorized by Logue and Rockefeller, but action was decentralized. UDC created a subsidiary for each project, which would have its own set of directors and members to communicate with local officials, communities and developers.⁴⁵ The subsidiaries were formed on a project-to-project basis in accordance with private finance law to allow for quick financing of construction loans,

⁴³ New York State, “New York State Urban Development Corporation Act,” Pub. L. No. Chapter 174 of the Laws of 1968, 174/68.

⁴⁴ Ibid. § 2.

⁴⁵ For more on subsidiaries refer to, New York State, “New York State Urban Development Corporation Act,” Pub. L. No. Chapter 174 of the Laws of 1968, 174/68. § 12

mortgages, and tax exemptions. Real Estate lawyer Stephen Lefkowitz describes UDC subsidiaries as more than just field offices, as they had all the legal privileges of the Parent Corporation.⁷ UDC had nine central directors overall. Seven of these directors were appointed directly by the governor with the consent of the Senate. The directors each served a term of four years unless specified otherwise.⁸ The governor appointed the president and CEO of the corporation with the consent of the Senate (the first CEO was Ed Logue).

UDC also had business advisory and community advisory committees. The former consisted of twenty-five members that were representative of commerce, finance and the construction and housing industries. The council advised and made recommendations to the corporation with respect to private sector participation. The latter consisted of members who advised the Corporation on the local issues with respect to an area or project. The staff expanded from 6 to 60 within a year in their office located two blocks south of W 55th St off 5th Avenue. The main office had divisions for Program Development, Project Development, Design and Analysis, Financial Analysis, Construction, Processing, and Review.

Process

While Rockefeller gave UDC powers to supersede home rule, fear of opposition from mayors and local officials led the governor to write to sixty-two mayors around New York State asking for possible projects that could benefit with UDC's participation. In the first year, UDC examined stalled renewal projects in the state and launched several studies and reports for the

⁷ Mr. Stephen Lefkowitz, Interview between Mr. Stephen Lefkowitz and Deepa Ramaswamy, New York City, June 8, 2017.

⁸ New York State, "New York State Urban Development Corporation Act," Pub. L. No. Chapter 174 of the Laws of 1968, 174/68. § 4.

same. After some of the mayors sent requests for assistance, UDC started negotiations with potential associates—municipal governments, renewal agencies, community groups, housing foundations—and outlined the terms of negotiation. The outlines include sharing of costs and responsibilities. Then a community advisory committee was formed with local groups and officials. UDC chose a planner/architect and commissioned architectural, engineering and planning studies. It then acquired land from the municipal or urban renewal agency. At this stage, UDC formed a subsidiary, arranged financing and sought developers to provide funds, start and oversee construction, and participate in ownership and management. Each project had representatives from the general contractor, architects from the owners, supervisors from UDC and construction inspectors from the lending institution. If the UDC was self- designing, building and managing the project, none of this was required.

UDC also charged private developers and housing companies for payroll and overhead fees for packaging the development. These fees, which were a part of the agency's earnings and marked the difference between UDC and a renewal agency, were generally expected a few months after commencement of construction from developers. They were described as charges for services performed, risks borne and value contributed by UDC. As of 1971, these fees were 2.15% of project construction costs, and after 1971 the fees rose to 4% of estimated project costs.[»] In the years after 1975 when the UDCs bankruptcy was beginning to be investigated by the new governor, it was these fees that a lot of developers complained at length about as they thought it seemed steep for a governmental agency.

[»] New York State, "New York State Urban Development Corporation Act," Pub. L. No. Chapter 174 of the Laws of 1968, 174/68.

Despite all its powers and selling itself as the “investor-developer-owner-operator agency,” Logue knew early on that UDC should not get into construction or property management as it would tie up their capital in long-term investments. Moreover, local governments would not be able to collect any taxes from these projects as they were all tax exempt. UDC’s unique powers allowed speed and kept construction costs low. These projects would not have been affordable if the agency continued its relationships to projects after construction. History with public housing had already established by 1968 that problems arose with management and maintenance of state-subsidized housing and UDC was wary of getting involved long-term. Getting developers interested was not easy for the UDC. Many of its projects, especially in New York City, were stalled renewal projects. To make it attractive for developers, corporates, and individuals who chose to become partners, UDC offered deductions and tax benefits that in the words of UDC “often exceeded their investments in the project.”⁵⁰

UDC started the development of Welfare Island (later renamed Roosevelt Island) in 1969. (*Fig 3.3*) The Island was a narrow piece of land in the middle of East River that had remained untouched and physically disconnected from Manhattan for decades—the subway became active only in 1989. As an urban development project with a primary component of low and moderate-income housing in 1969, Roosevelt Island came to be one of UDC’s most complex, risky and visible projects. The history of the development of Roosevelt Island from 1969 to 1975 by UDC reveals the intersections between quasi-governmental agencies and housing policies in the late

⁵⁰ “Frank Kristof to Ed Logue October 28, 1970,” Edward Joseph Logue Papers (MS 959), series VIII, Box 239, Manuscripts and Archives, Yale University Library.

1960s, that were both legislated and enacted with the singular intention of soliciting participation from the private sector in low-income housing.

Roosevelt Island was what UDC called a “new-town-in-town” development—a term that was conceived by Harvey Perloff, the dean of the School of Architecture and Planning at UCLA.⁵¹ UDC preferred new town developments that proffered a “community scale” to the single function redevelopment projects of urban renewal. Town-in-town developments claimed to work with the existing fabric of the city and stressed on revitalization and mixed-use development with revenue producing uses and recreation, instead of slum and blight removal, demolition and relocation.⁵² One of the central themes to the new-town-in-town concept was the longer commitment of public and private sectors to projects, as they could extend from eight to twelve years.

Additionally, revenue from luxury apartments could be used to offset costs of low and moderate-income housing. New town developments were receiving federal funds under Title VII, Urban Growth and the Community Development Act passed by Congress in 1970. The Act provided federal support to private developers for new town developments through the Department of Housing and Urban Development. The program produced fourteen new towns including Roosevelt Island, Gananda, and Riverton in New York, and Flowermound and

⁵¹ Harvey S. Perloff, “New Towns in Town,” *Journal of the American Institute of Planners* 32, no. 3 (May 1, 1966): 155–61.

⁵² Also refer to, Harvey S. Perloff, “New Towns in Town,” *Journal of the American Institute of Planners* 32, no. 3 (May 1, 1966): 155–61; Ivan D. Steen, “New Town in the City: Edward J. Logue and His Vision for Roosevelt Island, New York,” *Journal of Planning History* 9, no. 3 (May 12, 2010), 183–97.

Woodlands in Texas, before the federal government scrapped it in 1976 with the Nixon moratorium. Roosevelt Island received over \$2.5 million in federal grants under Title VII.³³

Roosevelt Island was Logue’s vanity project, and he chased it from the time he joined UDC. In return for the Island, Lindsay asked Logue to work on eight stalled urban renewal projects, or “goat sites” as Logue characterized them, around New York City.³⁴ Roosevelt Island, unfortunately did not entirely turn out the way Logue envisioned it. It was stalled in 1976 due to a lack of funds after UDC went bankrupt and restarted in the 1980s when the F Line to Roosevelt Island subway station finally opened. While government-subsidized low-interest mortgages, tax abatements and sale of bonds helped build the mix of low-income, moderate-income and market rate housing on the island in the 1970s, the housing built since the 1980s are market-rate middle and upper-income housing built by private developers. As of 2017, the Cornell-Tech campus involving architects SOM, James Corner and Thom Mayne is set to open on the Island. UDC housing on the island in the early 1970s were a

From Welfare Island to Roosevelt Island

In 1968, Mayor Lindsay convened a committee to come up with proposals for the development of Welfare Island. The island went by many names—Minnehanonck by the Lenape tribe, Blackwell Island, Welfare Island and then in 1971, Roosevelt island. The island spans the length between East 46th and 85th St on Manhattan with a width of 800 feet and length of two miles,

³³ New York State, “New York State Urban Development Corporation Act,” Pub. L. No. Chapter 174 of the Laws of 1968, 174/68 (1968)

³⁴ Frank Kristof, “New York Urban Development Corp.: Build Now and Sign the Papers Later,” *National Real Estate Investor*, January 1972, 107–8.

measuring a total area of one hundred and fifty acres. As a piece of land that was visually connected and physically disconnected from Manhattan, the Island held particular interest for New Yorkers. The city has exploited this disconnect since the nineteenth century. The island remained land relegated for societal outcasts: the sick, dying, mentally unstable and criminal.⁵⁵ Through the nineteenth century the island had a penitentiary, asylum, workhouse, and hospital. Even though the Queensboro Bridge opened in 1909, it merely went over the island. The city government deliberately preserved the Island as a secluded outpost right until 1955 when the Welfare Island Bridge first opened from Queens.

The island's history is marked with Dickensian gloom and mystery. Charles Dickens himself visited the asylum and wrote about it in his *American Notes* in 1842 as a place of “naked ugliness and horror.”⁵⁶ The island also saw its first exposé by journalist Elizabeth Cochrane under the pen name Nelly Bly who pretended to be a Cuban lunatic to spend ten days in the asylum. She recounted the horrors of the asylum—which had more women than men—with the term “human rat trap.”⁵⁷ By the 1950s, the island was home to City Hospital and Gothic Nursing Home that were both in need of repair, and the Coler and Goldwater hospitals that had about 3200 long-term chronically ill patients. Other than the hospitals, the island was a training ground for the fire department.

⁵⁵ William Wallace Sanger, *The History of Prostitution: Its Extent, Causes and Effects throughout the World* (New York: AMS Press, 1974).

⁵⁶ Charles Dickens, *American Notes*. (Gloucester, Mass.: P. Smith, 1968).

⁵⁷ Nelly Bly, *Ten Days in a Mad-House*. [Charleston, S.C.] [CreateSpace], 2016

John Lindsay's Welfare Island Planning and Development Committee in 1967 had eighteen private citizens including architects Philip Johnson and John Burgee, investment banker Benno Schmidt, head of Planning Commission Donald Elliott, Jason Nathan from Housing and Development and August Heckscher from the Parks Department, among others.⁵⁸ They came up with a 141-page self-funded report that proposed the idea of a town-in-town development for the Island with a special purpose development corporation managing the entire development.⁵⁹ The central recommendations included retaining the two functioning hospitals in the island, demolishing all other buildings, adding four thousand new housing units with "higher aspirations in housing design," and adding a new subway station.⁶⁰

A Masterplan

*"I saw it as an opportunity to showcase urban design; I saw it as an opportunity to showcase economically and racially integrated living, because the great thing about a new town is the rules are set before you get there. There's nobody to displease because there's nobody there. And if they don't like our mix, well don't bother to come."*⁶¹

The above quote demonstrated Logue's ambition for Roosevelt Island when UDC began work on site in 1969. The project represented the bold and broad stroke Logue liked to make with urban

⁵⁸ Anthony Bailey, "Manhattan's Other Island," *New York Times*, December 1, 1974.; "The Island Nobody Knows" (Welfare Island Planning and Development Committee, January 1968), Introduction.

⁵⁹ Ibid. 11

⁶⁰ Ibid.

⁶¹ Ivan D Steen, "New Town in the City: Edward J. Logue and His Vision for Roosevelt Island, New York." *Journal of Planning History* 9, no. 3 (May 12, 2010), 183–97.

development. As mentioned earlier, Lindsay's relationship with Logue and Rockefeller had soured in the years after 1967, not just because Logue chose to work with the governor over him, but also because UDC's powers superseded that of the city government. UDC could disregard New York City zoning laws and building codes. Nevertheless, Lindsay agreed to UDC's incursion into Welfare Island in return for their involvement in eight stalled renewal projects. The City of New York and Ed Logue of UDC signed a 99-year lease on December 23, 1969. UDC created a new subsidiary called the Roosevelt Island Development Corporation (RIDC) to acquire land, provide initial capital for plans and studies, manage deals between private developers, offer subsidy money, choose architects, planners and construction companies, and become active partners in the housing partnership if needed.

UDC asked architects Philip Johnson and John Burgee to create a master plan for the island in 1969. It became part of the MoMA exhibition titled "The Island Nobody Knows" that was exhibited in the museum for three weeks in October that year. (Fig. 2.3, 2.4, 2.5) The New York Times, Architectural Record and Progressive Architecture favorably reviewed the exhibition and design that year.⁶² The master plan envisioned an automobile-free island with mixed-income housing, shared public facilities, a 2000 car garage and a free electrically powered internal mini-transit system. The plan depicted a continuous promenade through the island, a central Main street as the "spine of the island," two town centers facing the water, five sets of parks and four sets of buildings. (Fig. 2.6, 2.7) Islanders had to park cars in a parking structure

⁶² New York State Urban Development Corporation. *The Island Nobody Knows*. [New York], 1969.

called the Motorgate at the north end of town. The Main Street had no cross streets but pedestrian walkways.

The plan also called for housing for 20,000 people, a “multimix community” which was part middle-income, part low-income, with apartments, townhouses and housing for the single and elderly. The original development plan included 20% housing for federally assisted public housing, 20% for eligible members of section 236 of the National Housing Act, 35% for limited profit housing and 25% market-rate units. Islanders shared public facilities such as a school, daycare, shops, two indoor pools, 100,000 square feet of shopping facilities, 200,000 square feet of office space, 300 room hotel, fire station, police station and utility plants. The master plan also called for the preservation of some of the existing buildings on the island to “tie the future of the island to its past and present” and make the island into a community and not just a “housing project.”⁶³

The plan depicted apartment buildings as U-shaped buildings facing the water that were terraced up on the lower four floors. Burgee and Johnson called the stepping, the *Ghat of Beneras*. They deliberately left the architecture of the buildings vague in order to offer flexibility so that the buildings could accept “any architectural expression.”⁶⁴ Johnson later pronounced Roosevelt Island master plan as his “Jane Jacobs phase,” where buildings were “decent” not “grandiose monuments.”⁶⁵ The renderings by Ronald Love shows both an inward-looking view into the Island with a self-sufficient main street, people and urban accouterments such as book

⁶³ New York State Urban Development Corporation, *The Island Nobody Knows*, (New York, 1969), 9

⁶⁴ Ibid.

⁶⁵ Anthony Bailey, “Manhattan’s Other Island.” *New York Times*, December 1, 1974.

stores and benches, and an outward one that faces the waterfront view showing the outline of Manhattan and the bridge coming into the island.

The UDC started with first developing the northern part of the Island called Northtown. Architects John M. Johansen and Ashok Bhavnani designed *Island House* (1975) and *Rivercross* (1976). (Fig. 2.8) *Island House* and *Rivercross* were designed for middle-income housing with 410 and 365 units respectively. Both *Island House* and *Rivercross* are massive buildings constructed with the new material Corspan where panels clipped together without scaffolding, which according to Bhavnani was a cost-saving measure. Both buildings had arcades at the street level and stepped down towards the water. While Johnson-Burgee plan recommended only ten maximum floors for all buildings, both *Island House* and *Rivercross* were 20 floors each, with a variety of floor plans and internal courtyards facing the water. The Mitchell Lama Program was responsible for both these buildings. The Mitchell Lama Program from 1955 was part of the an early experiment in federal partnerships with the private sector for middle-income housing. Named after Senator MacNeil Mitchell and Assemblyman Alfred Lama, the Mitchell Lama Program appointed local agencies to acquire land under eminent domain. The federal government then handed over the land to developers to build rental and ownership housing for middle-income families. In return, developers received tax abatements and low-interest mortgages subsidized by the federal and state governments.⁶ There was one crucial detail to the program. Developers who prepaid their mortgages could get out of the subsidy program and become cooperatives in time. *Rivercross* eventually became a private co-op building.

⁶Qualifying projects received low interest mortgages for ninety percent of total cost plus long-term local tax abatements. For more on the Mitchell Lama program:
<http://www.nyshcr.org/Programs/Mitchell-Lama/>

Eastwood and *Westview* were both designed by Sert. (Fig. 2.9, 2.10) *Eastwood* has 1003 units for low and moderate-income families with 283 subsidized rental units for the elderly and physically challenged. Sert's design for *Eastwood* has four twenty-two story buildings that step towards the water that are connected by seven-story tall bar buildings that house internal courtyards. The tile decorated concrete buildings have skip-stop elevators that open every third floor, similar to Sert's design for *Peabody Terrace* in Cambridge. The main street front of these buildings has an arcade with shops, community facilities, and lobbies. The buildings accommodated a variety of families and floor plans in subsidized apartments: low-income, moderate income, disabled and elderly. *Westview* on the other hand has 400 units for middle-income families with a U-shaped building stepping towards the water with a central courtyard. The building was also a part of the Mitchell Lama program.

The Island also has the brutalist Kallmann and McKinnell designed *Motorgate*, a 1000 car garage that is in operation since 1974. (Fig. 2.11, 2.12) By 1976, in the absence of a subway station, a new tram service opened in the Island that connected it to the upper-east side of Manhattan. The James Renwick's *Small Pox Hospital* from 1856, the chapel from 1889 and the asylum tower from 1839 were all preserved on the island. While the basic ideas of the Johnson-Burgee plan were carried out, the details changed. Logue permitted higher density and taller buildings. Logue and his team scrapped the idea of opening courtyards to the water with the Ghats of Benares. they swapped it for internal courtyards with buildings facing the water. Even as early as 1971, Adam Yarmolinsky, the CEO for the Island and consultant Joan Davidson both

quit UDC subsidiary citing the changes to the Johnson Burgee master plan as one of the main reasons; Davidson called the project an “ill-conceived hodgepodge.”⁶⁷

The Bankruptcy

In 1971 UDC had sixty-three projects under construction, with eight commercial and industrial projects and 11,304 units of housing all over New York State.⁶⁸ By the end of 1974, the number of housing units had dropped to a mere 761, with just 305 units in New York City.⁶⁹ This drastic drop in housing units was a part of UDC’s realization that building low-income and moderate-income housing was tough in New York State. Firstly, developers did not want to get involved in renewal and stalled housing projects. Secondly, UDC could not write down land costs for low-income housing. Renewal agencies could acquire land, clear it and sell it to private developers at low costs. The difference between the sale price of the land and the cost of its original acquisition would be the land cost write down that was paid for by the federal government. UDC did not have this benefit. This meant that it had to depend on local renewal agencies to buy and clear land for low-income housing or find empty land. They had to then take on the role of the developer in these projects, as private entities did not seem keen on getting involved.⁷⁰ UDC proposed the idea of mixing incomes and age groups that came together in the 70-20-10 formula for housing, with 70 for middle and moderate income, 20 for low-income and 10 for the elderly.

⁶⁷ Ivan D. Steen, “New Town in the City: Edward J. Logue and His Vision for Roosevelt Island, New York.” *Journal of Planning History* 9, no. 3 (May 12, 2010): 183–97, 100

⁶⁸ Urban Development Corporation, “New York State Urban Development Corporation Annual Report,” 1971. 12

⁶⁹ Ibid.

⁷⁰ Ibid.

Mixed-income housing was getting difficult to pitch to developers and buyers in New York City and almost impossible in the suburbs.

By 1975, UDC was facing financial breakdown. Even as early as 1973 governor Rockefeller had already signed laws that limited UDC's extraordinary powers and also granted it additional bonding capacity. Later in the same year, Moody's lowered UDC bond rating from A to Baa 1. Shortly after, Governor Rockefeller resigned. Logue could only hold on until Feb 25, 1975. The incoming governor Hugh Carey created the Moreland Act Commission to study UDC's failures. The Report studied UDC's accountability as a public agency, its use of federal subsidies and its accomplishments in providing low and moderate-income housing, industrial facilities and community improvements. Lawyer Orville H. Schell Jr., the chairman of the Moreland Commission Act Report, oversaw the analysis of over half a million documents, public hearings of over 100 witnesses including Rockefeller and Wilson, and the leaders of the commercial and investment banking community who were involved in the distribution of UDC securities. The commission members also visited several UDC projects in NYC and the rest of the state. Moral Obligation bonds were found to be the culprit, for they allowed the State to accumulate risk without accounting for it. The bankers and investment community assumed that the state would not let the bonds go into default. So eventually when in 1975 UDC came to a state of collapse, this idea of selling moral obligation bonds to fund capital projects had to come to an end as well.

However, the Report did not only find faults with moral obligation bonds. In 1968, UDC declared the delays on capital projects as one of the central reasons for the housing shortage in New York State. In the following years, Logue started projects in rapid succession, which put UDC and the State in a condition where they had collected way more risk and commitments that

were provided for, with little attention paid to project feasibility and lender scrutiny.⁷¹ As the commission summarized, lender and developer functions should not be in the same agency. If they do come together, such an agency should not be taking on public financing of projects.⁷² At the end of 1975, it was announced by the Moreland Commission Act Report that UDC should focus on private borrowings instead of a public issue of bonds to continue the projects it had already begun. UDC defaulted on its notes but got enough financing to finish its projects that had already begun.⁷³

By March 1975 Rockefeller and Logue had both left the Corporation. UDC received \$140 million loans from state insurance funds to finish the projects it had already begun.⁷⁴ Businessman Richard Ravitch took over from Logue with the aims of completing 11,000 of UDC's 33,000 units. Their bonds had started trading at half the original value. While the Island had 2000 units completed in 1975, only 200 families were living in the Island by early 1976. There was no commercial activity on the Island, no tramway or subway, with cable cars only just beginning to get installed. The only way in and out of the island was the bridge link with Long Island in Queens. At this point in 1976, the project came to a standstill.

The project restarted only in 1981. The day-to-day operation of Roosevelt Island changed several hands. In May 1981, pursuant to a memorandum of understanding between UDC and the

⁷¹ Urban Development Corporation, "New York State Urban Development Corporation Annual Report," 1971. 10

⁷² Ibid.14

⁷³ Ibid. 130; Paul Montgomery, "Wilson Unit Asks Halt in New Financing by UDC," *New York Times*, December 27, 1974.

⁷⁴ Linda Greenhouse, "After 5 Months, the Crisis Mood at UDC Gives Way to a Steady Salvage Operation," *New York Times*, July 24, 1975.

New York State Division of Housing and Community Renewal (DHCR), responsibility for Roosevelt Island was assigned to DHCR. DHCR then assigned all of its rights and responsibilities to Safe Affordable Housing for Everyone, Inc. (SAHE), a corporation under the direct control of the Commissioner of DHCR who became responsible for the day-to-day operation of Roosevelt Island. With the north end of the Island already built in the 70s, work started on the rest of the Island. By 1989 Northtown II had 880 units at market rate with 223 units as part of Section 8 housing developed by real estate firm Starrett Corporation and designed by Gruzett Sampton. Southtown also called Riverwalk, is a nine-building project developed by Hudson and The Related Companies with 2000 rental and ownership units. Of the 2000 units built just 800 were affordable housing, where the rent does not exceed thirty percent of the family income per year.⁷⁵ On April 1, 1985, Roosevelt Island Operating Corporation (RIOC) took over the responsibilities for the operation, development, and security of Roosevelt Island. The state government organized RIOC as a public-benefit corporation and a political subdivision of the State of New York.⁷⁶

The RIOC took over from UDC, but it was not liable for UDC's debts. Its organizational structure consisted of nine directors that took on the powers of the Corporation. There were also elected public officials for the Island that were attending all meetings along with the directors. The chairperson of the board was the Commission of Housing and Community Renewal. The mission of the RIOC was to plan, design, develop, operate, maintain and manage Roosevelt Island. The agency was to provide public services, develop strategic partnerships and govern

⁷⁵ Ginia Bellafante, "Affordable Island in the Sun: Roosevelt Island Maintains Its Mix," *New York Times*, June 20, 2014.

⁷⁶ New York State, "By-Laws of Roosevelt Island Operating Corporation" (1984).

through legislation, bylaws, contractual obligations and local laws on the Island. Unlike UDC, the RIOC could not sell bonds. It could collect rents on ground leases, subsidies from the government and other private grants and loans. Like UDC however, the RIOC was tax exempt from city and state.⁷ Market rate developments have continued in Roosevelt Island since the 1980s. Most notably, the old Octagon—which was a part of the old Metropolitan Hospital on Roosevelt Island—was converted into luxury rentals by developers Becker + Becker Associates in 2007. A new applied science campus Cornell Tech that has attracted a bevy of architectural practices such as Morphosis and Skidmore Owings and Merrill required the demolition of the Coler-Goldwater Specialty Hospital.

