Dystopian Urbanism
Fall 2020/Winter 2021
Hunter College
TABLE OF CONTENTS

EDITORIAL STATEMENT: "Things Are Bad"
by Kevin Ritter  p. 4

PLANNING THE DYSTOPIAN CITY
by Kathleen Ross  p. 6

SECTION ONE: DYSTOPIA & POWER

DATA AS REAL ESTATE DEVELOPMENT
by Sus Labowitz  p. 13

THE PANOPTIC GAZE: Can the U.S. Constitution Prevent Unlawful Searches and Seizures in Smart Cities?
by Craig Notte  p. 18

NYPD: POLICING UNCHECKED AND UNBOUND
The Silver Bullet We Must Retire
by Ben West-Weyner  p. 24

THE COMPLIANCE SANDWICH
by Max Marinoff  p. 32
SECTION TWO: ECOLOGICAL DYSTOPIAS

LEFT IN THE DUST: Privatizing Cities
by Jenn Hendricks p. 39

THE CASE FOR THE GOWANUS CANAL
by Alek Miletic p. 44

NUCLEAR DOUBLE-THINK: The Dangerous Decision
to Close Indian Point Energy Center (IPEC)
by Charles Christonikos p. 51

SECTION THREE: RESILIENCE / REFUSING DYSTOPIA

FROM HOT LUNCH TO GRAB AND GO: Lessons in
Resiliency During the COVID-19 Pandemic
by Lily Zaballos p. 60

ON THE EVE OF EVICTION: Looking for
Lessons in a Koch-Era Crisis
by Francesca Fernandez-Bruce p. 67

AN INTERVIEW WITH MEHDI HERIS
by Rachel Bondra and Madeline Schoenfeld p. 73

AN INTERVIEW WITH JIMMIE WOODY
by Kevin Ritter p. 78

SOLIDARITY, NOT CHARITY: Mutual Aid Efforts
During COVID-19
by Stephen Hanrahan p. 83

CONTRIBUTOR BIOS p. 89
DYSTOPIAN URBANISM

Photo by Kevin Ritter
The past year has been rough, and things are only getting tougher. As policy makers and planners, we have seen dozens of massive shifts that promise to upend cities as we know them.

During the past year, the COVID-19 pandemic spread through the country like wildfire—not to mention, of course, actual wildfires ravaged large swathes of the West Coast. Certain segments of the population have fled cities in search of less dense neighborhoods and fresh air; fleeing residents took their incomes with them. Many people also found themselves without work due to the pandemic; the Federal Reserve recently reported that twenty percent of the nation’s lowest-paid workers are now unemployed. While eviction moratoriums have been extended in many parts of the country, a new epidemic of housing insecurity will surely follow as soon as the moratoriums are lifted and renters are unable to pay back-rent. As many workers find themselves unemployed or working from home, and individuals follow public health advice to avoid crowds, public transit ridership has plummeted. Record-low ridership prompts service cuts as city and state officials threaten fare hikes, the burden of which will almost certainly be carried by low-income essential workers. As cities face declining tax revenues, budget crises loom at the same moment that their residents are in dire need of social services. Federal aid to cities and individuals has been sporadic and inadequate. This situation has forced cities and states into an untenable situation—reopening segments of the economy in order to mitigate the massive financial hardships the pandemic has wrought also has the effect of increasing infection and death rates from the virus.

Yet cities also took steps to reckon with the nation’s long history of white supremacy this year. Nationwide protests, following the murders of George Floyd and Breonna Taylor, highlighted not just individual extrajudicial murders at the hands of police officers, but also the ways that policing, as an institution, is a historically and currently racist construction. While Black Lives Matter protests endured heavy and militarized police retaliation throughout the summer months, law enforcement’s response to the overwhelmingly white crowd that stormed the Capitol Building on January 6, 2021 was disappointing. Police officers took selfies with insurrectionists; some law enforcement personnel opened the gates to let the mob in; many off-duty police officers were in the crowd, even flashing their badges to Capitol Police as they stormed the building. Law enforcement’s racist double standards were on full display.

The rise of tech corporations has opportunistically accelerated during a time of crisis. Amazon’s foothold has only expanded this year as people stay at home and order products online; the tech giant provides backbreaking jobs, but at low hourly wages and without benefits. After the recent failed coup attempt, tech corporations tried to curb future right-wing violence by deactivating the accounts of conspiracy theorists and Donald Trump, and eliminating rightwing social media platform, Parler, from Google and Apple’s app stores, and by canceling its contract with Amazon Web Services. While such decisions will hopefully curb would-be insurrectionists in the short term, the move signals alarm for the future. As large tech corporations further consolidate their power, they subject the digital public sphere to opaque, often algorithmic policies designed, not by lawmakers accountable to the people, but by tech executives beholden to their shareholders.
Essentially, things are bad. The world feels dystopian—even more so now than when the Urban Review released a call for pitches for a themed issue titled “Dystopian Urbanism.” Of course, the dystopia we find ourselves in now (of racist policing, a massive housing crisis exacerbated by a pandemic in which Black and Latinx communities see devastatingly worse health outcomes, and right-wing white supremacists keen on extrajudicial violence) is not necessarily a new one. Our current dystopia has its historical roots in the white supremacy that is impossible to untangle from the United States’ founding.

In this issue of the Urban Review, contributors take up the question of “dystopia,” and specifically its implications in urban policy and planning. Kathleen Ross opens the issue in an essay advocating for a dystopian imaginary as a tool to puncture the veil of capitalist realism, the feeling that there is no way out of the capitalist hellscape we did not ask to live in but in which we find ourselves living, nonetheless.

The first set of articles takes up the question of power in the urban sphere. Sus Labowitz and Craig Notte, in their essays, take up the ways that smart cities may present significant privacy issues as tech corporations and the state begin to wield instrumentarian power across public urban space through smart infrastructure that harvests both cell phone and biometric data. Ben West-Weyner explores the “unteachable” police occupation of New York City, and the department’s extensive recent history of racist violence. Max Marinoff examines the “compliance sandwich,” the pandemic-initiated executive order that bars must sell food alongside alcoholic beverage orders; the order that does little to actually slow the spread of COVID-19, merely acting as a small part of an ineffective patchwork of legislation.

Next, authors take up ecological dystopias. Jenn Hendricks looks at new developments in Nigeria and Egypt that proclaim themselves as “green cities,” but in reality are developments designed for the mega-rich that deepen local inequality. Alek Miletic examines the Gowanus Canal, a polluted Superfund site; its forthcoming rezoning may seriously threaten the remediation efforts that have been made to clean up the Canal. Charles Christonikos, in his essay, explores the closing of the Indian Point Energy Center, a nuclear power plant, and the ways that its shuttering is far more tied up with societal apprehension about nuclear power than with any coherent green energy policy.

The final set of articles looks at strategies that mitigate or build a way out of dystopia. Lily Zaballos looks to New York City schools’ quick pivot to providing grab-and-go meals during the pandemic as a lesson in resiliency and responsiveness for urban food systems generally. Francesca Fernandez- Bruce draws on the Koch era’s homelessness crisis to understand the escalating housing crisis during the pandemic and provides hope for a future with housing for all. An interview with new UPP professor Mehdi Heris posits the power of data analysis as a tool for equitable planning and policy. An interview with Cleveland-based artist, Jimmie Woody, highlights his Woody Arts Incubator Project, which aims to address some of the cultural inequities in the Cleveland region. Finally, Stephen Hanrahan engages with mutual aid efforts during the pandemic, looking at the ways that community solidarity can fight against and mitigate the state’s failures.

This issue takes up “dystopia” not from a place of fatalistic nihilism, but from a stance that only through seeing and articulating the problem can we begin to find our way out.
PLANNING THE DYSTOPIAN CITY

In his novel *The City & the City*, urban fantasy writer China Miéville depicts two distinct cities that exist simultaneously in the same location.\(^1\) Citizens of each city must, at all times, carefully ignore the existence of the other, a skill perfected from an early age. To in any way “see” any aspect of the other city is to “breach,” a vile, unthinkable, and punishable crime. A breach is discussed in the same hushed tones in which one discusses a particularly depraved murder, and those who breach are captured and mysteriously disappeared. There is perhaps no better analogy for the experience of the contemporary city than this perpetual act of unseeing.

Consider twenty-first century New York City, where homeless shelters house almost 60,000 people, over a fifth of New Yorkers live below the poverty line, and the top five percent of households earn eighty-eight times more than the bottom twenty percent.\(^2\) The two New York Cities in this context aren’t so much the city of the wealthy and the city of everyone else, disparate as those worlds are. Rather, they are the city of inevitability and the city of untenability—a city where things are, ostensibly, as they should and must be, and the city where things cannot continue to be as they are. What does it mean, and require, to breach and see that second city?

Writers and theorists across many disciplines have long described the force with which what is represents itself as what must be. Perhaps most influentially, the political theorist Antonio Gramsci developed the concept of “cultural hegemony.” Writing between 1929 and 1935, Gramsci sought to explain the strange resilience of capitalism, which had failed to provoke the widespread workers’ revolutions that Karl Marx had presented as inescapable. Capitalism succeeds, Gramsci argued, not through direct repression so much as by naturalizing its exploitative relationships. The economic and social relationships of the present become a sort of common sense, and that collectively held common sense becomes a sort of consent. Thus, the worker consents to her exploitation by viewing it as inevitable.

Acknowledging the dystopian streaks in contemporary society—and particularly in the contemporary city—offers a compelling means with which to puncture this sense of inevitability. Many literary theorists have described the way in which dystopian fiction, far from being an expression of nihilistic hopelessness, is an invitation to human agency. Though often set in the future, dystopias are fundamentally lamentations of the present, in which, as literary theorist James Berger writes, the “events envisioned have already occurred, have as good as occurred.”\(^3\)

At heart, dystopian visions—these glimpses of what has as good as occurred—thus make demands of the present out of a genuine hope for the future.

Given this orientation toward time—this belief in making interventions in the present in order to alter the future—one might consider the dystopian mindset an inherent meditation on planning. As historians Michael D. Gordin, Helen Tilley, and Gyan Prakash argue, dystopias are not mere imaginative acts but also “concrete practices through which historically situated actors seek to reimagine their present and transform it into a plausible future.”\(^4\) This is remarkably similar to geographer Ruth Wilson Gilmore’s description of the “power to plan” as “[having] some sense of how to secure the future.”\(^5\) The use of the word “power” here is key. To secure a future that differs from the present in any meaningful, positive way is to exert a form of power. Is this a power that planners currently possess, or are they constrained by a sense of the present city as inevitable? And how can the present city be inevitable if it was, in the not too distant past, unimaginably different?

Capitalism and the Changing City

In the mid-twentieth century, a sort of Fordist-Keynesian compromise reigned, in which strong corporate power was partially held in check by robust social welfare provisions by the state, strong unions, and rising wages through the late 1960s. Nationally, Fordist mass production required commensurate mass consumption, thus encouraging Keynesian interventions by the state to
ensure a working class with sufficient buying power. Similar compromises operated at the scale of the city. Urban historian Richard Foglesong, for example, argues that urban planning emerged precisely to mediate between industrial capitalists’ contradictory needs. Land within the industrial city, for instance, had to be both privately owned and maintain certain social characteristics, as when industrialists required infrastructural interventions from the state, such as streets or transit, or the provision of affordable housing for workers.

In general, urban industrialists benefited from the provision of not only affordable housing but other social goods as well. Public education provided an educated workforce, and public transit ensured that workers could reach their jobs. Supported by the strength of collective bargaining and working-class activism generally, industrial cities provided a now unimaginable array of social goods. Mid-twentieth century New York City operated a massive tuition-free public university system, free museums, and twenty-four municipal hospitals alongside a further array of public clinics. Beginning with a rent freeze in 1943, New York City has maintained the longest-running rent control program in the country. In 1950, a subway fare and a bus fare cost ten and seven cents respectively (the equivalent of $1.08 and 76 cents today). In the 1970s, however, major shifts began to chip away at such provisions, challenging prevailing notions of what the state and municipalities owed their citizens. On the national level, a precipitous decline in both the Keynesian welfare state and union power began to take hold. In New York City specifically, similar shifts were helped along by a fiscal crisis in 1975. As manufacturing relocated, suburbanization cut into tax revenue, and the economy stagnated nationwide, New York City teetered dangerously on the brink of bankruptcy. The resultant crisis was immediately blamed on the city’s generous provision of social goods. President Ford famously vowed to refuse New York City aid, regarding the fiscal crisis as a “day of reckoning” that the city had earned with its spending. Subsequent reforms and loan requirements demanded brutal cuts. Within a year, subway and bus fares had been raised, hospitals had been closed, CUNY had instituted tuition, and a policy of “planned shrinkage” shut down basic services such as firehouses in poor neighborhoods throughout the city.

Unfortunately, these cuts represented not just temporary emergency actions but a permanent foreclosure of what was municipally possible, mirroring similar foreclosures nationally and internationally. Far from destabilizing capitalist hegemony, these enormous shifts in the roles and power of capital, the state, and workers were quickly, quietly, and thoroughly absorbed into prevailing ideologies. The post-Fordist system that followed was accompanied by a new dominant form of common sense: neoliberalism. Attending declines in wages and social provision had to not only be ideologically justified but also, as Gramsci would argue, justified in a way that made them seem natural and inevitable. It is from precisely this need that a figure like former British prime minister Margaret Thatcher can emerge, famously declaring of austerity in the U.K that “there is no alternative.”

The cultural theorist Mark Fisher termed this strengthened sense of inevitability “capitalist realism,” aptly described as a form of hegemony so total that “capitalism seamlessly occupies the horizons of the thinkable.” By denying alternatives, capitalist realism determines not only what is possible in the present but also in the future, transforming the future into a sort of ceaseless present. The political scientist Francis Fukuyama infamously embraced

Photo: Kevin Ritter
this ceaseless present, calling liberal democracy and free market capitalism “the end of history,” a moment in which further meaningful change was unlikely if not impossible. At the end of history, the future somehow looks even more like the present than the present itself does. As political theorist Fredric Jameson more critically described it, “it is easier to imagine the end of the world than to imagine the end of capitalism.”

Moreover, this ceaseless, neoliberal present stretches in both directions, erasing past as well as future. In New York City following the fiscal crisis, what had existed in the past—even the very recent past—was retroactively deemed to have been impossible. By the 1980s, for example, mayor Ed Koch was mocking the city’s once grand social provisions, calling pre-fiscal crisis New York “the No. 1 welfare city in America” and crediting the fiscal crisis with “many beneficial consequences.” The view that the fiscal crisis was beneficial is not uncommon, epitomizing a belief that the city was rescued from a sort of fever dream or collective delusion. James Berger calls this a form of “Reaganist amnesia,” in which former social movements and goods are recast as “destructive and infantile.” Suddenly, social goods that were once taken for granted had been declared impossible, even laughable. Only what was possible in the present extended in all directions, rendering the present city as inevitable. What does planning look like on this flattened timeline, devoid of past or future?

**Capitalist Realism and Planning**

Deprived of past and future, planning inevitably becomes the inherently conservative work of preserving what is. In the post-Fordist city, this primarily means preserving the conditions for capital accumulation by the real estate and finance industries. As geographer Samuel Stein argues, once manufacturing fled the city and, eventually, the country, it was financial and real estate capital that assumed municipal primacy. The resultant urban governing coalition—what Stein calls “the real estate state”—has fundamentally transformed the relationship between urban planning and urban space. While urban land was a commodity within the industrial city, its primary function remained its use value, its ability to be used for manufacturing or to house or transport workers. Within the postindustrial city, in contrast, the primary function of urban land becomes its exchange value, its ability to be bought, invested in, and exchanged for a profit. In this context, the goal of planning becomes incredibly simple: increase property values at all costs.

This obligation is enforced in part by the real and serious power of the real estate industry, which, combined with finance, is both the greatest contributor to the GDP of the New York metropolitan area and the single greatest donor to politicians. However, it is also self-enforced by planners and urban policymakers themselves, who have absorbed the hegemonic logic of the post-fiscal crisis, neoliberal city. Scarred by suburbanization and the fiscal crisis, even the most well-meaning urban planners and decision makers find themselves obsessed with property values. Maintaining a sufficient property tax base is seen as the best way to fund what social goods the city still provides. Moreover, borrowing money for city budgets requires a good grade from “neoliberalism’s enforcers,” municipal credit rating agencies. These agencies reward both austerity and those policies and practices most friendly to real estate and finance.

The result is a recurring cycle of displacement and gentrification. Planners support development that spurs gentrification in order to fund well-meaning planning interventions that, in the absence of expansive rent regulation and the presence of extensive urban real estate speculation, themselves spur further gentrification. In New York City, where approximately two million people spend the majority of their income on rent each month, even minor increases in rent can be untenable. When higher property values mean a greater tax base, and housing is treated primarily as an investment, however, developers are incentivized to produce luxury apartments instead of ones with modest rents, even when those luxury apartments will sit unoccupied. It’s thus no surprise that the luxury housing vacancy rate is double that of non-luxury housing.

In contrast to the industrial city and its compromises, the provision of affordable housing and other social goods is irrelevant to the financialized city. The former industrial working class is merely a surplus population, subject to repeated displacements and dispossession. In this landscape of urban capitalist realism, the city is no longer the site of social reproduction or struggle, only the site of extended capital reproduction, achieved “through dispossession and reconfiguration of urban space.” Such reconfigurations are inevitable, the cost of competing for investment in a global urban competition.

New York City is perhaps the crown jewel of urban capitalist realism, the place in which these neoliberal shifts were most successfully sold as not only inevitable but actively desirable. The work of selling austerity and gentrification as improvement began in the immediate wake of
the fiscal crisis but was perfected by the Bloomberg administration. As urban anthropologist Julian Brash writes, Bloomberg papered over growing urban inequalities, producing instead an urban imaginary of cities “as centers of innovation, ambition, leisure, cultural diversity, cosmopolitanism, and wealth.”16 This obscuring of crises and contradictions is an essential element of capitalist realism. To look at startling inequalities and see, instead, an urban renaissance is to not only tacitly endorse the status quo of the present but also to perform the exact act of “unseeing” at the center of Miéville’s tale of two cities. It is to walk through a dystopian city and carefully see only a utopian one.

**Seeing the Dystopian City**

Puncturing the veil of capitalist realism and seeing the dystopian city is a vital action for planners. It is a matter of viewing the city truthfully but even more so a matter of restoring to planning the lost power to create a future that differs from the present. Such perceptions push back on the denial of alternatives and the insistence that the present, if imperfect, is as good as it gets. Fictional dystopias enable “writers and readers to find their way within—and sometimes against and beyond—the conditions that mask the very causes of the harsh realities in which they live.”19 Directly perceiving the dystopian elements of the city around us is an even more straightforward path to the same recognitions and, most importantly, the same impetus to action.

It’s no coincidence that dystopian depictions of the city provoked many of the earliest planning impulses and interventions. Julie Sze, for example, links the first attempts at municipal waste management in New York City to the grisly image, in 1860, of a rat eating a newborn baby at Bellevue.20 Historian Jon A. Peterson similarly traces the roots of planning to the nineteenth century sanitary reform movement, which was mobilized by images of urban disease and filth.21 Progressive Era reforms in the early twentieth century were likewise frequently motivated by the horrific accounts of urban poverty, corruption, and child labor that populated the pages of muckraking magazines. Historian Jacob Remes ties massive expansions in the state’s responsibilities toward its citizens during the same period to apocalyptic images of urban disasters like the San Francisco Earthquake of 1906.22 Could acknowledging the dystopian urban images of the present provoke similarly meaningful planning interventions today?

At times, dystopian images of New York City have been used to fight change. Depictions of a violent, gritty 1970s New York are weaponized against attempts to re-institute pre-fiscal crisis policies. Images of a crime-ridden city are wielded against police reform. The experiences of 2020, however, have provided a unique opportunity to assert, on the contrary, that the real dystopia is what currently exists. The onset of COVID-19 was, of course, viscerally dystopian, but it also exposed deeper, pre-existing crises. It becomes, for example, remarkably difficult to ignore inequality in a city where class directly determines whether one avoids or contracts a deadly virus.23 The explosion of a new wave of Black Lives Matter protests—alongside images of rows of anonymous police in militarized riot gear and the constant hum of helicopters flying overhead—likewise demanded the acknowledgment of the dystopian city on behalf of those who have never had the option of “unseeing” it. Planners would do well to heed this demand. If utopian images suggest that change is possible, dystopian realities insist that change is necessary. Fully recognizing the dystopian city unravels its presumed inevitability and revives the lost possibility of an alternative future.

To look at startling inequalities and see, instead, an urban renaissance is to not only tacitly endorse the status quo of the present but also to perform the exact act of “unseeing” at the center of Miéville’s tale of two cities. It is to walk through a dystopian city and carefully see only a utopian one.
NOTES

6  Phillips-Fein, *Fear City*, 16.
7  Ibid, 3.
11  Berger, *After the End*, x.
13  Ibid, 80.
14  Ibid, 77.
15  Ibid, Capital City, 4.
ONE.
DYSTOPIA
& POWER
(instrumentarian power, panoptic power, police power, etc.)
Many of the private companies that manage public urban spaces collect a massive amount of data on the people and things that pass through. Companies can then use or sell this data for so much profit that “we should now expect organizations to be data-driven; that is, the drive to accumulate data now propels new ways of doing business and governance.”

But what does all this data extraction mean for publicly accessible sites and their private management? This article serves as an introductory examination of the added value data from private spaces open to the public brings to real estate and the implications therein.

Hailed as “the world’s most ambitious experiment in “smart city” urbanism,” Hudson Yards offers a point of reference to consider data’s role.

At a cost of $25 billion, Hudson Yards is “the largest mixed-use private real estate venture in American history.” The product of a 2005 rezoning plan, Hudson Yards covers 28 acres of New York City’s Midtown West neighborhood, sitting between 10th and 11th Avenues in one direction and 30th and 34th Streets in the other. To incentivize the massive development, The Related Companies (the project’s developer) received $6 billion in tax subsidies and incentives, including the most expensive park ever planned in New York. Since the inception of the rezoning plan, its chief developers have projected the image of a mixed use area that would make a significant contribution to the network of waterfront parks along Manhattan’s West Side.

Open green spaces, inviting retail experiences, and a new subway stop: “This was the image sold to the public: the yard as accessible, hospitable and open to everyone.” In addition to public accessibility, Hudson Yards advertises itself as “a “fully instrumented” testing ground for applied urban data science” with many features of “smart” city technologies. Press packets for Hudson Yards refer to the development as an “Engineered City” whose technological advancements center around manufacturing data on its visitors, residents, workers, and environment. Some of the information collected is used to improve the megadevelopment’s sustainability objectives by monitoring the efficiency of its climate control systems. A significant amount of the data collected is about the people who visit, work, or pass through Hudson Yards; it isn’t yet clear how this data will be used, traded or sold. Living in the 21st century means at least some acquiescence to personal data extraction, but seldom do we think about the urban form as a primary point of that process. In the paragraphs to follow, I discuss some of the many mechanisms of data extraction and the implications of amassing, managing, and potentially selling this data.

In 2019, The Real Deal reported that, “The Related Companies’ mega-development collects so much data that it bills itself as the country’s first “quantified community.”” Electronic kiosks populate the public mall within Hudson Yards that allow visitors to search for stores, book tickets for the Vessel (the development’s iconic architectural sculpture), and make reservations at restaurants, among other features. Intersection, the company owned by an Alphabet subsidiary that developed the similar LinkNYC towers, built and operates these kiosks. (Alphabet also owns Google.) Unlike their contract with New York City, Intersection has no limitations on how much or for how long to keep the personal data it extracts at the Hudson Yards kiosks. Concealed cameras within the kiosks monitor pedestrian traffic, what stores people spend more time at, and what ads captivate shoppers more than others. In addition, the kiosks can record visitors’ browser histories and app usage while connected to WiFi. Intersection says that it is not yet using facial recognition software in its systems, but it built the kiosks with the capability to do so. A visitor can simply not use the “free” WiFi, but it is unreasonable to expect someone to hide their face while walking from store to store should they wish to opt out of facial recognition.

### DATA AS REAL ESTATE DEVELOPMENT

by Sus Labowitz
The Hudson Yards neighborhood has a long relationship with Alphabet-related companies. Daniel Doctoroff, one of Hudson Yards’ earliest and loudest supporters, first put forth a plan to develop the site as part of an Olympic bid in the 1990s. Doctoroff, who was later deputy mayor under Bloomberg, is now the CEO of Sidewalk Labs (also owned by Alphabet) and chairman of Intersection. Doctoroff later advocated for Hudson Yards and moved Sidewalk Labs’ offices there in 2016. In the years since, other major tech companies followed suit: Facebook and Amazon now lease a combined 1.9 million square feet of office space.

Hudson Yards’ connection with Doctoroff and Sidewalk Labs illuminates a possible future for the development’s park spaces. Doctoroff dreams of a data-driven system of neighborhood regulations using surveillance tech and automated monitoring where appropriate behavior can be quantified, measured, and enforced. The outdoor spaces at Hudson Yards have an expansive WiFi network that could store web browsing information and could provide some of the necessary data to surveil and police behavior in Doctoroff’s vision of the smart public space.

The Hudson Yards office spaces subject workers to even greater surveillance that begins once they use biometric scanners to call the elevators. Although office workers access private spaces within the complex, data extraction can permeate normal boundaries between public and private space. In addition, workers do not have the ability to opt out of surveillance, much like in the public spaces. Companies employ Internet of Things technologies (think Amazon Alexa or a smart refrigerator) to monitor workers’ efficiency and productivity, how they use space in the office, and with whom they meet and when. Microsoft made waves this year with the roll-out of its “Productivity Score” based on analysis of employee computer use. In November, the tech giant filed a patent for software to expand that score to include facial recognition and body language through data captured from the office surveillance systems. Studies show that facial recognition does not work equally across race and gender, and exacerbates existing discrimination in society. Microsoft does not lease space at Hudson Yards, but their enthusiasm for worker surveillance is a signal of industry trends. The lines between public and private spaces blur here as the data extraction possible by private companies is not fettered by traditional boundaries.

Each building within Hudson Yards is equipped with data driven microclimate monitoring and control systems to make energy and water usage more efficient and therefore more economical and environmentally friendly. The US Green Building Council, the LEED Certification governing body, even heralded smart buildings as the “future of green building technology,” marking an increase in smart tech’s prevalence. As shown by the example of smartified streetlights in San Diego, innocuous, sustainability-intended infrastructure improvements can have far-reaching con-
sequences. San Diego installed streetlights with Internet of Things capabilities: sensors and cameras to report traffic, air quality, and energy usage data. The lights were supposed to pay for themselves over time with the energy savings. Instead, the sensors did not work well in that capacity and the San Diego Police Department soon figured out that they could monitor streets using the lights’ cameras. After public uproar, the City Council ended the program, but found that the city could not turn the smart features off without bringing the whole light offline.1 Even when smart features are intended for sustainability and governance purposes, these surveillance technologies cannot be divorced so easily from personal data extraction.

After manufacturing all this data, it can be valuable to its owners in many different ways. Though the current stance by the Related Companies is to not sell user data, they very easily could at any point in the future. Even without selling to a third party, the data accumulated from Hudson Yards has value to the property’s owners. For example, geolocation and browser data (to name a few) can be offered back to tenants as an added amenity that increases rent. Retailers and other Hudson Yards tenants can use that data for targeted advertising. In addition, landlords can decide who to rent to and who’s lease to renew based on performance indicators gathered by sensors in the kiosks and other data extraction tools.2 Building management can employ the climate systems data to cut excesses in utility usage. Smart technologies can slow the decay of buildings and other physical assets by allowing management to monitor for issues with greater specificity.3 By keeping a closer eye on these building assets, management can prolong the lives of important and expensive systems and infrastructure, saving them money in the long run.

If they do decide to sell the data, Hudson Yards has a number of options. There is a competitive market consisting of data brokers, advertisers, and even police forces eager to buy. Data brokering, the industry of buying and selling data, generates an estimated $200 billion annually, which is only expected to grow as data capital continues to play a significant role in the economy.4 Data capital allows companies like Uber and Airbnb to be some of the wealthiest organizations in the world without having to own the physical assets they offer. Brokers are most interested in diverse data about people in large quantities, which a mixed-use development like Hudson Yards can provide. Although the industry tries to assure the public that personal data is anonymised, studies show that data can easily be re-identified to its source. Once data is sold, third party companies have no legal privacy obligations to the people from whom data has been extracted.5 After data is sold, for example, companies can use artificial intelligence to model predictions of future behavior, like is done already in predictive policing.
Data as capital is a recent concept, yet its implications in the real estate market are enormous. As a commodity, data is valuable because it can be sold for a lot of money and also because it is frequently information about people. For the mere cost of sensors, cameras, and other surveillance tools, Hudson Yards generates this additional digital value, unlike most traditional real estate. However, like traditional real estate, this added value accumulates only with the owners and developers. Even though it is a form of economic rent, data is, so far, an untaxed asset, which further amasses wealth among the people and companies that own property.

How would New York City even begin to tax an asset as illegible as data? A recent proposal in the Wall Street Journal suggested that the City follow initiatives in California and tax data at the point of sale. Although no one knows how much data is produced in New York, the writers suggest that such a tax could make a significant dent in the current budget crisis.28 Taxing data at the point of sale only captures its present value, sort of like a stock, as a reflection of the market at that moment. Doing so overlooks the value added to companies by holding onto the data and the future capabilities of that data as technologies grow and change. No layperson in 2009 could have predicted that an algorithm trained by posting on a friend’s Facebook Wall could lead to a housing discrimination suit against the company in 2019. The potentiality of data makes putting a price on a person’s personal information difficult.29 Other proposals, like the one put forth by New York State Senator David Carlucci in 2019, would impose a 5% tax on every company that profits off personal data; however, this approach also fails to consider the spatial implications of data extraction.30

Lacking taxation is emblematic of another of data’s moral ambiguities: a near absence of democratic oversight on these mountains of personal information, now owned by private companies for immeasurable profit. That this information can be extracted from public spaces without consent further disturbs some basic tenets of a democracy. Some European initiatives propose national or regional trusts that would bring in citizen input on what data is collected, who gets to use it, and who profits. Others propose decommodifying data altogether and instead employing it as a tool of democracy as it is literally the measure of human interactions.31 Still others consider viewing data as property or as a form of labor for which we, as the producers of that information, should be compensated. That value is complicated to determine given how difficult the future of tech and what our data could one day do are to comprehend.32

We are accustomed to impossible-to-comprehend user agreements and technologies that morph faster than we can track. These user agreements attempt to acknowledge that somehow the free platforms we use are worth the troves of information we manufacture by engaging with them. Less clear is how that exchange works for public space. Hudson Yards says that it needs data to make its spaces more user friendly and better designed, but the quantity and type of extraction present far exceeds that need. Further, Alphabet’s presence in Hudson Yards’ data collection ecosystem means even more of our personal and behavioral information accrue with the tech giant. One might say, “don’t like Google? Don’t use Gmail!” or something similar. It gets harder to say, “don’t like Google? Don’t go to the public park!”

Following previous patterns of wealth accumulation and real estate economics, datafication (the process of making data into a commodity) exacerbates existing inequalities and creates unjust (and nonconsensual) incentives in the design of public space. These alarming conditions of data extraction require collective oversight and transparency (in the surveillance technologies used and what becomes of the data once amassed) to restore some semblance of a democratic economy. Without those conditions, we must consider if “smart” innovations can exist in a just city at all.
Endnotes

9. Ibid.
10. Ibid.
15. Ibid.
27. Ibid.
32. Ibid.
“Any technological advance can be dangerous. Fire was dangerous from the start, and so (even more so) was speech - and both are still dangerous to this day - but human beings would not be human without them.”

In a fully “smart” city, every movement an individual makes can be tracked. The data will reveal where she works, how she commutes, her shopping habits, places she visits and her proximity to other people .... [T]his data will be centralized and easy to access .... Governments could know more about people than they know about themselves.

Smart Cities and The Internet of Things

“Smart” devices radiate data. From smartphones, fitness trackers, enchanted pill bottles, smart cars, and even smart refrigerators, these objects create extensive data trails revealing personal information, patterns, and activities. Collectively, these sensors and trackers collaborate as the “Internet of Things” that is networked to generate, collect, and exchange data. While each object is separately and uniquely identifiable, the power of the IoT is in the multiplicity of objects that operate together through existing internet infrastructure.

Despite the ubiquity of the Internet and cellular technology, or perhaps because of it, we are releasing vast amounts of data about ourselves every day, for better or worse. Smart cities rely on aggregated data provided by citizens to operate efficiently. Cities, at their best, are “hubs of human connection, fountains of creativity, and exemplars of green living.” At their worst, “they still suffer the symptoms of industrial urbanization: pollution, crowding, crime, social fragmentation, and dehumanization.”

The Fourth Amendment To The United States Constitution, Generally

The Fourth Amendment to the United States Constitution explicitly forbids unlawful searches and seizures in the criminal context, stating that “[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” Relatedly, the Constitution also infers a civil law right to privacy.

The Fourth Amendment’s ultimate goal of protecting against unreasonable government intrusions in the criminal context is fueled, in part, by the civil law right to privacy. The Fourth Amendment does not guarantee protection from all searches and seizures, only government searches deemed unreasonable under the law. Evidence obtained from an unlawful search, described as “fruit of the poisonous tree,” may not be introduced in court. Ultimately, the Fourth Amendment is for prudent and tailored, not over-reaching intrusions, permitted by a court-issued warrant upon probable cause that a crime is being committed.
Can today’s constitutional law jurisprudence handle the enormity of information being gathered about us and prevent unlawful use? The Supreme Court has adopted interpretations of the Fourth Amendment to accommodate technological and intellectual advancements throughout history. Over time, the court has devised, revised, hybridized, and reinterpreted the legal doctrines that explain and contextualize the Fourth Amendment, along with the interrelated civil law right to privacy.

This article focuses on the meaning of being “secure” in our “persons, houses, papers and effects,” the right to be free from “unreasonable searches and seizures,” and whether the law can prevent misuse of the massive amount of personal data gathered in smart cities. After looking at the flexible evolution of Fourth Amendment jurisprudence, this article concludes that the Fourth Amendment has historically adapted to technological advances and there is no reason it cannot continue to do so. This is not to say that the jurisprudence will perfectly adapt to new technologies. Rather, the doctrines currently in place will remain useful, albeit with inevitable anomalies.

The Origin of the Right to Privacy

As Fourth Amendment jurisprudence developed throughout the 19th and 20th centuries in the criminal context, so did the separate but related civil right to privacy doctrine. “The Right to Privacy,” an 1890 Harvard Law Review article by future Supreme Court justice Louis Brandeis and Samuel Warren, boosted privacy into the legal limelight, articulating for the first time the idea that citizens have the “right to be let alone.” Believing the law has an “eternal youth” for adapting to change, Brandeis and Warren said the right to “person” and “property” has evolved beyond freedom from physical attack to include intangible property.

Ultimately, Brandeis and Warren’s concern was new technology intruding into private lives; in this case, “instantaneous photographs and newspaper enterprise [that have invaded] the sacred precincts of private and domestic life.” Brandeis and Warren made special note, however, that the privacy of one’s thoughts and writings is conditioned on not “publishing” them and a manifest intent to keep them private, a principle that governs privacy and Fourth Amendment jurisprudence to this day.

Concurrently with Brandeis and Warren’s “Right to Privacy,” courts began examining the tension between privacy and the State’s need to prosecute crimes. Over time, civil and criminal law principles began to blend. In *Boyd v. United States* (1886), a law requiring a defendant to turn over any document, in the broadest sense, that might “tend to prove any allegation made by the United States” was deemed unconstitutional for intruding too far into the right to be secure in one’s “papers.”

The government’s laying of hands on corporeal property, where the touching can be easily witnessed and measured, is self-evidently an intrusion. But what about intrusions beyond the physical realm? Can an invasion without touch or physical entry be an unreasonable search and seizure? At first, the Supreme Court said no in the 1928 case *Olmstead v. United States* involving wiretapped private telephone conversations obtained by federal agents without a warrant. Unready to consider intrusion beyond the physical sense, the court said the search was permitted and not unconstitutional because there was no physical trespass. In the 1967 case *Katz v. United States*, the Supreme Court would overrule its own decision in *Olmstead* and explicitly adopt Justice Brandeis’ expansive view that the Fourth Amendment forbids searches and seizures beyond physical trespass and intrusion. This is not to say that the court dispensed with the trespass doctrine entirely. Rather, courts continued to apply trespass while also devising new ways to interpret novel circumstances as they arose.

Reasonable Expectation of Privacy

Like *Olmstead*, *Katz* was also a wiretap case, but it was not Mr. Katz’s home telephone that was tapped. Mr. Katz’s call occurred in a public telephone booth on a city street. The Supreme Court decided that the tap was unreasonable search and seizure because Mr. Katz had reason to believe that his words were private, despite being outside his home. The anomalies start to surface, however, under a case like *Katz*, where a conversation in a public telephone booth is protected, but the same conversation on the street immediately outside the phone booth is presumably not. *Katz* represents the difficulties that arise as laws develop, where two decisions on similar facts can arrive at different conclusions on seemingly technical grounds. Notwithstanding, the reasonable expectation
of privacy standard dominated Fourth Amendment cases going forward.

**Open Fields and Curtilage**

Before *Katz* and before wiretapping technology that obscured the private/public boundary, the Supreme Court first articulated the open fields doctrine in 1924 to address the uncertain physical boundaries of “home,” stating that the "special protection accorded by the Fourth Amendment to people in their 'persons, houses, papers, and effects, is not extended to the open fields.”

Drawing yet another distinction, the law came to recognize that “curtilage,” or the outdoor area immediately surrounding the home, may be protected as an extension of the home, subject to all the privacy protections afforded a home (unlike one’s open fields). An area is curtilage if it “harbors the intimate activity associated with the sanctity of a man's home and the privacies of life.” The difficulty with applying this subjective standard is apparent.

**************

At this juncture, it is helpful to emphasize that while courts try to avoid inconsistent application of the law, anomalous or clumsy rulings are inevitable as new doctrines arise and analyses get refined. Yet it is the refinement of the law to accommodate new technologies that allows advancement of culture and society.

For example, a police search conducted with a marijuana-sniffing dog at the front door of a house was held to be an illegal search. However, a police search from a helicopter for marijuana inside a privately-owned greenhouse was permitted because the owner had no reasonable expectation of privacy in information gathered from the air. Conversely, there are times when existing doctrines easily apply to new technology without losing credibility, as in two cases where tracking devices were installed on cans of chemicals. In one case, the tracking was permitted because the cans were in public; in the other case, permissible public tracking stopped at the threshold of the defendant’s home.

Even this seemingly straightforward threshold rule can be difficult to apply uniformly, like the case where viewing marijuana from above a private greenhouse is not an illegal search. One must wonder what the analysis would have been if the greenhouse was attached to the main residence, and whether the greenhouse would have been imbued with the same privacy as the house simply by structural connection. Also, would the result have been different if the homeowner was able to build a fence high enough in the air, or some other signal indicating an intention of privacy? Riddles like these are why courts develop new doctrines to analyze a problem, or revisit long-established doctrines for backup.

**The Third Party Doctrine**

Some malleable legal principles remain useful in perpetuity. The third party doctrine applied for the first time in 1976 harkens back to Brandeis and Warren’s belief that a person voluntarily providing information to a third party no longer has a reasonable expectation of privacy therein. However, the application of tried and true principles like this can be imperfect. On one hand, an unlawful search and seizure occurred in *Katz* because the phone booth conversation was deemed private. But would the phone number that Mr. Katz dialed have been private? In a separate case, twenty-two years after *Katz*, the Supreme Court said no because by dialing the number, one gives the number the phone company: another distinction that strains common sense. As seen below, the third party doctrine is highly relevant in the smart city context, although not a universal solution to legal riddles.

**A Return to Trespass, With Modifications**

Like the helicopter/marijuana case, some rulings based on trespass can seem arbitrary or hypertechnical. In a 1942 case, a microphone attached to a wall to capture conversations in the adjacent room was a permitted search because there was no physical intrusion. However, in 1961, another eavesdropping case arose with the same facts but with one major difference: the microphone was inserted into the wall for listening into the adjacent room. Thus, a physical trespass occurred and the recording was an illegal search. While these two decisions are consistent between one another, they seem to turn on a technicality. Nonetheless, trespass endures as a guiding principle in the surveillance context, even with intangible GPS surveillance data of today.
In the 2012 case *United States v. Jones*, the Supreme Court was confronted with a GPS case where a tracker had been placed on a car, invoking analysis under the trespass, expectation of privacy as well as third party doctrines. Steering away from the intangibility dilemma, the court found a way to revive the dormant trespass doctrine and ruled that an illegal search occurred because attaching the tracking device to the car was a physical intrusion. The opinion noted that although the reasonable expectation standard had dominated since *Katz* in 1967, the court never abandoned trespass. Interestingly, it was the ability of the tracking device to record the car’s location 24 hours a day that distinguished the search from routine tracking by a police car. Thus, the question arises of whether a GPS search for less than 24 hours a day could be deemed legal, and if so, what is the cutoff? A concurring opinion noted that *Katz’s* reasonable expectation test “augmented, but did not displace or diminish, the common law trespassory test that preceded it.” The concurring opinion also suggested the third party doctrine was becoming irrelevant since all data in the digital world is held by more than one person.

**Where Does This Leave Us in Smart Cities?**

Now that our smartphones are a practically limitless source of data about our lives, interests, and proclivities, are we secure in them? For the very reason that smartphones are the single most valuable source of personal information, should the government have more or less access to them? For the time being, the Supreme Court has imposed a limit. In *Riley v. California* (2014), a photograph found by the police in the defendant’s smartphone after arrest was inadmissible. The court distinguished the quantity of information available in a smartphone from a traditional address book or journal, i.e., the vast amount of information in smartphones necessitates a heightened level of protection.

Thus, we come full circle where the “privacies of life” must be distinguished and protected, like the non-incriminating documents in the desk drawers of the political antagonist in *Boyd v. United States* (1886). And where does the third-party doctrine fit in, since smartphones are explicitly or at least impliedly recording our location at all times? Despite the concurring opinion in *Jones*, the third party doctrine is alive and well, although hobbled.
In *United States v. Carpenter* (2018), the issue was whether a warrant is needed for historical cell site location information (CSLI) for the physical locations of cellphones. The court decided that the third party doctrine could not be applied to historical CSLI, again on the basis of sheer quantity of information and the prevalence of the technology. CSLI could pose even greater privacy risks than GPS data, as cellphone ubiquity offers the government "near perfect" surveillance of an individual's movements.