As for the UDC, in the years after the near bankruptcy and rescue, it shifted focus to commercial and civic endeavors. Its primary objective shifted from housing to promoting economic development. The state government consolidated UDC with another public-benefit corporation, the Department of Economic Development (DED) to become the economic development arm of New York State.

Goodbye, Slum Razing; Hello, Grand Hyatt

The State government created UDC with the primary goal of resolving the housing shortage in New York. Pure public housing that was designed, built and managed by the government had already reached a point of unsustainability by the late 60s. Federal, state and municipal governments agreed that the private sector needed to be included and compensated for

⁷ Roosevelt Island Development Corporation, “The Roosevelt Island Development Corporation Public Authority Annual Report,” July 1, 1985.

participating in the housing industry. To this end, the New York state government created a public-benefit corporation such as the UDC in 1968 that reinterpreted urban renewal through the mechanisms of profit-making corporations. UDC took on dozens of stalled and unfinished urban renewal projects.

They availed of renewal, Mitchell Lama and Model Cities funds like renewal agencies. UDC's legislative language that identified sites suitable for projects was the same as 1950's urban renewal: "slum, blighted, substandard, unsanitary, deteriorated or deteriorating."⁸ The differences were that it did not exclusively focus on these kinds of sites. They also earned profits and sold bonds, built housing that mixed-incomes, uses and densities within town and city centers, and operated through project-based subsidiaries that brought together the roles of the architect, planner, developer and manager in one agency. Urban renewal agencies could never have kept pace with UDC's housing projects. The UDC was an experiment in partnerships between the public and private sector that maintaining governmental influence intact.

The near bankruptcy of UDC in 1975 was indicative of a bullish agency that took on way too many projects without enough support for their completion, and issued bonds that were not legally bound by the state's financial support. There was a certain Moses-like swagger and bluster to Logue in the way he pursued projects and single-mindedly focused on starting work on site, at all costs. UDC was in fact politically centralized while claiming administrative decentralization, where decisions were eventually in the hands of Logue and Rockefeller despite

⁸ New York State, "New York State Urban Development Corporation Act," Pub. L. No. Chapter 174 of the Laws of 1968, 174/68, 1968

subsidiary offices. Although the UDC solicited community groups and local citizens for its meetings, citizens carried absolutely no veto power. Citizen participation was made blunt by the UDC. The UDC was ultimately an agency that was supported by a powerful governor who conferred Logue with powers to take on these projects. When Rockefeller resigned, UDC lost its most important champion.

In other words, a public-benefit corporation such as UDC worked in the public interest like a governmental agency while simultaneously hoping to make profit like a private corporation with a board of directors that were appointed and not elected. However, what does “working in the public interest” really mean? Public interest is defined as the “aggregate of individual interests,” or “an effort to identify particular interests with general interests while camouflaging self-interested advocacy,” or even “what the majority of Congress and president says it is.”⁷⁹ For the purposes of this chapter, I would distill these definitions into a broad concept that a public-benefit corporation is legislated to work for the greater good of its shareholders—a group that in the case of UDC included residents, developers, investors, employees of the corporation and city government. As a hybrid entity between a private firm and a public agency that did not have elected officials, jurisdiction or voters, the UDC’s shareholders were also a hybrid group of individuals, groups and entities with varying expectations from their returns that could not all be satisfied.

By 1975 housing policy has taken a turn away from active government involvement in direct development subsidies to rent subsidies, where production of state-subsidized housing was

⁷⁹ Carol W. Lewis, “In Pursuit of the Public Interest,” *Public Administration Review* 66, no. 5 (2006), 694–701.; Frank Bealey, “Public Interest,” *Blackwell Dictionary of Political Science* (Oxford, UK: Blackwell, 1999).; Frederickson H. George and David Hart, “The Public Service and the Patriotism of Benevolence,” *Public Administration Review* 45, no. 5 (1985), 547–53.

handed over to the private sector with programs such as Section 8 and Hope VI. The Housing and Community Development Act of 1974 introduced the Section 8 program. The program allowed low-income families to choose housing from the market. The government would only step in to pay the difference between market rent rates and the prefixed percentage of tenant income that was required to qualify for subsidized housing.⁸⁰ With Hope VI program that began in the 90s, the federal government offered grants to developers to “revitalize” existing public housing units into mixed-income developments.⁸¹ In sheer numbers, between 1963 and 1978 the number of publicly owned housing units fell from 32000 to 3000 units.⁸² Even middle-income Mitchell Lama buildings have been slowly privatizing into cooperatives in New York City since the 1970s. As of 2016 only 95,000 units built under the Mitchell Lama program are still a part of the program.⁸³

The gradual devolvement of government in state-subsidized housing in the United States since 1975 eliminated the need for large public-benefit corporations dedicated to housing such as the UDC. UDC’s shift away from its central objective of increasing low and moderate-income housing stock in New York in the years after its near bankruptcy was characterized by Joseph P. Fried of the New York Times in 1979 as a “reversal from the enthusiastic social activism of the

⁸⁰ Richard Plunz, *A History of Housing in New York City: Dwelling Type and Social Change in the American Metropolis* (New York: Columbia University Press, 1990).

⁸¹ “When Hope Falls Short: HOPE VI, Accountability, and the Privatization of Public Housing,” *Harvard Law Review* 116, no. 5 (2003): 1477–98.

⁸² George Sternlieb and James W. Hughes, *America’s Housing: Prospects and Problems* (New Brunswick, N.J.: Center for Urban Policy Research, Rutgers University, 1980).

⁸³ The Mitchell Lama program and its problems have been well explained in: <http://citylimits.org/2016/03/02/the-seven-worries-of-new-york-citys-mitchell-lama-tenants/>

1960s to the sober economic realities of the 1970s.”⁴⁴ For Fried, UDC’s “earlier enthusiasms proved to be haunting” as it was their low and moderate-income housing projects that were most hit by its financial woes. The UDC of 1979 was “a cautiously run real estate enterprise” where projects were developer-centered mechanisms of economic development.

In most cases, UDC participation was as technical and tax aids. The article quotes UDC president Richard Kahan explaining their projects as those the “private sector can almost do without government participation, but we provide the last step to make it possible.” This characterization of UDC involvement in projects was a sea change from the time of Logue and Rockefeller when UDC was front and center of “socially desirable” but financially risky housing projects. UDC’s transition from a public-benefit corporation with sweeping powers of the 1960s to a cautiously run real estate enterprise of the 1980s is best encapsulated in the title of the same article: “Goodbye, Slum razing; Hello, Grand Hyatt.”⁴⁵

⁴⁴Joseph P. Fried, “Roosevelt I. Real Estate Agent Replaced,” *New York Times*, March 15, 1976.

⁴⁵Ibid.

Chapter Three

Cops and Flowers: How Central Park became a Self-Financing Enterprise

Between 1856 and 1873, landscape designers Frederick Law Olmsted and his partner Calvert Vaux tracked the value of the property immediately adjacent to Central Park in Manhattan. The study was their attempt to justify the public expenditure of thirteen million dollars that had been spent by the City of New York to buy and construct a park on the 840-acre land spanning 59^a and 106^b Streets in Manhattan. The land cost the city five million dollars, with local taxpayers having raised three million of this amount. The additional eight million dollars had been spent on the construction and development of Central Park itself.¹ The project had many early critics. Landowners and developers around Central Park were worried they would be paying taxes for a park that would become a “place for the working class and destitute” and a “great big beer garden for the lower denizens of the city,” ultimately leading to deteriorating proximate neighborhoods.² This concern was echoed by political journals such as *Harper’s Weekly* that wondered if the park and its vicinity would attract “evil communication, fights and illicit rencontres.” *The Herald* considered having public parks in the United States a folly for “Sam will air himself in it, talk and sing and fill his share of the benches, and flirt with the nursery maids...what chance does someone like business magnate William B. Astor or politician Edward Everett have against this type of “fellow-citizen?”³ There was also disapproval from those who

¹ The Board of Commissioners of the Department of Public Parks, Third General Report (New York: William C Bryant and Co., 1873), 15-17. Olmsted and Vaux conducted this empirical research as a comparison between tax revenue from the properties around Central Park and the interest the city was paying for land costs and improvements in Central Park.

² As quoted in Frederick Law Olmsted and Robert C. Twombly, “Public Parks and the Enlargement of Towns,” *Frederick Law Olmsted: Essential Texts* (New York: W.W. Norton, 2010). The quote was initially part of a speech given in Boston in 1870 to the American Social Science Association and later published in the *Journal of Social Science* in 1871.

³ “The Central Park and Other City Improvements,” *New York Herald*, September 6, 1857. Olmsted quoted the speech in Boston in 1870. The *Harper’s Weekly* article from September 1857 was quoted

did not live around Central Park, but felt the park would be a tax burden and exist solely as an amenity used by “the upper few who ride in carriages.”¹ At its core, the debate around Central Park was built around questions of use and users: was Central Park a pastoral and picturesque refuge for recreation from the city as Olmsted designed it, or a pleasure garden that would allow all sorts of people to gather and celebrate?

While the development of Central Park was a civic-minded exercise that demonstrated America’s democratic values, it was also a profitable investment that the city hoped would encourage real estate development, especially in the blocks along the seven miles of its edges. According to Olmsted and Vaux’s study, the three wards around Central Park increased in value from twenty-six million in 1856 to 236 million in 1873, generating income of over five million per year for the city.² Olmsted credited the income to the increase in property taxes that was achieved without an increase in tax rate, collected over seventeen years from the neighborhoods around Central Park. Olmsted and Vaux’s report corroborated the “proximity principle” in real estate that hypothesized that parklands get capitalized into the value of proximate properties, as people always desire to live close to parks in urban centers.³ The proximity principle had its

in “Parks As Investments,” (Metropolitan Conference of City and State Park Authorities, February 1926), 239. This was a report written in support of the Program of City Park and Parkway extension.

¹ Ibid.

² John L. Crompton, “The Genesis of the Proximate Principle in the Development of Urban Parks in England.” *Annals of Leisure Research* 9, no. 3–4 (January 1, 2006): 214.

³ Having a private residence facing the park was highly desirable for the English upper class. Even as reports such as the “Select Committee of Public Walks” by the House of Commons in 1833 proposed and encouraged the building of public parks in cities, they did not openly recommend government spending for such endeavors. The proximity principle became important in this scenario to justify public expenditure as a profitable investment. Regents Park in London became the model for this argument as this was land owned by the crown that was converted into a real estate investment. The park was not open to the public for the first few years. However, with London’s population

origins in nineteenth century Britain when the movement for municipal parks emerged in England in the 1820s and 1830s. It was first endorsed and validated with the success of Regent's Park in London. Olmsted and Vaux brought the proximity principle to the United States and applied it to Central Park. Through the study, Olmsted and Vaux extrapolated that Central Park would not be a tax burden to anyone, but instead a self-financing enterprise that was also a public institution and a much-needed antidote to the ills of industrialization. Not only did the city recover the costs incurred to buy land, construct and maintain the park, according to the report, it also made a profit. (*Fig. 3.1*) In response, the city's bankers, businesspeople and well-known families such as the Astors, Belmonts, and Livingstons among others, wrote an open letter to the city claiming Central Park to be a financial success that could well be a precedent for other parks in the city and country.⁷

Almost a century later, when Central Park was at its apex of decline in the early 1970s, the questions around the park's use and users resurfaced in New York City. The park was decrepit and dangerous due to rampant vandalism, crime, litter and the ongoing neglect of its lawns and trees, earning the once-glorious park the title, the "20th-century ruin that nobody wanted."⁸ The *New York Times* had declared Central Park the "terra incognita of Manhattan's

explosion, there was considerable pressure to open the park to the public. Olmsted brought the proximity principle to the United States. Olmsted presented his empirical research to the developers of Riverside, Chicago in 1863 to justify the value of land around parks. Olmsted and Vaux conducted similar research for parks in Chicago, Boston, San Francisco, Madison, and Hartford. For more on the proximity principle, see: John L. Crompton and National Recreation and Park Association and National Recreation Foundation, *The Impact of Parks and Open Space on Property Values and the Property Tax Base* (Ashburn, Va.: Division of Professional Services, National Recreation & Park Association, 2000); Bernadette Corbett, "Urban Parks: A Study on Park Inequity and EcoGentrification in New York City," (Fordham University), May 13, 2016

⁸ "Zero for Central Park," *New York Times*, January 22, 1975.

dark hours” in 1972, owing to a flurry of muggings, rapes, robberies, murders, and celebrity crime victims such as John F. Kennedy Jr. and Manhattan borough president Andrew Stein.⁷ The debates around Central Park in the 1970s began with preservationists, such as architectural historian Henry Hope Reed who thought too much money was spent on happenings, events and rallies in the park, and too little was being allocated to the park’s maintenance, preservation, horticulture, and landscape. (Fig. 3.2, 3.3, 3.4, 3.5) Reed, and his supporters, placed blame squarely on the shoulders of the New York City parks commissioners Thomas P. Hoving and Andrew Heckscher and their policy of “peopling the park” between 1966 to 1972. Peopling the park followed the rationale that by relaxing regulations and increasing the number of people in the park, the park would become a safer space, as people are less frightened with other people around.

Essayist and social critic Marya Mennen described the practice of “peopling” as an abuse of the “marvelous refuge designed by Olmsted and Vaux,” that along with litter, scum, bottles and wrappers, was now also plagued by the “tribal banging and whanging of The People’s bands.”⁸ Mennen was referring to the kinds of people who were flocking to Central Park at the height of the hippie movement in the late 60s and early 70s. What was once a curious diversion, according to Mennen, had become a haven for “The People...the safe-in-the-asylum of make-believe and exhibitionism, that is called the Counter Culture.” With the lack of resources for maintenance or police and the absence of rules or regulations on the part of the Parks

⁷ John Darnton, “A Summer Nights Dream: The Arts in Central Park,” *New York Times*, August 9, 1972. Other celebrity mugging victims included UN delegates from Nepal, Cyprus, the Soviet Union, and France.

⁸ Marya Mennen, “Up in Central Park—Ugh!,” *New York Times*, April 22, 1971.

Department, Mennen asked this charged question: What is the park for and how can it be saved from The People? "

With a looming bankruptcy and fiscal crisis in New York City, the city government slashed the Parks Department's budget. In response, the early 1970s saw a rise in volunteerism to support the park, with the formation of advocacy groups such as the Central Park Community Fund, Central Park Task Force and Friends of Central Park. These groups were mainly comprised of the city's elite who solicited funds from private sources to supplement the Parks Department's budget, hoping to rescue New York City's "front lawn."¹² The Central Park Community Fund was supported by billionaire investors George Soros and Richard Gilder who commissioned a study on the future of Central Park from E.S Savas, a professor of management at Columbia University. The resultant report, "A Study of Central Park" from 1976 made a forceful case for a managerial overhaul of the park. Blaming many of Central Park's problems on the management skills, financial stringency and organizational structure of the Parks Department, the report recommended restoring the park to its "original concepts of design and usage"—following Olmsted's original design.

Savas and his team claimed to have conducted telephone interviews with New Yorkers about the changes they wanted for Central Park with regards to safety. The responses from New Yorkers, according to Savas, was, put simply, "more cops and flowers." Specifically, New Yorkers desired uniformed police officers for safety and flower gardens for beauty with the

¹¹ Marya Mennen, "Up in Central Park—Ugh!," *New York Times*, April 22, 1971.

¹² New York City's Parks Recreational and Cultural Affairs Administrator Richard M. Clurman called Central Park New York City's "front lawn." He was quoted in Elizabeth Barlow, "Whatever Happened to Central Park?," *New York Times*, April 26, 1972, 154

potential for “lesser [fewer?] political rallies.”¹³ The report also suggested the formation of a single organization dedicated to the park with a citizen-based board to formulate policy and monitor performance. In 1980, on the heels of the Savas report, the Central Park Conservancy was formed with the support of Mayor Ed Koch. It was the first not-for-profit, privately-run and funded organization in New York City that managed the conservation, preservation, design, and maintenance of a public park on behalf of the city.

This chapter examines the formation of the Central Park Conservancy and assesses the nature of the partnership between the city government and this privately-funded nonprofit agency, formed for the management of a public amenity. Most parks in New York City were suffering from neglect due to a lack of funds and management inefficiencies in the late 60s and 70s; however, Central Park received the lion’s share of media attention for several reasons.¹⁴ First, the Park was the cynosure of tourism and the prototypical ideal for urban parks around the country. Second, its deterioration affected some of the country’s wealthiest families who lived and owned properties within walking distance of the park.¹⁵ Further, and most importantly, the

¹³ Columbia University, Center for Government Studies, Emanuel S. Savas and John Benson, *A Study of Central Park* (New York: The Center, 1976), 4i.

¹⁴ There were many articles on Central Park and its decline at the time: Elizabeth Barlow, “32 Ways Your Time or Money Can Rescue Central Park,” *New York Magazine*, June 14, 1976; Edward Hudson, “Central Park Condition Decried,” *New York Times*, June 8, 1973; “Reviving Central Park,” *New York Times*, December 6, 1973; “Myths of the Metropolis: Fear in the Park,” *New York Times*, October 25, 1987. For more on park inequity, Bernadette Corbett, “Urban Parks: A Study on Park Inequity and EcoGentrification in New York City,” (Fordham University), May 13, 2016; Thomas Honan, “These Parks Are Our Parks: An Examination of the Privatization of Public Parks in New York City and the Public Trust Doctrine’s Protections,” CUNY L. REV. F. 107, 2015.

¹⁵ Some of the wealthiest people of the United States live and own property around Central Park. Business moguls, including the Kochs, Rockefellers, Bloomburghs, Astors, Murdochs, and Gilders lived in the vicinity. Major publishing houses, media houses, and businesses also have their offices and studios in the area.

formation of the Conservancy in 1980 re-confirmed the proximity principle, the same principle Olmsted had used over a century earlier to defend the city's expenditure in building Central Park by showing how parklands are capitalized in the value of proximate real estate. This chapter argues that in 1980, the proximity principle was reflexive and worked in both directions to regulate the capital values of parkland and real estate equally. New York City has seventeen hundred parks. The formation of a privately-funded Conservancy specifically for the preservation and maintenance of just one park in the heart of Manhattan in 1980, demonstrated the capitalization of real estate to parkland. Central Park and the proximate real estate regulate each other's values.

The Central Park Conservancy

The Conservancy, which is still in operation today, does not own Central Park; it maintains the park as part of its partnership with the New York City Parks Department and the City of New York.¹⁶ Described as an entity that fills the gaps left by public park agencies, the Conservancy managed to move the park's budget out of the limited funding of annual budget cycles.¹⁷

Although it receives funds from the city, the bulk of its money—almost seventy-five percent by 2013—is raised solely from private sources through drives, fundraisers, donations, contributions,

¹⁶ There was no formal agreement between the city government and the conservancy until 1993 when the two parties signed a Memorandum of Understanding (MOU) that defined the roles between the two parties. In 1998, the MOU became a formal contract. In 2006 the partnership was renewed for six more years.

¹⁷ Tax revenues, special tax assessments, and bond issues funded everyday maintenance and capital improvements in Central Park and all parks in New York City until the formation of the Conservancy in 1980. All New York City parks were, and most still are, dependent upon the annual budget cycles and the amount of funds that were allocated to the Parks Department.

and interests from investments. Formed under Section 501(c)(3) of the internal revenue code, the Conservancy enjoys federal tax exemption as a nonprofit organization, similar to public charities and private foundations.¹⁸ Lawyer and retired chairman of Sperry and Hutchinson company William S. Beinecke, who had extensive ties to New York's philanthropic communities, was the first chairman of the Conservancy. Mayor Koch and Parks Commissioner Gordon Davis appointed Olmsted scholar Elizabeth Barlow Rogers as the park's first administrator—a peculiar position that demonstrated the Conservancy's allegiance to both the public and private sector. Barlow was appointed by the mayor, paid by the Conservancy, and reported to the Parks Commissioner. The Conservancy's board of directors included Beinecke, Barlow, Koch, Davis and volunteer members who occupied prominent positions in the media, real estate, corporate and political worlds.

The Conservancy's public-private partnership relies on notions of volunteerism, philanthropy and civic engagement from New Yorkers. Since its founding (?), the Parks Commission and Mayor conceptualized the Conservancy as a horizontally-developed organization from a third sector, an alternative to market logic and governmental bureaucracies, a model of spontaneous participation that bridged the citizen and government to influence policy. However, the Conservancy was, in fact, established and fostered by the state in negotiation with the city's business and cultural leaders. In the time of its formation, it was a medium of resource

¹⁸ Section 501(c)(3) commonly refers to charitable organizations. These organizations are eligible to receive tax-deductible contributions in accordance with Code section 170. Section 501(c)(3) restricts organizations in how much political and legislative (lobbying) activities they may conduct. While 501(c)(3)s are discussed later in the chapter, for more information refer to Internal Revenue Service (IRS). "Exemption Requirements - 501(c)(3) Organizations." *www.irs.gov* (website), 2017. <https://www.irs.gov/charities-nonprofits/charitable-organizations/exemption-requirements-section-501c3-organizations>.

privatization and a supplement to a waning welfare state that promised to offer services the city could no longer provide.

As exemplified through the case of the Conservancy, citizen-led groups only emerge when citizens have the resources to organize and solicit funds. The volunteer-led board of directors in the Conservancy wielded a Bourdieu-esque “social capital,” that institutionalized relationships of mutual acquaintance and recognition—in this case, shared proximity to the park and shared ownership of the most expensive real estate in the world.¹⁹ By institutionalizing and corporatizing volunteerism, the Conservancy spurred a culture of “giving back” with donations, charities and personal time, but only from the park’s elite and self-interested supporters. While the Conservancy insisted all decisions on Central Park ultimately rested with the commissioner, the board captured the powers of the Parks Department through fundraising that served a Manhattan-centered donor agenda.

Critical to the formation of the Conservancy was the revival of Olmstedian ideals, which offered a cause for the Conservancy’s philanthropic activities and drives—“a shopping list” that hinged on the implied urgency of “rehabilitation.”²⁰ The mid-70s saw the rise of what urban

¹⁹ Political scientist Robert Putnam, urban theorist Jane Jacobs and sociologist Pierre Bourdieu have each discussed the term “social capital.” Both Jacobs and Putnam used it positively, as the collective “value” of social networks and the “irreplaceable” aspect of self-government and neighborhood networks, respectively. Bourdieu on the other hand discussed social capital as the “deliberate construction of sociability for the purpose of creating this resource,” that works across generations, like an old boy’s network. Accumulated social capital helps to maintain advantages and produces inequality. Pierre Bourdieu, *The Forms of Capital* (Blackwell Publishers Ltd, 1986); Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community*, (New York: Simon & Schuster, 2000).

²⁰ Elizabeth Barlow Rogers, John Berendt, New York (N.Y.), Department of Parks and Recreation, and N.Y.) Central Park Conservancy (New York), *Rebuilding Central Park: A Management and Restoration Plan* (Cambridge, Mass.: MIT Press, 1987), 14.

historian Albert Fein called the “renaissance of Olmsted.”²¹ Barlow wrote two new books on Olmsted even before she became a part of the Conservancy. “Frederick Law Olmsted’s New York” and “Rebuilding Central Park.”²² The books were accompanied by two major exhibitions that opened in New York’s Whitney Museum and the National Gallery in Washington, with the latter calling Olmsted one of “America’s most prescient and sensitive artists.”²³

The preservation movement that peaked in New York City in the years after the demolition of Pennsylvania Station in 1961, complemented this revival of Olmsted. Central Park was designated a National Historic Landmark in 1963. It was placed on the National Register of Historic Places in 1966 and designated a New York City Scenic Landmark by 1974. With the formation of the Conservancy, the century-old divide between Central Park as a quiet pastoral retreat and inclusive pleasure garden came was finally settled. With the park rehabilitated to its picturesque nineteenth-century roots, it now demanded a particular type of preferred visitor—the apolitical, recreation-seeking New Yorker. Thus, Central Park was both a pastoral retreat and a pleasure garden, but hardly inclusive of all New Yorkers.