Laws do not typically arise in advance of the problems they seek to resolve, meaning it is the nature of the law to be perpetually late. We can only wonder how long the Supreme Court will hold that people do not intend for their smartphone to give everything away. And what is the future of the reasonable expectation of privacy as the Internet of Things continuously generates new data for smart cities to aggregate and distribute? One answer is that the Fourth Amendment and the right to privacy, in their "eternal youth," have adapted to technological evolution over time, including the ubiquity of data, and there is no reason to believe that stasis will set in. We have seen that the court has a number of doctrines to mix, mingle, and augment as needed, and by design, the court will continue to do so. How the law will adapt is unknowable, but it is clear, based on the jurisdictional path to date, that the law will not impede technological advancement and will strive to act in furtherance thereof.
Endnotes
4 The IOT: What Is It, What Can Happen With It….90-Apr N.Y. St. B.J. 30
5 City 2.0: The Habitat of the Future and How to Get There (Ted Books ed. 2013) available at http://hdl.handle.net/10161/6772.
6 Id.
8 “The panopticon is a type of institutional building and a system of control designed by the English philosopher and social theorist Jeremy Bentham in the 18th century. The concept of the design is to allow all prisoners of an institution to be observed by a single security guard, without the inmates being able to tell whether they are being watched.” Panopticon, accessed January 8, 2021, Wikipedia, https://en.wikipedia.org/wiki/Panopticon.
9 Silverthorne Lumber Co. v. United States, 251 U.S. 385 (1920).
10 4 Harvard L.R. 193 (Dec. 15, 1890).
11 116 U.S. 616 (1886).
12 277 U.S. 438 (1928).
14 Hester v. United States, 265 U.S. 57 (1924).
20 Florida v. Riley, supra.
22 “The Right to Privacy,” supra.
25 Jones, 565 U.S. at 414 (Sotomayor, J., concurring).
26 Jones, 565 U.S. at 417 (Sotomayor, J., concurring) (“People disclose the phone numbers that they dial or text to their cellular providers, the URLs that they visit and the e-mail addresses with which they correspond to their Internet service providers, and the books, groceries and medications they purchase to online retailers . . . I would not assume that all information voluntarily disclosed to some member of the public for a limited purpose is, for that reason alone, disentitled to Fourth Amendment protection.” 573 U.S. 373 (2014).
27 585 U.S. ____ , No. 16-402 (June 22, 2018).
Black Americans are clearly owed restitution for the financial, physical, social, and emotional harm caused by nearly 250 years of chattel slavery, and over 150 years of the evolvingly carceral, racialized capitalist caste system of the United States. Yet, instead of taking action to repair that longstanding harm, or to restructure the political and economic conditions that create poverty and can lead to violence or “crime”, American policymakers choose to address symptoms of poverty in urban Black communities with heavily armed, historically mostly white, police forces.¹ ² ³

In the course of occupying New York City’s Black communities, the New York Police Department (NYPD) has a long history of violent (regularly fatal) confrontations with the Black New Yorkers they ostensibly serve - and these communities, in turn, have a long history of organizing in protest of that violence.⁶ In May and June of 2020, New Yorkers protested by the tens of thousands to express their outrage over the Minneapolis Police Department’s murder of George Floyd.⁸ In response, the NYPD systematical-
ly attacked multi-racial crowds of protesters with batons, pepper-spray, vehicles, and fists - leaving many bloodied, bruised, and in some cases hospitalized. Mayor Bill de Blasio implemented a citywide curfew to be enforced by the police, officers indiscriminately arrested hundreds of protesters, and war-like tactics such as “kettling” were employed to trap crowds on city blocks and bridges. In response to Floyd’s murder and the televised brutality of the city’s police, a movement to “defund“ the police gained some political traction - resulting in a $420 million cut to the NYPD budget (the cut was announced by the Mayor as $1 billion). Since the announcement, the City’s Independent Budget Office projects that in real terms, the cut will only represent a reduction of less than $50 million. Still, as the entire city government faced drastic budget cuts due to the economic recession caused by the COVID-19 pandemic, the city’s police union framed the budget deal as anti-police.

The call to defund police budgets and reallocate those monies toward resources and services that would positively serve Black communities is based on a premise that those communities have been, and continue to be underserved. This is a departure from more familiar policy reforms that call for individual constraints and accountability structures for police departments. The demand to “defund” begins to acknowledge the debt owed to, and the absence of justice for Black people. The city’s 2020 response to “defund the police” (violent repression of protest, marginal budget reallocation) indicates that most politicians are currently unwilling to lead a reckoning with that debt.

Over the past seventy years, many efforts have been made to reign in the NYPD’s violent behavior against Black and Latinx communities in NYC - but in the face of those reforms, the essential function of these 36,000 armed officers of the state remains unchanged: preserve social order by any means necessary. This article examines the human impact of a violent police force with seemingly unlimited authority, that force’s decades long war against civilian oversight, and the tactics they use to squash resistance to its dominance.

The Cost of Over-Policing

Since 2013, the NYPD has performed more than 270,000 “stop-and-frisks” - 60 percent of those stopped were Black (despite making up only about 26 percent of the city’s population). Over the same time period, the NYPD has killed 80 people - more than half of those victims were Black (no officers involved in these 80 deaths have yet to see prison time).

Killed for Using Their Stairway

As a strategy for policing public housing complexes, the NYPD has long engaged in “vertical patrols”, where officers walk through the stairwell of residences to look for potential crimes or violations of New York City Housing Authority (NYCHA) rules. In 2014, one of these patrols ended with Akai Gurley, an unarmed 28-year-old Black man, being shot by a police officer in the dark stairwell of his own Brooklyn apartment building. The officer, Peter Liang, was sentenced to probation and community service - a slap on the wrist, eerily reminiscent of a story from twenty years prior.

In September 1994, Nicholas Heyward Jr., a thirteen-year-old Black boy, ran with his friends, holding toy guns as they played “cops and robbers” inside the stairwells of the Gowanus Housing Project in Brooklyn. When the boys rounded a corner, a police officer on patrol in the building took aim at Nicholas and shot him in the chest.

The police officer, Brian George, was not charged with a crime. In fact, just six months after burying his son, Nicholas’ father, Nicholas Heyward Sr., came face-to-face with Officer George just blocks from the site of the shooting. Following the announcement that there would be no criminal charges made against Officer George, Mr. Heyward filed a complaint to the city’s police Civilian Complaint Review Board (CCRB) with the hopes that his son’s killer might be held accountable internally. Five years later, he received a letter from the board, informing him of their determination: Officer George acted lawfully, and would remain on the force.

Mr. Heyward would go on to spend the next two decades organizing and advocating for justice for Nicholas Jr., and other victims of police violence.
Killed for Selling Cigarettes

Eric Garner, a 43-year-old Black man, formerly a horticulturist for the city’s Parks Department, frequently supplemented his income by selling cigarettes along Bay Street on Staten Island. In July of 2014, plainclothes NYPD officers accosted Garner on Bay Street - he had been arrested twice that year for selling cigarettes, so when he was approached, he spoke up for himself: “Every time you see me, you want to harass me. You want to stop me [from] selling cigarettes. I’m minding my business, officer, I’m minding my business. Please just leave me alone. I told you the last time, please just leave me alone.” Moments later, officer Daniel Pantaleo wrestled Garner to the ground and strangled him to death with a chokehold. At the time, NYPD officers were prohibited from using chokeholds (in 2020 the New York City Council criminalized the act). Pantaleo then lied to internal investigators, claiming he didn’t use a chokehold. Footage of the killing sparked outrage and protests throughout New York City, and around the nation.

Later that year, a Grand Jury in Staten Island chose not to indict Officer Pantaleo in Garner’s death. Over the next 48 hours, more than 300 New Yorkers were arrested in connection with protests for Eric Garner. Just like the Heywards before them, the NYPD’s fatal policing of Black life thrust the Garner family into tragedy, while the District Attorney forced them to remain there by not securing an indictment.

The Broken Hearts Left Behind

In the tradition of Nicholas Heyward Sr., Erica Garner - Eric’s daughter - relentlessly pursued justice for her father. In her own words, “I pursued every lead and exhausted every option to find justice for my father. Nothing worked - and every time I’d hit a dead end, I’d hear about another terrible story like my father’s. Reality set in: I live within a system that regularly kills Black people.” In 2017, following three years of organizing, marching, and speaking out in defense of Black lives taken by police violence, Erica Garner died of a heart attack at age 27.

Mr. Heyward was finally given a chance at hope in February 2016 when incoming Brooklyn District Attorney Ken Thompson promised to reopen Nicholas Jr.’s case. Nine months later, Thompson declined to reopen the case. The decision was devastating for Heyward Sr., who continued to march with Black Lives Matter (BLM) activists; but in January 2019, just two years after watching his last chance at justice for Nicholas Jr. slip through his fingers, Mr. Heyward died at age 61. After more than twenty years of full-throated resistance, Mr. Heyward was gone.

Six months later, Ben Carr (Eric Garner’s stepfather), a visible and vocal activist for Black lives, died unexpectedly from a heart attack. During a span of five years, Eric Garner’s mother, Gwen Carr, lost her son, granddaughter, and husband. During that same five year period, Daniel Pantaleo collected a near six-figure annual salary while on suspension.

In August 2019, Pantaleo was recommended to be removed from the force by the CCRB, and was subsequently terminated by NYPD Commissioner James O’Neill. The city’s police and sergeants unions erupted in anger, publicly calling O’Neill a coward. Under pressure by his own officers, O’Neill resigned from his post as Commissioner two months later. Frustrated that their leader might comply with civilian oversight, the officers of the NYPD had cried for mutiny - and won.

Outside of Accountability

Recognizing the poor track record District Attorney offices have in charging and prosecuting police officers for violence against civilians, many communities attempt to establish their own oversight structures to hold local police departments accountable. In 1992, when David Dinkins (the city’s first and only Black mayor) proposed the idea of staffing the Civilian Complaint Review Board (CCRB) completely with civilians, police officers erupted in protest. In September of that year, 10,000 off-duty cops flooded City Hall Park - some breaking through barricades to storm the steps of City Hall, jumping on vehicles, and assaulting journalists as the officers marched across the Brooklyn Bridge. Despite the NYPD’s determined resistance, Dinkins and the City Council succeeded in establishing the CCRB as an independent agency in 1993. Though the CCRB is now fully independent from the NYPD, the laws that govern its relationship with the police department make it a purely advisory body - as the Police Commissioner remains the final arbiter of disciplinary action.
Since 1976, police disciplinary records in New York State had been kept confidential by State Civil Rights Law Section 50-A. In June of 2020, Democrats in the NY State Legislature were able to capitalize on the momentum of the George Floyd protests and repeal 50-A. For the first time, the public was able to cross reference recommendations by the independent CCRB against the eventual disciplinary actions taken by the NYPD. According to the New York Times’ analysis of the data: “The Police Department followed the review board’s recommendations less than 20 percent of the time...798 of the [3,188 officers recommended for discipline] were eventually put back onto the street by the department; 890 were not disciplined at all... seven officers facing charges were fired, and only after being convicted of a crime in state or federal court or after lying to police internal affairs investigators...some officers had multiple findings against them and continued to rise in the department”.34

Almost parallel with the formation of SID, was the formation of the NYPD Strategic Response Group (SRG) in 2015. The SRG was billed as a “heavily armed unit to patrol areas of the city and respond to large-scale events, such as protests or terrorist attacks”, despite the already existing NYPD Counter Terrorism Unit.39 40 According to reports from SID members, armed SRG officers were present at most People’s Monday action for four years, regularly armed with assault rifles, and LRAD sound cannons (which can cause permanent ear damage); supported by the Technical Assistance Response Unit (TARU), who brought with them surveillance equipment to collect and analyze footage of protesters; with regular additional support from officers in the local precinct.41 42

Following the flare-up surrounding Freddie Gray’s killing in 2015, large scale protests would die down again until the next high profile killing of a Black American, but People’s Mondays continued without interruption. So too did the SRG’s attendance at and surveillance of the weekly actions. It was later reported that undercover NYPD officers had worked to

### The Blue Line

#### Rebels and Stormtroopers

For generations, New Yorkers have mobilized in the streets to protest unjust killings of their neighbors by the police: Robert Bandy in the 1940s, James Powell in the 1960s, Clifford Glover in the 1970s, Eleanor Bumpurs in the 1980s, Amadou Diallo in the 1990s.35 The contemporary Black Lives Matter (BLM) movement formally began in the aftermath of the 2013 killing of Florida Teenager Trayvon Martin. The next year, when Officer Pantaleo killed Eric Garner on Staten Island, the epicenter of the BLM movement shifted to New York City, where on at least one occasion 25,000 New Yorkers took to the streets.36

Among those 25,000 New Yorkers protesting the failure to indict Daniel Pantaleo was a group of individuals that would go on to form the abolitionist direct-action organization NYC Shut It Down (SID). Early actions organized by SID included disruptive protests at Grand Central Station, but their defining work came to be known as “People’s Mondays,” which aimed to continue the momentum of BLM protests on a weekly basis.37 Every Monday between early 2015 and Spring of 2019, SID members gathered at different locations in New York City to publicly honor a different victim of police violence - 52 per year. “This is about getting the story right and countering the police narrative”, said Mike Bento, one of SID’s organizers. The weekly protests served as intervals between major flashpoints in the BLM movement.38
infiltrate various BLM organizations, gathering extensive footage and data on organizers. Recent reporting by the NYPD-friendly New York Post revealed that the department has been utilizing a legal loophole that allows them to secure subpoenas without approval from a judge or grand jury, and using them “to intimidate phone companies, banks, internet service providers and social media giants into handing over the personal information of those it’s investigating, including private citizens and journalists – even when cases are not criminal in nature”.

After four years of weekly marches and constant confrontation with the NYPD, the volunteer-run Shut It Down decided to conclude the People’s Mondays actions in Spring of 2019, shifting resources to provide mutual aid to communities in need, and continuing holding “cop-watch” actions - to observe, document, and deter police brutality. Over the four years that SID marched on Mondays, the SRG grew in size from 350 officers to over 1,300.

Television Brutality

In July 2020, the NY State Attorney General’s office produced a report investigating the NYPD’s response to the May and June 2020 protests in New York City. The report documented widespread excessive force: indiscriminate use of pepper spray, brandishing firearms, and driving vehicles into crowds of protesters; bad-faith arrests and detention of journalists, legal observers, and elected officials; harassment of essential workers attempting to work or commute through the city’s imposed curfew; transporting arrested protesters to distant precincts to process the arrest so that the individual was far from home upon release; holding large volumes of detainees in holding cells in the middle of the COVID-19 pandemic with excessively tight zip-tie restraints; and purposely covering identifying information on officers’ badges. The report specifically details the SRG utilizing their bicycles as weapons to shove protesters, a tactic routinely used on SID marchers.

Amidst the protests in June, the NYPD employed a tactic known as “kettling” where officers strategically and methodically close in on protesters in order to trap them on dead-end streets or between groups of officers. One June 4th protest saw dozens of cops in the Bronx surrounding protesters ten minutes prior to the 8PM curfew and attacking them with batons, pepper spray, and fists. As documented by the international organization Human Rights Watch, the incident resulted in over 250 arrests, the violent detention of 13 legal observers, and at least 61 injuries “including lacerations, a broken nose, lost tooth, sprained shoulder, broken finger, black eyes, and potential nerve damage due to overly tight zip ties”. Human Rights Watch described the NYPD’s operation as premeditated.

Faced with the organized frustration of the masses, demanding real change - the city, via the NYPD, chooses violence.

Our Dystopian Reality

If more incremental police reform is to be shaped in the image of stronger, more sophisticated civilian oversight, can New Yorkers have confidence that it would serve as any kind of meaningful deterrent on misconduct and brutality? The NYPD’s history of evading criminal accountability and the CCRB’s disciplinary reach suggests not. If a new Mayor or Police Commissioner has the courage to discipline officers according to civilian recommendation, will rank-and-file comply with the orders? Or will they stop performing their duties in protest, as they did at the end of 2014; or demand the removal of the Commissioner, as they did with James O’Neill in 2019? The city’s police union’s endorsement of Donald Trump - who has redefined the presidency by flatly ignoring norms that govern acceptable behavior - suggests that aspects of the NYPD might be willing to do the same.

As politicians deliberate the “re-envisioning” of police’s role in society, how many more people will be shot or strangled by a police officer? How many families will be forced to cross paths with their child’s killer, still armed and empowered to shoot again? When will the next victim be taken, hashtag created, and then forgotten. How many generations of protesters will be beaten in the streets? If
proponents of defunding the police are able to get their city governments’ to reallocate funds from police budgets to social services, how long will it take for a murder to be blamed on the absence of a foot patrol?

The remedy to marginalization, poverty, and violence in communities that have been oppressed for generations will not come from a gradual redesignation of the armed overseers. Police occupation needs to be understood as an inappropriate and untenable policy approach to structural social and economic injustice, rather than a natural facet of a safe society - and replaced accordingly. In that case, the question we’re left with is: will working-class Americans be able to build the power necessary to construct a government and society that truly meets all peoples’ needs (including working white folks exploited by capitalism), and addresses the debts owed from centuries of racist domination? Or, will white Americans - the majority of the county’s population, and disproportionately the brokers of power - continue to sacrifice Black lives, and their own dignity, to maintain a structure that appears to work for them?32

NOTES


47. 2015 ohtadmin | on December 02, “Crime Is Down, Hero Cops Honored At 114th Meeting: Queens Gazette,”
Bars are inherently social settings: patrons talk to their bartender about their personal problems, regulars yell at the outcome of a Knicks game on TV, friendships and relationships are forged as customers banter with one another. It is not an easy undertaking for bars to continue operating during COVID-19, a circumstance that requires them to curb social interaction, the very thing that makes visiting them appealing for so many people. In addition to reducing their capacity to limit the spread of COVID, bars have had to comply with NY State Executive Order 202.52, which mandates that “all licensed establishments with on premises privileges shall not serve alcoholic beverages unless such alcoholic beverage is accompanied by a food item…”\(^1\) The purpose of the law is to restrict “the congregating and mingling that arise in a bar service/drinking only establishment.” To continue operating, bar owners have found creative ways to comply with the executive order, charging $1.00-$2.00 for food items ranging from kraft cheese-on-wonder bread sandwiches to bouillon cubes in hot water\(^2\). Absent a comprehensive plan to help bars and restaurants survive drastic drops in revenue, the government has allowed them to stay open under regulations that encourage social distancing. These measures have been prudent, necessary and effective at limiting the spread of COVID-19 in NYC. By allowing bars to stay open and passing Executive Order 202.52, Governor Cuomo is walking a tightrope between public safety and economic concerns: the order affords bars the opportunity to keep earning but signals to them and the public that the state prioritizes public health. However, as more and more businesses shutter, it seems evident that this strategy has fallen short of providing the city’s bars with enough revenue to weather the pandemic. And compounding the problem, the executive order has also resulted in fines and suspensions for some bars in violation of the law, causing them further economic hardship\(^3\).

While well-intentioned, Executive Order 202.52 seems to be less a pragmatic enforcement of social distancing than a symbolic gesture to the public and small businesses that legislators are taking the pandemic seriously. The law is an example of how slap-dash regulatory legislation, often made the preferred alternative to less politically feasible but more effective solutions to crises, can have a net negative impact for the communities and businesses encumbered by the legislation’s passage.

On March 22, three weeks after NYC’s first Coronavirus case, Governor Cuomo announced that NY State would go on “pause” and all non-essential businesses would be closed until further notice. Many restaurants remained open for take-out and delivery, but the “pause” mandated that the city’s bars would stay closed for about two months until Phase 2 of the state’s reopening plan. On June 22, after the three month NY state “pause”, New York City bars that had been closed began to formally welcome patrons back for limited outdoor service. Since indoor dining was prohibited in New York City until late September, bars that reopened during “Phase 2” either had sufficient existing outdoor capacity to open and offset operating costs, or they were one of the 3,192 eating and drinking establishments that applied to the city for additional outdoor dining space.\(^4\) Those that reopened at the onset of Phase 2 were inventive about navigating state COVID regulations. Bars set up socially distanced lawn chairs on the sidewalk; laid out astro turf beneath tables to improve their aesthetic; and have complied with Executive Order 202.52 by serving some interesting, albeit austere and sometimes unappetizing, menu items. Executive Order 202.52, in theory intended to tether customers to their tables, does not prevent social interaction between patrons in practice. As Alexander Rigie, Executive Director of the New York Hospitality Alliance put it:

> How does having an order of wings with a beer make you safer from COVID-19 than just having a beer alone?...But then you can have multiple beers with that order of wings and that's OK? We’re just asking for thoughtful, clear requirements that pro-
Rigie’s argument is shared by bar owners who don’t see the clear public health benefits of the executive order, and feel it is an additional encumbrance for them in an already severely fraught economic climate. Additionally the aim of the executive order is to limit “mingling” and fraternizing, which, however, are the reasons many people visit bars.

The public health outcomes of Executive Order 202.52 are almost impossible to quantify, and the policies that are more effective at limiting the virus’ spread, such as requiring bars to operate at reduced capacity, have fallen short of providing them with sufficient revenue to stay open: according to the NYTimes, almost 1,000 NYC bars and restaurants have closed due to accumulated debt as a result of diminished business. No doubt more would have closed if they were prohibited from operating at all without financial assistance. The question is, might it be more universally beneficial, for both the public’s health and bar revenues, to require bars to close while providing them with public financial assistance to at least mitigate their financial losses?

Governor Cuomo did take some measures to help businesses continue to earn beyond simply allowing them to stay open at reduced capacity. Concurrent with the “pause” mandate, Governor Cuomo announced a New York State eviction “moratorium” for residential and commercial tenants. While the measure was helpful to tenants throughout the city, it is consistently mislabeled as an “eviction moratorium.” The most recent iteration of the “Tenant Safe Harbor Act”, as of September, does not prevent eviction proceedings from taking place, it just leaves the decision to the discretion of local housing courts. Tenants have to show up to court and convince a judge that the pandemic diminished their income significantly enough to prevent them from being able to pay rent. According to Judith Goldiner, Attorney-in-Charge of the Legal Aid Society’s Civil Law Reform Unit, the moratorium is “problematic” because it leaves eviction decisions “statewide up to thousands of judges to interpret, what [it] means, to be ‘financially impacted’” by the pandemic, “and unfortunately we’ve seen a lot of bad decisions across the state, and people starting to get evicted.” The so-called state rent moratorium also does not prevent courts from assessing a “money judgement” for tenants in arrears. This means that landlords can hold tenants who have not been paying rent since September legally liable for financial debt. The inadvertent public health implications of the Tenant Safe Harbor Act are that people show up in person to court to defend themselves and evicted residential tenants are forced into shelters, both settings that can increase the risk of COVID spread.