²¹ Albert Fein, *Frederick Law Olmsted and the American Environmental Tradition*, New York: George Braziller, 1972.

²² Rogers, Elizabeth Barlow, John Berendt, New York (N.Y.), Department of Parks and Recreation., and N.Y.) Central Park Conservancy (New York). *Rebuilding Central Park: A Management and Restoration Plan*. (Cambridge, Mass.: MIT Press, 1987); Elizabeth Barlow Rogers, Alex William and Whitney Museum of American Art, “Frederick Law Olmsted’s New York,” (New York: Praeger in association with the Whitney Museum of American Art, 1972).

²³ The exhibitions are: Elizabeth Barlow Rogers, Alex William, and Whitney Museum of American Art. *Frederick Law Olmsted’s New York*. (New York: Praeger, in association with the Whitney Museum of American Art), 1972.; and “Frederick Law Olmsted: USA,” Brochure and exhibition, National Gallery of Art, Washington DC, October 21 1972-January 7, 1973, William Alex, Designer. New York Times architecture critic Ada Louis Huxtable wrote a piece on the Whitney exhibition titled “The Original Designs for Central Park,” *New York Times*, November 16, 1980.

The formation of the Conservancy and its mission were symptomatic of a moment when focus on the city shifted from the decay and deterioration of the physical city (recall the Moses-Jane Jacobs debate of the 1960s, as discussed in chapter 1?) to social issues tied to notions of nostalgia, fear and a dystopian future in the 1970s . By examining the Conservancy, relationships between land speculation, the rhetoric of park management and rehabilitation, and mechanics of volunteerism and philanthropy that have collectively shaped the ideal public for Central Park since the 1970s come to the fore. Following a decade defined by its openness and relaxed, unguarded attitude towards the kinds of activities and events permitted in Central Park, the 1980s signaled significant changes to park staff, tasks, management hierarchies and techniques of mechanization and horticulture. New preservation and conservation laws, park permit requirements and increased private security introduced new regulations and conditions for the use of Central Park. While the Parks Department still issued the park permits, the Conservancy board had an influential voice in shaping the kinds of activities and events that were held in the park. Some large events were permitted on the lawn, and some were not—the James Taylor and Paul Simon concerts were acceptable in 1979 and 1981, but political protests were deemed too disruptive.

In the decades after the formation of the Conservancy for Central Park, there have been similar park conservancies formed in Atlanta, Memphis, and St. Louis among several other cities in the United States. Each of these conservancies proffer the privatization mantra that private agencies increase competition and effectively manage public amenities better than financially restrained governments. As of 2015, private entities—conservancies, friends of park groups, and business improvement districts—manage over half of the seventeen hundred parks in New York City. Each one of them signifies a unique partnership between the city and private sector actors

and bears the more important question: what happens to the parks that are still dependent upon the Parks Department budget and management?²⁴ Most of these parks are in neighborhoods that can neither muster influential board members to form conservancies or donate large amounts of money for park maintenance. How does a city accommodate the differences in the quality of services between parks in the city? Undergirding these differences was the same question that emerged with the proximity principle in the 1870s: What is a public park and how is its “ideal public” constituted?

The “Park Scene” before 1972

When Gordon J. Davis became Parks Commissioner in 1978, he blamed the policies of his predecessors for the dismal state of the park. Davis was specifically talking about parks commissioner Thomas P. Hoving, who started the drive to people the park in 1966 and marked a decisive shift in park policy for Central Park. Hoving started the “happenings” in the park with a “Central Park au go-go” dance concert, a gay nineties party, kite flying, Halloween parties, love-ins, gay-ins and be-ins, all of which were popular. On March 26, 1966, twenty thousand people marched on 5th Avenue to protest the Vietnam War. Political and social events of this scale had not been allowed in Central Park since the 1914 suffragette meeting.²⁵

²⁴ For example, Bryant Park is part of a Business Improvement District (BID) where the government leased the space to a private corporation. The BID raises funds through surtax assessment in the district. For more on the different types of partnerships: Peter Harnik and Abby Martin, *Public Spaces/Private Money: The Triumphs and Pitfalls of Urban Park Conservancies*, (The Trust for Public Land, February 2015).

²⁵ On October 23, 1915, approximately 25,000 women marched up Fifth Avenue in New York City for women’s suffrage. After that, on October 27, 1945, about 50,000 gathered in the park but were seated in orderly rows (as Moses liked it) for President Harry S. Truman’s foreign policy address. After that, there was no sizeable political rally or gathering in Central Park until 1966.

Before Hoving, both commissioners Robert Moses (1934-1959) and Newbold Morris (1960-1965) were rigid about the kinds of people and activities that were allowed in New York City parks. Central Park was in a bad condition in 1934, but still perceived, maintained and used as Olmsted's recreational pastoral garden. Moses had different plans. His tenure saw more building in the park with private money than ever before. He installed nineteen perimeter playgrounds, a new zoo, a new skating rink (Wollman Rink), restaurants (Tavern On The Green), handball courts and baseball diamonds. He raised funds from New Yorkers for facilities in the park in return for naming rights. Wollman skating rink, Friedsam Carousel, Loeb and Kerbs boathouse, Levy and Osbourne playgrounds, and Lasker swimming pool and ice-skating rink all bear the mark of Moses' efforts.²⁶ Moses uprooted lawns and trees without counsel. He also arbitrarily denied permits for political, religious and cultural events, while permitting certain musical events like barbershop quartet competitions, performances by the New York City Philharmonic Symphony, and patriotic events such as the America First Rally on May 23, 1941, that drew 22,000 people.²⁷

The issue of park use reached a media-driven crescendo when Moses had a dispute with the theater producer and director Joseph Papp, who had been running *Shakespeare in the Park* since 1954. Papp's theater series was extremely popular and free to the public. Moses wanted Papp to charge entry fees with ten percent of the proceeds going to the city for the upkeep of the

²⁶ Robert Moses, "Gifts to Central Park," *American City* 69 (April 1954), 94-95; and Robert A. Caro, *The Power Broker: Robert Moses and the Fall of New York* (Random House, 2015).

²⁷ Moses allowed a "patriotic rally" (not deemed political by Moses) on Sheep's Meadow on May 17, 1941, with 22,000 people gathering for Mayor LaGuardia, comedian Eddie Cantor, and violinist Albert Spaulding. He also permitted an America First Rally, despite its blatant political nature, to protest Roosevelt's foreign policy in Central Park, urging him to keep America out of the war.

grass, which in his opinion, was getting damaged during the performances. Papp took Moses to court. Papp described *Shakespeare in the Park* as akin to the public library, saying "the only practical means of ensuring the permanence of our theater is to tie it in with civic responsibility."²⁸ Moses won in the lower court but lost his case in the Appellate court with the ruling that charging people for an event that had already been held several times did not serve a useful park purpose. Soon after, Moses retired from his position as commissioner. The court case from 1958 not only helped Papp raise money from private sources for his plays, it also marked an end to the Moses era and the beginning of the 1960s. His successor, Morris largely continued with Moses' "keep off the grass" attitude to Central Park until 1965.

Hoving, an art historian from Princeton who had been the curator of the Cloisters at MoMA, was appointed parks commissioner in 1966 when John Lindsay was elected mayor. Hoving appointed Henry Hope Reed, a historian of classical architecture and an ardent advocate of Olmsted and Vaux, as the first curator of the park. Working against Morris and Moses before him, Hoving went out of his way to break the rules and reset the way New Yorkers used Central Park. While preservationists criticized his "happenings" for causing maintenance issues, the media appreciated Hoving for closing the roads in Central Park to cars on summer Sundays and making the park accessible to everyone for the first time.²⁹ His successor, August Heckscher,

²⁸ Todd London, *An Ideal Theater: Founding Visions for a New American Art*, (New York : Theatre Communications Group, 2013), 428. For more on Papp: Helen Epstein, *Joe Papp: An American Life* (Boston: Little, Brown, 1994).

²⁹ Randy Kennedy, "Thomas Hoving, Remaker of the Met, Dies at 78," *New York Times*, December 10, 2009; Ralph Blumenthal, "Remembering Hoving's Service as Parks Commissioner," *New York Times*, December 11, 2009.

followed in his footsteps and relaxed rules for permits during his tenure. People could go shirtless, and artists could sketch or put on a show without a permit, anywhere in the park.

The permit, as Heckscher described it, was a kind of declaration from the permittee to the nature of the event, kind of audience, scale, scope and time. However, as he rationalized, these kinds of answers could not be expected from the young, “if they chose to sing, stage a dance, or otherwise express their varied gifts, they did it as the spirit moved them.”³⁰ Loosening the rigidity of permits was in Heckscher’s opinion “adding to the gaiety and ease of the park scene,” besides as Heckscher clarified, “grass can be replanted.”³¹ In 1967, 100,000 demonstrators marched with Martin Luther King in one of the country’s most massive anti-war protests. Both Hoving and Heckscher’s tenures as park commissioners were symbolic of the 1960s, and a culture that questioned conventions, rules, customs and traditions. Moses openly disapproved of both Hoving and Heckscher, calling them “promoters” and “recreational leftists.”³² Similarly, although Reed had been appointed by Hoving, he openly criticized Hoving’s happenings as “travesties” that left him ashamed and abashed.³³

Yet, by the time Heckscher left office in 1972, the open and relaxed vibe of the 1960s was slowly disappearing. All of New York City was operating under the pall of fear. An article

³⁰ August Heckscher, *Alive in the City: Memoir of an Ex-Commissioner*, (New York: Scribner, 1974), 248.

³¹ *Ibid.*, 253.

³² *Ibid.*, 156.

³³ Michael Oreskes, “Is Central Park for Solitude or for Celebration of the City?,” *New York Times*, September 19, 1981.

titled “Fear soars with rate of crime” in the New York Times best encapsulates the New Yorker’s state of mind,

“Besieged by an army of muggers and thieves, they are changing their habits and styles of life, refusing to go out after dark, peering anxiously through peep holes, before opening their doors, sidestepping strangers on the street, riding the elevators only in the company of trusted neighborhoods or friends and spending large sums to secure their homes with locks, bolts, alarms and gates.”³⁴

A large portion of the city saw an increase in crime, muggings, and vandalism with the city having a fifty-three percent increase in robberies in 1972 over 1971, with 1,691 reported murders. The city had lost 400,000 manufacturing jobs since 1958.³⁵ The stock market was in a slump by the early 70s with over a million middle-income-tax-paying families moving out of the city by 1970. Banks started unloading New York City municipal debt—debt securities issued by the city to fund day to day obligations and capital projects—by 1974.³⁶ One of the chief attractions with buying debt was that banks were exempt from federal income tax.

By 1974, however, international markets had opened up, and suddenly municipal debt and its exemption were no longer attractive for banks. Besides, banks were nervous that as New

³⁴ Michael Stern, “Fear Soars with Rate of Crime,” *New York Times*, December 11, 1968.

³⁵ Jason Epstein, “The Last Days of New York,” *The New York Review of Books*, February 19, 1976.

³⁶ Municipal bonds are securities issued by governmental entities to fund day-to-day obligations and capital projects (schools and highways for example). When one buys municipal bonds, one lends money to the bond issuer in exchange for interest payments and the return on the original investment or “principal.” Short-term bonds mature in one to three years, while long-term bonds will not mature for more than a decade. For more: <https://www.investor.gov/introduction-investing/basics/investment-products/municipal-bonds>

York City approached bankruptcy, the city government would choose to support the public sector over paying back its debt. As Walter Wriston of First National City Bank and David Rockefeller of Chase Manhattan Bank described it, the choice ahead for New York City was between either providing social services for everyone or making the city attractive for businesses and corporations.³⁷ Mayor Abraham Beame, on the other hand, thought it was the duty of the banks to provide loans and stand by the city. Thus, the year 1975 became a pivotal moment for New York City as its extensive social service network—public housing, hospitals, daycares, schools and subsidized college education, and public transport—was fundamentally restructured to include private sector involvement in terms of funds, management and ownership.

With the city flailing in debt, the city government severely cut the parks budget. The capital budget of New York City had no funds allotted to the Parks Department in 1975.³⁸ Procuring funds for Central Park had become a divisive issue in city government as explained by the Parks Recreational and Cultural Affairs Administrator Richard M. Clurman, who stated that any call for funds risked attracting accusations of “Manhattan orientation and limousine liberalism.”³⁹ While many parks in New York City such as Bryant Park, Prospect Park, Tompkins Square Park and Van Cortlandt Park among others had become “no-go” zones due to the prostitution, drug use, and vandalism occurring on their grounds, crime in Central Park was accentuated and equated to the problems of the city.⁴⁰ Barlow spoke of the situation in Central

³⁷ Kim Phillips-Fein, *Fear City: New York's Fiscal Crisis and the Rise of Austerity Politics*, (New York : Metropolitan Books, 2017). 76

³⁸ “Zero for Central Park.” *New York Times*, January 22, 1975.

³⁹ Max Seigel, “Plan Announced for Central Park,” *New York Times*, September 9, 1973.

⁴⁰ Newspapers like *New York Times*, magazines such as *New Yorker* and *New York Magazine*, and late-night TV, especially Johnny Carson, routinely reported about the problems of Central Park and

Park as “horrifying,” describing the park’s many parcels of recreational use as “baseball diamonds of bald dirt, Disneyesque barnyards for children, parking lots of gray asphalt, and grounds of weed-choked waste.”⁴¹

Billionaire Intervention and Olmstedianism

In 1975, the billionaire investors Richard Gilder and George Soros who both owned property in the upper east side of Manhattan came together over their shared concern for Central Park and formed the Central Park Community Fund. When speaking of the origin story for the Fund, Gilder goes back to 1969, which was the year he moved his offices from downtown Wall Street to midtown Manhattan. In an article for *Philanthropy Roundtable* from 2010, Gilder reminisced how only when he started walking to work through Central Park did he realize how drastically his “idyllic childhood playground” had been ruined by “a few years of bad government.” Gilder, who had spent his entire childhood around the upper east side, was a conservative and a Republican, did not approve of Mayor Lindsay’s “fun city” policies.⁴² He spoke of smashed

gave it so much play that crime in Central Park came to be equated with all of New York City. In reality, between 1971-73, eight reported murders occurred in the park. There were eighty-one reported cases of rapes along with robbery and grand larceny that includes mugging. For more on New York City crime figures, please visit: <http://www.disastercenter.com/crime/nycrime.htm>

⁴¹ Elizabeth Barlow Rogers, “Whatever Happened to Central Park?,” *New York Times*, April 26, 1972.

⁴² “Fun City” was part of a quip that Mayor John Lindsay gave the press in 1966, after the transit strike. When asked if he is happy to be the newly elected mayor that faced a 12-day strike, he called New York the “fun city.” The phrase stuck to him for the rest of his tenure and got attached to all his policies. Other Republican politicians saw him as weak and indecisive. His policies, most of which while being well-intentioned, were also credited with taking New York City further into its debt crisis. By 1973 his popularity had waned, and fun city became a derisive label for the Lindsay era. For more on Lindsay’s tenure: Mariana Mogilevich, “Space and Politics in Lindsay’s New York.” (Harvard University, 2012); Joseph P. Viteritti, *Summer in the City: John Lindsay, New York, and the American Dream*, (JHU Press, 2014).

streetlights, shattered benches, drug dealing thugs, trash choked weeds with heroin needles and spaced out bums. In Gilder's opinion, by ignoring years of victimless crimes such as vandalism, graffiti, drug dealing, public urination and drunkenness, the city had handed over the park to the "deinstitutionalized madmen of Central Park."⁴³ The campaign to save and rehabilitate Central Park was for Gilder about "us" against "them," where us meant those who shared the vision of Central Park from his "idyllic" childhood and who could not stand for the "daily insults to its dignity," and the "them" were those who in his opinion, had made the park unsightly and unsafe. ⁴⁴

The Community Fund commissioned E.S Savas, a professor of management at Columbia University to produce a study for Central Park and its future in 1975. Savas had been part of urban systems at IBM between 1959-1967 and served as Deputy City Administrator from 1970-72 under mayor Lindsay before joining Columbia University.⁴⁵ Students from Columbia University's Graduate School of Business and School of Architecture and Urban Planning participated in the study along with support from the New York City Parks Department and the New York Police Department. The report, titled "A Study for Central Park," was a blueprint for the Conservancy and was intended to be the vehicle that advocated for a citizen-led board of "informed elite" dedicated to "saving Central Park."⁴⁶ In order to restore beauty, cleanliness, and

⁴³ Myron Magnet, "The Growth Investor: Richard Gilder Went Long on New York City and American History. The Payoff? Enormous," *Philanthropy Magazine*, Summer 2010.

⁴⁴ Ibid.

⁴⁵ After teaching several years in Columbia, Savas went on to become the Assistant Secretary for the US Department of Housing and Urban Development during the Ronald Reagan administration.

⁴⁶ Columbia University, Center for Government Studies, Emanuel S. Savas and John Benson, *A Study of Central Park*, (New York: The Center, 1976).

safety, the report zeroed in on regulating the use and user through increased controls on park events and educational activities meant to inculcate “proper social behavior.”¹⁷ These increased controls were supported by a collection of statistical information, along with proposed management, policing, greening and rehabilitation plans.

Starting with a history of Central Park and Olmsted, Savas and his team opened the report by claiming Central Park to be the world’s most famous park that had become a “dust bowl,” and had deteriorated to the point that citizens found unacceptable.¹⁸ Chief among the problems that evoked public concern was the park’s physical decline due to extensive soil erosion, impacting both the view of the landscape and its structural conditions. Savas undertook preliminary investigations with engineering surveyors who revealed that the park lost over eight inches of original topsoil, exposing tree roots to the environment, clogging up lakes and streams with silt, and destroying walkways, plazas and playgrounds. In addition to erosion, were the acts of vandalism that had left inoperable water fountains, broken lampposts, benches and playground equipment, and defaced monuments. Savas also blamed the physical decline of the park on “too many major events, such as rallies and concerts”—the happenings—that had exacted a toll on the park.¹⁹

The report discussed how in 1973 only nine permanently assigned men were available for patrol in the park. Their recommendations called for a permanent supplementary force along

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid. (1-6).

with greater enforcement of policies against smaller crimes to educate the public on how to use a public amenity.⁵⁰ The report's opening homage to Olmsted declared Central Park to be an object of rural beauty and a botanic garden created to gratify the eyes of the casual visitor. This description was the exact opposite of Central Park in the late 60s and early 70s, which had come to be the nucleus of New York City's social and political activity and expression. The report's reverence for Olmsted was part of what historians Roy Rosenzweig and Elizabeth Blackmar called "Olmstedianism," where Olmsted's landscape projects, writings, political beliefs, and ideals were nostalgically showcased in publications, monographs, articles and exhibitions through the 60s and 70s.⁵¹

Along with Barlow's publications and the exhibitions, the Frederick Law Olmsted Papers Project, with support from the Library of Congress, started to archive all of Olmsted's writings, drawings and other works in 1971. In her review of the Olmsted exhibition at the Whitney, architectural historian Ada Louise Huxtable stressed the fact that too many unsavory changes had happened in Central Park that needed to stop, and then emphatically declared on seeing Central Park's landscape drawings that "this is the way it was, and this is the way it was meant to be."⁵² The revivalist rhetoric around rehabilitation to Olmstedian ideals was, as this chapter argues, central to the Conservancy's donor agenda for Central Park's future. It was an effective strategy that allowed the Conservancy to define the way the park came to be used—less as a site of political rallies and concerts and more in the interest of preserving the grass. However, how

⁵⁰ Ibid.

⁵¹ Roy Rosenzweig and Elizabeth Blackmar, *The Park and the People: A History of Central Park* (Ithaca, N.Y.: Cornell University Press, 1992).

⁵² Ada Louise Huxtable, "2 Shows Celebrate Olmsted's Talent," *New York Times*, October 19, 1972.

did the 1970s descriptions of the park's Olmstedian traits compare to the way Olmsted and Vaux actually described their project?

Olmsted's essays and speeches speak as much about landscape design, horticulture, and environmental conservation, as they do about the democratic ideals and political beliefs that undergirded the need for public parks in American cities after the industrial revolution.⁵³ Parks were large recreational areas that were essential for air, sunlight and open space in cities to help mitigate the crime and disease that was part of urban living. Olmsted observed that people were moving out of small towns and rural areas and into cities. They needed large centrally located parks that offered both athletic and passive recreation, which included sitting, walking, bicycling and running. In his speech given at the American Social Science Association in Boston in 1870, Olmsted pronounced parks to be an essential part of a civilization that had broken into two societies, one that was at the service of commerce and the other that had to relieve the strain of the first.⁵⁴ For Olmsted, the public park in the United States was much more than an elite amenity and different from the "commons," "yards" or "greens" that dot European cities. The park, according to Olmsted, was "a self-preserving instinct of civilization" in the face of urbanism.⁵⁵

⁵³ While Olmsted and Vaux completed many projects together, Vaux is often only cursorily mentioned. Olmsted produced most of the reports on parks, gave speeches and was a prolific essayist. Vaux on the other hand, was an architect from London who struggled with work through the latter part of the nineteenth century, while Olmsted's loyal patrons helped to keep him afloat. In her book, *Park Maker: A Life of Frederick Law Olmsted*, Mary Stevenson talks of how Vaux suffered from not getting enough credit for his joint works with Olmsted. In that vein, while the chapter will discuss Olmstedian values and ideals, I am aware of the difficulties that come with tracing authorship to Vaux.

⁵⁴ Frederic Law Olmsted, Speech given at the American Social Science Association in Boston in 1870, Frederick Law Olmsted and Robert C. Twombly, *Frederick Law Olmsted: Essential Texts* (New York: W.W. Norton, 2010), 202 .

⁵⁵ Frederick Law Olmsted and Library of Congress, *The Papers of Frederick Law Olmsted* (Washington, D.C.: Library of Congress Photo Duplication Service, 1975), 284

As an abolitionist and an outspoken critic of slavery, Olmsted also characterized parks as economic equalizers. Parks attracted the poor who could not afford to visit the country, as well as the rich who did not need to go to the country in the face of a picturesque refuge accessible within the city⁵⁶. Parks were to act as a public trust that brought people of all walks of life together for “receptive” recreation.⁵⁷ Receptive recreation according to Olmsted, happened among people who knew each other in pastoral settings or among strangers who promenade along similar paths. This form of recreation involved a mingling of classes and religions, where each individual by his mere presence adds to the pleasure of others. This kind of mingling was for Olmsted, a way to “increase mutual understanding among classes” and offered “moral and physical improvement to the underprivileged.”⁵⁸

The revival of all these ideas were perfectly suitable for New York City in the 1970s, as the consensus from Barlow and the park friends’ group was that the Parks Department had lost sight of the picturesque and pastoral qualities of Central Park. With Central Park already designated as a National Historic Landmark, New York City Scenic Landmark, and was listed and on the National Register of Historic Places, a reiteration of Olmsted and Vaux’s conservation ideas offered new avenues for controls on the maintenance of the park and its horticulture—which eventually made protecting the grass and plants one of the central reasons

⁵⁶ Frederick Law Olmsted, “A Consideration of the Justifying value of a Park,” Frederick Law Olmsted and Library of Congress., *The Papers of Frederick Law Olmsted* (Washington, D.C.: Library of Congress Photoduplication Service, 1975).

⁵⁷ Frederic Law Olmsted, Speech given at the American Social Science Association in Boston in 1870, Frederick Law Olmsted and Library of Congress., *The Papers of Frederick Law Olmsted*. (Washington, D.C.: Library of Congress Photoduplication Service, 1975).

⁵⁸ *Ibid.*

for the bulk of park permit denials since the 1980s.⁵⁹ Redefining Central Park as the recreational lung of New York City, rather than being a center of political activity and uprising, helped regulate the influx of people and activities, especially those from the counter-culture movement. Olmsted's democratic ideals and political beliefs were also appropriate for the civil strife of the 1970s. Presenting Central Park as the unifying, recreational and picturesque refuge for New York City was a reiteration of both the park's historic and contemporary significance, and the desperate plea for its rehabilitation.

In a chapter of Savas' report titled "Managing Central Park," Savas and his team make a case for a managerial overhaul of Central Park by summarizing the two ways by which the conditions in the park could be improved. The first one was to spend more money in conventional ways by hiring more workers, gardeners, foresters and police officers. Considering New York's dismal fiscal situation, this route was, in Savas' opinion, impossible. The second was the "effective" utilization of existing resources—with *effective* being shorthand for changing management techniques.⁶⁰ Savas' premise echoed the managerialism of the 60s and 70s, where productivity and outcomes were considered best enhanced through managerial expertise, accountability, organizational maneuvering and technocratic processes that are assumed to be devoid of bias. Managerialism was an organizational solution that migrated out of corporate environments into governments, with the formation of a managerial elite. It worked through a notional depoliticization of decision-making by a system of managers. Political theorist James

⁵⁹ Permits are discussed in detail later in this chapter. One of the most frequent reasons for the denial of permits since 1980 has been the preservation of grass.

⁶⁰ Columbia University et al., *A Study of Central Park* (New York: The Center, 1976).

Burnham and sociologist C. Wright Mills each critiqued the managerial elite that pervaded political and economic systems, public and private sectors in the United States in the years after the New Deal.⁶¹ This was part of an increasing dependence from the public sector on private sector management for service delivery with a municipal privatization discourse that relied on promoting new managerial and competitive processes. According to Savas, private sector involvement through partnerships increased choices for citizens, offered new procedures to maintain fiduciary control and improved reporting and record-keeping practices.⁶²

The mayoral agency of the New York City Parks Department managed all New York City parks before the formation of the Conservancy. The Parks Department was broad in its scope, as it managed seventeen hundred parks and also playgrounds, basketball courts, swimming pools, monuments, golf courses, nature centers, beaches, and street trees in the city. Tax revenues, special tax assessments and bond issues paid for the department's day to day activities. These funds were available in two parts: an expense budget that included total expenses of the department and the salaries, and a capital budget that was allocated for new

⁶¹ C. Wright Mills, *Power, Politics, and People: The Collected Essays of C. Wright Mills* (publisher information: 1963). James Burnham, *The Managerial Revolution; What Is Happening in the World*, (New York: John Day Co., 1941).

⁶² Conservative economist Milton Friedman was a significant influence on Savas. Friedman spoke of governments only getting involved when necessary for the survival of the country, clarifying that the best of a country's abilities came from its free markets while its failures came from government intervention. Savas echoed these theories in several articles and books he wrote on the privatization of government. Emanuel S. Savas, *Privatizing the Public Sector: How to Shrink Government* (Chatham, N.J.: Chatham House Publishers, 1982); E.S. Savas, "A Positive Urban Policy for the Future," *Urban Affairs Quarterly*, June 1983, 18 (4): 447-453.; E.S. Savas, "Alternative Institutional Models for the Delivery of Public Services," *Public Budgeting and Finance*, Winter 1981, 1 (4): 12-20, reprinted in *Crisis and Constraints in Municipal Finance*, J.H. Carr, ed. (New Brunswick, N.J. Center for Urban Policy Research, 1984).

construction.⁶⁵ In the 1970s, the organizational structure for the Parks Recreation and Cultural Affairs Administration was centralized. The chain of command had the Department of Parks and Commissioner at the top, followed by several directors, then park managers, foremen and finally the crews.⁶⁴ (Fig. 3.6) For Savas, this structure was inappropriate for the operation of large parks where responsibility had been fragmented and diffused around New York City parks to such an extent that no one below the level of commissioner had an identifiable prescribed task.

Savas and his team advocated for a change in park management from a city-wide or even borough-wide focus to concentrating on individual parks as single organizational units. He suggested the creation of a new position of Park Executive for each park?, which would be occupied by a qualified person from outside the civil service. The Executive responsible for Central Park would oversee staff assistants and five managers and their teams who handled five aspects of park management: community services, horticultural services, engineering services, custodial services and the zoo.⁶⁵ (Fig. 3.7) A new citizen-based board for Central Park was to formulate policy and monitor performance along with the Parks Department. Savas called them the “board of guardians” who were the antidote to the “ad-hoc manner” of the everyday management of the park as it existed in the mid-1970s.⁶⁶ Here again, Savas and his team take recourse in Olmstead by clarifying that Central Park came into being in the middle of the

⁶⁴ The Parks Department’s beginning can be traced to 1686 when wasteland around the city was put in the hands of the municipality with Bowling Green Park in Lower Manhattan as the city’s public park. In 1934, all independent borough Parks Departments were merged by Mayor Fiorello La Guardia into one massive Parks Department with Moses as its first commissioner.

⁶⁵ Columbia University et al., *A Study of Central Park* (New York: The Center, 1976), 3-2

⁶⁶ *Ibid.*, 3-30

⁶⁶ *Ibid.*, 3-45

nineteenth century as a result of a massive civic effort. A “comparable effort” was needed in the 1970s through civic engagement and private sector participation if Central Park is to survive into the twenty-first century as one of the world’s great urban parks.⁶⁷ Upon Savas’ advice and the convincing data in the report, in 1980, the Koch administration formed the Central Park Conservancy.

The Organization

The Conservancy is a private, nonprofit organization under 501(c)(3) of the Internal Revenue code, formed by a self-described group of “concerned citizens determined to improve Central Park.”⁶⁸ 501(c)(3) organizations are specifically for religious, scientific, charitable, literary or educational purposes. They can receive unlimited contributions from individuals, corporations and even unions.⁶⁹ In its Certificate of Incorporation (under section 402 of the Not-For-Profit Corporation law) the chief purposes of the Conservancy were to promote and assist in the “restoration, maintenance and management” of Central Park, provide an “independent organization with both public and private participation,” “advise and assist” the Department of Parks and Recreation, “promote and assist” the activities of private persons and organizations concerned with Central Park, increase public awareness about the park, provide education and

⁶⁷ Ibid., 3-46

⁶⁸ State of New York, “Certificate of Incorporation of Central Park Conservancy, Inc. Under Section 402 of the Not-for-Profit Corporation Law,” (November 14, 1979). 3

⁶⁹ For more on 501(c)(3) organizations: <https://www.irs.gov/charities-nonprofits/charitable-organizations/exemption-requirements-section-501c3-organizations>; Philip A Moffat, “Charitable 501(c)(3) Tax-Exempt Status for Environmental Organizations: Issues and Requirements.” University of Florida Conservation Clinic, Fredric G. Levin College of Law, 20.

information to visitors in Central Park, and to “solicit, invest and hold funds” for the Conservancy.⁷⁰ (See Fig. 3.9)

The Conservancy does not own Central Park. It manages the park on behalf of the city with funds sourced from individuals, foundations and corporations through fundraisers, donations, and profits from investments and dividends. The Conservancy also gets a share of concession revenue and a grant from the city. It receives federal tax exemption as a nonprofit organization, similar to public charities and private foundations. A 501(c)(3) organization such as the Conservancy has to be exclusively at the service of a public purpose and prove that net benefits are not benefitting any shareholder or individual. The 501(c)(3) also has to maintain its status as exclusively dedicated to the public purpose it had been established for and cannot intervene in political campaigns or influence legislation.

For its first tasks, the Conservancy started with experimental, pilot projects hiring soil scientists and interns to learn more about horticulture and preservation of the park. The city paid these interns, but asked the Conservancy to pay for their training and material. Some of the Conservancy’s immediate activities as listed in the bye-laws in 1980 were developing a master plan for the park, remodeling the Loeb memorial boathouse, starting a troop of mountain rangers, preparing the first accurate budget for Central Park and developing a management plan for maintenance and operations. The Conservancy also began with corporate campaigns for donations through a committee of executives that came from various sectors of the city’s economy: banking, finance, retail, and consumer products, among others.

⁷⁰ State of New York, “Certificate of Incorporation of Central Park Conservancy, Inc. Under Section 402 of the Not-for-Profit Corporation Law,” November 14, 1979, 4-6.

For the first decade, the Parks Department provided most of the employees. That changed quickly when the Conservancy started depending on volunteer, seasonal and specialized workers exclusively. (Fig. 3.8) This gave rise to two types of workers in the park. The public sector employees had collective bargaining abilities. The other type of worker was those that were not from the public sector—fulltime employees, welfare to work trainees, volunteers, summer youth workers, workers from private not-for-profit conservancies, contract company workers and people sentenced to community service.⁷¹ The shift from public sector employees to this more motley assortment was both gradual and preplanned. In addition to the staff of the Conservancy and the Parks Department, other city agencies such as the New York City Police Department, Department of EPA, Con Edison, and volunteer groups such as a community council for security and a volunteer ambulance core also worked in the park⁷²

“All in all, we created a board made of people who had leadership positions in the city of one kind or another and knew that the health of Central Park was some kind of barometer for the health of New York City.”⁷³

The above quote is from Barlow, wherein she refers to the “distinguished individuals” and private citizens in “leadership positions” that comprised the board that oversaw the Conservancy.

⁷¹ “Central Park Volunteers,” *New York Times*, March 29, 1984.

⁷² Angelina Horn, “Lessons from the Masters: The City of New York and Central Park Conservancy’s Park Partnership.” *City Parks Blog* (blog), January 14, 2013. <https://cityparksblog.org/2013/01/14/lessons-from-the-masters-the-city-of-new-york-and-central-park-Conservancys-park-partnership/>.

⁷³ John Krinsky and Maud Simonet, *Who Cleans the Park?: Public Work and Urban Governance in New York City*, (Chicago, London: The University of Chicago Press, 2017), 139

Barlow draws a sort of equivalency between Central Park—which is surrounded by some of the most expensive real estate in the country—and all of New York City. The quote is reminiscent of the Savas report, which similarly associated the future of Central Park with the future of New York City. In both cases, maintaining Central Park becomes essential for the symbolic preservation of the whole city. Outside of the Manhattan-centrism of this supposition in a city with near-innumerable parks, the quote also speaks to the kind of people that came to form the board of the Conservancy.

The board of directors or “trustees” started with twenty-two members in 1980 and ballooned to fifty-five members as of 2017. The chairman of the Conservancy, Beinecke, administrator Barlow, Mayor Koch, Commissioner Davis and the borough president Stein were trustee members at inception. Koch then appointed five trustees with advice from Davis. Three members from Central Park Community Fund and Central Park Task Force were invited by Beinecke to join the Conservancy board. The rest of the trustees, which includes two community representatives who spoke for the interests of the communities surrounding Central Park, were elected (hand-selected?) following the by-laws by the commissioner, chairman, and administrator. Each trustee had three-year terms. None of these elected members could be employees of the Conservancy or hold office in the City of New York, outside the mayor and commissioner. The board voted on all decisions for the Conservancy. The Conservancy also took in memberships from the general public for tax-deductible amounts ranging from fifty dollars to two hundred and fifty dollars annually in return for benefits such as exclusive access to private tours and events, but the members carried no votes.⁷⁴

⁷⁴ State of New York, “Central Park Conservancy Inc. By-Laws,” November 14, 1979.

Nonprofits and Volunteerism

The primary mode of interaction between the city and the Conservancy was through the framework of a public-private partnership and the apparatus of the Nonprofit Organization (NPO). Undergirding a nonprofit is the notion that as governments support median voters, there is always residual demand for a public good, which is then satisfied through citizen engagement and nonprofits.⁷⁵ A nonprofit, much like a foundation, is a part of the third sector. Unlike for a foundation, the government regulates nonprofits on the kinds of charities they accept towards their cause. They can either be member-serving like trade unions, or community-serving such as the Central Park Conservancy. The question then arises: Why do we need a nonprofit agency in the middle? Why is money not directly given to the government for the public amenity? The answer comes from the many advantages to being a nonprofit—outside of the tax-exempt status of its donations for the donors. Nonprofits offer the promise of a centralized third sector organization, a sole agency with a cause that supports public interests as against a sprawling governmental bureaucracy. When nonprofits generate profits or surplus, they have to put that money towards the preservation of the organization and not towards an individual. This makes donors feel like their money is accounted for and can be easily monitored.

⁷⁵ For more on nonprofits and their role in public parks refer to Elisabeth Stephanie Clemens and Doug Guthrie, *Politics and Partnerships: The Role of Voluntary Associations in America's Political Past and Present* (Chicago; London: University of Chicago Press, 2010); and Charles Brecher and Oliver Wise, "Looking a Gift Horse in the Mouth: Challenges in Managing Philanthropic Support for Public Services," *Public Administration Review* 68 (2008): S146–61.

The third sector is associated with civil society, the arena of “uncoerced collective action.”⁶⁶ It includes characteristics such as participation, volunteerism and negotiation between citizens, state and the market, along with the pursuit of public interest. Its organizational forms include charities, non-governmental organizations, community groups, faith-based organizations and friends groups. Civil society in its Tocquevillian conception is a voluntary, non-political, social organization of citizens that is intended to strengthen democracy, unite individuals, prevent fragmentation and correct the defects of democracy and isolation. Tocqueville had pointed out the extraordinary proclivity among Americans to participate in voluntary groups, what he called the “knowledge of how to combine.”⁶⁷ In this conception of civil society, wherein active citizenship and community engagement counterbalance the state, common and shared goals can influence social and political affairs. The Gramscian notion of civil society, on the other hand, was removed from economic decisions and to the realm of culture and ideology, wherein civil society became the arena where the elite could manufacture consent for the rest of society by exercising hegemony.⁶⁸

In both these theoretical formulations, civil society was identified distinctly from the state. In the practical case of the Conservancy, distinctions between state, market, nonprofit and

⁶⁶ Elisabeth Stephanie Clemens and Doug Guthrie, *Politics and Partnerships: The Role of Voluntary Associations in America's Political Past and Present* (Chicago; London: University of Chicago Press, 2010).; Oliver Cooke, “A Class Approach to Municipal Privatization: The Privatization of New York City’s Central Park,” *International Labor and Working-Class History*, no. 71 (2007): 112–32.

⁶⁷ Alexis de Tocqueville and Arthur Goldhammer, *Democracy in America* (New York: Library of America: Distributed to the trade in the U.S. by Penguin Putnam, 2004).

⁶⁸ Antonio Gramsci, Quintin Hoare, and Geoffrey Nowell-Smith, *Selections from the Prison Notebooks of Antonio Gramsci* (New York: International Publishers, 1971).

citizen were fuzzier. While the Conservancy downplayed the influence of government in civil society to reinforce its independence, it also reiterated a shared responsibility with the Parks Department for Central Park. It was important for conservancies to convey to their donors that their donated money is merely supplementary and not “crowding out” public funds and contributions. This made it important that the city government retain control on the land and provide annual funds, even if the amounts were negligible in comparison to the money raised by the Conservancy.⁷⁹ The Conservancy emerged due to the leadership and counsel of the New York City government, while at the same, through its capacity for fundraising, it also captured the powers of the New York City Parks Department. These conflicting relationships draw from the very nature of the public-private partnership that formed the Conservancy.

The idea of volunteer-led change was at the core of Conservancy and its institutional model. In their report, Savas and his team contemplated the dire future of the island of Manhattan and its residents by the year 2000 if the park were to continue its decline. Safety in the park was not only about cops and flowers, but about an increase in the citizen’s role in park planning, policy formation and performance monitoring as a unified “institutional body.”⁸⁰ Barlow also appealed to the “dedication and sense of proprietorship” of New Yorkers to make volunteerism work, as the “survival of New York City parks” depended on how much people care for them.⁸¹

⁷⁹ Arthur C. Brooks, “Do Government Subsidies To Nonprofits Crowd Out Donations or Donors?,” *Public Finance Review* 31, no. 2 (March 1, 2003): 166–79.; and Cary Deck and Erik O Kimbrough, “Do Market Incentives Crowd Out Charitable Giving?,” *The Journal of Socio-Economics* 47 (December 2013).

⁸⁰ Ibid. 3-45

⁸¹ Elizabeth Barlow Rogers “32 Ways Your Time or Money Can Rescue Central Park.” *New York Magazine*, June 14, 1976.

However, it was not just about survival and rehabilitation. The Conservancy and its mission were dependent on advocacy for continuous maintenance and upkeep supported by a regular supply of donations and volunteers. Raising money and attracting volunteers requires a *cause* and a narrative of legitimacy. Barlow often referred to fundraising as “development,” because fundraising first requires the development of a cause, which the Conservancy can then support through public relations.⁸² Causes had to have clear ends and organization goals that were supported by favorable television programming, media representations, and newspaper stories. Barlow promoted the park as more than just a “municipal service,” but rather as “rich as a library in opportunities for instruction, as well-endowed as a museum in visual beauty, as emotionally uplifting as a symphony orchestra, and as entertaining as a theater.”⁸³ By re-interpreting Central Park as a bearer of cultural values, the Conservancy not only helped the development of its cause, it also helped justify the need for the formation of a public-private partnership as a symbol of civic engagement.

Volunteer groups that existed before the Conservancy—Central Park Task Force which was funded by the Astor Foundation and Friends of Central Park headed by Reed—organized very specific volunteer tasks such as the Adopt a Rock Program, the Shakespeare Gardeners, high school gardening programs and youth employment programs. Reed collected funds and volunteers to rehabilitate parts of the park such as the Bow Bridge and other rustic shelters. The Conservancy followed this model of developing very explicit goals that included capital

⁸² Krinsky and Simonet, *Who Cleans the Park?: Public Work and Urban Governance in New York City*.

⁸³ Elizabeth Barlow Rogers, John Berendt, New York (N.Y.), Department of Parks and Recreation., and N.Y.) Central Park Conservancy (New York. *Rebuilding Central Park: A Management and Restoration Plan* (Cambridge, Mass.: MIT Press, 1987), 153.

improvements, preservation, conservation, horticulture, marketing and education. In the early years, the Conservancy also sponsored several use and management studies that were designed for fundraising and educating the public. New image-centered slogans such as “you gotta have park” were released in the early 80s by way of a design contest with local graphic design students.⁸⁴

By 1987, the Conservancy completed restorations in Bethesda Terrace, Conservatory Garden, Loeb Boathouse and Belvedere Castle. The Conservancy started training programs for other parks, a woodlands initiative and watercourse restoration, several community programs and events, and a new Institute for Urban Parks. By the 1990s, the Conservancy had all private staff, but the city still provided a security team with a police department precinct, light and power to the zoo, and partnered in policy and planning decisions and visitor programming. In 1998 the Conservancy signed a long-term contract, an MOU (Memorandum of Understanding) with the city to manage the park.⁸⁵ This was not a legally binding document, but it did, however, signify a mutual agreement of official partnership.

Permits

Along with the introduction of private security, using walkie-talkies and phones, Central Park saw a re-evaluation of park permits as part of the Conservancy’s new regulatory measures. Before 1980, the Parks Department issued permits, but decisions depended upon the whims of the Parks Commissioner. Moses and Morris had a strict keep-of-the-grass stance for activities in

⁸⁴ Ibid.

⁸⁵ For an overview of the Memorandum of Understanding, please visit: <http://www.centralparknyc.org/about/governance-overview.html>

the park, especially concerning politically-charged gatherings. Hoving and Heckscher on the other hand, exercised more relaxed rules and regulations for permits, transforming Central Park into New York's nexus of political activism.

There are several types of permits for parks in New York City—athletic field permits, special events permits, filming and photography permits, tennis permits, tree-work permits, construction permits, local police precinct permits, sound permits, and temporary use authorizations for vendors.⁸⁶ Most divisive among them was the special events permit. As discussed prior, Joseph Papp sued parks commissioner Robert Moses for refusing a permit for the free Shakespeare festival in Central Park in 1959. Papp eventually won the case and is often credited with accelerating Moses' downfall in the 60s.⁸⁷ In 1977, the Hare Krishna religious organization ISKON was refused a permit for a cultural festival in Washington Square Park. This ruling was later overturned by the courts claiming discrimination on the part of the Parks Department for permit refusal since the Parks Department had previously permitted similar and larger events in the park.⁸⁸ In 1984, the city granted permits for a nativity scene and menorahs in Central Park, acknowledging that these permits could be denied the next year depending on the litigated case in the United States Supreme Court regarding the legality of a nativity scene on public property in Scarsdale, N.Y.⁸⁹ The James Taylor and Paul Simon concert were both

⁸⁶ For more on park permits: New York Department of Parks and Recreation. "Park Permits," n.d. <https://nyceventpermits.nyc.gov/Parks/>.

⁸⁷ *Shakespeare Workshop v Moses*, No. NYS 683 (8 App. Div. 2d 343, 187, 1959).

⁸⁸ *ISKON v Lang*, 91 Misc. 2d 421 (1977)

⁸⁹ *Board of Trustees of Scarsdale v. McCreary*, 471 U.S 83 (1985)

permitted in 1979 and 1981, but the Diana Ross concert was deemed too disruptive for the grass in 1983.⁹⁰

One of the most publicized disputes on permits was the Park Commissioner's (?) rejection of artists Christo Javacheff and Jeanne-Claude's project *Gates* in February 1981, immediately after the formation of the Conservancy. While much is written on *Gates* and the artist duo, this chapter exclusively examines the project's permit rejection, especially in light of the fact that the Bloomberg administration and the Conservancy approved of the very same project several decades later in 2005. What was a problematic project in 1981 for the city and the Conservancy, became an asset for the same entities in 2005. Herein is a trajectory of how the Conservancy and the city government continuously shaped public perceptions and legitimated certain activities and groups as suitable for Central Park over others.

The Park Department and the Conservancy presented a formal response to the artist duo in a wordy report titled "Report and determination in the matter of Christo, the Gates" in 1983. The report formalized the rejection by explaining why the Department of Parks and Recreation could not allow the *Gates* project in Central Park.⁹¹ Artists Christo and Jeanne-Claude proposed *Gates* in the late 70s. It was comprised of 7503 steel gates that were fifteen feet high with a width ranging from nine to twenty-eight feet, that created a series of portals for Central Park. Attached to the crosspiece at the top of each steel gate was a fabric that would come down five

⁹⁰After mayor Koch announced that the Diana Ross concert caused damage, Ross personally handed the Parks Department a check for 250,000 dollars

⁹¹ New York (N.Y.). and Department of Parks and Recreation., *Report and Determination in the Matter of Christo, the Gates* ([New York, N.Y.]: [The Dept.], 1981). The report was put together with the assistance of Elizabeth Barlow and Joseph Bresnan among others.

feet, stopping six inches from the ground. The gates would be at nine feet intervals. In their description of the project, they described the project as simply a work of art, “a golden river appearing and disappearing through the bare branches of the trees and highlighting the shape of the meandering footpaths.”⁹² Their idea was to use all of Central Park for these portals, which in their words would make *Gates* a true “public work of art.”⁹³

Christo and Jeanne-Claude applied for a permit for the installation and scheduled it for two weeks in the fall of 1982 or 1983. In his permit application, Christo claimed that the project would generate enough revenue to cover construction costs, expenses, profits, and fees. The artists did not want any funds from the city or private entities and pledged to pay for the repair of any damages to the park. They also commissioned two independent environmental impact studies, a human impact study, in addition to offering a cash donation to the city for an unspecified sum at the end of the project.⁹⁴ Despite all this, the Parks Department rejected their permit.

The 214 pages-long rejection report had commissioner Davis grapple with several fundamental questions such as, on what basis should the question of the *Gates* installation in Central Park be determined? How should public spaces be used and by whom and for what purposes? How should the decisions be reached and who should be involved?⁹⁵ The report does

⁹² Christo and Jeanne-Claude’s project description is from the website:
<http://christojeanneclaude.net/projects/the-gates>

⁹³ New York (N.Y.). and Department of Parks and Recreation., *Report and Determination in the Matter of Christo, the Gates* ([New York, N.Y.]: [The Dept.], 1981), 9.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.* 44.

not quite answer these questions. It simply raises them and argues that every permitted event in the park becomes a precedent for the future. Approving Christo's project in 1981, in Davis' opinion, would "impact future events in the park" and open doors for future judicial reviews of administrative denials by the Parks Department.* One of the central concerns was what they thought to be Christo's ways of blurring the boundaries between art, promotion and commerce by encouraging comment, controversy and support while leaving the city government, Parks Department and the Conservancy out of the discussion.