All of this is to say that even the more “comprehensive” measures taken by the state government to balance local business and public health concerns have fallen short of their intended goals. The most obvious comprehensive measure -- to impose temporary mandatory shutdowns for businesses that are most likely to trigger outbreaks, and at the same time, offer them significant financial assistance -- could be achieved, if not for a variety of political obstacles. For one thing, the Federal government under Donald Trump has been wanting in its appropriation of funding to the blue states it deems unsupportive. With minimal federal assistance, NY state may be unable to provide a financial relief package of a scale large enough to subsidize all businesses to close given the state’s expected $14 billion budget deficit. For his part, Governor Cuomo could have been looking at a lower state budget deficit and more money for public assistance if he had imposed a millionaire’s and billionaire’s tax years ago, which he remains hesitant to do (in 2017 Cuomo opted to pass congestion pricing to generate revenue for the MTA instead of Bill de Blasio’s proposed millionaire’s tax). Cuomo’s stated reason for his perpetual resistance to a billionaire’s tax has been that he doesn’t want to drive the wealthy away from the city and lose them as a tax base. His unstated reason is that he is beholden to them for their campaign contributions: “more than a third of New York’s billionaires have funneled cash
to Cuomo’s political machine.” In forgoing comprehensive revenue generating policies like the billionaire’s tax, Cuomo has put himself in a position where his options to offer public assistance during an emergency are limited. Instead, during COVID, businesses and the public have ended up with legislation like the Tenant Safe Harbor Act and Executive Order 202.52, which insufficiently address our current problems.

Executive Order 202.52 has drawn some comparisons to “Raines’ Law”, passed in New York in 1896. Often, the comparisons drawn have focused on the quirky food offerings of NYC bars trying to comply with both laws. But the laws are also both examples of misdirected and inadequate government responses to social crises. In the 19th century, New York City’s 11th precinct, which covered much of today’s Lower East Side, was filled with vice and petty crime: one investigator at the time estimated that there were about 242 saloons and 50 brothels in the 9 block span. The area was also home to many of New York’s poorest immigrants, many of whom lived in densely packed rooms in some of the city’s most squalid buildings. Tammany Hall was the dominant political force in the city at the time. Tammany Hall politicians were largely corrupt, and spent much of their time in the city’s many bars either bribing other city officials or shoring up votes among working class immigrants, often in exchange for jobs and favors. Aside from the sometimes venal and conditional “generosity” of Tammany Hall, there were no federal, state, or municipal resources for struggling immigrants in late 19th Century New York City. In 1896, in response to what upstate lawmakers perceived as overindulgence in vice downtown, New York State Senator John Raines authored a bill that restricted the sale of alcohol in the city, which appealed greatly to the then NYC Police Commissioner Theodore Roosevelt. Roosevelt was a Reformer -- opposed to Tammany Hall’s corruption -- and was eager to crack down on crime in the city. He believed that saloons, where many Tammany Hall leaders engaged in graft, were breeding grounds for vice and incubators for more widespread political corruption. The Raines Liquor Tax, (Raines Law) raised annual taxes on saloons by over 150% and required saloon-keepers to take out an expensive insurance policy. It also prevented saloons from serving alcohol on Sundays and mandated that they keep their curtains open so police could see the vacant bars and enforce the law.

The legislation’s expressed intent was to limit public drunkenness and overindulgence in alcohol in New York City, but it was mostly enforced in the saloons patronized by lower income German and Irish immigrants. While Raine’s Law prevented saloons from serving alcohol on the sabbath, it did allow higher occupancy lodging houses to serve drinks with meals on Sundays. The clientele of these lodging houses were predominantly wealthier New Yorkers. This, coupled with the fact that the law forbade platters of “free lunch” at saloons and that Sunday was the only day off for many working-class New Yorkers, hinted at the legislation’s classist and xenophobic undertones. The bars that could afford the liquor tax and insurance policy began to rent out neighboring spaces to cheaply build 10 “rooms” and serve sandwiches to meet the “lodging house” criteria and comply with the law. Often the “rooms” were not high enough to stand up in, and the Raines Law sandwiches were barely edible: sometimes the same sandwich would be served for days to each new group of customers.

Teddy Roosevelt was deeply sympathetic to immigrant New Yorkers, especially after Jacob Riis’ “How the Other Half Lives” underscored the degree of the poverty and despair many in the Lower East Side were living in. As a reformer, he viewed Tammany Hall as a corrupt political machine that preyed on immigrants through conditional benevolence. To him, the “lodging houses” were symptoms of Tammany’s venality. However, by focusing on stemming vice and fighting Tammany Hall instead of directly assisting immigrants, Roosevelt may have missed the forest for the trees. As an example of this misguided zeal, in an effort to shut down the “lodging houses”, he argued to courts that the “food” served in these establishments did not constitute a meal. History has a tendency of repeating itself -- after Governor Cuomo passed Executive Order 202.52 and bars started to comply by serving chips, the New York State Liquor Authority redefined what food was
deemed substantial enough to satisfy the rule. The political energy spent on something as trivial as the correct definition of "substantial food" in both circumstances points to grossly misdirected government attention and resources -- is this something that we really want our elected officials to preoccupy themselves with, especially during a crisis of COVID's gravity?

Raines Law and Executive Order 202.52 have very different contexts. One was passed in the wake of Tammany Hall-run New York City and was backed by reformers intent on cleaning up sin and vice, and the other was passed during an unprecedented pandemic with the intention of slowing down a deadly contagion. Both laws, however, point to the tendency of the government to focus on patch-work legislation instead of more comprehensive policies that address the root causes of societal problems. Teddy Roosevelt can be excused to some extent for not tackling the root of the problem; at the time Raines' Law was passed, he had to work within the boundaries of his role as Police Commissioner. Before he was governor, he did not have the jurisdiction to offer resource relief to struggling immigrants in New York City's tenements. As commissioner, the best way to improve life for immigrant New Yorkers living in precinct 11 was to root out police corruption and eradicate crime, even if it meant enforcing legislation like Raines Law. For Governor Cuomo such an excuse is not so readily made. Raines' Law may have contributed to the diminished influence of Tammany Hall, but it certainly didn't eradicate crime and vice in the neighborhood, nor did it have any long-lasting positive effect for NYC immigrants. In 2020, Executive order 202.52 seems on track to have a similarly insufficient effect on the problem of the day, keeping small businesses and working New Yorkers financially stable and safe from COVID19. Both of these laws illustrate the habit of government to try to solve fundamental problems indirectly, usually because taking a more substantive, comprehensive approach would be politically infeasible, impractical, or simply "not worth the heavy lift". However, if one of the roles of government is to make positive longstanding changes, politicians should be bold and creative enough to take more direct, structural, and holistic action.
NOTES
TWO.

ECOLOGICAL DYSTOPIAS
Construction on Manhattan’s Pier 55. Photo by Kevin Ritter
Seemingly out of nowhere, massive construction sites sprout from barren and hostile landscapes, promising a green new future. Sculpted high-rises line veneered streets, expansive urban green spaces rival New York’s Central Park, and restaurants serve world-class cuisine: a utopian wonderment bills itself as a progressive urban experience on the platform of eco-sustainability. Sprawling wealth and exclusivity stand in stark contrast to ancient cities that have been forced to contend with rapid urbanization, gross global inequality, and the impending threat of climate change. Eco-cities are becoming a caricature of the future of urban living – they embody a lifeless stream of capital without the organic messiness of traditional city life. Bored billionaires and corporations imagine and re-envision the urban experience, conjuring eco-cities and sites of investment. Seeing the profit potential, investors have hidden under the guise of the climate change crisis to promote eco-cities, which has prompted an apolitical sphere of discussion about the controversy surrounding such cities’ development.

Developers’ New Visions of Africa

New “eco-cities” are a break from the past in their physical, cultural, and financial forms. Developers are particularly interested in African urbanism because the continent is quickly becoming one of the world’s fastest-growing economies. Eko Atlantic in Nigeria and New Cairo in Egypt exemplify the utopian satellite city as sites of investment. Despite developers and the state portraying them as ecologically friendly, these new cities pose their own threats to the climate, and are often juxtaposed with already vulnerable urban centers. The states encourage developers to construct new neoliberal cities, prioritizing business and commerce over public infrastructure and social funding. Embracing architectural modernity creates a rupture from previous cultural forms – catering to a global palette in which local cultures and identities are erased in favor of a homogenous business elite.

Eko Atlantic

Developers built Eko Atlantic on land reclaimed from the bottom of the Atlantic Ocean, purporting modernity and presenting their new city as the solution to Lagos’s climate and urbanization problems. The billionaire Chagoury brothers who headed the project conjured new ground to create grandiose opportunities for investment. The city, which will operate independently of Lagos, is said to offer protection from the dangers of Nigeria’s eroding coastline. However, the protection Eko Atlantic offers is exclusive: it borders the wealthy Victoria Island section of Lagos, the only section of the city to truly benefit from Eko Atlantic. Other parts of Lagos, on the other hand, may experience increased suffering as a result of the development.

Lagos is vulnerable to flood surges and, being situated immediately on the coast, lacks environmental safeguards. As part of Eko Atlantic’s construction, developers produced what is called “The Great Wall” of Lagos. The structure is a rock and concrete barrier, designed as a sea defense along the original coastline. Developers present Eko Atlantic as a formidable solution to the eroding coastline, but studies have shown that the wall has actually exacerbated the problem for nearby communities, such as the middle-class area of Alpha Beach. The wall reroutes and displaces currents, which have washed away land from the Alpha Beach’s shoreline, emptying homes of their residents. Since the construction of the wall, newly-vulnerable apartment buildings along the shore have been abandoned, and taken over by squatters.

Developers advertised the construction of the “Great Wall” as a protectorate for the people who live in the coastal regions on Lagos’ outskirts. However, reports suggest that the construction has worsened flooding, resulting in residents’ forced relocation. In an effort to mitigate the coastal
erosion the rising sea levels create, the wall has actually created serious consequences for Lagos’ nearby, poorer islands. According to scientists and law experts who have examined the Environmental Impact Assessment of Eko Atlantic, “The dredging of the sand can increase the energy of the waves before they hit the shore. When they are diverted and push along the new ‘Great Wall,’ they are likely to gather more speed, hitting the shore in vulnerable areas such as Alfa Beach.” According to climate change researcher Dr. Alan Blumberg, surrounding islands near Eko Atlantic are lower than sea level. Therefore, storm surges that approach the new island might affect a neighboring island instead of Eko Atlantic. Eko Atlantic is a clear case of “green grabbing,” where the wealthy exploit the climate crisis for their own benefit. As the “Great Wall” exemplifies, the monetization of green projects may be making the world less sustainable by devaluing sustainable yet non-iconic urban development.

New Cairo

To curb the bursting population of Cairo, developers constructed New Cairo, a modern mega metropolis on the outskirts of the already existing city. While Cairo is a city associated with the ancient, having captured the world’s historical imagination through its massive museums and ruins from earlier eras, New Cairo represents empty modernization. New Cairo’s modern aesthetic nullifies its human and cultural elements and renders its geographical and historical context insignificant. When taking in the sheer scale of New Cairo, it is easy to forget that Cairo was the seat of Egypt’s political power for over 1,000 years and was an important site of mass political mobilization. Egyptian President Abdel Fattah al-Sisi launched New Cairo as a response to the polluted and overpopulated city center. However, it has turned into a cocooned city for the elite with the base of government infrastructure at its core.

During the Arab Spring, Cairo’s Tahrir Square became a symbol for the mass political movement. The Square’s design allowed for the large protests against government corruption. New Cairo’s public spaces, however, are explicitly designed to avoid such uprisings. In the new capital, “the army will be in the command and control center and will manage and control the whole city via the center,” said Former Brig. Gen. Khaled el-Husseiny Soliman, the international coordination manager with the Administrative Capital for Urban Development. Soliman’s statement reveals the political intentions behind New Cairo’s development. Old Cairo proved conducive to mass mobilization, yet New Cairo gates the government away from the people it serves, creating a protective barrier from mass political mobilization.

Al-Sisi chose to frame his legacy around tying Egypt’s government to modern privatization, rather than the democratic forms of governance the Egyptian people tried to claim during the Arab Spring. Cairo has a population close
to 21 million inhabitants, and New Cairo promises to alleviate this congestion. Considering the small scale of New Cairo, offering homes for just six-and-a-half million people, it hardly serves most of the population. New Cairo is not the first city which has been built to alleviate Cairo’s bursting seams; eight other satellite towns were built around Cairo, but turned into ghost towns when they failed to attract new inhabitants or business. Is such thinning of the population an attempt to destabilize the power of mass mobilization?

Like Eko Atlantic, New Cairo is a prime example of environmental exploitation under the guise of sustainability. Building a city in a dry desert climate is an exercise in waste, and an example of severe resource exploitation. The original Cairo has been facing severe drought due to climate change, so it seems obvious that rerouting water from the Nile is not a viable solution for an area that has a severe water shortage. The new capital will operate two water stations that will siphon water from nearby satellite cities, thereby exacerbating water shortage issues in Cairo and further up the Nile. These eco-cities are dysfunctional on multiple levels despite being packaged as utopian solutions.

“Africa’s highest tower and a central business district around a “green river.”

African economies seek distance from their agricultural and manufacturing-based economies and strive to be taken seriously as service economies. Although these countries’ urban centers are tied to national pride, they are beginning to embrace more globalized world-class thinking and neoliberal ideologies by harnessing a new, more business-friendly national aesthetic. Eko Atlantic promises to cater to the global business elite through architectural incentives. The center of the business district boasts a grandiose boulevard, comparable to Fifth Avenue in New York, or the Champs-Élysées in Paris. Glass high rises will line the boulevard, and sleek cafes and restaurants promise to be the perfect location for clients whom the district boasts it will attract. New Cairo will feature Africa’s highest tower and a central business district around a “green river.”

View of satellite cities of Cairo. Photo: Faris Knight, Wikimedia Commons
New Cairo and Eko Atlantic are not the only examples of new cities built to replace the old as part of an economic transformation. From Kenya to South Africa, urban megaprojects are sprouting up all over Africa, transforming the city from a site of public exchange into a facilitator of finance. The new cities have reinforced segregation by creating literal, physical walls around the modern utopian enclave. The mindset is to start over, to build bigger and better, rather than to deal with the existing urban conditions of the nearby metro city. The new towns promise a great future for investors, but deepen inequality and marginalization for local citizens.

Elites masterfully appropriate terms such as ‘sustainable’ and ‘eco-friendly’ to make constructing eco-cities a profitable enterprise. This sort of marketing has twisted the importance of effective climate change management into something insidious, as environmental projects are undertaken to promote corporate interests rather than to benefit the public. Despite their dangerous environmental implications, the new urban zones are marketed as technologically smart eco-cities. While green solutions are implemented into the projects, the elaborate nature of the developments create environmental problems on their own and fail to address the origins of climate catastrophe and urban inequality. By creating land under a multi-layered guise of fighting climate change, developers have effectively made it impossible to argue against ‘green’ projects in the name of fighting the climate crisis. Governments and corporations alike have willfully used advertising to twist the climate crisis into an economic imperative for eco-urbanism. The branding narrative of the eco-city suggests that the construction is a fresh, productive start to society; one that replaces the old, contaminated cities of the past. But in this specific context, the word eco is “assessed on its own terms and functions as a marketable icon of sustainability.”

With successful branding and marketing, eco-cities are deemed exceptional, subject to their own forms of privatized governance. Because the new city manifests itself as a space of exception owned by private interests, it is not subject to the democratic debates that dictate how city spaces are used. The privatization of the eco-city has multitudes of implications worth analyzing: Are these cities outside the realm of regulation and governance? Do they run the risk of becoming a haven for ill-begotten finance? In a way, they are exempt from political context because they have become nation-states unto themselves. The private city is the culmination of capital’s love affair with real estate, affirming inequity and private rule. The fact that it is built on so-called vacant land gives the impression that the eco-city is a place where rules need to be made, and typically these rules will negotiate agreeably with the uber rich.

**Conclusion**

At first glance it appears that the visions for the eco-city would benefit society as a whole, but a closer look reveals that this summation is obscured by such projects’ profit-driven motives and reliance on exclusivity. By linking eco-cities with the climate crisis, investors have provided an opportunity to use these new urban spaces as a supposed solution. The investment into these modes of green capital benefits the climate resiliency of the over-privileged, while neglecting our existing structures and those who already inhabit them, primarily the poor.

Climate change is creating an increasingly dystopian planet, but new utopian cities for the rich will not provide the sustainable solutions our cities need. Climate change is creating an increasingly dystopian planet, but new utopian cities for the rich will not provide the sustainable solutions our cities need. Fast-growing cities such as Nairobi have implemented community-involved climate resiliency projects as alternatives to capital development solutions. For example, efforts to rehabilitate Michuki Memorial Park are part of a response to push green infrastructure in the city. As a result of the pandemic, many residents became homeless and found refuge in the park. Now, these same people are helping to revitalize and clean the once-polluted area. Including the voices and concerns that community members have about the best ways to use the space has made the project a more personal experience. There are many examples of community-led resilience projects, which are more effective and equitably sustainable, that include a broad range of society members,
not just the wealthy. Mega-projects designed to protect urban residents from the impact of climate change will undoubtedly expand as the climate crisis worsens. Building new cities as the old ones are left to falter neglects the portion of the population that will already suffer the most from the negative impacts of climate change. The fate of our cities should not be predetermined by the rich.

Endnotes
17 Ibid.
25 Ibid.
Gowanus is a legacy industrial neighborhood bordered by Park Slope to the east, Red Hook to the southwest, Carroll Gardens to the west, and Boerum Hill to the north. Close to major business districts of Downtown Brooklyn and Lower Manhattan, it is well-positioned for a neighborhood rezoning. According to data from New York University’s Furman Center, the average rent in Brooklyn Community District 6 (of which Gowanus is a part) was $2,150 in 2018, roughly $700 a month more than the city-wide average. Furthermore, development has been stagnant; one percent of the total city-wide residential development has occurred in Brooklyn Community District 6 in 2019 (a total of 278 units). As such, stakeholders from developers, to residents, to the federal government have had their eyes on Gowanus for several years. As early as 2007, New York City’s Department of City Planning (DCP) has studied the feasibility of rezoning Gowanus—only to pause its study in 2010 when the canal was designated a Superfund site. It was revisited several years later when a comprehensive proposal was presented to the local community boards in 2015.

However, one thing that sets Gowanus apart from other neighborhood rezonings is its canal. The Gowanus Canal—often called one of America’s dirtiest waterways—is currently in the process of being cleaned up, thanks to its status as a Superfund site. It is cleaner now than it has been in over 150 years and residents have taken an interest in it. The Gowanus Dredgers Canoe Club, founded in 1999, has hosted canoe voyages on the waters of the canal for over 20 years. During the Covid-19 pandemic, while parks and playgrounds were closed, they hosted voyages, canoe exercises, and even “paddle-in” movies. The canal has a following and a fan base; a regatta with over two dozen participants was well attended; and a popular ice cream flavor takes its name from the canal (and, much like the canal, the flavor is “[f]ull of deep, dark mystery and endless surprises”). What some neighbors fear is a canal that is inaccessible from recreational activities and developers purposefully neglecting the waterway. The Gowanus Canal is not a hindrance, it is an asset and one that should be prioritized instead of cast aside when residential development goes up. Some residents fear that a Gowanus Canal that is inaccessible for recreation would allow developers of new residential buildings to dump sewage into the waters. The problems of combined sewer overflow (CSO) is the real cause of concern in Gowanus, the community says, and the fear is such that buildings “as tall as 17 stories along the waterway will bring enough new people, and sewage, that the [United States Environmental Protection Agency cleanup] will not be enough to control waste from contaminating the canal.”

Prior to the mid-19th century, Gowanus was a series of marshlands, meadows and creeks. During the burgeoning Industrial Revolution, uncontrolled density, commerce, and industry led to the increased pollution of the canal. In November 1859, the first modern industrial business set up along the shores of the Gowanus Creek—as it was called at the time—and by 1866 the first iron pipe-truss bridge replaced old, rickety, wooden bridges over the creek, culminating in the first residential homes up for sale in the neighborhood. The New York State Legislature created the Gowanus Canal Improvement Commission in 1866 with a purpose to “complete the long list of unfinished improvements necessary to create a viable commercial waterway.” By 1870, the banks of the Gowanus Canal were “littered with coal, lumber, and brick companies,” chemical works, factories, textile mills, and the boats that carried these products to their final destinations. The stench of industrial byproducts raised questions about how healthy it was to live near industry. In 1872, outbreaks of diseases like malaria, cholera, and smallpox occurred several blocks away from the canal, leading to the proposal of miasma theory (an obsolete medical theory that believes disease is inherently spread through the air). However, the cause for these diseases was not miasma, but rather pollution from growing industry and commerce along the canal. In 1893, a commission appointed by the State of New York called the canal a “disgrace to the City of Brooklyn” and a “disease-breeding and foul-smelling
open sewer.” The stench could be smelled from as far as the Brooklyn side of the Brooklyn Bridge, one-and-a-half miles away.

However, by the end of the Second World War, the canal was no longer useful as a commercial site. Dredging efforts took place sporadically for the next 50 years, but they were often half-hearted and unsuccessful. In the late 1990s, interest in cleaning up the canal reignited, and by 2008, the State of New York asked the United States Environmental Protection Agency (US EPA) to add the Gowanus Canal to the National Priorities List (a US EPA list of sites with “known releases or threatened releases of hazardous substances, pollutants, or contaminants”), in part due to interest from speculative developers. By 2010, the canal was designated a Superfund site with a cleanup completion date of 2025, but at this time was also already significantly cleaner than its post-World War Two years.

Toxic materials - byproducts of the industrial past - permeate the New York-New Jersey metropolitan region, exposing humans to harmful toxins in the urban water supply. The consequences to human health from exposure to these toxins are substantial. The Gowanus Canal, specifically, has higher concentrations of the metals cadmium, copper, lead, silver, and zinc in sediments than other waterbodies in the Port of New York-New Jersey. Furthermore, the Gowanus Canal suffers heavily from an abundance of carcinogenic Polycyclic Aromatic Hydrocarbons (PAHs) and Polychlorinated biphenyls (PCBs) - byproducts from industrial-era manufacturing. PAHs can seep into water from surrounding soil and sediment while PCB exposure in humans occurs when eating contaminated foods or living near hazardous waste sites.