The rejection report discusses the details of Christo's proposal, the park's department's history of temporary sculpture displays, Central Park's design and management policies, and lastly, the legal precedents and administrative procedures of the use, management and alteration of Central Park. Davis reviews the extensive physical and technical undertaking that would be required for a project of this scale, which would include installation, display and dismantling. While Christo estimated the construction costs as 5.2 million, Davis thought the number did not include the "thousands of hours" of related city police and employee costs that would be required to guard the artwork. Acknowledging that Christo was not a novice with a project of the scale, having already demonstrated technical skill and financial capability in other projects with similar outdoor settings with "minimal alteration or damage" to the location, Davis did not think these factors were enough to accept or reject the project.†

* Ibid. 89.

† New York (N.Y.). and Department of Parks and Recreation., *Report and Determination in the Matter of Christo, the Gates*, 15.

Christo's human impact study claimed that works of modern sculpture were always placed in mid-town, Park Avenue or the commercial and financial districts of Manhattan, while the Parks Department routinely ignored the northern portions of the parks that were frequented by blacks and Latinos. The city objected to the racial tinge in this commentary, calling *Gates* "artistic and cultural affirmative action."⁹⁸ Davis thought Christo simplified the reasons for the discrepancy to reveal a lack of knowledge of the park and the city, claiming that Blacks and Latinos did frequent the mid-town area and that there was no site in the northern part of the park to hold large events.⁹⁹ Quoting another event involving punk rock promoters in the southern district of New York, who wanted to put up an event in a park and then changed the event's premise (from an offshoot of the movement to legalize marijuana to a rally protesting discrimination against blacks without any substantiated connection to civil rights groups), Davis commented that the city was getting wary of becoming a mere spectator to self-promotional activities.¹⁰⁰

However, decades later during the Bloomberg administration, the Parks Department and Conservancy approved of *Gates* in 2005 for Central Park. (*Fig. 3.10*) The project received incredible amounts of publicity and press. Four million people visited *Gates*, restaurants and bars around Central Park reported a business increase of 200 percent, and the project itself is credited to have pumped 240 million dollars into New York City's economy in its mere sixteen-day run.¹⁰¹

⁹⁸ Ibid.17.

⁹⁹ New York (N.Y.). and Department of Parks and Recreation. 19.

¹⁰⁰ Ibid. 94.

¹⁰¹ Carolyn Curiel, "At Last, the Gates Wave in Central Park," *New York Times*, February 12, 2005; Randy Kennedy, "The Gates' Unfurling to High Hopes," *New York Times*, February 12, 2005.

It was hailed as a great work of art with by Bloomberg, who was also a trustee of the Conservancy and a self-professed promoter of public art, personally acquiring drawings of the project for 500,000 dollars. What had changed since the first proposal of the artwork? Why did the city no longer have a problem with being a “spectator” to the artists’ “self-promotion”? How was Christo and Jean Claude’s apolitical claims for their project as “not a message or a symbol, but only a work of art,” acceptable, bearing in mind the fact that Christo and Jean Claude donated three million dollars to the Conservancy in 2005?

The project did receive criticism for being less public art and more of a tourist trap for New York City in the post-9/11 era.¹⁰² The permit for the project as “public art” stood out, especially considering that the city rejected permits for other events such as the proposed Anti-War Demonstration of August 29, 2004, by the organization, United for Peace and Justice.¹⁰³ Parks Commissioner Adrian Benepe called the project a part of the “great outdoor museum” that is Central Park in 2005, while Davis, the commissioner who had rejected the project in 1981, approved the project as coming to the “right park in the right city at the right time.” Was this turnaround part of the incorporation of “public art” into the apparatus of urban redevelopment and capitalism, as in the words of art historian Rosalyn Deutsche, or was the project a part of

New York City Economic Development Corporation (NYCEDC), “Mayor Michael R. Bloomberg Announces \$254 Million Economic Impact of the Gates on New York City,” *Press Releases* (blog), March 3, 2005. <https://www.nycedc.com/press-release/mayor-michael-r-bloomberg-announces-254-million-economic-impact-gates-new-york-city>.

¹⁰² Mike McIntire, “Enough About ‘Gates’ as Art; Let’s Talk About That Price Tag,” *New York Times*, March 5, 2005.; and “Christo’s Controversial Art: A Timeline of Irritating People with Fabric,” *The Week Staff*, (September 14, 2010).

¹⁰³ The antiwar demonstration of August 29, 2004 was denied a permit in Central Park by the Conservancy and city government. However, 25,000 people did show up that day in the Great Lawn.

Sharon Zukin’s symbolic economy, where depoliticizing the project to aesthetic expression concealed a private sector bid—in this case, the Conservancy—for control of public space?¹⁰⁴

It may well have been both. Both in the time of its rejection in 1981 and its acceptance in 2005, *Gates* made visible the inflection point for the public-private partnership and Central Park. In 1981, the fledgling Conservancy had just taken over and a lot needed to be done with respect to the physical condition of the park in a city that was recovering from a fiscal crisis. By 2005, the Conservancy was raising more than seventy-five percent of the park’s budget, had a fifty-five-member volunteer-led board of directors made up of developers, CEOs, and businesspeople. Central Park had been completely restored to its nineteenth-century image, in a city that was economically booming.

In April 2015, the Parks Department released new outlines for permits for events and gatherings in the park. The new rules further limited gatherings to 50,000 people, and allowed only six such events in the year, blocking four of those for the New York Philharmonic and Metropolitan Opera and barring all events between August and September. This shift was best encapsulated by the *New York Times* when it clarified the city’s differentiation of “passive users...those who sit, drink wine and listen” and “active users...dance, march or stand on the grass,” later stating that the days of the mega event is over in Central Park.¹⁰⁵

“Generous philanthropists, committed volunteers and city largess — you put the

¹⁰⁴ Sharon Zukin, *The Cultures of Cities* (Cambridge, MA: Blackwell, 1995); Rosalyn Deutsche, *Evictions: Art and Spatial Politics* (Chicago, Ill.; Cambridge, Mass.: Graham Foundation for Advanced Studies in the Fine Arts; MIT Press, 1996).

¹⁰⁵ Timothy Williams, “Keeping Great Crowds Off Central Park’s Great Lawn,” *New York Times*, April 25, 2005.

three of those together and it becomes this very creative laboratory.”¹⁰⁶

Central Park is the biggest draw in New York City real estate. The data offered by the Conservancy in its literature, website and reports persistently presents this notion. As of 2015, one-third of Manhattan’s residents live within 10-minute walking distance of Central Park. Some of the most ambitious residential and commercial architecture happens around Central Park. Hotels around Central Park make up thirty-seven percent of all rooms in New York City.¹⁰⁷ As this chapter argues, Central Park and proximate neighborhoods regulate each other’s values as the proximity principle works both ways. The value of the real estate around Central Park has made the Conservancy one of the wealthiest nonprofits managing a public park in the world since 1980. Its board boasts of CEOs, developers and bankers such as Adrian Benepe (Pinnacle Management Group), Richard Gilder (Gilder Gagnon Howe & Co. LLC), Robert Hurtz (Crestview Partners), and James Wigley (Hess Corporation), among others. Since 1980, the Conservancy has amassed over 950 million dollars. It attracted 100 million dollars from billionaire hedge fund manager John Paulson in 2012 and 110 million dollars as part of its public-private arrangement from the city in 2015.

The Conservancy is symptomatic of the particular quandary that privately managed public parks present—which was echoed by Davis in his rejection report in 1983—who gets to decide how the park is used? How does the involvement of the private sector in the management of public amenities alter the “public” in public parks? This chapter demonstrates that the answers

¹⁰⁶Quote about the Conservancy from Adrian Benepe, New York Parks Commissioner under Mayor Bloomberg. Lisa Foderaro and Winnie Hu, “His Domain Transformed, Parks Chief Is Leaving,” *New York Times*, June 18, 2012.

¹⁰⁷ The Conservancy’s website lists these figures: <http://www.centralparknyc.org/about/>.

to these questions are not static. While the Conservancy initially championed nineteenth-century ideas of a passive, apolitical, recreation-seeking public for Central Park, the notion of the ideal use and the user has been reconceptualized several times since 1980. These changes were also echoed in the shifting balance of the public-private partnership between the city and the nonprofit.

The Conservancy also represents the disparities between public parks in New York City, between those that are still dependent on the Parks Department and those that have alternative funding sources. The Conservancy has received criticism for not sharing its resources with other parks in the city that could use extra support. To this the Conservancy has claimed that it does share volunteers and educational activities, and by depending less on city funds it has reduced the overall burden on the Parks Department. This statement is not entirely true, however, as the Parks Department gives more money to the Conservancy as part of its partnership agreement than to any other park in the city. In essence, by dint of the partnership, the city is making an already wealthy nonprofit even wealthier. Complaints from Harlem community leaders who accused the park and its leadership of neglecting the northern Harlem end of the park were faced with city officials claiming that restoration takes the money and “people with money don't live here.”¹⁰⁸

Since 1980, thirteen conservancies have emerged for other public parks in New York City, including Friends of Hudson River Park, Friends of the High Line, Madison Square Park Conservancy, Prospect Park Alliance, Randall's Island Park Alliance and the Battery Park

¹⁰⁸Thomas Honan, “These Parks Are Our Parks: An Examination of the Privatization of Public Parks in New York City and the Public Trust Doctrine’s Protections.” CUNY L. REV. F. 107, 2015. <http://www.cunylawreview.org/article-these-parks-are-our-parks/> [https://perma.cc/UWC7-4SLB].

Conservancy. While these arrangements are the product of unique partnerships with specific terms and conditions, the public sector assumes risk in most cases, as it loses income in taxes for these parks. In cases such as the Central Park Conservancy, the city also has to be ready to perform for “challenge grants,” where philanthropists donate money under the condition that the city matches the amount—Gilder donated seventeen million dollars to the Conservancy in 1993 as a challenge grant.

The Conservancy has become a symbol of civic engagement and was an authentic grassroots movement started by concerned New Yorkers for the state of the city’s most beloved nineteenth-century landmark. However, it is also a private nonprofit organization started with the support of the city government and mayor Koch, in dialogue with some of the most powerful and influential New Yorkers and New York-based businesses. The conservancy is characteristic of both the privatization of a public service and the publicization of the private sector in the form of an entity from the third sector, a nonprofit. The construct of the nonprofit presents a peculiar condition for the Conservancy that claims equal allegiance to both the public and private sector, while heavily depending on the success of private fundraising for its continued survival. Without the donors and volunteers, the Conservancy would simply not survive, irrespective of city support.

At its core, the Central Park Conservancy and its success with “rehabilitating” a public park into its Olmstedian, pastoral image with private funds, reveals the intersections between real estate value, park maintenance, land speculation and philanthropy in New York City. The proximity principle is still as relevant for New York City in 2017 as it was in 1870. Real estate around parks do sell at a premium, however, only around those parks that are well maintained, historically preserved, with ample “cops and flowers.” This maintenance has come to depend

upon organized citizen-led groups and the ability of these groups to precipitate a culture of giving back, ultimately spawning a disparity between the value of a park in Manhattan and one in Harlem. While both are public parks, only one among them can be called a “self-financing enterprise.”

Chapter Four

From Fear City to I Heart New York: Image, Crisis and the Intentions of Economic Development

New York City experienced a citywide blackout on July 13, 1977. The blackout was the product of three consecutive lightning strikes. The first two struck substation Buchanan South on the Hudson River. Sometime later, a third lightning struck at Sprainbrook substation in Yonkers that took down several critical transmission lines. In about an hour, three major lines that supplied power to the city were overloaded and the biggest generator in the city Ravenswood 3, shut down.¹⁰⁹ In its aftermath, the Con Ed power system completely shut down, plunging the city into darkness. Power was not restored in the city until the next day. This was not the first blackout for the city. The city had seen a similar blackout in 1965, that has been commemorated in the Doris Day, Patrick O’Neal comedy, “Where were you when the lights were out?” a story of actress Day skipping her Broadway play due to the blackout and going home, only to see her husband O’Neal flirt with journalist, Lola Albright.¹¹⁰

The 1965 blackout was tame in comparison to the one in 1977 when New York City nosedived into looting and arson that left whole neighborhoods in Brooklyn burning until the next day. On the night of the blackout, people ran out in droves, breaking locks and gates, and crashing windows and doors. (*Fig. 4.1, 4.2, 4.3, 4.4*) There were over a thousand fires blazing in the city by the morning, especially in the Crown Heights and Bushwick neighborhoods in Brooklyn. A Bronx dealership lost fifty Pontiacs to looting. An interesting correlation has also been drawn between the 1977 blackout and the looting of high-end DJ equipment that allowed

¹⁰⁹ Martin Gottlieb and James Glanz, “The Blackout of 2003: The Past; The Blackouts of ’65 and ’77 Became Defining Moments in the City’s History,” *New York Times*, August 15, 2003; and David Frum, *How We Got Here: The 70’s, the Decade That Brought You Modern Life (for Better or Worse)*, New York, NY: Basic Books, 2000.

¹¹⁰ Hy Averback, *Where Were You When the Lights Were Out*, Metro-Goldwyn-Mayer, 1968.

hip-hop to be introduced to the rest of the city, outside the immensely successful DJ parties in the projects.¹¹¹ Since there was no power citywide, little was done that night in terms of law enforcement. The next day, TV and press reporting on the blackout unfolded with strong racial undertones after over 3500 arrests were made of mostly Black and Hispanic youth.¹¹²

Later in the same year, Union Carbide, which was the third largest chemical company in the United States that had their offices in the imposing black building 270 Park Avenue, announced that they would be moving to Danbury, Connecticut to a new Kevin Roche and John Dinkeloo designed 1.3 million square feet facility on a 674-acre property.¹¹³ Carbide's move meant the loss of 3500 jobs for New York. Companies such as Pepsi Cola, Nabisco, Shell Oil, Avon, Western Union and General Electric had already left the city for headquarters in the suburbs. Carbide's reasons for leaving were that they could not get executives from elsewhere—"middle management people from Buffalo or North Carolina or San Diego"—to come and work in New York City because of housing costs and "other things you associate with the big city."¹¹⁴ The city's reputation as the financial capital of the country had indeed suffered since the "fiscal crisis" of 1975.¹¹⁵ The summer of 1976 saw David Berkowitz or the Son of Sam, go on a killing

¹¹¹ In the Netflix documentary "Hip Hop Evolution," Grandmaster Caz or Curtis Fisher who was part of the first DJ crews Mighty Force acknowledged this interesting bit of hip-hop history. Also features in 99% Invisible and Delaney Hall, "Was the 1977 New York City Blackout a Catalyst for Hip-Hop's Growth?" *Slate* (blog), October 16, 2014.

¹¹² Jonathan Mahler, *Ladies and Gentlemen, the Bronx Is Burning: 1977, Baseball, Politics, and the Battle for the Soul of a City*, (New York: Farrar, Straus and Giroux, 2005).

¹¹³ Jack Egan, "Union Carbide's high cost of leaving," *New York Magazine*, October 19, 1981.

¹¹⁴ *Ibid.*

¹¹⁵ The fiscal crisis will be discussed later in this chapter. For more on the fiscal crisis in terms of political and policy details, please refer to: Kim Phillips-Fein, *Fear City: New York's Fiscal Crisis and the Rise of Austerity Politics*, (New York : Metropolitan Books, 2017); Steven Weisman, "Fiscal

spree in the city. Along with a mayhem-filled blackout, New York City saw an increase in subway fares, scarcity of housing, twenty-six million square feet of vacant office space with over five hundred buildings in Manhattan already in foreclosure, and over 7000 fires in the South Bronx due to the closing down of fire stations.

William S. Doyle, the Deputy Commissioner of the New York State Department of Commerce, spoke of this moment as particularly significant as it was one of the most significant corporate departures from the city that capped several years of corporate exodus. In a *New York Magazine* piece from 1987, Doyle reminisced how he approached the commissioner John Dyson and told him that New York City's redemption lies in a rebranding exercise that markets the city as a business and tourist-friendly destination. The popular perception that the city offered no work-life balance, and that having an office or residence in New York was expensive and unsafe, had to change. Considering the city had already lost sixteen billion dollars in tourism revenue between 1967 and 1976, as Doyle reiterates in the article, getting people to visit the city became the most crucial aspect in New York City's revival.¹⁶ In response to Doyle, the Department diverted its entire tourism spending towards financing a market research program, which was then used to persuade state legislators about the same.

In the same year, the state increased its tourism budget from 400,000 to 4.3 million, all of which was used by Doyle and Dyson to hire the young advertisement firm, Wells Rich and

Crisis at a Glance," *New York Times*, May 30, 1975; Robert W. Bailey, *The Crisis Regime: The MAC, the EFCB, and the Political Impact of the New York City Financial Crisis*, (Albany: State University of New York Press), 1984.

¹⁶ "On Madison Avenue, Nothing but the Best." *New York Magazine*, July 27, 1987. Interestingly, Doyle went on later to form the advertising agency, Doyle Graf Mabley, based in New York City.

Greene.¹¹⁷ They came up with the slogan I Heart New York which was accompanied by a jingle and several television commercials. (Fig. 4.5, 4.6) The catchy phrase “I Heart New York” also became the now iconic logo designed by art director Milton Glaser. Decades later, an 81-year-old Glaser recounted how he made no money off the “scrappy little logo” as the project was pro bono.¹¹⁸ The logo was not even copyrighted for the first decade as the agency deliberately wanted it copied, commodified and part of New York culture.

The I Heart New York campaign was, and remains one of the most successful advertisement campaigns for the city, which put New York back on the tourist map. It generated tourism expenditure of 14.4 billion dollars in 1985 and over 650,000 jobs, which was up from 5.5 billion in 1976.¹¹⁹ By 1987, New York State became the leading tourist destination on the east coast, over New England. The Department of Commerce launched the campaign with the simple intent of purging all negative associations with the city and instilling confidence in the business community. The narrative as set by the campaign was of New York City as the consumable and timeless given that was on the mend for economic development.

The narrative shift was significant as just two years ago, the city was going to default on its loans and file bankruptcy. The fiscal crisis of 1975 as it came to be called, was the sum product of many factors, including an accumulated debt from the earlier decade, shrinking tax base, growing demands for municipal services, onset of a recession, oil crisis of 1973, stock

¹¹⁷ Mary Wells Lawrence, *A Big Life in Advertising*, (Paperback: Touchstone, 2003).

¹¹⁸ Alastair Sooke, “Milton Glaser: His Heart Was in the Right Place,” *The Telegraph*, February 7, 2011.

¹¹⁹ From Miriam Greenberg, *Branding New York: How a City in Crisis Was Sold to the World*, (Routledge, 2009). 215. Between 1976-1980, revenue from tourism in New York City increased by 1.7 billion, increasing by 340 percent. Hotel occupation reached 80 percent.

market crash of 1973-74, that each exacerbated the situation. In June 1975, a few months before the imminent bankruptcy, New York City was the subject of another campaign that was worlds apart from the I Heart New York advertisements. The campaign was called, “Welcome to Fear City,” and it was designed and conceived by New York City’s unions in coordination with a public relations firm, with the primary purpose of frightening visitors from coming to the city.¹²⁰

The campaign was a brutal response to the city government’s austerity measures, which were part of Mayor Abraham Beame’s “modified crisis municipal budget” that included laying off over 31,315 employees from the public sector.¹²¹ Centered around a pamphlet called “Fear City,” the campaign was envisioned as a bargaining chip with the city in the hopes the government would rethink its austerity measures. The pamphlet painted a grim picture of New York City’s physical deterioration and its moral and social decay, by accentuating the fear that the city engendered among citizens on a daily basis and then prognosticating how bad the situation would be when the proposed austerity measures really transpired. (*Fig. 4.7*) The unions handed out the pamphlets to tourists, visitors and locals at airports, ports and the subway. The unions accompanied the pamphlets with strikes, protests, press conferences, and a full-page advertisement in the New York Times stating, “How much is your life worth?”¹²² When the campaign received national and international attention, the city requested that the State Supreme

¹²⁰ I have not been able to locate the name of the public relations firm. There are no archives for the Fear City pamphlet as yet. It is an ongoing search.

¹²¹ Maurice Carroll, “Beame Would Cut City’s Budget Gap by \$276.9 Million,” *New York Times*, April 30, 1975.

¹²² The Advertisement appeared in the New York Times on June 10, 1975.

Court put a restraining order on the unions against distributing these pamphlets around the city, on the grounds that they “spread fear, panic and trepidation among everyone.”¹²³

Nevertheless, the unions distributed the pamphlets. The layoffs went through as well. New York’s bankruptcy would have gone through too, had it not been for the teachers retirement pension funds that decided to buy the city’s debt and avert the crisis. However the image of a bleak city in constant fear, that was wracked by riots, strikes, and protests, stuck. The fear was not just about New Yorkers and their life within a city ridden with crime and neglect embodied in popular films such as *Taxi Driver* (1976) and *Death Wish* (1974) that were shot on location.¹²⁴ Fear here also spoke of the anxiety and dismay that hung over the city for the gradual erosion of big metropolitan city life that had defined New York for centuries.

This last and final chapter examines the Fear City and the I Heart New York campaigns to investigate how they mediated crises with images and rhetoric that were designed to provoke, seduce and disrupt, and which became currencies of exchange for a changing city. Crisis has been a constant in this dissertation. Previous chapters have examined the notion of crisis, the overuse, and vagueness of the term, and the powers of crisis narratives to shape policy and the

¹²³ Kim Phillips-Fein, *Fear City: New York’s Fiscal Crisis and the Rise of Austerity Politics*, New York : Metropolitan Books, 2017), 130

¹²⁴ Landmark films from the 1960s and 1970s were shot on location in New York City due to Mayor John Lindsay’s pioneering efforts to change the process of acquiring filming permits. He reduced red tape and bureaucracy by bringing approval forms down to one. For more on the changes: McLain Clutter, *Imaginary Apparatus: Film Production and Urban Planning in New York City, 1966–1975*, 2009.

political and economic futures and histories of New York City. While crisis gets associated with facts, they do exist only through narratives.¹²⁵

Both the Fear City and I Heart New York campaigns were crisis narratives that mediated the upheavals of the moment to counter an existing perception of New York and reinforce a new one. The Fear City pamphlet was a protest statement in 1975 that did not work, however, the campaign and its message represented the final years of the militant strength of New York City's public unions. The I Heart New York campaign, on the other hand, spelled the moment when the state government actively worked at getting rid of the perception of New York City as a unionized city and started tying economic development to tourism and branding. These images were part of the city's transformation from a blue-collar manufacturing hub to a white-collar corporate economy, from the urban crisis years of the late 1960s to the beginning of the Reagan era in the late 70s.

As I argue early on in this dissertation, these transformations did not happen suddenly around the fiscal crisis of 1975. They had been brewing since the 1960s. Privatization, I argue, was at the center of this decade-long shift. Since the 1960s, New York City had been steadily losing both its tax base and federal support for public services and programs. What started as gentle nudges for private sector participation and engagement in urban development from the Lindsay administration in 1966 with the formation of task forces and the production of white papers, transitioned in the aftermath of the fiscal crisis, into a complete surrender of city autonomy with the establishment of the Municipal Assistance Corporation (MAC), a governor-

¹²⁵ This has been articulated in Timothy Hyde, "Architecture, Modernity, Crisis," *Journal of Architectural Education* 69, no. 1 (2015): 2–3.

supported public-private partnership that comprised of investment bankers and CEOs, who monitored all of New York City's budgets, spending and borrowing decisions after 1975.¹²⁶

The Fear City and the I Heart New York campaigns certainly bookended this period of economic upheaval for the city. The abrupt narrative shift between the two campaigns indicated the growing importance of branding New York City in the interest of real estate, tourism and finance, that were replacing New York's declining manufacturing industry. Place marketing valorized certain parts of the city—The Theater District and Broadway for example, that thanks to the I Heart New York ads, wielded cultural capital that shaped urban development and the public realm in New York City in the decades after 1977.¹²⁷

How did the two campaigns mediate crisis? The Fear City pamphlet and the I Heart New York campaign were two very different readings of New York City. However, it is not the differences, but the inherent similarities between the campaigns that are significant for the purposes of this chapter. They were spectacles, in that, they restructured New York's imaginaries

¹²⁶ The MAC is discussed later in this chapter. The MAC was established through State legislation on June 10, 1975, in order to engage with the New York City government's fiscal crisis. The Corporation was the product of an advisory panel (Simon H. Rifkind, Felix G. Rohatyn, Richard M. Shinn and Donald B. Smiley among others) to Governor Hugh L. Carey. MAC had a Board of Directors consisting of nine private citizens and was endowed with the authority to borrow billions backed by State revenue and to exercise specific policing powers over city fiscal practices. David Harvey discusses the MAC in his essay "Neoliberalism and the City," *Studies in Social Justice* Volume 1, Number 1 (Winter 2007). MAC is also discussed in Kim Moody's *From Welfare State to Real State*, and Kim Phillips-Fein's *Fear City*. "The Constitutionality of the New York Municipal Wage Freeze and Debt Moratorium: Resurrection of the Contract Clause." *University of Pennsylvania Law Review* 125, no. 1 (1976): 167–214.; and Robert W. Bailey, *The Crisis Regime: The MAC, the EFCB, and the Political Impact of the New York City Financial Crisis*. Albany: State University of New York Press, 1984.