Despite the obvious pollution within the water, soil, and sediment in the canal, this area is poised for residential and commercial development; an incredible feat considering the potential harm to human health. “How does one promote development in a polluted landscape vulnerable to climate-induced sea-level rise that is inhabited by low-income populations and coveted by wealthy new arrivals for its waterfront property?” asks one academic. It is commonly understood that Gowanus is gentrifying. Some have opined that Gowanus is an “optimal” neighborhood for gentrification with which urban planners, policy makers, and developers alike view it as a “blank slate with the potential of being a pilot neighborhood with a sustainable outlook.” In large part because of the changing demographics and economics of bordering neighborhoods, the decline of industrial land uses, and the citywide need for housing, Gowanus is primed for residential development. The creative class and niche businesses have also taken advantage of the space available for them, thus further attracting developers.

And where does the community stand when it comes to the Gowanus neighborhood’s namesake canal? They see it as a neighbor that needs protection. They see
it as a place of urban legends and myths. And as a result, it has developed a cult following due to its supposed toxicity. On the morning of April 17, 2007, a small, baby minke whale was spotted swimming at the mouth of the Gowanus Canal. “Sludgie” quickly became a New York City star, but shortly before 5:00 pm the day after its discovery, the whale beached itself after hitting rocks and died. Sludgie’s fans globally were saddened; even Mayor Michael Bloomberg shared his condolences. Eight years later, environmental activist Christopher Swain swam the Gowanus Canal, albeit with much less fanfare and attention than Sludgie’s swim. He prepared for the swim with “hepatitis and tetanus shots, wrapped his body in waterproof suits, and plugged his orifices with wax” and upon completion of the swim, doused himself in bleach. The canal has earned the nickname “Lavender Lake” due to the hue the water surface would sometimes emit; a documentary with the same name was released in 1998, and a cocktail bar with the same name is growing in popularity. There was even a marriage proposal on the canal this past summer. It continues to remain a popular attraction and “because of its idiosyncrasies and the harm and imbalance that it’s been subjected to over time, certainly generated a unique community feel here in Gowanus.” The residents of Gowanus are not NIMBYs; that term is usually assigned to residents completely opposed to any sort of change in their neighborhood. Sure, there are those with reservations, but others, including the local Council Member, are optimistic and embrace this rezoning as an opportunity. As Owen Foote, Treasurer and co-founder of the Gowanus Dredgers, explained to me in an interview last April, his organization is in support of the rezoning and development, so long as that development is responsible. What that entails is development that ensures the longevity and continued protection of the canal. Once the EPA’s dredging is complete and the federal government defers responsibility to city, state, and other agencies, it is important that these stakeholders uphold their duty to the community. But who, or what, will hold new development in check to ensure that the canal does not become so polluted again?

When the residential development along the banks of the Gowanus Canal was complete, 365 Bond Street’s boardwalk was removed from waterfront access. A boardwalk
that stretched from the Carroll Street Bridge to 2nd Street offers wonderful vistas of the water and surrounding area, but does not offer more access than a boat launch. The Whole Foods supermarket also included a boardwalk from the 3rd Street Bridge to 3rd Avenue, but it does not have any waterfront accessible points. A future proposed development, just south of the proposed rezoning area, will offer a publicly accessible boardwalk which would “connect to a potential future waterfront esplanade to the north as part of the neighborhood-wide land use changes.” As the dredging effort continues and the water is eventually cleaned up, why are current and future developments so adverse to waterfront access? One large, stinky reason is combined sewer overflows (CSOs). CSOs contain human and toxic waste and storm water runoff. Combined sewer systems (CSS) collect this waste in a single pipe that carries it to wastewater treatment plants. This normally occurs without a hitch. But during heavy rainstorms, the sewers are incapable of carrying all the water, and the treatment plants cannot handle the volume of incoming flow, so some of the waste is deposited into the nearest body of water through CSOs. About 60 percent of New York City has a CSS, and for most neighborhoods, they can handle the volume during rainy days. Good flowing bodies of water, such as rivers and oceans, can easily carry the CSOs when required away from New York City and into the Atlantic Ocean, the Long Island Sound, Jamaica Bay, or other large moving bodies of water. It is still a problem for neighborhoods near these places, but not to a significantly detrimental effect. If you have ever been to one of New York City’s beaches the day of, or after, a heavy rain storm, you would recognize the water quality and swimming advisory, only for it to return to normal the day after. However, the Gowanus Canal does not flow as well as the Hudson or East Rivers. Therefore the CSOs take longer to dissipate. Despite the dredging effort, the cleanup, and

Photo by Alek Miletic
the rezoning, CSOs will always remain a problem without additional substantial action.

However, the CSO issue in Gowanus could be made even worse with a neighborhood rezoning. Adding over eight thousand residential units and perhaps as many as 20,000 people (according to preliminary rezoning impact figures)\(^4\) would test the CSS more than usual on even normal days. (In October 2020, the US EPA responded to New York City Department of City Planning’s scoping documents signifying its concerns with wastewater following the completion of proposed developments as a result of the rezoning. The estimated gallons per day of flow would increase from 178,795 gpd to 1,977,302 gpd once the proposed development has been completed)\(^4\).

Some of the options for additional sewer capacity being tested are quite plausible and affordable. There are plans currently in place that would build two wastewater treatment plants for Gowanus.\(^4\) However, they are not slated to be completed until early 2032,\(^7\) seven years after the US EPA dredging is complete. New York City Department of Environmental Protection (DEP) has asked for an extension for a deadline regarding the completion of the treatment plants which the US EPA has indicated could “impact the effectiveness of the remedy and have implications on the rezoning.”\(^4\) With rezoning likely to be approved next year, and development currently underway, this effort might be too little too late. Another option would be to limit the amount of rain water that enters CSSs. This can be done through the use of green infrastructure such as bioswales, increased permeable surfaces, and other water conscious landscaping. Gowanus Canal Conservancy, an advocacy organization intent on advancing ecological and sustainable parks and public spaces in Gowanus along the canal, advocates for a net zero CSO rezoning, but the organization (which has been involved in the proposed rezoning), recognizes that this is a difficult, if not impossible task.\(^4\) In 2016, the Sponge Park Master Plan designed by dlandstudio was implemented through a pilot park called Sponge Park.\(^5\) The park captures two million gallons of storm-water runoff per year with a cost of $1.5 million for the one-block park on Second Street. While stormwater itself is not all that harmful, the things that it picks up en route to the canal can be. And by capturing storm water before it enters the CSSs, pressure on the infrastructure systems in place would be reduced. Sponge Park is a “multifunctional public open space system that slows, absorbs, and filters surface water runoff with the goals of remediating contaminated water, reducing stormwater runoff volumes, creating habitat, and providing open space and environmental education opportunities to underserved neighborhood”.\(^6\) The design is a master plan aimed at decreasing the volume of CSOs deposited in the canal and reduce pollutant loads through modifications of bioswales and bioretention basins. It should be noted that “agency and community buy-in was critical to the early success of the idea” noting a flexible framework that could be molded on community input was imperative.\(^5\) This plan is important for future development of the built environment in adding urban open space and reducing pressure on sewer systems. Perhaps most importantly, is the plan’s applicability for areas where “industrial development has left behind inhospitable toxic landscapes.”\(^5\) This type of urban infrastructure is a good start to mitigate some of the pollutants entering the Gowanus Canal.

Gowanus is in a unique position with its pending rezoning, but the canal also serves as a sticking point in discussions about how the rezoning will impact the neighborhood. While the canal has historically been polluted and still has contaminants, it is in the process of being cleaned up. However, the rezoning could not only reverse the clean up progress, it could make the canal more polluted by exacerbating the CSO problem. Furthermore, current and projected developments are prioritizing waterfront esplanades with minimal waterfront access instead of proven solutions that would mitigate CSOs such as green and gray infrastructure along the waterfront. The Sponge Park project is an affordable option that should adapted to future developments. Given the ongoing Covid-19 pandemic, in which the future of the built environment is on the forefront of planners’ minds, the need for local and accessible outdoors space is ever apparent. The Gowanus Canal is an asset, not a hindrance, and it deserves to be treated as such.
NOTES

2 “Park Slope/Carroll Gardens Neighborhood Profile.”
3 New York City Department of City Planning, “Gowanus/Public Place” (Brooklyn, New York, January 2007).
12 Alexiou, 167.
13 Alexiou, 168.
14 Alexiou, 199-200.
15 Alexiou, 200.
16 Alexiou, 201.
17 Alexiou, 201.
19 Brad Vogel, Interview with Brad Vogel, Gowanus Dredgers Canoe Club, interview by Aleksander Miletic, Telephone, April 21, 2020.
20 “Gowanus Canal History.”
21 “Gowanus Canal History.”
23 “Gowanus Canal History.”
25 Vogel, Interview with Brad Vogel, Gowanus Dredgers Canoe Club.
27 Krishna, Ph.D. et al.
31 Krisel, “Gentrifying a Superfund Site Why Gowanus, Brooklyn Is Becoming a Real Estate Hotspot.”
32 Alexiou, Gowanus: Brooklyn’s Curious Canal, 3.
34 Alexiou, Gowanus: Brooklyn’s Curious Canal, 5.


38 Zaveri, “Getting ‘Black Mayonnaise’ Out of One of America’s Dirtiest Waterways.”

39 Zaveri.


41 Interview with Owen Foote, Co-Founder and Treasurer, Gowanus Dredgers Canoe Club, interview by Aleksander Miletic, Telephone, April 14, 2020.


47 Lopez.

48 Lopez.


52 Drake and Kim.

53 Drake and Kim.
When Governor Andrew Cuomo signed the Climate Leadership and Community Protection Act (CLCPA) into law in July 2019, New York adopted the most aggressive statewide climate agenda in the country to date. Recognizing the urgency of the climate crisis, the CLCPA commits New York to achieving a 100% zero-emission electricity sector by 2040 and reducing state greenhouse gas emissions to at least 85% below 1990 levels. To meet these ambitious goals, Governor Cuomo has targeted massive investments in wind, solar, and energy storage capacity, as well as initiatives to improve electrical grid efficiency and to promote the electrification of homes and transportation. The CLCPA also draws significant inspiration from the Green New Deal, framing this challenge as an opportunity to transition to a more redistributive energy future by ensuring that historically disadvantaged communities benefit the most from the new jobs, environmental benefits, and resources to prepare for climate change that this Act is intended to provide.

The CLCPA, however, is only a partial realization of the redistributive, regenerative sustainable future that the Green New Deal calls for. Taken as a whole, New York’s climate and energy policies follow the neoliberal planning paradigm in that they keep control of the electric grid in the hands of profit-driven utility companies, who pledge their commitment to the state’s clean energy goals while continuing to invest in fossil fuel infrastructure. These utilities, whose profits are threatened by alternative energy sources, are cultivating a form of “double-think” surrounding fossil fuels’ role within clean energy transitions in response to the CLCPA, a thought process that is becoming increasingly normalized among policymakers and the public at large. This “double-think” can be seen in other state energy policies that clearly benefit utility companies and are directly contrary to the logic of the CLCPA, as evidenced by the state’s increasingly hostile stance toward nuclear energy.

by Charles Christonikos

NUCLEAR DOUBLE-THINK
The Dangerous Decision to Close Indian Point Energy Center (IPEC)

Figure 1: Indian Point Energy Center, Wikimedia Commons
Despite the unique social and environmental risks associated with nuclear energy, nuclear power plants are already well-ingrained into New York’s energy system. Keeping these plants operational would not only curb the ability of utility companies to further expand fossil fuel infrastructure, but also serve as a carbon-free “bridge” power source in the transition to the carbon-free future that Governor Cuomo envisions. Recent developments involving the Indian Point Energy Center (IPEC) in Buchanan, New York (see Figure 1), however, have severely diminished the role of nuclear energy in New York’s energy transition. Located about 30 miles north of New York City directly alongside the Hudson River, IPEC, a three-reactor nuclear power plant, has generated a quarter of the electricity used in New York City and Westchester County since it began operation in 1962. Operating 24/7, IPEC has consistently generated carbon-free power in a downstate electric grid otherwise dominated by fossil fuels (see Figure 2).

Being in such close proximity to the largest city in the United States, IPEC has been seen by many as a “ticking time bomb”. The 1986 Chernobyl disaster, the 2011 accident at Fukushima Daiichi, and the fact that one of the terrorists who orchestrated the September 11th attacks cited IPEC as a potential target have all served to strengthen public opposition to IPEC’s continued existence. The plant has also leaked radioactive water into the Hudson River and the groundwater below the facility itself, and an onsite transformer fire that briefly forced the plant to shut down in 2015 has called the structural integrity of the aging plant into question. Though no major accidents have occurred to date, IPEC remains the United States’ deadliest nuclear power plant; if a Chernobyl-style meltdown event were to occur, up to 15 million people living within a 50-mile radius of IPEC would be impacted.

Given IPEC’s less-than-stellar record and Governor Cuomo’s vision for a modern and renewable energy system in New York, it was announced in January 2017 that an agreement had been reached between IPEC’s current owner Entergy, the local environmental advocacy group Riverkeeper, and New York State to close IPEC. Under the terms of this agreement, one of IPEC’s reactors was retired in April 2020 and the other is set to shut down by April 2021.
Once shuttered, the facility will undergo the complex process of decommissioning by a separate firm, after which point the IPEC site will be remediated and made available for other uses.

Both the Governor and Riverkeeper lauded the decision as a major milestone toward implementing the CLCPA, firmly believing that the slew of renewable energy investments underway in other parts of the state would more than replace IPEC’s lost capacity. Though IPEC’s closure undoubtedly satiates decades-long anxieties over a potential accident, the consequences of this decision will, from a social and scientific standpoint, present numerous obstacles to the implementation of the CLCPA and actively harm New Yorkers’ health and well-being. This decision was, in short, a “greenwashed” and reckless action that clearly illustrates the “double-think” that profit-driven actors have worked to cultivate. While framing this decision as a necessary first step toward a sustainable energy future, the parties behind it failed to consider the effects that IPEC’s closure would have on the integrity of the downstate electric grid, on the pollutive fossil fuel plants that would inevitably step in to replace IPEC, and on the increased exposure to harmful air pollutants that New York’s already most vulnerable communities will be forced to bear as a result.

**IPEC’s closure will threaten the reliability of downstate New York’s already strained electric grid.**

The massive investments in renewable energy capacity that the state is pursuing will, simply put, not be enough to replace the generation capacity that IPEC provided. IPEC’s continued operation would have been necessary to ensure reliability during this transition, a fact that state regulatory agencies have themselves noted. For instance, the New York Independent System Operator (NYISO), the institution tasked with managing the state’s electric grid and energy markets, clearly stated in a 2015 report that “retaining all existing nuclear generators is critical to the State’s carbon emission reduction requirements as well as maintaining electric system reliability”.

When questioned on his logic behind the decision to close IPEC, Governor Cuomo has reiterated his firm belief that the suite of renewable energy investments planned for the upcoming decade will, upon their completion, supplant the need for any nuclear or natural gas-powered facilities in New York. As it stands, New York expects to create a total of 9,000 megawatts of offshore wind capacity by 2035, 3,000 megawatts of energy storage by 2030, and 6,000 megawatts of solar capacity by 2025. For comparison, IPEC’s generation capacity is 2,000 megawatts.

At the time that the first IPEC reactor went offline in April 2020, New York had just 2,000 megawatts of utility-scale wind capacity and 2,150 megawatts of utility-scale and small-scale solar capacity in operation. Even when these projects are fully completed and feeding power into the grid, they will mostly be located upstate and on Long Island rather than within the downstate region itself. This presents the additional challenge of ensuring that downstate’s electric supply is met, especially during periods of peak demand. Upstate New York’s electric grid is fundamentally different from downstate’s; 90% of electricity consumed upstate is sourced from carbon-free generators, and demand for electricity is not expected to grow there. In the downstate grid, electricity is predominantly generated by fossil-fuel burning generators and future electricity demand will grow substantially.

Therefore, for the state’s planned renewable energy projects to meaningfully meet downstate demand – where 60% of the state’s overall electricity is consumed – thousands of miles of additional transmission lines will need to be constructed. New York’s electric system already depends on over 11,000 miles of these lines, which are aging and prone to gridlock, overheating, and shutdown during periods of peak demand.

**IPEC’s closure provides an opportunity for utility companies to prolong New York’s dependence on fracked natural gas.**

With IPEC’s closure, the state has essentially chosen to replace the downstate region’s largest source of carbon-free baseload electricity with plants powered by natural gas (hereafter referred to as “fossil gas”). Baseload, in this context, refers to a power generator that feeds into the grid 24/7. Before IPEC’s closure, oil and fossil gas-fueled “peaker” plants only operated at times of peak demand to maintain balance in the electric grid. After IPEC’s second reactor shuts down in April 2021, the operators of these “peaker” plants will need to activate these sources on more days of the year to get around periods of congestion.
The fact that fossil gas would inevitably replace IPEC upon its closure was known long before this decision was made. In a 2017 assessment, NYISO concluded that the reliability of the grid could only be maintained if three then-under-construction facilities in Middletown, Dover, and Bayonne, NJ all came into service by the time that IPEC fully retires in 2021. These facilities, which have since been completed and brought online, are major fossil gas-fueled generation plants that each faced intense opposition from their respective communities. Regardless of these developments, neither the Governor nor Riverkeeper have changed their position on the benefits of closing down IPEC.

In addition, with IPEC’s closure, utility companies operating in downstate New York have been granted a much greater degree of influence over the planning of the electric grid, and therefore the ability to dictate the direction of downstate’s energy mix to their benefit. New York has a deregulated electricity market, in which investor-owned utilities (IOUs) like Con Edison and National Grid do not actually buy electricity on behalf of customers as in other markets; instead, these companies manage the distribution sector of the electric grid by overseeing the delivery of electricity from generators to customers and building the infrastructure to do so. Since utility companies do not actually sell electricity, they primarily generate profit through infrastructural projects, for which they are entitled to a guaranteed rate of return from the state ranging from 7 to 10 percent of the total cost of qualified projects.

The guaranteed rate of return is explicitly designed to generate profits for utility companies regardless of the actual impact that infrastructural projects have on grid performance or customers’ electricity bills. As a result, utilities are overwhelmingly focused on building new fossil gas-powered plants and expanding the existing gas distribution network.

Simultaneously, these utility companies have sought to market fossil gas as a “cleaner” alternative to oil and coal, providing exaggerated projections of future gas demand and claiming that more gas is needed to ensure a smooth transition to the renewables-based energy future. For example, National Grid, an IOU that provides gas to 10 million customers in the Northeast, commissioned a study which concluded that demand for fossil gas in the New York City region will grow by 11% over the next decade. In contrast, a separate study from the Energy Information Administration estimated that demand will only grow by 1.6% and flatten in the long term as efficiency improvements and the falling costs of renewables supplant the need for fossil gas.

To Governor Cuomo’s credit, however, utilities like National Grid no longer have free reign to build as much fossil gas infrastructure as they please. In 2014, he imposed a statewide ban on fracking, and state regulators recently denied water permits for the construction of the Williams and Constitution pipelines, both of which would have carried gas from Pennsylvania. In response, National Grid has adopted a “segmentation” strategy focused on expanding the capacity of their existing gas pipelines; for natural gas prices are at record lows compared to alternatives like nuclear and renewables; between 2009 and 2019, natural gas production increased by more than 60% nationwide as a result of fracking. In New York, utility companies have become increasingly enticed by fossil gas reserves in Pennsylvania. Even as attention at the state level continues to shift toward moving away from fossil fuels entirely, utilities are taking advantage of cheap Pennsylvania gas by building new fossil gas pipelines and gas-powered plants to generate profit through guaranteed rates of return, aware that these investments will likely become stranded assets in the near future.
instance, National Grid is currently seeking a permit to construct smaller-scale pipelines around Albany, which, unlike the Williams and Constitution pipelines, would require fewer regulatory approvals and less public scrutiny. These pipelines would connect Albany to two larger interstate gas pipelines, which would enable National Grid to annex an additional 260,000 customers into its network. Accordingly, National Grid claims these installations are necessary to meet growing gas demand in the region and avoid service disruptions, strategically avoiding mention of the fact that they could just as well cover the region’s forecasted needs by sealing leaks in existing pipelines and improving demand response.

Rather than embrace more affordable and efficient locally-generated power alternatives such as providing small-scale solar installations for homes and businesses in alignment with the CLCPA, utility companies like National Grid and Con Edison will continue to force New Yorkers, who already pay the highest utility bills in the country, to bear additional cost burdens in exchange for continued reliance on fracked fossil gas.

**IPEC’s closure will exacerbate environmental injustices among New York’s most vulnerable residents**

Where the decision to close IPEC most clearly conflicts with the principles of the CLCPA is that, as a result of the larger role fossil fuel-burning power generators will play in meeting downstate electricity demand, already vulnerable communities will become increasingly exposed to worsened air quality and negative health impacts. In a report published just months after IPEC’s closure was announced, the New York State Research and Development Authority (NYSERDA) concluded that IPEC’s closure was likely to “increase the utilization of emissions from fossil fuel plants - particularly those located in NYC.”

As previously mentioned, New York City is home to 16 “peaker” plants which produce electricity during periods of high demand or when transmission lines and generators upstate malfunction (see Figure 3). Most of these plants began operation between 1950 and 1970, and do not utilize modern pollution controls. Nearly all of the city’s peakers are located in low-lying industrial flood zones adjacent to low-income communities of color such as the South Bronx, Western Queens, and Sunset Park in Brooklyn.

Most of New York City’s locally-produced electricity is generated by two plants in northwest Queens: the Astoria Generating Station and the Ravenswood Generating Station. These plants burn a combined 6.3 million gallons of fuel oil annually, which is a much dirtier and inefficient energy source than fossil gas. The Ravenwood plant (see Figure 4), the city’s largest peaker plant by capacity located a block away from NYCHA’s Queensbridge campus, was ranked New York State’s largest carbon polluter in 2014. As a result, residents living in neighborhoods surrounding these plants, unofficially known as “Asthma Alley”, already suffer from higher air pollution levels than the rest of the city.