¹²⁷ The I Heart New York campaigns had a series of television spots that focused on Broadway with vacation packages that were available on toll-free numbers on the screen. Broadway actors from the Chorus Line, opera singer Beverly Sills and Angela Lansbury sing their love for New York. The ad ends with Frank Langella as Dracula saying he loves New York "especially in the evening

and social relations with specific images that spoke through notions of collectives and social solidarities.¹²⁸ In this endeavor, they successfully shifted focus from the inherent complexities and risks of New York's recent upheavals—racial, social and economic inequities, lack of federal and state funds, fiscal irresponsibilities and the failures of urban and economic policies. The campaigns also shared modes of dissemination. This was a period of media optimism in the United States with Marshall McLuhan's writings on media theory, which had wielded influence on politics and the counterculture.¹²⁹ The two campaigns made specific choices for the dissemination of their message: dramatic press conferences, upbeat television advertisements, snarky print ads and pamphlets, and long-running strikes and protests. They worked with advertising firms and public relations specialists and participated in a level of political theatre that was designed to send a message across with a particular intensity and expectation of audience involvement.

¹²⁸ By imaginary, the chapter means social imaginary, the historical constructs that allow a given people imagine their collective social life, and legitimize their processes and practices. Cornelius Castoriadis and Durkheim's notion of social imaginaries have informed this understanding. The two texts that have informed my understanding of imaginaries: Cornelius Castoriadis and David Ames Curtis. *Cornelius Castoriadis, Political and Social Writings*. Minneapolis: University of Minnesota Press, 1988; and John F. Rundell, *Imaginaries of Modernity: Politics, Cultures, Tensions*, 2017.

¹²⁹ McLuhan's book *The Medium is the Message* was hugely influential in the period. McLuhan defined media and technologies as extensions of the physical, psychological, and social function of humans. His theory of the world moving towards global consciousness, the "global village," was significantly appropriated by the counterculture. His somewhat confusing categorizations of hot and cold media made television an important part of branding. Marshall McLuhan, Quentin Fiore, and Jerome Agel, *The Medium Is the Message: An Inventory of Effects*, (San Francisco, CA: HardWired), 1996.; Marshall McLuhan, and W. Terrence Gordon. *Understanding Media: The Extensions of Man*. (Corte Madera, CA: Gingko Press), 2003.

Any discussion on image and New York City operates in a crowded field of markers and references. There are landmark films from the 1960s and 1970s that have etched the image of grit in relation to New York City—Midnight Cowboy(1968), Taxi Driver (1976), The Panic in Needle Park (1971), The French Connection (1971) Serpico (1973), Godfather (1972), Mean Streets (1973), Death Wish (1974), Annie Hall (1977) and Manhattan (1978) among so many others. Books and articles from the period characterized New York as the *Ungovernable City*, the *Unheavenly City*, and *Exodus from Fun City* among other vivid monikers.¹³⁰ Midtown New York-based national TV networks documented the daily rise of crime and ongoing strikes in the city—what Robert Beauregard referred to as the rise of the “nightly dramaturgy”—making New York the paradigm for the ill effects of the modernizing environment.¹³¹

Recently, McClain Clutter’s book “Imaginary Apparatus” discusses how mediated images from films shot in New York City in the 1960s and 70s influenced the broader imagination of planners and policy writers at the time.¹³² Mariam Greenberg’s book “Branding New York” discusses how branding exercises in the aftermath of the I Heart New York campaign shaped the neoliberal city of Mayor Bloomberg.¹³³ In this field, what this chapter offers

¹³⁰ Vincent Cannato, *The Ungovernable City*, Basic Books, 2009.; Jon Soder and Edward Banfield, “The Unheavenly City,” 1972; “Exodus from Fun City,” *Time Magazine*, February 24, 1967.; Jon Soder, and Edward Banfield, “The Unheavenly City,” 1972; “Exodus from Fun City,” *Time Magazine*, February 24, 1967.

¹³¹ Robert A. Beauregard, *Voices of Decline: The Postwar Fate of US Cities*, (Oxford, UK; Cambridge, Mass., USA: B. Blackwell), 1993.

¹³² McLain Clutter, “Imaginary Apparatus: Film Production and Urban Planning in New York City, 1966–1975.” *Grey Room*, no. 35 (2009): 58–89.

¹³³ Miriam Greenberg, *Branding New York: How a City in Crisis Was Sold to the World*. Routledge, 2009.

is a new framework to understand the intersections between the powers of image construction and crisis narratives that merge advertising and editorial content in their support of image sensitive and “place” driven industries such as real estate and tourism for the New York of the 1980s.

I—Welcome to Fear City Campaign

On June 1st 1975, Mayor Abraham Beame called for new austerity measures in New York City with the layoff of 31,315 city employees at the start of the new fiscal year.¹³⁴ This included over 5000 policeofficers, 2000 firefighters, 3000 sanitation workers and other public-sector employees such as correctional officers, park employees, and employees of the Human Resources Administration. Beame, who was an accountant and ran for mayor on the platform “He Knows the Buck” in 1974, entered office with a fiscal deficit of over 600 million dollars.¹³⁵ His “modified crisis municipal budget” of 11.9 billion dollars, had cuts that included shrinking New York’s massive public sector.¹³⁶ He announced the budget on prime-time television—a move characterized by the *New York Times* as “political theatrics.” Beame made the announcement in order to garner support for more state funds by repeatedly calling attention to the difference between an austerity budget and a crisis budget, which in his opinion, could be averted.¹³⁷

¹³⁴ Lawrence Van Gelder, “Layoffs of 40,000 Ordered as City Ends Fiscal Year,” *New York Times*, June 1, 1975

¹³⁵ “Political Theatrics,” *New York Times*, June 1, 1975.

¹³⁶ Ronald Smothers, “20,575 Win Job Reprieve As Beame Seeks Funds,” *New York Times*, June 13, 1975.

¹³⁷ Maurice Carroll, “Beame Would Cut City’s Budget Gap by \$276.9- Million,” *New York Times*, April 30, 1975.

Eight days later, on Jun 9th, 1975, 80,000 members from twenty-four police and fire unions in New York City formed the Committee for Public Safety to protest the mayor's austerity measures and recommend that the crisis be resolved through attrition instead.¹³⁸ In reaction to the layoffs, the union members started the "Welcome to Fear City" campaign. They announced the campaign in a press conference in the company of a Public Relations consultant.¹³⁹ The campaign had a pamphlet titled, "Welcome to Fear City, A Survival Guide for Visitors to the City of New York" that was handed out to tourists, visitors and locals at airports, ports and the subway. This pamphlet was accompanied by a full-page advertisement in the New York Times that asked, "How much is your life worth?" The advertisement implored New Yorkers to attend a rally at City Hall to protest the layoffs. Union members drove around the city in trucks with flags, giving people warnings about safety. The four-page pamphlet carried the classic image of hazard and danger: a hooded skull, on its cover.

On the foldout under the title, "Welcome to Fear City," the pamphlet listed statistics of New York's crime and violence, namely robberies, aggravated assault, larceny and burglary, which as the pamphlet clarified were, "shockingly high and getting worse every day."¹⁴⁰ By reducing the number of public safety personnel available to protect resident and visitors, the pamphlet asserted that the city had made the situation worse. In this scenario, the unions

¹³⁸ Peter Kihss, "Police Leaders Decry Leaflets," *New York Times*, June 13, 1975.

¹³⁹ Council of Public Safety, "Fear City Pamphlet." Council of Public Safety, 1975. For more on the austerity politics, please refer to Kim Phillips-Fein, *Fear City: New York's Fiscal Crisis and the Rise of Austerity Politics*, 2017; and Kevin Baker, "Welcome to Fear City – the inside Story of New York's Civil War, 40 Years On," *The Guardian*, May 18, 2015, Cities Edition, Supported by the Rockefeller Foundation edition.

¹⁴⁰ Council of Public Safety, "Fear City Pamphlet," Council of Public Safety, 1975.

recommended that it was best for everyone to stay away from New York City if possible, even though some New Yorkers “do manage to survive.”¹⁴¹ The Committee then listed a set of ten guidelines to “help visitors enjoy their visit to New York in comfort and safety,” and added “good luck” next to another image of the hooded skull.¹⁴²

The Fear City campaign was an astute and marketing-savvy response to New York City’s austerity measures. The pamphlet, along with strikes, protests, and press conferences were part of the political theatrics that was necessary to present a bleak and apocalyptic city in fear; an image that was the union’s bargaining chip with the government. Although the austerity measures and public-sector layoffs did eventually go through, the Fear City campaign itself represented the final days of New York’s notoriously powerful unions. It also marked a conservative shift in city politics in response to these very labor unions, that according to groups such as the ABNY, had been dictating public policy in New York City for too long.

At the time, the New York Times even ran an article, “18 Urban Experts Advise, Castigate and Console the City on its Problems.”¹⁴³ The article had economist Milton Friedman chiding New York City and suggesting that cities have to learn to live within their means and become “honest” again. Author Edward Banfield blamed the citizens of New York City for its dismal condition, calling them more generous and too moral and righteous to do the right thing, adding that “you won’t find police officers striking in Chicago.”¹⁴⁴ Urbanist Lewis Mumford went

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Israel Shenker, “18 Experts Advice, Castigate and Console the City on Its Problems,” *New York Times*, July 30, 1975.

¹⁴⁴ Ibid.

as far as declaring New York City a sick patient who cannot be cured— "it is too late to operate, now we need to make the patient as comfortable as possible."¹⁴⁵ Urbanist Jane Jacobs expressed her doubts for New York City and its recovery. Commenting on the city government's desperate attempts at attracting new businesses Jacobs mused that "you don't attract industries to cities from towns."¹⁴⁶

New York's fiscal crisis had accumulated from the 1960s, when the city government ignored budget deficits and deferred loans, used long-term capital funds for everyday expenses, and practiced shifty book-keeping that relocated state aid over several years. The city historically has provided more public services than any other local government, hospitals and higher education systems in the United States. While the 1960s saw an influx of federal financial aid for social programs that were often tried and tested in the city, the 1970s saw these funds dwindling. New York City was one of the largest and most frequent borrowers from the public market. Its borrowing included long-term borrowing for capital projects and short-term borrowing for seasonal differences between tax receipts and expenditures, and also to cover year-end shortfalls, and initial funding for capital projects.¹⁴⁷ With the opening of international markets and reinvestment of petrodollars in major commercial banks in the United States, buying municipal

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷The city borrowed against accrued but uncollectable tax revenues, applied long-term debt towards collective bargaining payments, shifted expenses to capital budget, used long-term debt to finance non-capital programs such as vocational training, and even to pay municipal salaries. The city borrowed the largest amount of money in the fiscal year-end June 30, 1975—more than nine billion dollars while repaying eight billion of previous debt.

debt was not that attractive for banks. By the end of 1974, banks were selling off municipal debt and withdrawing from offering it more credit.

The Fear City pamphlet prompted an outcry from the city government who called out the Committee for “creating fear and panic” in New York City.¹⁴⁸ The campaign and its negative takedown of New York City were not completely new for the city. The 1960s saw white papers such as “The Threatened City” that took a decidedly ominous tone for New York’s future. Written by Lindsay’s voluntary group, the Task Force for Urban Design, that comprising of architects Philip Johnson, Robert Stern and I.M Pei, the report was a wordy treatise on New York City and the New Yorker’s growing fear of change. The threat, as the title of the report alluded to, was the years of demolition-driven urban renewal policies in New York City, which were “conventional New York solutions—wrecking ball and bulldozers.”¹⁴⁹ The Task Force laced the language of the report with an underlying narrative of both failure and nostalgia for the city. According to the Task Force, New York City was a sick organism, whose existence was threatened by pathologies that needed treatment and intervention from New Yorkers, quoting San Francisco-based critic Alan Temko—who had moved to the west coast because New York was spinning towards “Mumfordian doom and malignant weariness.” Temko portrayed the city

¹⁴⁸ Peter Kihss, “Police Leaders Decry Leaflets.” *New York Times*, June 13, 1975.

¹⁴⁹ New York (N.Y.), Mayor’s Task Force on Urban Design., and William S. Paley. *The Threatened City: A Report on the Design of the City of New York*, [New York], 1967, 16. The Task Force also included planner Jacquelin Robertson, landscape architect Robert L. Zion, investment banker Eli Jacobs, lawyer and ex-president of Herald Tribune Walter Thayer, philanthropists Vera List and Joan K Davidson, and chairman of CBS Television William S. Paley as its head.

as “over grown and over congested, ill managed and ill-kempt, usually sullen, sometimes violent and scarred by enormous gray areas.”¹⁵⁰

The Task Force wrote the Threatened City report with the intention of influencing legislation. It received little attention outside political circles. The Fear City campaign on the other hand, was mentioned not only in local newspapers, but also national newspapers such as Washington Post, Los Angeles Times and San Francisco Times. The unions printed one million pamphlets and on June 13th, when they were to be distributed, the mayor held yet another angry press conference. He called the campaign a new low in irresponsibility, for as he cited, if Federal Bureau of Investigation crime statistics were taken into account, New York City ranked only sixteenth among twenty American cities in the incidence of crime.¹⁵¹ The city requested that the State Supreme Court put a restraining order on the Committee against distributing these pamphlets around the city, on the grounds that the pamphlets “spread fear, panic and trepidation, among everyone.”¹⁵² By June 18 however, the Supreme Court declared that it was okay for the unions to distribute the pamphlets as it was their constitutional right and they cannot be denied it.¹⁵³

¹⁵⁰ New York (N.Y.), Mayor’s Task Force on Urban Design., and William S. Paley. *The Threatened City: A Report on the Design of the City of New York*. [New York]: [publisher not identified], 1967, 4

¹⁵¹ Glenn Fowler, “Union Guide to Fear City Is Banned by Court Order.” *New York Times*, June 13, 1975; and Kihss, Peter. “Police Leaders Decry Leaflets.” *New York Times*, June 13, 1975.

¹⁵² Kim Phillips-Fein, *Fear City: New York’s Fiscal Crisis and the Rise of Austerity Politics*, 2017.

¹⁵³ Glenn Fowler, “Fear City Booklet Rights Again Upheld.” *New York Times*, June 18, 1975. Here there was an interesting difference drawn between legal rights of union members to distribute pejorative printed material and their responsibilities as public safety officers holding a “public trust.”

The Pamphlet

Tapping into the narrative of a physically, morally and socially bankrupt city, the pamphlet's list of guidelines included a warning to stay off the streets after six pm in the evening as "muggings and occasional murders are on the increase in the early evening hours," and how midtown gets deserted by 7.30pm.¹⁵⁴ Another warning was to "not walk," and instead summon a radio taxi by telephone and remain in the hotel lobby, restaurant or theater until the taxi arrives.¹⁵⁵ Avoiding public transport altogether and remaining in Manhattan exclusively were also suggestions as subway crime was high and police and fire protection in other areas were "grossly inadequate and will become more inadequate."¹⁵⁶ The pamphlet cited the incidence of the city having to close off the rear half of each train in the evening so that the passengers could "huddle together and be better protected."¹⁵⁷ Since Transit police officers had been laid off, the Committee rationalized that everyone should avoid the subway and only take the bus in daylight hours.

As for the other boroughs, the Committee discussed how South Bronx had been labeled Fort Apache, as arson had become an uncontrollable problem. A fifth guideline was protecting your property as even businesses on Madison Avenue keep their doors locked even during business hours and admit customers after "careful inspection."¹⁵⁸ With this claim, the Committee advises visitors that they should engrave "identifying numbers" on all their properties and

¹⁵⁴ Council of Public Safety, "Fear City Pamphlet." Council of Public Safety, 1975.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

safeguard their handbags with “both hands” when in public, without a “moment’s inattention.”¹⁵⁹ All property needed to be locked and hidden in the trunk or glove compartment as visible packages in closed cars are also robbed. The eighth guideline was to not leave valuables in hotel rooms or even hotel vaults, with bank vaults offering only “an acceptable degree of security.”¹⁶⁰ The last guideline was for everyone to be aware of fire hazards, as a severely under staffed Fire Department made evacuations without assistance pretty common, asking everyone to be familiarized with exits, entries and escape routes.

At around the same time as the pamphlet received all this publicity, the Board of Education in New York City held a day of mourning for the cuts in the public school system on June 9, with students calling for a day of boycott later in the month.¹⁶¹ Senior centers, daycare centers, and mental health facilities were shutting down with over two thousand employees laid off from the welfare department. Garbage was deliberately left uncollected all over the city as sanitation men went on a strike as well. By the end of the month, when no aid arriving from the state, the city was completely not prepared for what was coming. Fifteen firehouses were closed, there were traffic jams all over and the recently out of work police officers collected around city hall for impromptu protests. Firefighters called in sick en-masse when the uncollected garbage blazed all over the city.¹⁶²

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Ronald Smothers, “School Cuts Prompts Protests.” *New York Times*, June 10, 1975.

¹⁶² Kevin Baker, “‘Welcome to Fear City’ – the inside Story of New York’s Civil War, 40 Years On.” *The Guardian*, May 18, 2015, Cities Edition, Supported by the Rockefeller Foundation edition.

On June 17th 1975, the Association for a Better New York (ABNY), a nonprofit made up of 125 members from real estate, banking and local businesses who called themselves a group of “passionate New Yorkers,” led by real estate developer Lew Rudin, started negotiating with the unions, promising them support in their cause if they discontinued the fear city campaign.¹⁶³ When New York’s business community formed the ABNY in 1971, its core purpose was to reverse the exodus of middle-class families, corporations, businesses and tourists from the city. They also wanted to temper the power of unions by bringing in the private sector and its powers of fundraising to the fore with marketing and lobbying activities such as “Power Breakfasts,” CEO sweeping drives and funding drives for police initiatives. The ABNY was convened to tackle “social issues that had previously been deemed the domain of city agencies,” with the belief that private sector spending had to “augment rather than undermine” public spending.¹⁶⁴ They disapproved of the Fear City Campaign and what they thought were its deleterious effects on New York City businesses and tourism, characterizing it akin to “burning down the factory in a labor dispute.”¹⁶⁵ After talks with ABNY and promises of support, the unions pulled out of the Fear City campaign and the distribution of pamphlets on June 17 1975. However, come June 18th, the ABNY retreated and decided not to speak on behalf of the unions after all.¹⁶⁶ The campaign never took off again. The layoffs went through.

¹⁶³ “Association for a Better New York,” <http://abny.org/index.php>. Also refer to, Joe Merton, *John Lindsay, the Association for a Better New York, and the Privatization of New York City, 1969-1973*, 2018. ABNY has appeared several times in this dissertation as one of the earliest examples of private sector participating in urban governance.

¹⁶⁴ “Association for a Better New York,” <http://abny.org/index.php>.

¹⁶⁵ Mariam Greenberg, *Branding New York: How a City in Crisis Was Sold to the World*, (Routledge, 2009). 138

¹⁶⁶ *Ibid*, 139

The MAC

By mid-1975 New York State Governor Hugh Carey promised that he would provide state funds, but only under the condition that the city permit a state-appointed group of experts who would oversee the city's spending decisions. This group of experts was the Municipal Assistance Corporation (MAC), that comprised of public and private sector members such as federal judge and trial lawyer Simon H. Rifkind, chairman of the Metropolitan Life Insurance Company Richard M. Shinn, chairman of R.H Macy and Company Donald B. Smiley and investment banker Felix Rohatyn, among others. The MAC's first suggestions for the city were to shrink the public sector by 50,000 workers, enact a wage freeze and a 30 percent increase in subway fare, close a few hospitals and for the first time in New York's history, impose tuition at CUNY. The state offered 750 million dollars to the city in return for taking these austerity measures. The city also had to adopt the State's uniform system for accounts for municipalities and reach a balanced budget by the year 1978. Rohatyn believed that a major stimulus to the private sector would increase the city's tax base. The MAC warned the city government that if they defaulted, not only would it influence the country's economy, it would be a lot of time before the city gets its fiscal stability back. If New York City did not follow prescribed austerity measures, there would also be litigation exposing the city to lengthy and expensive court proceedings and judicial reviews.¹⁶⁷

¹⁶⁷ "Summary of the Three-Year (FY 1975-FY 1978) Financial Plan for New York City, New York State Agencies, and New York State November 10, 1975," n.d. Series 12, Box 1, Folder 3. Municipal Assistance Corporation for the City of New York (MAC) Archive Collection, Baruch College, CUNY, New York, NY

Four months after the Fear City Campaign, October 16th, 1975, Beame announced fresh budget cuts amounting to 200 million dollars, and proposed layoffs of more than eight thousand workers.¹⁶⁸ A day later, the city's outstanding debt of over 453 million dollars was due. If the city could not pay back the loan, it would officially be pronounced bankrupt. The city owed money to bondholders and banks, needed to pay its staff and other public-sector employees, in addition to all its other city commitments. Even with budget cuts of 300 million dollars, the city could not be rescued.¹⁶⁹ On October 16, 1975, there was a meeting at the Waldorf Astoria in New York City for a benefit dinner and a fundraiser for Catholic charities.¹⁷⁰ By this time, banks had stopped marketing the city's debt, leaving New York City with no ability to borrow. President Gerald Ford had famously refused the city any help. New York City's imminent fiscal crisis was used by his administration to stress on the need for urban policy reform and the failures of the city's welfare policies.

The city had some interest from the teachers retirement pension funds to buy the debt, but even they were walking back their offer. The fundraiser at the Waldorf Astoria had speeches from Robert Moses and Connecticut's first female governor, Ella T. Grasso. They both criticized Beame for being frozen during the city's condition, despite being an accountant. A developer named Richard Ravitch who worked for the New York State governor, was working on

¹⁶⁸ Frances Clines, "Beame Submits New Cuts Requiring Added Layoffs." *New York Times*, October 16, 1975.

¹⁶⁹ Robert W. Bailey, *The Crisis Regime: The MAC, the EFCB, and the Political Impact of the New York City Financial Crisis*, (Albany: State University of New York Press, 1984).; and George F. Will, "Bailing Out New York." *The Washington Post*, June 18, 1975.

¹⁷⁰ Jeff Nussbaum, "The Night New York Saved Itself from Bankruptcy." *The New Yorker*, October 16, 2015.

convincing the teachers union to buy the bonds and save the city, rationalizing that if the city went under, teachers would lose their jobs and raises regardless.

The next morning, on October 17, the teachers retirement pension funds decided to buy the debt and rescue the city. On the same evening, Ford gave a speech that accused New York City of stampeding the whole country, and as symptomatic of all urban liberal centers in the country that routinely promise more than they can provide. While Ford lost the elections, his position on New York City as emblematic of cities that offer welfare and benefits at the cost of taxpayer money, endured. Had New York City's default and bankruptcy gone through, it would have wiped out at least a hundred banks and hurt the value of the dollar. That morning the Dow dropped ten points, the price of gold escalated, and the bonds of other cities were also not traded.¹⁷¹ On November 15th, 1975 the state legislature adopted the Emergency Moratorium Act for the city of New York which permitted the city to suspend payment of principle on its short-term obligations, for three years. The state also increased taxes in the city. Still, the city was evading default month to month, until finally, on Thanksgiving eve, going back on his word, President Ford announced plans to give seasonal loans to the city.

II—I Heart New York

Two years after the Fear City campaign and the near bankruptcy of New York City, the city experienced a citywide blackout that lasted for twenty-five hours in 1977. It left the city shaken

¹⁷¹ Author Kim Phillips Fein, identifies the fall of the Urban Development Corporation and the use of moral obligation bonds that is discussed in Chapter 3, as one of the deciding moments for New York's impending bankruptcy. With these bonds, the state was not bound to repay in the case of losses, and they did not require the approval of voters. When the UDC was later bailed out, the amount pushed the state's debt limit and also revealed the city and state's dependence on private finance. When the UDC went bankrupt, it clouded people's judgment on city bonds.

with looting, arson, fires, and arrests. Mayor Beame had to declare an emergency. The blackout was significant for further cementing New York City's unreliable reputation in the aftermath of the already disastrous fiscal crisis that left the city utterly dependent on the bankers and financiers that comprised the MAC, to approve the city's budgets and expenditure. The city was far from being the financial capital of the country, with Los Angeles Times running an embarrassing headline, "City's Pride in Itself Goes Dim in the Blackout."¹⁷²

"Streams of black water from broken fire hydrants swept the residue of the looting into the middle of the streets. Burned-out delivery trucks, spilling their seats onto the pavement, blocked doorways. Twisted steel grilles—some yanked from storefronts with trucks that were then filled with loot—lay across sidewalks. In the new Fedco supermarket, shelves gleamed bare and white, while several inches of mashed produce, packages of squashed hamburger, rivers of melted ice cream, and broken bottles covered the floors. The stench was overpowering. Up to 300 stores were cleaned out in the neighborhood, and the next morning sheets of plywood covered most of their smashed windows. Said Policeman John Fitzgerald: 'There are only cops and crooks left here now.'"¹⁷³

Mary Cronin who was a Times Correspondent described the night in the passage above. The blackout and its reporting took a toll on the city that was already reeling from a particularly bad few years. The year saw more of the corporate exodus that the city had witnessed through the early 70s. Pepsi Cola, Nabisco, Shell Oil, Avon, Western Union, General Electric and then,

¹⁷² Other headlines as quoted in the Time Magazine article are: Tokyo's Mainichi Shimbun, "Panic Grips New York," West Germany's Bild Zeitung "New York's Bloodiest Night," and London's Daily Express' "The Naked City."

¹⁷³ "The Blackout: Night of Terror." *Time Magazine*, July 25, 1977.

Union Carbide moved out of the city. They took along with them thousands of jobs and tax paying residents. At the time, William S. Doyle, the deputy commissioner of the New York State Department approached the commissioner John Dyson and rationalized that getting people to visit New York City was the most important aspect of reviving the city's economy and stemming the corporate exodus. The New York State Department of Commerce has an interesting history from inception. It began as the State Division of Commerce, a consolidation of several smaller state bureaus and the Bureau of Industry in 1941. Among its many duties was promoting New York State to businesses in the US and abroad. The department also gathered economic and demographic data to measure the economy, enforced trade agreements, regulated the export of local goods, issued patents and trademarks, fostered minority business development, and promoted economic growth in distressed communities, among other duties. It was renamed the State Department of Commerce in 1944.¹⁷⁴

In response to Doyle, the Department diverted its entire tourism spending towards financing a market research program in 1976-77, which was then used to convince the state legislators that focusing on tourism was the best way to revive the city that had already lost sixteen billion dollars in tourism revenue between 1967 and 1976. The Department hired the marketing and research firms, Yankelovich, Skelly and Wite Inc (YSW) and Consumer Behavior (CBI), to study New York's tourism industry and its overall perception among visitors by conducting interviews with CEOs, anonymous experts, large firms, and visitors. YSW released a

¹⁷⁴ In 1987, it was renamed State Department of Economic Development (DED). In 1995, in an effort to further reduce the size of government, a new Empire State Development Corporation (ESDC) was formed that consolidated the Department of Economic Development (DED) and the Urban Development Corporation.

report “YSW’s Research to Support New York State’s Economic Development Activities” that suggested reducing personal income tax and corporate franchise tax, and eliminating employee benefit requirements in order to retain firms with large numbers of employees—identified as “principal targets.”¹⁷⁵ Central to this effort according to YSW, was communicating to these targets that “both career and leisure goals can be fulfilled in New York,” with a strong public relations effort that tied “advertising with new and existing programs” and a new tourism campaign.¹⁷⁶

As mentioned before, the idea of branding and promoting an image was not entirely new to New York City. Before the I Heart New York campaign, the Big Apple campaign was another branding effort from 1971, which was headed by the president of New York Convention and Visitors Bureau Charles Gillett, who called the campaign “a pleasant way of thinking of the city.”¹⁷⁷ Mayor Abraham Beame, Governor Hugh Carey and Manhattan borough president Percy Sutton passed on lapel stickers to visitors in their office and on their foreign visits. The stickers were later sold on the streets for two cents, to be followed by Big Apple letterheads, brochures and promotional material.

¹⁷⁵ Yankelovich, Skelly and White, Inc. “YSW’s Research to Support New York State’s Economic Development Activities: 1977-1982.” Yankelovich, Skelly and White, Incorporated, 1983, 1982.

¹⁷⁶ Ibid.

¹⁷⁷ Charles Gillett, the man behind the Big Apple Campaign, traced the origin of the word “Big Apple” to jazz. He recalls that musicians in the 1920’s and 30’s had an expression for playing the big time after gigs in small towns, “There are many apples on the tree, but when you pick New York City, you pick the Big Apple.” There are also other origin myths: Depression-Era sidewalk apple vendors, a Harlem nightclub, a popular 1930s dance known as the “Big Apple,” and a nineteenth-century “procuress.” *The Big Apple* was popularized as a name for New York City by John J. Fitzgerald in a number of horse-racing articles for the *New York Morning Telegraph* in the 1920s. For more on the campaign: Albin Krebs, “Big Apple Polishers Brighten City’s Image,” *New York Times*, March 27, 1975.

However, come 1977, the branding of New York took on a scale that the city had never seen before. On the state's behest, YSW produced a detailed Business Development Plan (BDP) for the economic development of the city based on private business and tourism. Their marketing research spoke of visitors wanting to visit Broadway, being extremely scared of muggings and not knowing anything about upstate New York. Most importantly, the crisis had changed people's attitude towards the business community, according to YSW, making it okay to be pro-business and pro-partnerships between government, management, and labor. The BDP suggested key marketing strategies: show how New York is purging itself from being a union city and a disaster area. To rid the city of its negative associations, YSW suggested a visual campaign made up of print and TV advertisements, sport films and music, and policy campaign that used funded marketing studies to get legislators to increase money for tourism and business friendly policies in New York City. At its core, this was about promoting the idea that New York was serious about changing its attitude towards work-life balance.

The Advertisement

In 1977, Doyle and Dyson hired the young advertisement firm Wells Rich and Greene founded by Mary Wells Lawrence in 1968.¹⁷⁸ They came up with the slogan I Heart NY which was accompanied by a jingle by composer Steve Karmen and several television commercials that show someone in rural surroundings saying, "I live in North Carolina, (and Cape Cod and even, Brooklyn) but I love New York!" Another TV spot completely focused on Broadway and vacation packages, which were available on toll-free numbers, with Broadway actors from the

¹⁷⁸ Mary Wells Lawrence, *A Big Life in Advertising*, (Paperback: Touchstone), 2003.

Chorus Line, opera singer Beverly Sills and Angela Lansbury stating their love for New York. The ad ends with Frank Langella as Dracula saying he loves New York “especially in the evening.”¹⁷⁹ The constant barrage of advertisement campaigns were accompanied by a party in Studio 54 with a new disco version of the jingle, organized by PR people Bobby Zarem and Howard Rubenstein who worked for the ABNY. The catchy phrase I Heart New York also became the iconic logo designed by art director Milton Glaser.

By 1978 the I Heart New York television spots were running nationwide. The city was boasting tourism figures that far outweighed the World’s Fair and bicentennial celebrations. The Theatre District pronounced 1978 to be their busiest year ever due to the success of package tours.¹⁸⁰ The dollar devaluation certainly helped foreign visitors. Douglas C. Frechtling, director of the U.S. Travel Data Center, attributed New York’s turnaround to the campaign which he describes as “the first time a catchy phrase had been backed by dollars.”¹⁸¹ It generated tourism expenditure of 14.4 billion dollars in 1985 with over 650,000 jobs, this was up from 5.5 billion in 1976.¹⁸² By 1987, New York State became the leading destination in the US east coast, over New England. The growth in the tourism business led to developers investing in the state, with new

¹⁷⁹ Department of Economic Development, Campaign Advertising Agency: Wells Rich Greene, and logo designed by Milton Glaser, “I Heart New York Advertising Campaign,” 1977.

¹⁸⁰ “Richard Lyon, “I Heart New York Drive Wooing Millions and Bringing In Billions,” *New York Times*, June 22, 1981.

¹⁸¹ “A Campaign for All Seasons,” *New York Times*, January 31, 1987.

¹⁸² *Ibid.*

hotels, convention centers and a record number of property renovations and hotel constructions. Tourism became the state's second largest industry after agriculture.¹⁸³

What is incredible is that simultaneous to this image of a renaissance in New York City, the South Bronx was poised for what was called in 1977 as “planned shrinkage.”¹⁸⁴ The executive director of the Citizens Housing and Planning Council, Roger Starr discussed the concept of Planned Shrinkage with respect to what he considered to be the “myth of American communities,” which claimed that not all communities in the United States are as vaunted as people assume them to be. Some of them, according to Starr, can be disassembled and reconstituted as “freight trains.”¹⁸⁵ These communities were “sick” according to Starr, and by hastening their population decline through a withdrawal of city services, New York City could minimize the problems that had emerged in the aftermath of the fiscal crisis and public-sector shrinkage.¹⁸⁶ By withdrawal, Starr meant reducing police, firefighting, garbage collection and subway services. He specifically honed in on South Bronx that had lost over 36 percent of its

¹⁸³ Tourism-focused marketing and branding became democratic mayoral candidate Mario Cuomo's campaign platform. Cuomo claimed the city needed to do much more to encourage middle-class tourism. He eventually lost to Ed Koch in 1977, who pitted the voters against the unions saying “we need to have a better bargainer on our side of the table,” and not be controlled by union leaders. He ran on the platform, “after eight years of charisma, and four years of the clubhouse, why not my competence.” For more refer to: E.J. Dionne Jr, “Cuomo Campaigns On Need to Increase The City's Tourism,” *New York Times*, October 23, 1977. Also, Nigel Morgan and Annette Pritchard, *Tourism Promotion and Power: Creating Images, Creating Identities*, (Chichester; New York: Wiley), 1998; Christopher M. Law, *Urban Tourism: The Visitor Economy and the Growth of Large Cities*, (London: Continuum), 2002.

¹⁸⁴ Themis Chronopoulos, “The Rebuilding of the South Bronx after the Fiscal Crisis,” *Journal of Urban History* 43, no. 6 (June 27, 2017): 932–59.

¹⁸⁵ Roger Starr, *The Rise and Fall of New York City*, New York: Basic Books, 1985.

¹⁸⁶ Leslie Lenkowsky, “The Rise and Fall of New York City, by Roger Starr,” *Commentary*, July 1, 1985.

housing stock and 40 percent of its population, with 1/3 of its housing units under damage and abandonment. South Bronx also had many fires in the 1970s which Starr blamed on arson rather than city neglect, stating that the South Bronx's alarm rates which were thirteen times that of New York City, showed the "social pathology" of the neighborhood.¹⁸⁷ At the heart of the Planned Shrinkage policy was the notion that the South Bronx was at the last stages of its life cycle and as triage, withdrawal, and redevelopment from scratch was its only cure. Starr fails to mention that despite of the unoccupied housing, the South Bronx still had a population of mostly blacks that was double of the city of Buffalo at the time.

Rohatyn from the MAC recommended that the South Bronx be bulldozed and rezoned for industrial purposes. In the next decade, the area saw developments such as Bathgate Industrial Park and Mid-Bronx Industrial Park.¹⁸⁸ The policies of "benign neglect" towards the Bronx within a city that was gearing up for a revival, were connected. These two parallel images are both parts of crisis branding, where one part survived, and the other failed. While the state government presented New York as a city on its way up with Broadway and Wall Street, they also argued that the Bronx was bad enough that it needed the Tabula Rasa treatment.

In 1982, president Ronald Reagan was visiting New York City. He gave a speech when invited by the New York City Partnership, a business advocacy group formed by David Rockefeller that emerged with the merger of New York Chamber of Commerce and Industry and the New York

¹⁸⁷ The South Bronx experienced 7000 fires between 1975-77. More than 3000 lots and buildings were considered vacant and they covered 500 acres.

¹⁸⁸ Themis Chronopoulos, "The Rebuilding of the South Bronx after the Fiscal Crisis," *Journal of Urban History* 43, no. 6 (June 27, 2017): 932-59.

City Partnership. In the speech, Reagan wore an I Heart New York scarf and spoke of how the partnership and its belief in “private initiative” were essential to economic and social progress.¹⁸⁹ The key to rebuilding communities as Reagan announced was “individual initiative, leadership and personal responsibility,” adding how important it is to remember that the function of government is not to “confer happiness on us but to give us the opportunity to work out happiness for ourselves.”¹⁹⁰ In the speech, Reagan announced the cornerstone of conservative ideology: private human capital is far more valuable and effective than federal money, and that is how it should remain. The speech is an important marker in the years after the I Heart New York campaign when in the years after its humiliation with near bankruptcy, the city was rising up again, becoming emblematic of the end of the American liberalism. Reagan’s scarf became part of the I Heart New York campaign.

In 1986, the New York State Department of Commerce made the I Heart New York campaign its official slogan. A new Office of Economic Development and State Department of Economic Development combined the campaign with tax breaks and financial incentives for investors in the city. As Greenberg points out, this was the point when the campaign started showing images of Manhattan’s skyscrapers, the new Javits Center and other landmarks, over people expressing their love for the city.¹⁹¹

¹⁸⁹ Ronald Reagan, “Ronald Reagan, Remarks at the New York City Partnership Luncheon in New York.” The American Presidency Project, June 14, 1982. Presidential Documents Archive. <http://www.presidency.ucsb.edu/data.php>.

¹⁹⁰ Ibid.

¹⁹¹ Greenberg, Miriam. *Branding New York: How a City in Crisis Was Sold to the World*. Routledge, 2009.

What is an Urban Problem?

“Answering the question “What is an urban problem?” is a good deal like answering the question “What is a Republican?...both labels are valuable precisely because they are misleading.”¹⁹²

In the book *The Metropolitan Enigma*, political scientist James Q. Wilson talks of the common habit of using the phrase “urban problems” to refer to a variety of unrelated concerns.¹⁹³ Some of which, Wilson asserted, were not exclusively urban or even problems in any meaningful sense. According to Wilson, the phrase has a false sense of specificity and a spurious consensus. The idea of “urban problems” in Wilson’s opinion, are connected to a “conventional mental picture” of a city—smoky drab downtown with congested traffic, street corner muggings, and stores having liquidation sales...everybody can think of a problem in such a place.”¹⁹⁴ The problem according to Wilson was that this “mental picture of city life” implied wrongly that every element in the picture is related to every other element. This relation implied that there is a connection between smoke, congestion, mugging, drab buildings and the liquidation sale, and if we discover and work on these connections, the problems would disappear. Ultimately, for Wilson, the idea of the urban encompassed concrete physical manifestations and abstractions and was deliberately kept vague.¹⁹⁵

¹⁹² James Q. Wilson and Joint Center for Urban Studies, *The Metropolitan Enigma: Inquiries into the Nature and Dimensions of America’s Urban Crisis*, (Garden City, N.Y.: Doubleday, 1970), 390

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

Wilson inadvertently described the strategy of the two campaigns studied in this chapter, where crisis moments were mediated with images and rhetoric that were specifically designed to present a cohesive and hard-hitting “mental picture of the city.” Fear City singularly focused on the spatial and emotional aspects of fear in the city—mugging in the subway, robbery in car parks and streets, dirty plazas etc. As a protest statement, the campaign promoted the idea that the American city was a failing enterprise due to its shrinking public sector and if the city’s bankruptcy and austerity measures indeed went through, New York may not survive. The modes of dissemination for Fear City—surreptitiously handed out skull-adorned pamphlets at airports and bus stops—matched the message. The mayor’s angry press conference and the Supreme Court involvement became anticipated responses that became part of the campaign. The campaign does not really discuss the nuts and bolts of New York’s predicament, solutions or even the fact that the unions stopped handing pamphlets when the Economic Development Council promised support from the business community.

The I Heart New York advertisements capitalized on a single slogan that was disseminated through multiple media—TV spots, jingles, disco party at Studio54 and an omnipresent logo. The message was clear: New York has turned around a corner and is ready for visitors. Unregulated duplication of the logo was a planned aspect of the campaign—at least for the first decade. Here again, the campaign does not offer facts and figures on crime or shed light on the problems that still existed outside of Manhattan in 1977. Instead, the campaign concentrates on New York City (specifically, Manhattan) as a timeless idea and a concept that offers culture and architecture like nowhere else. This is not to say that the two campaigns were ineffective just because they did not offer compensatory structures in the form of policy or promises for New York City. As I argue, Fear City and I Heart New York were narratives that

mediated crisis in very distinct ways. They were deployed to extract a particular response and engagement from their target audience. Providing facts and solutions were not their *modus operandi*.

New York City's history abounds with governmental agencies and private sector coalitions participating in boosterism, image building, and branding exercises. In the period between 1964 and 1976 itself, there was the Robert Moses organized World's Fair of 1964-65, New York Convention and Visitors Bureau and Association for a Better New York (ABNY)'s Big Apple Campaign of 1971, and the citywide Bicentennial celebration of 1976.¹⁶⁶ The Economic Development Council, which was a group of New York's business leaders who came together as an advisory board for Mayor John Lindsay, ran advertisements such as "New York is New York, is there anywhere else?" that were designed by advertisement agency Young and Rubicam Inc. to "awaken public pride and confidence" in New York City in 1966.¹⁶⁷ The agency placed the ads in the Wall Street Journal, New York Times and The News among others. There was also the

¹⁶⁶ The World's fair was held in Queens, New York City. Moses dedicated the fair to "Man's Achievement on a Shrinking Globe in an Expanding Universe," but it was really a showcase for American industries. The fair was accused of financial mismanagement. It returned only 19 cents on the dollar spent. For more on the fair refer to, Lawrence R. Samuel, *The End of the Innocence: The 1964-1965 New York World's Fair*, (Syracuse, N.Y: Syracuse University Press), 2007. The Big Apple Campaign has been discussed briefly in this chapter. For more, Albin Krebs, "Big Apple Polishers Brighten City's Image," *New York Times*, March 27, 1975. The Bicentennial celebration was organized and planned by a private group called New York City Bicentennial Corp. that had been set up by the City Council in 1973 to organize a party for the country's bicentennial. There was also a national advisory body, the American Revolution Bicentennial Commission that was coordinating 65,000 projects all over the country. New York city was particularly criticized for going ahead with it despite the fiscal crisis.

¹⁶⁷ The Economic Development Council of New York City, "New York Is New York. Is There Anywhere Else?" *New York Times*, January 24, 1968.

“Fun City” moniker, which was inadvertently started by Lindsay when in response to New York City’s problems, he said, “I still think this city is fun.” This was later picked up by Dick Schaap, a columnist for The New York Herald Tribune, who coined the expression “Fun City” for New York. It became a promotional slogan for the city’s many cultural “happenings” until 1973. In the years after the fiscal crisis, however, the moniker became a term of derision and mockery for Lindsay’s mayoral term and its apparent failures.¹⁹⁸

Each of these examples of overt and covert boosterism had been championed and funded by voluntary and coalition-based groups and private sector task forces, who received backing and support from governmental agencies. The fiscal crisis and the Fear City campaign brought about a turning point for the city’s outlook on branding and image. With the I Heart New York campaign, the state government hired the advertising agencies and allocated a budget exclusively for the purpose of branding, which became an urban government strategy. By the 1980s there were new departments and positions dedicated to curating New York’s image, with a capital-intensive branding guidebook and even pictograms.¹⁹⁹ This was a reversal that began in 1975, a condition of public-ization, where the public sector took on roles that were previously managed by the private sector.

The whole exercise of branding as Greenberg points out was geared, not for the New Yorker, but for developers, financiers, out-of-towners, visitors and tourists in the service of

¹⁹⁸ *Fun City Revisited: The Lindsay Years*, THIRTEEN for WNET.ORG, 2010.

¹⁹⁹ Arch Street Communications for New York State, “New York State Branding Overview and Guidelines and Architecture,” n.d.
https://ocfs.ny.gov/ohrd/OMTV/OMTVfinal/NYS_GUIDELINES.PDF.

place-based industries.²⁰⁰ New York's redefinition from a blue-collar manufacturing base to a white-collar corporate economy meant that the city had to change in an effort to compete with other cities. The chapter argues that the redefinition of New York's economy required new imaginaries that could replace the old ones. Much as Jean Baudrillard's postmodern condition of hyperreality, where images and copies exist without references to an original and pass for reality, the I Heart New York campaign cemented the narrative of a New York that offers unforgettable experiences, instead of the Threatened City, Fear City, Ungovernable City, Asphalt Jungle and Unheavenly City.²⁰¹ The "scrappy" logo that was left open for duplication as a floating signifier of unexplained love, has since been copyrighted with the original Glaser drawing held in the Museum of Modern Art in Manhattan. The New York State Department of Economic Development owns the logo and has trademark registrations for various configurations of the logo. It has now become the subject of thousands of cease-and-desist letters and penalties to small businesses that dared to use it without permission.²⁰²

²⁰⁰ Miriam Greenberg, *Branding New York: How a City in Crisis Was Sold to the World*, (Routledge, 2009).

²⁰¹ Jean Baudrillard, *Simulacra and Simulation*, (Ann Arbor: University of Michigan Press, 1994.)

²⁰² New York State. "ILoveny Licensee Info." *Licensing Information* (blog), n.d. <https://www.iloveny.com/licensee-info/>.

Conclusion

There were several reasons for centering this dissertation on New York City. Few cities in the world can compete with the scale and complexity of New York City's operations. New York is a rich context for the study of privatization as it presents an interesting and extreme transition, from being the bastion of civic liberalism in the United States to becoming the entrepreneurial core of corporate America. New York City has also been a trend-setting city. It was the first city in the United States to develop a comprehensive set of zoning laws, to legislate a privately-funded conservancy for the management of a public park, to legislate a public-benefit corporation that could sell bonds to the general public to fund low-income housing, and to deploy discretionary zoning laws at a broad scale in special districts throughout the city. Since the 1970s, it has become a model for policy shifts in other cities in the United States and around the world—Mumbai and Hongkong included.

As of 2018, New York City has over 500 privately-owned public plazas, arcades, and outdoor and indoor spaces. The city government has granted developers 16 million square feet of bonus buildable area in return. New York City also has over fifty-one Special Zoning and Special Purpose Districts that each have their own set of zoning laws designed to promote economic development, sixty privately-funded conservancies, alliances and Friends groups managing public parks, and about 230,000 people living in some form of voucher-assisted privately-managed public housing. These statistics are interconnected. They reveal how privatization has transformed the public realm of New York City in a profound and irreversible way since the 1960s. Mechanisms of exclusion and inclusion are incorporated into privatization's regulatory structures and transactions in the form of park permits, income limits,

air right ownerships and design guidelines that subtly construct the ideal public: the middle-class culture-seeking tourist for the Theater District, the apolitical wine-sipping classical music-loving Central Park visitor, and the middle-income group family that seeks to live close to the upper-east side by moving to desolate Roosevelt Island.

This transformation of the public realm furthermore brings up questions about the meaning of the “public” with respect to concepts such as public interest and public goods. Granted, these are fuzzy and relative terms to begin with. However, their shifting meanings are now part of the central predicament of privatization: if urban development that served the broader public interest is in the form of joint investments between public and private entities, then the preservation of economic activity in the private sector becomes an intrinsic part of public interest. Certainly, the idea of the public and public interest has always been quixotic, especially in cities such as New York where the feedback loop of the private sector influencing urban policy has always been strong. What is different however since the 1960s is how the feedback loop has been managed, regulated and strengthened by governments themselves.