Luckily, a set of regulations passed by the state in 2019 requires some of these plants to be reclassified as “black-start only”, meaning that they will only be used to restart the city’s grid after a power failure, whereas others will be modified with pollution control technologies and CLCPA-friendly alternatives such as battery storage.

![Figure 3: Peaker Power Points Operating in NYC](image-url)
These new regulations alone, however, do not encourage plant owners to abandon fossil fuels entirely; in fact, several generating companies have simply renovated some of their plants while simultaneously bringing new fossil gas-powered plants online elsewhere in the city. For instance, the Astoria Generating Company, the owner of several peakers in the city, has proposed a plan to shut down its Narrows Generating Station in Sunset Park, Brooklyn, and replace another plant, the Gowanus Generating Station, with more efficient technologies to comply with the new regulations. The “cleaner” technologies that will be installed at Gowanus, however, will run entirely on fracked fossil gas and further compound environmental damage in an already severely degraded neighborhood.

As with the utility companies who portray themselves as committed to the state’s clean energy goals while continuing to invest in fossil gas infrastructure, the operators of New York City’s peaker plants are also upholding fossil gas as a “cleaner” alternative to the more pollutive fuels that these plants use. The state regulations that peaker plants must follow are easily circumvented, and the city itself has done little in the way of placing additional mandates on their owners to adopt renewable alternatives or halt new construction. It is clear that IPEC’s shutdown has strengthened the bargaining power of peaker plant owners to cling to the fossil-fuel status quo rather than empower communities with options to adopt more sustainable sources of local power generation. On the contrary, New York City’s most burdened residents will simply end up paying higher electricity rates to pay for new fossil gas-powered generators that will spew even more pollutants into the air they breathe.

**Moving forward**

Whether or not he realized how counterintuitive the decision to close IPEC would be, the evidence suggests that Governor Cuomo made this decision out of fear and not as part of a comprehensive clean energy transition plan. IPEC is only one of the four plants that comprise New York’s nuclear fleet; the state’s three other nuclear plants, all of which are located upstate, continue to receive state subsidies to remain open. The only factors that make IPEC stand out from these other plants are its close proximity to New York City, and its location in the downstate market where electricity prices are highest. With fossil gas prices at record lows, the profitability of keeping nuclear plants open has steadily decreased nationwide. Rather than lead by example to other states and municipalities questioning the usefulness of nuclear in a carbon-free future, Governor Cuomo has fallen prey to the “double-think” of profit-driven utilities by sacrificing downstate New York’s largest, cleanest, and most reliable energy source in response to sensationalist claims that an accident is bound to happen at IPEC. The overarching consequence of this action will be that the downstate power grid, already saturated with fossil fuel-powered plants, will become further entrenched in its dependence on fossil gas at the exact moment when the state should be moving away from all fossil fuels entirely. The average New Yorker,
as a result, will be exposed to more harmful air pollutants and inherit additional cost burdens as utility companies further dictate the future of the energy infrastructure landscape.

Governor Cuomo retains the ability to reverse the decision and keep IPEC open, at least until sufficient renewable energy sources are in place. Alternatively, the Governor could elect to keep IPEC open with the contingency that its operators embrace technological innovations, such as accelerator-driven systems, which reduce the volume of radioactive waste that a nuclear plant generates and make meltdown events impossible.26 At this point, a reversal of the decision to close IPEC in any capacity would reintroduce competition to fossil gas. More significantly, a reversal would send the resounding message to other states and municipalities that, despite its inherent risks, nuclear is in fact a “greener” energy source than fossil gas and that existing nuclear plants, if responsibly managed and retrofitted, have great potential to assist in clean energy transitions.

IPEC’s first reactor has already closed, however, and the Governor has given no indication that he plans to reverse this decision. Rather than contend with the energy landscape that IPEC’s closure has ushered in, this moment presents an opportunity for New York to reimagine the purpose of energy infrastructure and to move away from its deregulated electricity market toward a more community-centered and locally-generated renewable energy future. As the largest electricity market in the state, New York City has the resources and purchasing power to greatly influence the trajectory that the state’s future energy landscape follows. Now is the time for the city’s administration to use the tools at its disposal to seize control of the grid away from extractive fossil fuel-burning utilities, introduce innovative new models of energy generation and ownership in alignment with the CL-CPA, and inspire other municipalities throughout the country to follow in its footsteps.

NOTES
13 New York Independent System Operator, Generator Deactivation Assessment


18 Ibid.

19 Murphy, “Report Questions Claim of a Gas Shortage in Debate Over New NY Pipeline.”


THREE.

RESILIENCE

/

REFUSING DYSTOPIA
FROM HOT LUNCH TO GRAB & GO
Lessons in Resiliency During the COVID-19 Pandemic

Even before the COVID-19 pandemic reached the United States, it impacted food supply chains across the world, from producers, processors, and manufacturers to distributors, retailers, and consumers. As the virus spread across the U.S., managers at meat processing plants disregarded worker safety, turning such plants into COVID-19 hotspots. Panicked shoppers emptied grocery stores as product distributors struggled to keep shelves stocked. The pandemic’s impact on urban food systems is still unfolding, and its full scope will likely be unclear until widespread vaccination allows society to return to “life as we knew it.” With 2020 drawing to a close, however, we can already extrapolate some significant implications about the resiliency of urban food systems through analyzing several critical pieces of those systems. One such piece is school nutrition programs.

During the coronavirus pandemic, schools became an essential point of food distribution for school children and urban communities, quickly adapting to serve students in new capacities. For decades, school nutrition programs have provided critical daily calories for many children, offering students breakfast, lunch, snacks, and sometimes after-school dinner. For some low-income students, school nutrition programs, like the U.S. Department of Agriculture National School Lunch Program (NSLP) and School Breakfast Program (SBP), may provide the bulk of their daily caloric intake. Federal school nutrition programs provide daily food for nearly 30 million young people across the country. Of those young people, 71% of NSLP and 85% of SBP participants receive free or reduced priced meals based on household income.1 In New York City (NYC), school meal programs normally offer free, healthy food to all 1.1 million students in city schools.2 Yet, with schools closed, complications arose surrounding distribution of food to NYC children and families.

This article explores those complications and food insecurity in NYC through the lens of school nutrition programs. Through examining the roll-out and effects of federal funding, local food assistance, and emergency food initiatives on NYC families, the COVID-19 pandemic may offer insights on how to build urban food systems which are resilient and flexible during future crises.

Situating Urban Food Policy
Food policy is built on a complex network of systems that includes every aspect of the food chain from production to distribution and consumption. Food policymakers act at the federal, state, city, and community levels, with stakeholders including food producers, manufacturers, distributors, and consumers. Until the early 2000s, urban planning literature largely ignored food issues, despite the existence of extensive national and local food assistance and distribution programs.3 Although food policy and food justice are finally entering the lexicon of urban policy and planning, urban planners and policymakers still largely treat food supply failure as a consequence of farm failures, rather than failure in food distribution.4 In reality, the U.S. agriculture system currently produces more than enough food to feed the entire population.5

Despite the U.S. producing adequate supplies to feed everyone, mass food insecurity persists. In 2018, 37 million people were food insecure.6 In NYC, prior to the pandemic, 1.2 million people were food insecure, with access to healthy, fresh, and affordable food varying by race, ethnicity, and income level.7 This unequal access often manifests in the form of “food deserts” and “food apartheid,” where low-income and marginalized communities have fewer food choices, limited access to healthy food, and higher food prices than higher-income, predominantly white neighborhoods.8 To mitigate food insecurity, federal programs such as the Supplemental Nutrition Assistance Program (SNAP) and Special Supplemental Nutrition Program for Women, Infants,
and Children (WIC) subsidize family food budgets with monthly electronic benefit payments. State and community-level public and private efforts, including emergency food programs, healthy food initiatives, and nutrition education programs, also aim to combat disparities in the food system. Still, food insecurity and access continue to be pressing issues on the national playing field and in urban spaces.

**School Nutrition Programs**

School nutrition programs are some of the largest food assistance initiatives, second only in size to SNAP. Established in 1946, with the passage of National School Lunch Act, the NSLP provides a critical avenue for feeding millions of school-aged children daily. In 1966, with the Child Nutrition Act, the U.S. Department of Agriculture (USDA) created the SBP and initiated subsidized free and reduced-priced meals for low-income students. Historically, free and reduced-price school meal programs are particularly important for youth of color, as Black and Hispanic children participate in such programs at higher rates than their white peers.

School nutrition programs illustrate a critical interplay between federal and local agencies. The USDA provides guidelines for school meal nutrition and funding through per meal reimbursements to school districts. While federal policies shape school nutrition guidelines and provide funding for meal programs, cities and local school districts are responsible for administering such programs. District food service directors oversee day-to-day operations of school nutrition programs, coordinating food ordering, meal preparation and delivery, school cafeteria staff, and the other ins and outs of providing daily service. In ordinary times these complex school nutrition programs feed students fairly effectively; however, they largely depend on students being physically present in schools to collect and eat their meals.

On March 15, 2020, two days after President Trump declared a national state of emergency, Mayor Bill de Blasio called for NYC’s 1,800 schools to shutter their doors to students, upending the routines of 1.1 million students, more than 1 million parents, and 75,000 teachers. Politicians, families, school administrators, and academics have all stressed the negative effects of school closures: learning loss, socio-emotional disconnects, student isolation. Perhaps even more worrisome, school closures also disrupted school nutrition programs, forcing policymakers to rethink how best to continue feeding students though these programs when students and faculty cannot be physically present on campus.

**Urban Food Systems and COVID-19**

To confront this problem, federal and local governments established new initiatives and adapted existing programs. On March 18, the federal government passed the Families First Coronavirus Act to mitigate the pandemic’s economic damage and disruptions to daily life. Two key provisions expanded SNAP benefits for families through increased supplementary benefit allotments up to the maximum benefit threshold, $646 per/month for a family.
of four, and the creation of the Pandemic Electronic Benefits Transfer Program (P-EBT). P-EBT provided families with school children who qualify for free and reduced-priced meals with additional benefits to cover meals that students missed due to school closures. In September 2020, Congress expanded the P-EBT program, originally proposed as a short-term measure, and extended it through September of 2021.

Congress provided additional assistance for school nutrition programs through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, allocating $8.8 billion for school meal and child nutrition programs. The CARES Act also enabled the USDA to issue waivers which allowed school districts to switch to providing grab-and-go meals, depart from nutrition standards in the instance of food supply chain disruptions, change or expand the hours when food is served, and allow guardians to pick up meals for their children without them being present.

As with school food distribution programs in normal circumstances, administration of these expanded programs was largely left to cities and school districts. At the local level, NYC implemented an expansive plan for offering emergency food and food assistance to individuals and families in need. On March 21, Mayor de Blasio appointed Department of Sanitation Commissioner Kathryn Garcia as NYC’s “food czar,” placing her in charge of GetFoodNYC, NYC’s emergency food initiative. Under Garcia, 470 Department of Education sites, primarily schools, became food distribution sites. At these locations, families with children under 18 could pick up meals three times a day. In early April the city expanded school-based food distribution to include families and adults without children, allowing any New Yorker to pick up food at participating Grab & Go sites. Dubbed “Community Meals,” this open food distribution program remains available from 3 pm to 5 pm on school days for any individual, without requiring identification or registration. The quick transition from in-school meal distribution to Grab & Go pick-up sites demonstrated the NYCDOE’s ability to adapt existing school nutrition programs to feed school children and the greater community.

During the pandemic, other food assistance programs also faced pressure to adapt to increased demand for food and resources. Across NYC, food pantries reported a 74% increase in total visitors, but roughly one-third of food pantries closed temporarily or permanently, mainly due to lack of volunteers able to assist pantry operations. This disproportionately affected low-income and underserved communities, with long lines and wait times at food pantries and grocery stores creating additional barriers to access. Moreover, city initiatives faced funding and capacity issues due to lack of federal support. Since the pandemic’s onset, Mayor de Blasio repeatedly called on the federal government to “replace paychecks” and “ensure” the city food supply. Despite his assertions that federal support is essential to distribute economic relief to families and support the city in supplying food during the pandemic, federal support for cities during the pandemic has been minimal. With limited federal support for cities and emergency food programs operating at capacity, school nutrition pick-up sites became increasingly important for families, particularly in low-income communities most heavily impacted by the pandemic.

### Examining the Effectiveness

According to the U.S. Census Bureau’s Household Pulse Survey, food insecurity has doubled since the start of the pandemic. In households with children, it has tripled. In New York, 22.9% of families now report being food insecure. But is this simply the effect of school closures and lockdowns requiring families to stay home, or a reflection of the inability of urban food systems to adapt during the pandemic? According to data from the Independent Budget Office of New York City (IBO), before the pandemic during the 2018-2019 school year, 1,951 schools across the city provided 1 million meals to students each day. However, during the early months of the pandemic this number dropped drastically. According to one study, during the week of April 13, 2020, the NYCDOE served between 158,000 and 270,000 meals to students per day through its “food hubs,” just 19-32% of the students it typically feeds.

Although the NYCDOE rapidly shifted to offering food through Grab & Go sites, student access to meals was greatly reduced due to a slashed number of distribution sites, from the typical 1,975 pre-pandemic sites to 470 during the early months of the pandemic. According to data from IBO, as of March 30, 39.6% of Grab & Go sites were located in Brooklyn, 23.2% in the Bronx, 14.9% in Queens, 16.2% in Manhattan, and 6.2% in Staten Island, with more than 53.7% of the sites located in communities near or below the poverty threshold. Still, despite the
drastic reduction in sites, Grab & Go sites were within half a mile of where 88% of students lived during the 2018-2019 school year, with only 2.4% of students living further than a mile from the nearest site. The close proximity of students to Grab & Go sites indicates that most students in low-income communities—the population that relies on school meal programs to meet daily sustenance the most—were indeed within 10 city blocks of food distribution sites. Though the geographic proximity of these sites to students’ homes demonstrates the NYCDOE’s success in establishing Grab & Go sites in critical areas, the agency faced challenges in disseminating information about Grab & Go sites and P-EBT. In March and April, many parents were unaware of where and when food could be collected for their children, even when they lived geographically close to a school open for food distribution, impacting the number of meals actually distributed.

Moreover, despite the quick transition to Grab & Go pick-up and position of Grab & Go sites in communities with the highest needs, the pandemic pushed many low-income individuals deeper into food insecurity. A study by the Education Trust New York found 39% of NYC parents reported skipping meals personally or reducing meals for their families, and 62% reported being concerned with having enough food to feed their children as a result of the coronavirus pandemic. A Siena College poll in April found that 41% of New Yorkers were worried about being able to afford food during the pandemic. Furthermore, the pandemic has disproportionately impacted certain communities. According to data from the Household Pulse Survey collected in April and May, Black and Hispanic households reported higher rates of food insecurity than white households, while a national online survey found that individuals with low or very low food security tended to have less than a college education and have children in the home. For many New York families in low-income, minority communities, Grab & Go food programs and federal support through P-EBT and increased SNAP benefits appear to have been insufficient in fighting food insecurity during the pandemic.

Future Implications

The COVID-19 pandemic exposed the fragility of urban food systems not designed to be flexible in times of crisis. For many individuals in areas with limited access to quality food, particularly those in “food deserts” or “food apartheid,” lockdowns and shelter-in-place orders made accessing food highly difficult. For low-income families in low-access food areas, schools may be the closest and most reliable source for food for their children; however, the structural reliance of programs on physical student presence in schools compounded with disconnects in communication between city agencies, school districts, and families created a barrier for Grab & Go meal programs to effectively provide adequate food for school children and their families.

School nutrition programs have the potential to feed a large segment of NYC’s population, but do they offer enough flexibility to continue to feed children and combat food insecurity in times of crisis? Can these programs alone create resilient food systems? Though the NSLP
and SBP are not technically emergency food programs, they operate with many of the same goals: providing free or reduced-priced food to low-income individuals on a near daily basis. School nutrition programs may offer a reliable way for young children to receive meals they may not have access to otherwise; yet in some ways school meal programs act as a surrogate for actual systematic change. It is not inherently problematic for families to rely on public assistance programs—social assistance programs provide critical supplementary food, health care, housing, and more for families with limited incomes—but social programs alone do not challenge unequal systems that perpetuate poverty, food insecurity, and community subjugation, and they alone cannot provide solutions for reorienting unequal urban food systems.

Ultimately, at this point it is impossible to truly know the magnitude of disruptions in school meal programs and their role in increased food insecurity among low-income families as the data is lacking. The data does, however, suggest a trend linking the two. In the wake of devastating events like the global pandemic, an analysis of NYC’s implementation of food distribution provides valuable insight into the resiliency of current food assistance programs and urban food systems. In his October testimony to the NYC City Council, Charles Platkin, director of the NYC Food Policy Center, recommended strengthening communication and outreach strategies to communities in need, designating clear authority on food policy, and providing sufficient funding and staff to better position NYC to meet residents’ food needs going forward.31 These recommendations point to a need to create more flexible urban food systems.

The DOE’s efforts to rapidly transform school nutrition programs to continue feeding students during the pandemic illustrates such flexibility. Looking at how school nutrition programs have adapted and continue to adapt can provide a model for increased flexibility in other food programs, such as emergency food initiatives and local food autonomy programs, including community gardens, food co-ops, food box programs, and food hubs. By strengthening school nutrition programs, emergency food initiatives and community-based food efforts, urban food systems can begin to work towards combatting food insecurity and improving food access.

In the wake of devastating events like the global pandemic, an analysis of NYC’s implementation of food distribution provides valuable insight into the resiliency of current food assistance programs and urban food systems.

Though the dialogue surrounding urban policy may often overlook school meal programs, these programs play a critical role in supporting communities and must be further integrated into future policy narratives. With the looming threat of other economic, environmental, and public health crises on the horizon, the COVID-19 pandemic can provide key insights into how food distribution and assistance programs may operate in hard times, illustrating the need for increased flexibility of food assistance programs and emergency food initiatives and a reorientation of urban food systems. In order to develop a resilient food system, it is essential for short-term emergency food initiatives and policies aimed at long-term systematic change to work in tandem to create urban food systems that are not only more equitable, but that can adapt in times of crisis.


14 Dunn et al., “Feeding Low-Income Children.”


21 Schanzenbach and Pitts, How Much Has Food Insecurity Risen?”


24 Kim et al. Did NYC Open Grab & Go Sites in Areas with the Greatest Need?

25 Ibid

26 Ibid

EVICTIONS ARE VIOLENT
Dear reader,

I know what it is to doomscroll, to read page after page of suffering - so I promise you, there IS hope in this article. If the bad news is too much, you have my permission to skip to the good bit at the end.

***

As if 2020 hadn’t reached peak levels of dumpster-fire-induced anxiety, it’s also scheduled to go out with a bang: the year wrapped up with record pandemic numbers, record unemployment and strife, as well as rapidly shifting and uncertain protections for those unable to afford housing. Though the effects of COVID-19, unemployment, and police conflict have joined homelessness in the list of afflictions in U.S. cities, New York’s troubles may take the proverbial cake. Even before the pandemic and crash, around half of New York’s residents could not afford to live in the city. A dizzying rise in numbers of houseless men, women, and children predates the current catastrophe by several decades, and every night around 60,000 people sleep in the City’s shelters, mostly families and children.¹ This does not even count an estimated nearly 4,000 homeless in our streets and subways;² lacking accessibility or fearing violence, disease, crime, or (in the case of recent anti-trans legislation) persecution, many avoid the shelters at all costs. The closure of subways at night has forced even more into overcrowded shelters than before, where they risk exposure to COVID. This latest dystopian threat merely shines a spotlight on systemic, structural flaws responsible for the highest level of homelessness since the Great Depression.

But this is not NYC’s first goat rodeo; we have been here before, so perhaps we can learn a lesson from our checkered past and find hope in our challenges.

Once upon a time, in the urban fiscal meltdowns of the 1970s, someone noticed the sweeping houselessness of children, families, young Black and Latinx folks, and the mentally ill and called the trend “New Homelessness.” It marked a fundamental change in the way we understand the problem: not merely “hard luck,” but as a symptom lying at the intersection of all our personal and societal vulnerabilities. Any one of several hardships could easily force someone out on the street: unemployment; a crumbling family or foster situation; domestic violence; arrest; mental illness; addiction; simply being LGBTQIA+; and the inequalities of structural racism. But the disturbing comorbidity of these troubles only increases someone’s housing insecurity. When combined with a shock, like the cutting of social programs, or a lack of affordable housing and safety nets, this one-two punch can become a knockout.

A Brief Historical Primer

In the late 1960’s and early 70’s, The Great Migration wrapping up, immigrants began pouring in from Latin America and Asia to make a home in the fallout of urban renewal, in areas of entrenched segregation, poverty, and dislocation. Then the stock market crashed in 1973, leading to stagflation (stagnant demand, high inflation and high unemployment). The City found itself billions of dollars in debt. The economy cratered, the “last hired, first fired” minority men found themselves out of work in vital (and already shrinking) union and manufacturing jobs, even as the City laid off thousands and as mass incarceration began. The City begged its creditors and the government for a bailout, and President Ford infamously told the City (in so many words) to “drop dead.”³ Crime began rising, property values falling, and the Bronx began to burn for the insurance money. Meanwhile, deinstitutionalization released thousands of mental illness sufferers into a system utterly unprepared to catch them. Though many researchers maintain that this was not a main contributor to the homelessness of the late ’70s, historically popular Mayor Ed Koch (1978-1989) certainly seemed to think so.⁴ As the crack epidemic hit the US in the early ’80s, the narrative of homelessness began to change. To this day, ADM (alcohol, drugs, and mental health issues) masks a multitude of other structural issues around homelessness from public discourse.

by Francesca Fernandez-Bruce
While Federal withdrawal may have created the conditions for urban homelessness to flourish, Koch’s city-scale policy brought it to term. Reagan’s 1981 budget act cut funding programs supporting housing-insecure groups, and the Department of Housing and Urban Development (HUD) made cuts of nearly 50% overnight. Thus, subsidized housing collapsed from 183,000 units to 20,000 over the course of the 1980s. Meanwhile, social security changed the face of homelessness by providing the historically homeless single, white, older males with a steady income. Taking cues from Reagan, Koch denounced “poverty pimps,” cut social programs and balanced the City’s books in his first two years, to devastating effect. The sudden shock of funding withdrawal at every level, at the time of greatest need (recap: urban renewal, segregation, immigration, unemployment, mental illness, addiction) left our most vulnerable without much recourse.