Privatization can mean the sale of public assets to private entities, the outsourcing of services to the private sector, or even the withdrawal of government entirely from certain programs. But no matter the route, at the core of privatization is some sort of partnership and transaction between the public and private sector. By breaking down the theoretical and sometimes opaque idea of privatization into partnerships, transactions, negotiations and bargains, the dissertation offers the framework for studying privatization and its influence on the built form, in architectural terms.

Architects and architectural historians discuss the problems of the shrinking public realm in cities, the deleterious urban policies from business-friendly mayors, the rise of luxury

residential towers while there is a paucity of good housing options, and the prodigious powers that TDRs (transferrable development rights) and air rights hold over a city such as New York, or even Mumbai. However there is little discussion on how the processes of building and design intersect the regulatory and policy structures that have made each of these problems possible. The use and viability of a public plaza for example, depends as much on legal, financial and political constraints, as it does on design, materiality and sun exposure. One cannot surpass the importance of the other. The public realm of a city is indelibly connected to its political, economic, urban and real estate histories.

Finally, there is the question of the “privatized city”—a term that I have been hesitant to use in this dissertation, but which is very popular among sociologists, economists and urban theorists who write about privatization. The term privatized city alludes that the city had been public before its transformation in the 20th Century. What does a “public city” mean and what are its historical antecedents? The answer I think, is indelibly connected to the questions of this dissertation, and which will be the subject of further investigation.

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Fig. 1.1. "The Great Ziegfeld", Astor Theatre, Broadway & 45th St., New York City.
Wikimdia Commons, https://commons.wikimedia.org/wiki/File:Astor_Theatre,_Broadway,_1936.jpg

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Fig 1.2: Morosco Theater, 217 West 45th Street, New York City. To its right is the Bijou Theater.
Wikimedia Commons, <https://commons.wikimedia.org>.



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Fig. 1.3. The Helen Hayes Theater just west of Times Square was razed in 1982. Fragments of the 1911 facade are about to be sold at auction, Fred R. Conrad, Times Machine, New York Times Archives

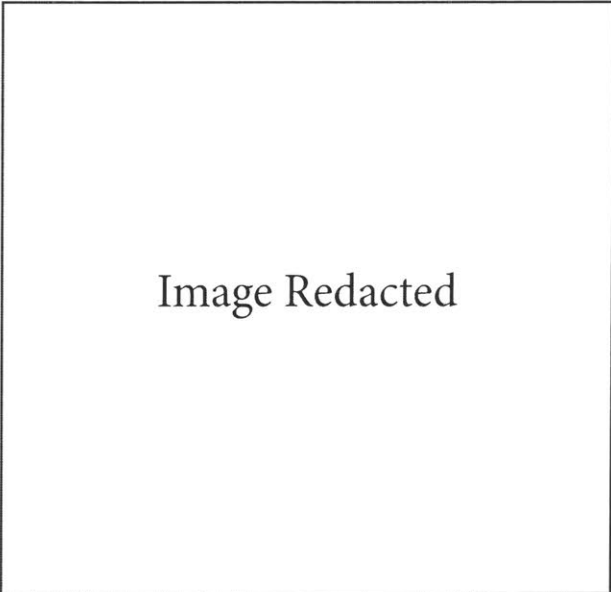
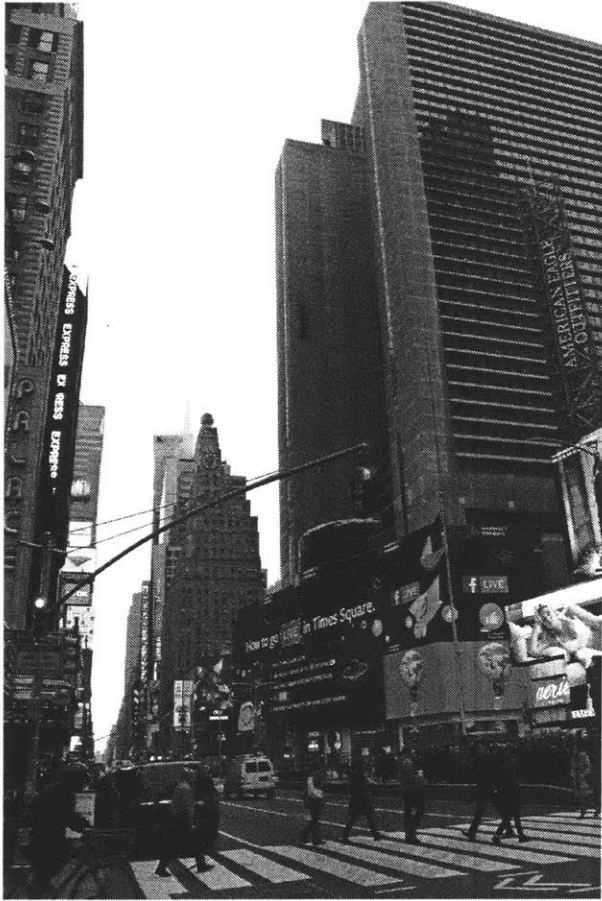


Fig 1.4: The Marriott Marquis, Manhattan, New York City
Dhairya Dand, 2017

Fig 1.5: The Marriott Marquis (also called Portman Hotel) , Rendering from The Architect as Developer by John Portman, 1976, The Portman Archives



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Fig 1.6: New is New York. Is there anywhere else? New York Times, February 23, 1968
New York Times Archives, <https://timesmachine.nytimes.com/browser>



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Fig 1.7: New is New York. Is there anywhere else? New York Times, February 23, 1968
New York Times Archives, <https://timesmachine.nytimes.com/browser>

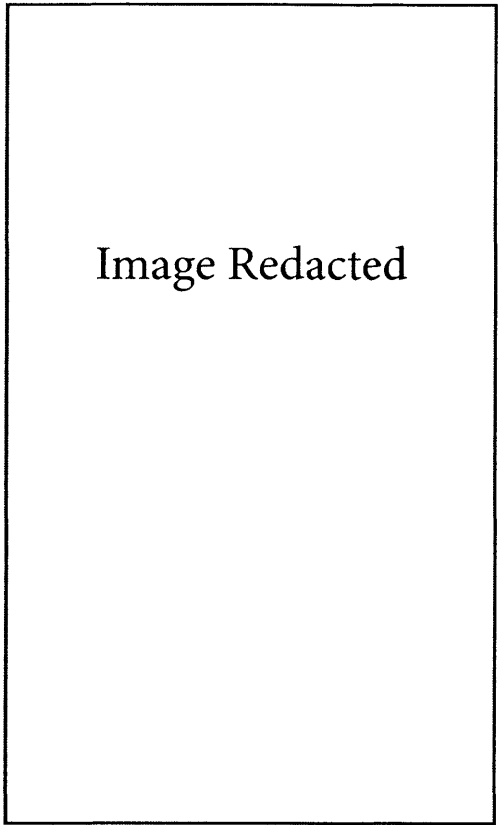
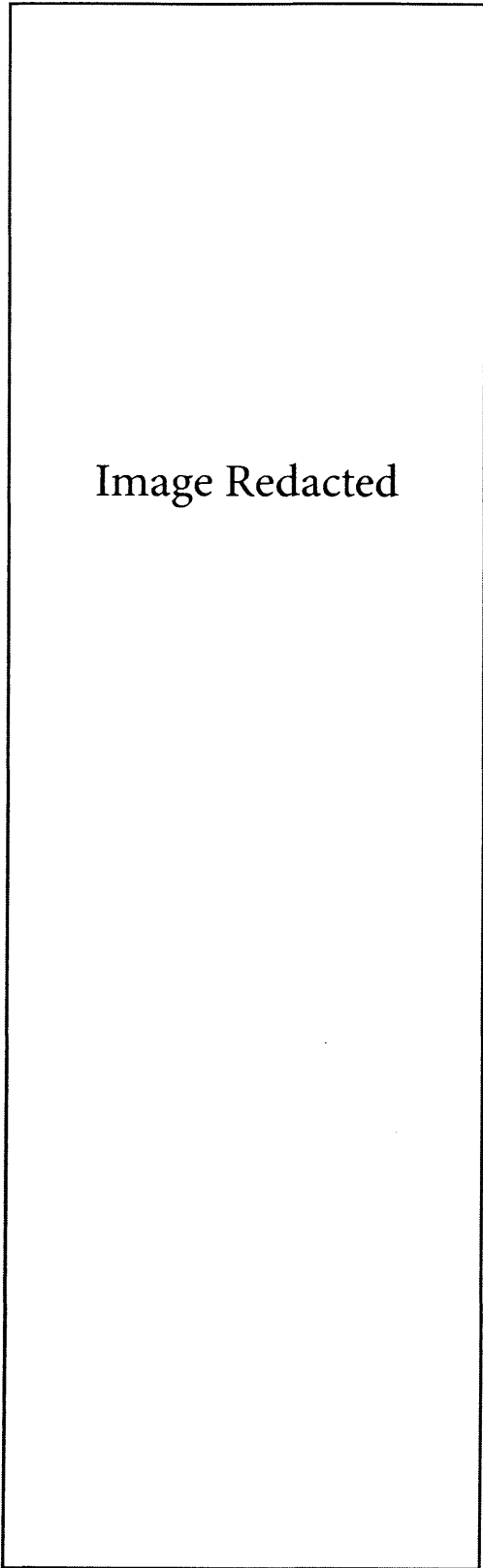


Fig. 1.8: The Theater District in Midtown Manhattan, City of New York, 1982

Fig. 1.9: Paley Commission recommendation for the establishment of the Urban Design Group, AIA Journal, August 1967

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Fig. 1.10: Minskoff Theater, 1515 Broadway, Manhattan, New York City.
By Photo: Andreas Praefcke (<http://creativecommons.org/licenses/by/3.0>), Wikimedia Commons



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Fig. 2.1: Marcus Garvey Village designed by Kenneth Frampton
Karen Kubey

Fig. 2.2: Twin Parks, Giovanni Pasanella
Susanne Schindler



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Fig. 2.3: Welfare Island, prior to construction of the Welfare Island Bridge
Source: Let There be Commitment, Study Group on New York Housing and Neighborhood Improvement, Office of the Mayor, 1966



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Fig. 2.4: The Island Nobody Knows, The State of New York and New York State Urban Development, 1969

Fig. 2.5: Roosevelt Island Plan by Phillip Johnson and John Burgee, The Island Nobody Knows, The State of New York and New York State Urban Development, 1969

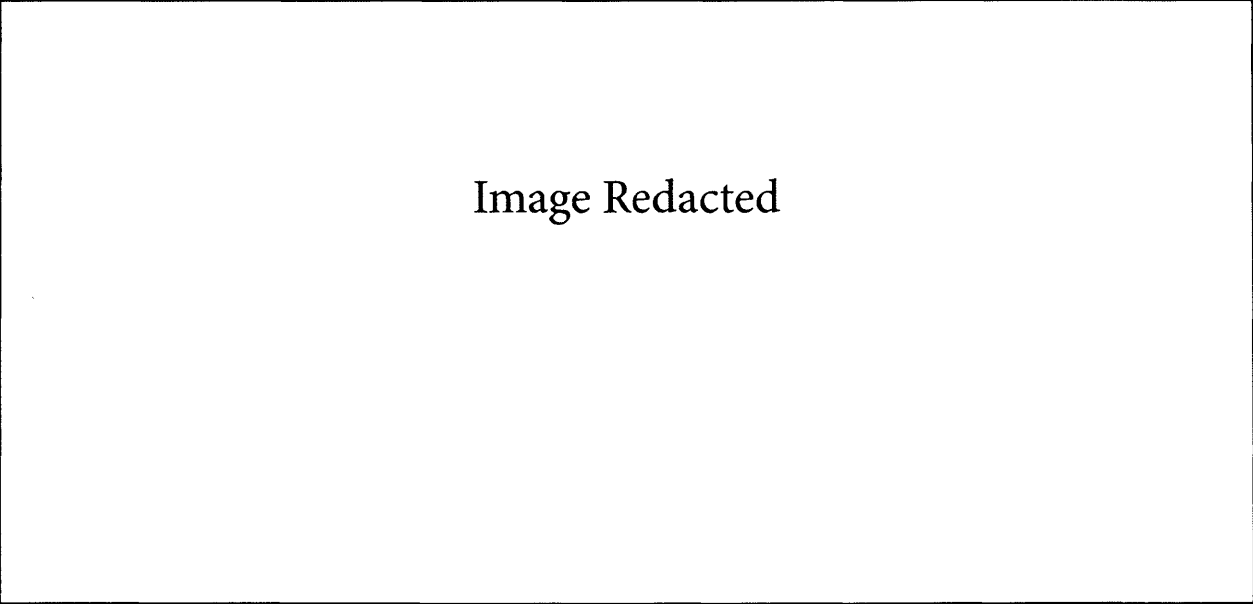
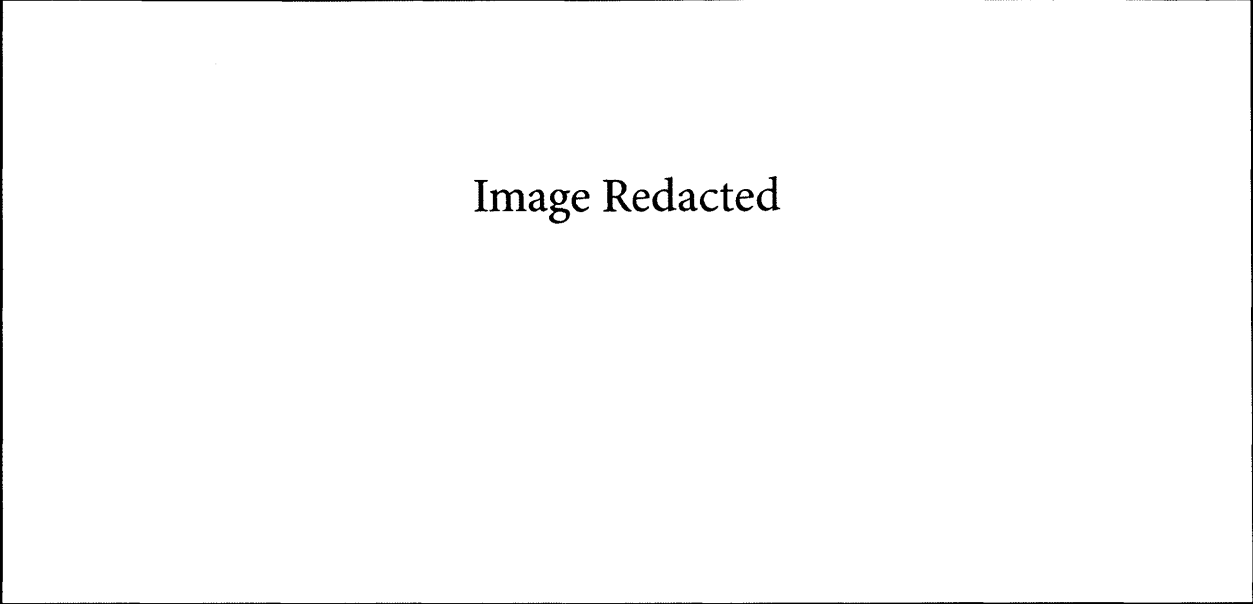


Fig. 2.6: Main Street as drawn by Ronald Love, *The Island Nobody Knows*,
The State of New York and New York State Urban Development, 1969

Fig. 2.7: At left the harbor facing Queens, at right the town square facing Manhattan
The Island Nobody Knows, The State of New York and New York State Urban Development, 1969

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Fig. 2.8: Rivercross Apartments, Roosevelt Island (Architects: Johansen and Bhavnani) 1976
Dhairya Dand

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Fig. 2.9: Roosevelt Island, Main Street
Wiki Commons, September 1, 2005, https://commons.wikimedia.org/wiki/File:Roosevelt_Island-Main_Street.jpg#filelinks

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Fig. 2.10: Eastwood Apartments, Roosevelt Island, (Architects: José Luis Sert) 1976
Dhairya Dand, 2017



Fig. 2.11: Roosevelt Island, Main Street
Dhariya Dand, 2017



Fig. 2.12: Motorgate Garage, Roosevelt Island, (Architects: Kallmann and McKinnell)
Dhariya Dand, 2017

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Fig. 3.1: Frederick Law Olmsted documented how property values and real estate taxes increased as a result of Central Park's construction. Source: Urban Open Space: An Investment that Pays



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Fig. 3.2: Antiwar protests on Sheep's Meadow, 1967
The Park and the People, by Roy Rosenzweig and Elizabeth Blackmar.

Fig. 3.3: Antiwar protests on Sheep's Meadow, 1969
A.P Photo, J/Spencer

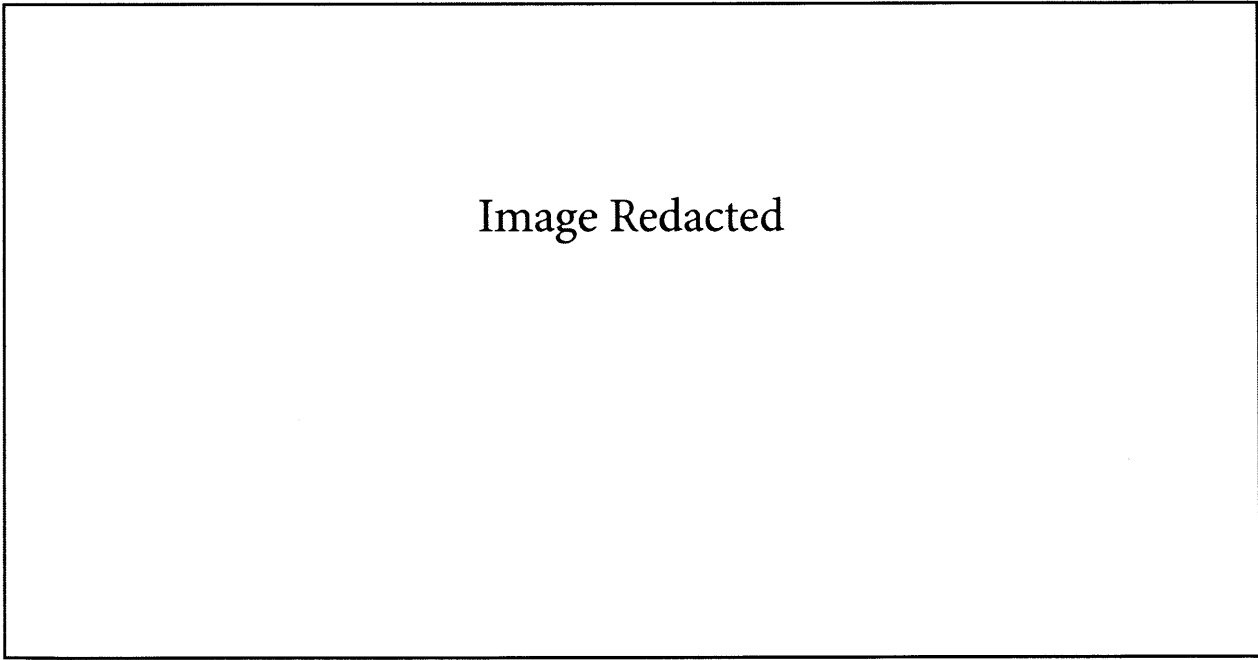
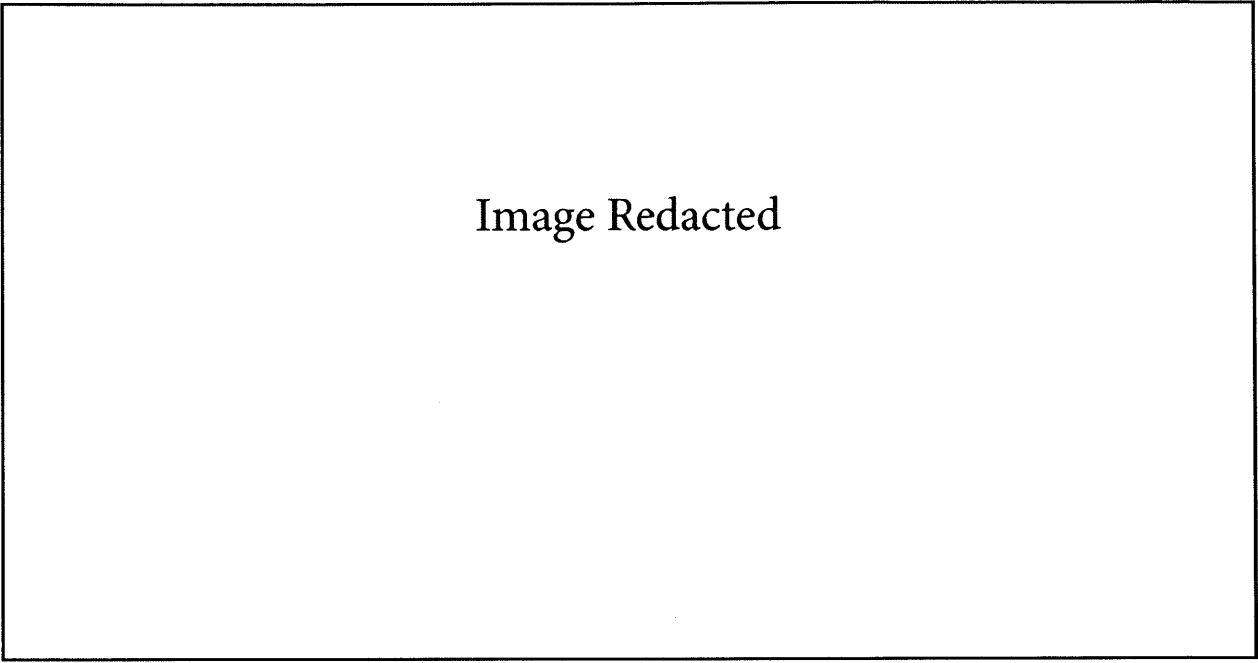


Figure 3.4 and 3.5: Prelude to the Summer of Love, NYC happening in Sheep Meadow, 1967
Original unedited raw footage, Youtube

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Fig. 3.6: Organization Chart of the Parks Department January 1974. Source: Emanuel S. Savas, and John. Benson. A Study of Central Park. New York: The Center, 1976. 3-2

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Fig. 3.7: Recommended Organizational Structure for Central Park. Source: Emanuel S. Savas, and John. Benson. A Study of Central Park. New York: The Center, 1976. 3-30

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Fig. 3.8: Volunteers cleaning the Harlem Meer, 1970
Kinkead, Eugene. *Central Park, 1857-1995 : The Birth, Decline, and Renewal of a National Treasure*. New York: Norton, 1990.

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Figure 3.9: Central Park Conservancy Annual Report, 1981
<http://www.centralparknyc.org/about/annual-reports.html>

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Fig. 3.10: Christo and Jeanne Claude's "The Gates" exhibit in Central Park, 2005
Delaywaves, Wikimedia Commons

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Fig. 4.1: Broadway Ave., corner of Flushing St., in Williamsburg, Bolivar Arellano (1977)
Wikicommons

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Fig. 4.2: NYC skyline from Queens during the power blackout. Lights glow in a midtown Waterside Con Ed plant as traffic passes on East Side Drive, Dan Farrell/NY Daily News, (1977)
Wikicommons



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Fig. 4.3: Buildings at Stone Street And Summers Avenue burn when looting erupted into vandalism, James Garrett, Daily News (July 15, 1977). Wikicommons

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Fig. 4.4: Firemen on aerial ladder rise from rubble-strewn Broadway at Howard Street, Brooklyn, Jim Hughes, (1977). Wikicommons



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Fig. 4.5: The I Love New York Television Advertisement, Yankelovich, Skelly and Wite Inc (YSW), owned by New York Department of Economic Development, 1980

Fig. 4.6: The I Love New York Television Advertisement, Yankelovich, Skelly and Wite Inc (YSW), owned by New York Department of Economic Development, 1980

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Fig. 4.7: "Fear City Pamphlet." Council of Public Safety, 1975.
<http://mcny.org/event/past-event-welcome-fear-city>

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Fig. 4.8: The I Love New York Logo, designed by Milton Glaser, Yankelovich, Skelly and Wite Inc (YSW), owned by New York Department of Economic Development, 1977