But opposing changes were already in motion, as the right to shelter was recognized in 1979. A vital new measure, it soon extended to cover all kinds of houseless folks. Still, it was hard-won; in fact, the eponymous Robert Callahan of the Callahan vs. Carey decision died that December, in the streets, shortly before the decree was signed (it’s a gripping, heartwarming, and tragic story that merits a google when you’re done reading this). On the other hand, the City began to funnel billions every year into shelters. By the late ‘80s, it was widely seen to be trying to “manage” homelessness, rather than investing in substantive solutions like permanent supportive housing, in a never-ending cycle of stop-gap measures.

The legacy of these shelters is a frustrating one. Today, the City spends around $3.24 billion on shelters every year, which are notoriously dangerous, difficult, crowded, and cumbersome. Long before the pandemic, shelters threatened the health and well-being of those who used them, with tuberculosis, bedbugs, violence, and theft. This last is critical; theft of vital belongings like documents can be an insurmountable loss for homeless people, who often cannot replace them and are thus barred from some programs and housing. Shelters pose strategic burdens of curfews, early wakings and offer no privacy. Accessibility is another major concern; they may not accommodate pets, disabilities, complex needs like dietary requirements, and may create transit burdens. Perhaps the most crucial, there is simply not enough shelter space, and they are far too crowded for a pandemic. And unfortunately, shelter is still too often seen as a step towards housing.

This is how the approach of “housing first” came to be. The paternalistic approach to “housing readiness” of the 1970s and 80s, which held that residents had to prove themselves along a housing ladder, get clean, and pass various milestones before permanent housing would be afforded them, began to crumble under the scrutiny of caseworkers in the first wave of “new homelessness.” There is a large and growing body of evidence that suggests those housed, no questions asked, are housed faster and much more stably (and cost efficiently) than those in “housing readiness” programs. Remaining housed then allows them to access better outcomes for other issues - thus: “housing first.” The trouble here, of course, is two-fold: finding the affordable housing that makes this possible; and convincing decision-makers that housing-first is preferable to paternalism. So long as investment in affordable, supportive, and public housing lags, we increase pressure on shelters even as we invest in expanding them. And we must expand them, by law, to accommodate need. So it’s something of a catch-22.

Recognizing the housing affordability crisis, Koch created a plan for which he is much adored, but the Devil’s in the details; it was never built to house the poor. His collection of policies and ten-year plan, which helped successfully lure back the middle class and their taxes, consecrated the practice of leveraging the private market to grow the housing stock (and enrich developers). Firstly, it offered low-interest loans to make repairs and upgrades to low-income housing like Single Room Occupancy (SRO) units, which were perceived as dilapidated dens of vice and crime. Ultimately, this policy cannibalized a vital stock of affordable housing for the at-risk and marketed it to the middle class. In 1985, they realized their mistake and issued a moratorium on SRO destruction, but it was too late to save many units from the shredder of gentrification. Today, there are fewer than 40,000 SROs; 11,000 are now owned and operated by nonprofit supportive housing sponsors. Meanwhile, the SRO unit is back in vogue and finding a market in young professionals, who are struggling to get a foothold in the City’s cost-prohibitive environs.

A further private sector legacy from ‘80s housing policy is developer tax credits (please, numbers-averse folks, bear with me for a paragraph). Subsidies for new construction projects and the LIHTC (Low-Income Housing Tax Credit) largely failed to help the most underserved, as the system was full of loopholes, and developers were subsidized to provide “affordable” units to proportions of income brack-
ets that skewed high; the “80/20 rule” mandates that at least (read: only) 20% of units built with these credits must be affordable to the very low-income. “Affordability” is still based on AMI (Area Median Income), which defines the “Area” as the City and its wealthy suburbs, such that in 2020 the “median” is over $100,000. Thus, the City paid developers money (which it could have invested in much-needed services) to build units that were unaffordable for the truly low-income. Oops. Additionally, these low-income units may graduate to market rate after about 15 years, meaning funds from taxes incentivize a temporary solution that ultimately drives development in ever-more desirable areas, raising property values and rents. Double-oops.

In effect, the City was simultaneously trying to house homeless individuals and families on a constrained budget, feeding the engine of redevelopment and gentrification that was destroying accessible transitional housing, and investing in creating temporary solutions to catch up with the law. This is roughly the same game it’s playing today. With astronomical income inequality (41% of New Yorkers lived on or near the poverty line before the pandemic), real wages for the poorest that haven’t budged since our story began (nearly 50 years ago, in 1973), and a crisis to rival any that’s come before, we can’t afford to make the same mistakes.

If this s*** sandwich has a toothpick, it’s the concept of hysteresis. Hysteresis holds that the reversal of effects lags behind the reversal of causes. Put colloquially, toothpaste once squeezed out, cannot be easily put back in. We can see this in so many of today’s pressing crises, from the economy to the pandemic. Even given perfectly effective solutions, any recovery would be hampered by the decades in which the problem has been allowed to fester and grow. Like any entrenched and inhumane problem, it leaves scar tissue on society’s surface, which takes generations to heal.

This might explain why De Blasio’s Turning the Tide on Homelessness plan is widely considered an unforgivable washout. It makes many familiar mistakes: misleading definitions of “affordability”; underrepresenting the lowest-income in its ratios (only 25% of units); leveraging the private sector with limited impact; subsidizing developers to gentrify. It also relies on rezoning (another historically big driver of gentrification) and has no clear role for non-profits. It doesn’t invest sufficiently in supportive housing, im-

**The Good Bit at the End**

Of course, New York is not alone in its homelessness woes, which strike cities across the country, pointing to systemic failures in our system of government (shocker). On the other hand, perhaps the silver-lining of our system-wide catastrophic failure to allow equitable distribution of resources is that it is, in fact, system-wide. It is precisely because there is so much struggle across regional, racial, and class lines that we are rediscovering our solidarity, a quality
that is seemingly forgotten since the second World War. In the face of American exceptionalism and individualism, we recognize each other’s suffering as structural in nature. We call for changes like health care, mental health crisis responders, a livable minimum wage, affordable housing, and reform on a national scale. And at the scale of individuals, we often feel urgently called to action as we have not before. Facing Great-Depression-era collapse, we have Great-Depression-era opportunities; as they responded with a grand New Deal, so might we do, and we can work to ensure that this time around, it will be more equitable.

Here in New York, there are similar echoes. We can’t forget that public housing began in this town, under Fiorello La Guardia - a mayor who lost his wife and daughter to tuberculosis likely contracted in tenements. He took the city through the Depression and influenced the New Deal through his respect and close partnership with Roosevelt. He seized a window of opportunity in a time of struggle. We can only hope our first ranked-choice mayoral election, in 2021, will yield such a leader.

First, of course, the City must weather the storm. Immediately addressing evictions and shelter needs might prevent an especially dangerous housing cataclysm and hysteresis amidst a lethal wintertime wave of the pandemic. At a bare minimum, this means standing up to the pressures of those who say “Not In My Back Yard” (NIMBY). The City must coordinate with the state and federal government on housing protections, funding, and private sector incentives, and reinforce deteriorating rent stabilization laws in the mid-term. And there is reason to hope that a shift may be imminent at both local and national scale.

If you read local papers, you might have heard of the dust-up about sheltering homeless men in the Hotels Lucerne, Belnord, and Belleclaire - a fight over how, where, and when the City can and should respond to an urgent need for housing amidst a pandemic. In some cases, locals have marshaled against these placements. In others, they have risen to defend their houseless neighbors against eviction. As one resident of the Lucerne told me, “it means the world” to them to be welcomed, valued, and protected by their community. The case regarding their eviction and relocation is still making its way up through the courts. The conflict feels sharp, poignant, and heartbreaking. It also shows there is hope in solidarity. City and state recently agreed to prioritize vaccinations for those exposed in shelters and congregate housing, and a new program is paying residents minimum wage to clean the neighborhood and build goodwill. In fact, a recent poll finds that a comfortable majority of New Yorkers support housing the houseless in their neighborhood.10

There’s even more good news if you can believe it. There’s support for a slew of anti-eviction policies and moratoriums, and strengthening tenant laws, which makes economic sense since allowing families to end up in shelters costs roughly three times as much as helping them keep their homes. Meanwhile, in a silver lining development, rents are down across the city (let’s hope that’s good news, anyway). The City Council recently passed a bill making developers of rental buildings with more than 40 units set aside 15 percent of their units for homeless individuals, which should create 1,000 new apartments per year in perpetuity.11 Just a few weeks ago, the NYPD started sending trained social service providers to mental health calls instead of police; however you feel about the fuzz, that’s a major step towards decriminalizing and preventing homelessness.12 What’s more, nonprofits like Breaking Ground explore creative solutions like retrofitting hotels and office blocks for the homeless by rezoning in already high-income areas.

And at the national level, our recent elections might actually herald real change. The incoming administration has

In the face of American exceptionalism and individualism, we recognize each other’s suffering as structural in nature. We call for changes like health care, mental health crisis responders, a livable minimum wage, affordable housing, and reform on a national scale. And at the scale of individuals, we often feel urgently called to action as we have not before.
listed explicit measures to address the affordability crisis, though these will not be flawless. It’s pledged $640 billion over 10 years.\(^\text{13}\) More importantly, it seems to suggest that money might actually be directed towards need, not wealth. Parallel reforms in health care and criminal justice reform will reduce the risk of those comorbidities we talked about earlier. Now that Congress’ agenda lines up with that of the executive, sweeping changes to federal assistance, programs, housing policy, and protections stand a chance of being enacted. They could do much to mitigate at least the short-term crisis. Perhaps most exciting, there is more political engagement and voter turnout than ever, and volunteerism is very much on the rise; people are stepping up to care for each other. (Incidentally, if this inspires you, head over to newyorkcares.org or coalitionforthehomeless.org, and volunteer to treat yourself to some of those feel-good brain chemicals.)

Some have compared 2020 to the opening of Pandora’s box, a vessel from Greek mythology containing all the troubles of the world. But after all the troubles escaped, Hope remained. In the face of extraordinary challenges, we can’t let our cynicism get the best of us or repeat our past mistakes. Now more than ever, we have to use all our hope, creativity, wisdom, solidarity and power as individuals to make sure our neighbors aren’t risking life and limb on the streets. Homelessness is a policy choice; it’s up to us to make a different one.

If you see homeless people and want learn how to help, please visit the website for Coalition For The Homeless, which hosts FAQ, downloadable crisis cards, resource lists, and contact information for various programs.

2. ibid


30 Schanzenbach and Pitts, How Much Has Food Insecurity Risen?”


We interviewed Mehdi Heris, the Hunter Department of Urban Policy and Planning’s newest professor. Both of us, Madeline and Rachel, were in Mehdi’s Urban Data Analysis course during the Fall 2020 semester and got to know him a bit there. We want to introduce him to readers, especially students who have not had a chance to take a class with Mehdi, since we are unfortunately not able to welcome him in person on the 16th floor of Hunter West right now.

Urban Review (UR): Could you start by telling us a bit about your academic and professional background, and how you got interested in urban planning and policy.

Mehdi Heris (MH): I am one of those rare creatures who started planning from undergrad [in 1999], at the University of Tehran, Iran. I was among the first cohort. In my sophomore year I became interested in geographic information systems or geospatial methods, GIS and started using computers and software for analyzing and visualizing urban planning data.

My [first] master’s degree was from the same university. After getting my masters in Iran, I got a scholarship to go to the UK for a master’s degree at the University of Sheffield. Sheffield, because it is a very theoretical school, really helped me to understand the landscape of urban planning theory.

And then… I ran back to Iran. I wanted to start planning practice and work as a professional. For three years I worked for consulting firms on different projects. I’ve worked on the Comprehensive Plan of Tehran, a city of ten million. When you do planning in a system like in Iran, you are engaged with the political system, and the political system in Iran is very closed and conservative. So you see how that system of power is really controlling planning in many ways, and dismissing it. As a planner, you have to find your way to offer solutions, procedures, and see how you can still do some meaningful work. It is not always possible, but we did our best in 2011 when the political situation in Iran was not really great.

My job, and the consulting firm that I was working in, was affected by all the political tensions. So, I started applying for Doctoral degrees in the US. I came to the US and started, hopefully, my last degree in planning. I got my PhD in planning at Denver and Boulder, Universities [of] Colorado. And then I was interviewed for this position at Hunter College and I got the job. I was happy! We moved to New York, I finished one semester of teaching and survived it.

UR: You mentioned that you started studying GIS back in the late ‘90s and now you are teaching GIS for Hunter’s Urban Policy and Planning Department. Could you talk about your experience with GIS over the years and how it has changed, what that change brings to your thinking about how Hunter’s GIS program will develop?

MH: Right, we are dealing with computers and that changes a lot. When I started GIS it was command-line, [it was] really not easy, [there were] so many problems with those floppy disks... but it was also exciting.

My philosophy of planning really changed over the years. First I was... very technocratic, in terms of using the data and building very rational models, and believing that the computer can do everything for you. It’s just the hype of technology, you think you can do so much with it, that you can model everything. Planning so has so much trust in modeling and quantitative methods.
When I went to the UK, I started to work with Peter Bibby. He had a lot of great knowledge and insight in planning. My first meeting with Peter, I vividly remember, that I sat in front of him and said, I have an idea for my thesis to model pedestrian behavior, how density and land use change can change pedestrian behavior and density on streets, using agent-based modeling. And after everything, Peter said to me, ‘Well, I don’t think I can be your advisor.’

And he was actually one of the only people who worked on topics like using GIS and the application of GIS in planning. I thought, ‘you are the GIS person in this department and you are telling me that you cannot advise me. How is that?’ He said, ‘planning doesn’t work like that, you know, modeling doesn’t work like that. We cannot really solve every problem with modeling and that’s not how I use computers and software.’

It was a wake-up call for me at that time. We started working together, eventually…. he taught me how I could use GIS for evidence based policy analysis. In one year, my philosophy was entirely changed. [Now] I identify myself with policy analysis, not GIS analysis, or data, really. For analyzing policy you need data, [it] is an ingredient, but not your goal. Your goal is to understand the policy, and inform planning efforts about policy for changing things, [for] interventions. I followed that approach in my PhD, where I worked with Brian Mueller.

I teach quantitative methods and GIS, but my approach is different than, for example, the GIS that you learn in the geography department. My approach is; how do you want to use data analysis for planning issues; what is the connection of justice to some data? In planning we can speak with evidence and say ‘we have a problem,’ and we can show that problem in maps, in numbers. [During the interview at Hunter College] you mentioned that you have a passion for street photography, and you describe yourself as an urban photographer. How has your creativity played a role in your work, which is mostly analytical?

MH: I identify myself as an urbanist, as a person who advocates for cities and for city lifestyle. For me, life really happens in the streets. If we want to deal with climate change we need to live in dense communities. So, if you believe in cities, that cities are the solution, then...

I have a romantic relationship with the city. There’s beauty in it and when you walk on the street, you see people doing different activities, you see that beauty. Some people live on the street, unfortunately. If you have an acute eye you can see the conflict and problems [on the street], the income gap, or an access-to-resources gap. [But] also beauty.

I love walking! It’s a [way] for me to clear my head, and I also grab my camera. The photos [I take] are very simple, very raw. When you capture a moment, it becomes, for me, a piece of art... My relationship with street photography is just seeing that reality.

I often find that I reflect my own life journey in photography. For example, I had a difficult time around 2016, and [did] a lot of self-reflection, walked a lot. I was paying attention...
to homeless people on the street and the way they struggle. I started talking to and photographing homeless people. It was a really great, profound experience. I noticed that when I have those self-reflections I see those details more. I think that’s the definition of art; that we have a personal, emotional connection with our environment, and with people. Photography is a medium for me to see that and capture it.

**UR:** From your experiences talking to people who are unhoused, the pressures of climate change, social movements which are largely centered on racial and economic justice, or the conditions of the pandemic which have exposed the precarities of so many different people, how do you see the role of urban planning or planners and policymakers, or policy analysts, changing in the future?

**MH:** The pandemic is a crisis, right, like any other crisis. [It] really brings those problems to the surface, it intensifies them, intensifies the income gap. Vulnerable people are affected heavily, and the people who have resources are less affected. This is a function of crisis, whether it is a climate related crisis or pandemic.

As a planner the pandemic has brought up many questions. Something I’ve been dealing with as an advocate of cities, an advocate of density is that, all of [a] sudden, people are questioning density. So many anti-urbanists are saying that cities are the source of the problem in a pandemic. I think that’s [a] really shallow analysis. Cities are places that we are struggling to manage in the pandemic, and that’s true in New York. [But] for planners, we need to find solutions in order to have a dense community without exposing ourselves to those risks. How can we reorganize land use to minimize transportation and commutes? How can we offer safe transport alternatives? Food [access] is another very serious problem, how is the economy being managed, unemployment, and how are resources like housing being distributed. These are really serious planning questions related to systemic problems, in terms of the political economy that we deal with, the pandemic and crises just bring them to the surface with more urgency. The planning paradigm is an open question, and we need to explore more and do more research on it.

**UR:** Would you mind if we ask you a few questions about [yourself]? We met your wife on Zoom in our class at the end of the semester. Do you have any children, or anyone else in your family who lives with you?

**MH:** It is just me and Elena, my wife. Elena is from North Carolina...all of my family are in Iran.

Shes a sweetheart, and she is also a transportation planner. We share so many values, like, we are anti-car people. And she’s anti-air travel. Elena is a train lover, she can talk about trains and bikes all day. [We said hello to Elena on Zoom] She works for National Renewable Energy, they research
transportation and energy, trying to disentangle all those relationships with alternative transportation modes, and the amount of energy mitigating carbon emissions. We talk about those things and often find ourselves imagining a city without cars, or [discussing] why parking is free.

UR: How did you two meet?

MH: That’s another interesting personal story that is connected to planning. We lived in cooperative housing together. Elena lived in cooperative housing from 2012, I started living in her co-op in 2016. Cooperative housing is different from the “co-op” that we use in New York; people live together in one house, sharing resources. It’s another way of sustainable living and believing that we can have more affordable housing. We also were in a [legal] fight in Boulder, to legalize co-ops - there was a limit on the number of people living in one house [who are unrelated]. I joined their campaign.

We started dating sometime in late October. Halloween was the first time that we went out, Elena’s costume was an EcoPass card, a pass for busses. Her head was in the place of the photo [on the card], and my costume was about NIMBYism. I had a house, a single family house, as a model on my head and I had created a word cloud. I put the op-eds that NIMBYs in Boulder wrote about against co-ops and I used those articles as the cloud words. They were “density,” or “single family housing,” or “zoning” and that was my costume.

UR: You mentioned that as part of the co-op everyone cooks for each other. [In] our first class of the data analysis course, you asked us what our favorite spices are. Do you do a lot of cooking at home?

MH: Yeah, I do a lot of cooking, my relationship with cooking really started in the co-op. I started cooking more and more and started enjoying [it], actually. I use lots of spices, I’m definitely a spicy person. Saffron is a key one that is used for Persian food. But not only that, I love curry. I recently have been experimenting with Asian food and styles and flavors - ginger, soy sauce, sesame.

UR: The questions you asked on the first day, and that you kept asking a different question every day at the beginning of class, that really made your class special and it helped everyone get to know you, to know each other. It made class feel more normal because this [online class] is a very impersonal way to go to school.

MH: Online education is a very unique experience for all of us. It is very alienating in many ways. So, when you have to do it - I really thought about it - how can we make it more fun and personalized, where the students can talk about those things that they usually talk about before starting the class, [creating] a more friendly environment. For me, that was talking about something unrelated, something as fun as spices, your favorite thing to do. And I chose music to have at the beginning of my class, it really breaks the formality. Things that happen in reality are what we lose in the virtual environment.

UR: Those questions, like you said, they were a really fun way to get to know each other. It’s not as easy to do that [online]. Is there anything else that you want students to know about you that they might have not gotten the chance to learn about you yet?

MH: The only thing that I can tell students is, don’t be shy. I’m not a formal person. I don’t like when students call me “Professor,” call me Mehdi. You can reach out to me, ask your question, we can connect. We can talk about things that I know and you want to learn. That’s great, you know, but other than that, we are human. I enjoy informal conversations like this. I would tell people, don’t be shy, reach out.

UR: This has been really great. We wanted to ask one closing question; for people who are going to read the journal, specifically students at Hunter who haven’t had a chance to take a class with you: Is there anything that you want to communicate to the readers about your thoughts on urban policy or planning, or what you see for the future of the department, now that we’re developing a GIS program?

MH: I would say, for a young planning scholar who wants to start planning as a major, as a discipline, I want to tell you that you are in a great spot, you have a great opportunity to change things. That doesn’t really happen for so many other majors and professions. Planning really has that opportunity, but planning also has a lot of challenges in terms of finding ways to do something real when there are complex politics, when there are limitations. We should be
engaged in the process of planning, in the deliberation of solutions.

Climate change is moving very fast, faster than we think, faster than we can imagine. And planners who deal with cities are at the center of this. This is a great opportunity for us to start thinking, how we can change the planning paradigm. We need to break the status quo and go beyond it. For example, this was one of the questions I asked my students - if you are a planner and you could do anything you want, what would you do? That's a really profound question, if we can imagine what we want to do, then that really penetrates your thoughts and your practice of planning.

Imagine a city without private cars or private vehicles. For many people, that's not even imaginable, and that's really sad. I think we should start thinking about those radical solutions, not that we want to implement those tomorrow. But if we can imagine those radical solutions then that just sinks down in our approach and philosophy and then, all of a sudden, you are breaking the status quo. If I wanted to teach someone something, as a planner, as a teacher, that would be: don't be constrained by the status quo, at least let your imagination fly.

Answers have been edited for clarity and length.
AN INTERVIEW WITH JIMMIE WOODY

The role of artists and cultural institutions is a central question in many gentrification debates. Neighborhoods across the country, from Brooklyn’s Williamsburg and Bushwick, to Miami’s Wynwood, or to Los Angeles’s Boyle Heights, have seen rents rise and long-term residents displaced as artists, performance spaces, and galleries come into the neighborhood.

But, of course, to cast all art and artists as part of the machine of gentrification is an over-simplification. Artists live everywhere: in gentrifying neighborhoods in global cities, yes, but also in small towns, in the urban cores of shrinking industrial cities, and in suburban enclaves.

Art spaces, too, exist all over. Art exists in the hushed hallways of museums along New York City’s Fifth Avenue, and in community centers serving local populations; not just in well-heeled concert halls set in City Beautiful-era parks, but also in dive bars, and on make-shift stages in parking lots.

As planners and policy makers, we must consider the diverse range of artists and cultural institutions that make our neighborhoods vibrant, exciting places to live. However, while arts emerge everywhere, some neighborhoods are more well-served by cultural institutions than others. In New York City, Manhattan is home to the bulwark of museums, theaters, and other cultural institutions, while neighborhoods in outer boroughs have few such institutions. These disparities exist in other regions as well. In Cleveland, many institutions are clustered around a handful of neighborhoods—University Circle and Playhouse Square, for example—while other neighborhoods have very few cultural institutions.

I spoke with Jimmie Woody, a teacher and artist in Cleveland, Ohio, about his project—the Woody Restoration Arts Incubator. In Lee-Harvard, a majority Black neighborhood on Cleveland’s East Side, Jimmie Woody is working to convert his father’s corner store into a center of arts and culture for the neighborhood’s residents and the wider Cleveland community.

Below are excerpts from our conversation about building cultural resources in the age of Black Lives Matter.

Kevin Ritter: To start off, could you tell me a little bit about the building that you are working on for this project?

Jimmie Woody: It was my father’s building. He purchased it back in 1961. It was part of my family. I worked in the building, my sisters worked in the building, In my idealistic head, I said, “I’m going to do it from Cleveland is going to happen here.”
Part of the Woody Restoration Arts Incubator Project is restoring the building, which was a central part of that neighborhood community for over 45 years, especially when my dad was running it, back to its condition and even making it more suitable to do arts. So it's kind of like me trying to re-establish that legacy in a weird way: now I'm of age and it's, it's funny that my dad, everybody referred to my dad as Mr. Woody or Woody. In some way I've taken on that moniker, people call me Mr. Woody. [The project is] restoring the building back to its grandeur and in a neighborhood that, you know, has its challenges.

Kevin: Could you share a little more about Lee-Harvard, both its longer history and some of the challenges it's faced?

Jimmie: Lee-Harvard back in the time when my dad moved into it was predominantly Polish. [In the 1950s], Black people were moving in there and there wasn’t much serious pushback. When [my dad started working] there, I would say at least on 138th and Harvard, the neighborhood still had was predominantly Polish. But then eventually over the years, you know what they call white flight, people started moving out. My sisters were eight, nine years older than me, they know way more what it was like before it became predominantly Black. Lee-Harvard was the moving on up neighborhood. African-Americans that were middle-class, they moved to Lee-Harvard, and then it kind of trickled into Warrensville [an East Side suburb of Cleveland.] It was a mixed community. Now I won’t say that it was 80% white when my dad moved in. You could tell it was slowly starting to change a bit, but there was still was this nice mix.
deindustrialization, the crack epidemic, and the resulting over-policing associated with the War on Drugs. More affluent neighboring communities attempted to erect barriers—both social and physical—to keep Lee-Harvard residents out.

Jimmie: Lee-Harvard is right next to Shaker Heights [one of the region’s most affluent suburbs]. They walled off the street to keep people from going from Lee-Harvard into Shaker. They literally put a barrier to keep Black people from traveling. Some of those barriers still exist. You’re like, Wait, you can tell this is a side street that should go through, but it doesn’t.

Or get this: literally, Kinsman Road delineates that that’s Cleveland. It changes into Chagrin Boulevard at Lee Road [the border of Cleveland and Shaker Heights], which is letting you know, systemically, Kinsman is for these people, Chagrin Boulevard is for these people.

Kevin: In your GoFundMe, you wrote that a good part of this project was devoted to your parents’ legacy. Can you tell me about what their legacy means to you?

Jimmie: My dad passed away in on September 8th, 1998. That’s what prompted me to come back to Cleveland. And then almost two years to the date of his passing on September 11, 2000, I came home and my mom had passed away in her bed. So, you know, I was just like, okay, I gotta take on that. But when I talk about my parents’ legacies, my dad was the entrepreneur. He was the guy that like, I’m going to create a business for myself and my family and for the neighborhood. My mom was the artist. My mom made metal, she painted, she did crafts, she crocheted. The art side of me comes from her. This entrepreneurial side comes from my dad. Part of what I want to do is I want to merge my artistic and this entrepreneurial side in that building. So I can have my own. And, and that was kind of what my dad was like, Hey, stop working for everybody else.

After his parents’ death, Jimmie began to host arts events—called The Labyrinth, which took place once a month over many years in the upstairs spaces of the building.

Jimmie: I’ve always wanted to do arts in that space. Even with The Labyrinth, And I always wanted to do something that would pull on so many different disciplines and it was intergenerational. I have people that are like, Mr. Woody, man, I never hung out with my mom or my dad until your party. Also just different ethnicities, black, white, gay, straight, transgender. And that was the thing too. Each month, I wouldn’t even put it out there, but it just would seem like The Labyrinth would take on different things. One month, I would come there and it was a big part of the LGBTQ community was in there. Another night, you know, another time it had to be a nice pocket of Black, Hispanic, Latino people. And I’d be like, wow, I wouldn’t even be putting it out there like that. Each month was always so very different.

A Labyrinth event. Photos courtesy Jimmie Woody.
One thing that people always should say when they came to my building: *This just does not feel like I’m in Cleveland. It feels like I’m in New York city. It feels like I’m in Amsterdam. It feels like I’m in LA. It just, it transports me.* You got the murals soon as we come up the hallway, you got this. *There’s just a vibe that it’s chill. It’s not, everybody’s trying to put on airs and try to pretend like they’re something that they’re not.*

So that’s the backstory of what I was doing with the building. But what I always wanted to do is, I wanted to go into the downstairs area and do stuff with the storefront. I wanted the one storefront. That was my dad’s store. I want it to be a multi-use black box space. Then the other side, which he converted into an ice cream parlor. I want it to be a cafe.

It’s also influenced by other places, such as the Stony Island Arts Bank in Chicago, and that started by a visual artist named Theaster Gates. When I went to the Cuyahoga Arts Council and I talked to the president, she came over to my building saw and she’s like, *Everything that you’re doing sounds like in alignment with Theaster. It sounds like what you want to do is to create an arts bank or a center that will help to rejuvenate the community.*

Jimmie spoke about the neighborhood today, and the unique challenges facing Lee-Harvard, including the lack of community investment in neighborhood resources.

Jimmie: *There’s a park right across the street from the space. And there was a school called Jamison Elementary that was built. But they tore that down. And so now there’s a big green grass connected to a park. There’s some activities that they do there, but I’ve said this for 15 years, for 20 years: This is no different than Tremont [a gentrifying neighborhood on Cleveland’s West Side]. Tremont, when I first came back to Cleveland, wasn’t the dandiest place to be in, but artists hung out there. And then what always happens just like in New York, just like in Soho, you put arts activities and then slowly businesses and people want to be around the artists. And so that they want to redevelop the area that’s around the arts. So therefore it transforms the community. And that’s what I’m trying to do. I mean, I had people coming to me say like, Oh man, I’m going to put in a 24 hour liquor store. And my thing is, well, how the hell is that going to help the community? What does that do for this community? It just winds up being the same thing that already exists.*

Kevin: One thing I’ve been thinking a lot about is this sort of relationship between neighborhoods like Tremont and the work you are doing. In the past 10-15 years, parts of Cleveland have seen large efforts for regeneration and gentrification. You can see this in Tremont and Ohio City on the West Side, and also Public Square and Playhouse Square downtown, even Arts Collinwood on the East Side. At the same time, there are also many neighborhoods and communities—including neighborhoods like Lee-Harvard—in Cleveland that have not seen that sort of large-scale investment in their communities. Cleveland remains the poorest city in the nation and highly segregated. Can you talk a little bit about those kinds of disparities?

A new real estate development in Cleveland’s Ohio City neighborhood. While some neighborhoods have seen large-scale development in Cleveland, such as this one, other neighborhoods have not seen such development. Photo by Kevin Ritter.
Jimmie: The biggest challenge is some of the systemic issues that pre-existed in Cleveland. What I always came up against was I would be like: I was talking to a couple big wigs in foundations, grants, and stuff like that. I called them and they listened. They said, It sounds great. But have you ever thought about just doing your thing through Karamu House [a long-standing Black theater in Cleveland]?

And I was like, I worked there at one point in time, but you’re asking me to do what I do through Karamu. That doesn’t make any sense.

One of them said, what do you mean by that?

I was like, I’m talking about doing something in Ward One. And you’re talking about Fairfax neighborhood. So you’re telling people from Ward One to travel to Fairfax?

I had one guy go, Why don’t you just do your thing out of Tremont?

And I’m like, You’re asking me to take it away from [Ward One]. There’s no arts in Ward One, a totally unserved area that has no arts other than the Lee-Harvard Community Service Center. They more or less deal with elderly and some programs with kids, but not with an artistic sensibility and it’s no shade against them.

To step away from that. Does anybody say to Ensemble Theater, “Why are you running Ensemble Theater when you’ve got Dobama Theater in Cleveland Heights? Why are you running Dobama Theater and Ensemble Theater when you’ve got the Cleveland Playhouse? I hate to say it, but why do white institutions get to have a plethora of options? But when you say African-American or Black people or people of color, you get one spot.

Jimmie is currently fundraising for his Woody Arts Incubator Project via GoFundMe (www.gofundme.com/f/woody-restoration-art-incubator-project-phase-1/); the project’s first phase focuses primarily on mitigating some of the building’s structural issues; the long-term goal is to create an art center that serves the community in Ward One, especially uplifting Black voices, Black stories, and Black lives.

In Cleveland’s cultural landscape, many neighborhoods lack arts organizations, in part due to historic segregation and disinvestment that have extensive ramifications today. The Incubator Project represents one community’s step to create more cultural institutions that support and uplift the people of Lee-Harvard and greater Cleveland.
Since March, we have witnessed an explosion of grass-roots initiatives across the country aimed at meeting basic human needs during the pandemic. Largely organized by local neighborhood activists, these initiatives have been termed ‘mutual aid,’ describing their attempt to provide collective care to communities and groups desperately in need. In a year that has felt apocalyptic to say the least, the stories of these efforts have been heartwarming, inspiring hope that things may end up ok.

People across the country transformed their garages into mask-making factories, sewing masks for health-care workers and neighbors who were unable to obtain them because of supply and distribution failures. Volunteers made meals, and worked at food banks to make sure that folks who were unable to work had enough food to eat. Young people home from school volunteered to bike and take rideshares delivering groceries and prescriptions to elderly neighbors who would otherwise be risking their lives leaving their home. Community refrigerators were installed on city streets encouraging folks to take what they need and give if they can. Even a baby and pet sitting group was set up for front-line workers in Minneapolis who couldn’t be at home. These were stories of people stepping up to help each other out in a time of crisis showing that as bad as it was there would always be good to help fight back.

These efforts also highlighted the ways in which the state has long been failing its people, and how the abhorrent planning and mismanagement of the pandemic only exacerbated its systemic problems. Although partially the story of individual innovation and resilience in the face of crisis, pictures of nurses wearing garbage bags because they didn’t have proper PPE were also the story of failures of government and capitalism to adequately provide even the most basic necessities for people to live. The fact that Black, Latinx, and American Indian populations were hospitalized and dying at double to triple the rates of other ethnic groups highlighted the health inequities and structural racism that oppresses these groups today.

The pandemic merely magnified the existing inequalities in society as folks who were already struggling with food insecurity and housing costs were waiting on food bank lines eight blocks long while others were able to flee to second homes in the Hamptons and Catskills. This showed not only failed pandemic planning, but also a state and capitalist system designed to work against the interests of marginalized groups of people.

An answer to this has been Mutual Aid: collaborative care that works outside of the realm of government and capitalism to provide folks the essential means by which to survive. The donations to GoFundMe pages to help folks pay rent have come directly from neighbors, not grants or tax-write offs. Community fridges are often managed by neighborhood residents, not government agencies or grocery stores. The role of the state is certainly important, the development of a vaccine and the scale of federal stimulus can’t be conjured by neighborhood groups alone. Businesses play an active role as well, as factories have the capability for PPE production and stores have electricity for the installation of fridges. But we also need to hold the system accountable for its failures and its oppressions, and the efforts of Mutual Aid do exactly that. As we turn the corner on 2021, we must remember that ‘normal’ was an inequitable and unsustainable world, not something to jump right back into. Most importantly, mutual aid efforts during this time show that folks can come together and help each other in ways they didn’t before, forging solidarity and the foundations for a better future.
A History Steeped in Anarchist Ideology

The term ‘mutual aid’ comes from the idea that common people, not the state or the free market take care of each other the best. The concept was coined by Peter Kropotkin, a Russian anarcho-communist who like many radicals at the turn of the last century proposed a vision for how to build a better world. In response to growing Czar power, he advocated for a decentralized society free from central government that was based on the voluntary associations of self-governing communities and worker-run enterprises. Mutual aid was central to this vision; Kropotkin argued in *Mutual Aid: A Factor of Evolution* (1902) that instead of Darwinian competition, cooperation and solidarity played a leading role in the evolutionary progress of humankind:

“In the practice of mutual aid, which we can retrace to the earliest beginnings of evolution, we thus find the positive and undoubted origin of our ethical conceptions; and we can affirm that in the ethical progress of man, mutual support not mutual struggle – has had the leading part.”

Kropotkin believed that groups and institutions like hunter-gatherer tribes, guilds, and the ‘commons,’ were altruistic by nature and responsible for the survival and well-being of society. In his history of everyday life, it was the increasing power of a centralized state in the 16th century that replaced cooperative life with a competitive one, enclosing land and forcing individuals to compete amongst each other for scarce resources. This critique of government has always been embedded in mutual aid: that self-organized small-scale groups can take care of each other and provide a cooperative environment in ways that central authority cannot.

Kropotkin’s vision did not come to fruition in Russia; the country unfortunately became known as one of the world’s most centralized authorities. However, we can see examples of mutual aid from other time periods and countries. One great example comes from the Black Panther Free Breakfast Program in the US. In 1969, the Black Panthers organized a ‘Free Breakfast Program for School-children’ at an Episcopal Church in Oakland, which later spread to cities across the country feeding tens of thousands of children before school. The program started as a response to the oppression of the state--racist housing policies, white flight and urban renewal were eviscerating cities and Black people were left to fend for themselves. The FBI and police even tried to suppress the program, going door to door telling parents that the Panthers had ‘urinated’ in the food, or the breakfasts would give their children venereal disease. The fear was that the success of this service -- teachers reported students who received breakfast were more alert -- would undermine the state’s authority and control. Although the Black Panthers were ultimately persecuted, their mutual aid efforts were able to push the state to provide better and more equitable services: in 1975, the USDA authorized the School Breakfast Program, providing free breakfast to students before school.
school across the country. To this day, the school breakfast program plays a major role in serving underprivileged communities, largely thanks to the efforts of the Black Panthers.

The Successes and Challenges of Mutual Aid Today

The mutual aid efforts since COVID-19 have also had amazing successes in being able to provide services and help folks in need, and face new challenges in being able to sustain these efforts long-term throughout an unprecedented lockdown. In line with anarchist origins, many mutual aid efforts happening today are loose associations and informal networks rather than definitive bodies. They take a multitude of forms, having physical storefront locations like the group Woodbine in Ridgewood, or active online pages and servers like DC Mutual Aid Network, organized by neighborhood ward on Facebook. Many groups originated before the pandemic, and have adapted or expanded to meet the current needs. ‘In Our Hearts NYC,’ a self-described ‘anarchist network of autonomous collectives,’ has been organizing community dinners and food shares in Brooklyn since the early 2000s, and since the pandemic has enlarged its efforts by supporting community fridges.7

Other groups like Forgotten Harvest in Detroit initially struggled with a labor shortage as their food pantry volunteers were mostly seniors who would be risking their safety if they left their homes.8 However, there quickly became a massive increase in volunteers everywhere as people of all ages found themselves at home with nothing to do and a sense of urgency to act in this crisis. Groups were able to scale up immediately, even having an overabundance of goods and labor at some points. Invisible Hands, a volunteer delivery network in NYC, initially coordinated on group texts and in just a matter of weeks became a non-profit organizing hundreds of deliveries through apps like Slack.9 Community fridges, which increasingly popped up on the streets of cities following the events of the summer, were tallied at 12 in NYC in July by the New York Times and by December there were reported to be over 80.10 This was an unprecedented mobilization of people across the nation who felt the need and had the ability to help other folks who were struggling during this time. However, the challenge remains of how to keep that momentum going long-term. There have been some reports of burn-out, as Simone Policano from Invisible Hands said in October 2020, “People thought this might have lasted two weeks, and it’s been nearly 8 months.”11 Folks who stepped up to volunteer and donate feel exhausted from spending time packing up food boxes, cooking meals, and biking around doing deliveries. In the DC mutual aid network, groups have been forced to scale down because of decreasing funds. At the height of the lockdown, Ward 5 Mutual Aid Group was handing out direct cash payments to those who requested it. They then had to limit it to $100 per caller, and then one call per month, and by October they had to temporarily pause the program. Similarly, Ward 2 was handing out 150-200 bags of groceries a week at the height of lockdown, but was forced to scale down to every other week.12 Mutual aid groups rely on donations, labor and funding from members within the community, and as the lockdown continues groups are being
challenged to continue to provide while also being able to sustain themselves in the long term.

The dependence on active funding and participation gets at a fundamental challenge that mutual aid groups are experiencing during COVID-19: a large portion of people who are putting in the labor and energy to these efforts don’t rely on them as much as the folks they are trying to help. A goal of mutual aid is that it is ‘mutual’: aid does not flow in one direction but rather is based on reciproc-

ity through the active participation of various groups of people. However, some of the most active participants in mutual aid efforts are those with the privilege to be able to do so. “Volunteerism is a privilege,” said Simone Poli-

cano, noting how Slack groups on the Upper West Side and Upper East Side had double to triple the number of members as did groups in the Bronx.13

Though participants everywhere tend to be ideologi-

cally and politically motivated to fight for social change, like any form of community organizing it is a challenge to actively include members from the poorest and most oppressed groups in the process. Classic forms of charity, while able to nobly help folks out in the short term, don’t strive for the empowerment of poor people and transformative change like mutual aid does; hence the phrase ‘solidarity, not charity.’14 There have always been some aspects of charity in mutual aid: even the Black Panther Party received support and would rub shoulders with the well to do of the Upper East Side.15 But creating the recipro-
cal relationships that can make groups self-sustaining in the long term is a fundamental challenge for mutual aid efforts as the COVID-19 crisis continues. To quote Louise Delmege, a mutual aid organizer in the UK:

“Overall, we’ve seen a rise of mutual aid efforts during lock down, it’s been amazing…. We’ve provided unimag-

inable amounts of food and support for people. But, the groups which leave me with the most hope and the firmest evidence that mutual aid and solidarity are alive and well aren’t the big groups like ours, or the collaborations with allies like Food Union, nor the fantastic efforts of anarchists. It’s the same people as always, it’s working class women, working themselves to the bone, just like always.”16

Building Solidarity

In light of these challenges, there are many ways in which mutual aid is fostering solidarity as well as creating a cultural shift in the way of providing care that is a model for a better future. Many of these groups were part of resis-
tance-building efforts from before the pandemic, and have now expanded and enlarged to create intragroup al-

ciances. The food pantry at Woodbine in Ridgewood was

created with a partnership with Hungry Monk, a nearby homeless response group.17 The ‘Cooperative Gardens Commision,’ connects community gardens and other ‘seed hubs,’ to individuals to grow their own gardens, improving food sovereignty collaboratively.18 These relation-

ships will strengthen movements that seek to change the status quo and create a better future.

But perhaps the greatest accomplishment of mutual aid during this time is the way in which it has connected peo-

ple and renewed their faith in each other. Folks seeing

An understocked community pantry in suburban Cleveland. Photo: Kevin Ritter
their neighbors helping one another with groceries, or setting up community fridges, and being able to work side by side during a crisis is inspiring, and reveals our capacity to achieve things we didn’t think was possible. During a time of often toxic social media feeds and contagious viruses, having positive face-to-face interactions with folks renews people’s faith that they can trust each other and the people in their communities. Especially in rapidly gentrifying neighborhoods like Ridgewood or Bed-Stuy, mutual aid efforts create a space in which to have conversations and broach topics like gentrification and displacement that might not have happened pre-COVID. It’s in spaces like these that folks can foster solidarity, make the steps toward healing and make something like gentrification less painful for everyone.

Mutual aid efforts also create a transformative shift in the way in which care is provided. The ethos of mutual aid that has come across perhaps most strongly as a result of COVID is that society needs to mobilize to save itself. The ideas of free clothing and free food are that of adaptive reuse, that society produces enough clothing and food to provide for everyone we need to reorient ourselves and conceive of them as necessities not commodities in order to realize that. Mutual aid also speaks to moving to a world beyond growth, where folks are mobilized to care for one another not only because it is the right thing to do but because it is the only thing to do. The impending climate crisis will require a mass mobilization of people to voluntarily change behavior as well as help those who are most vulnerable. These future challenges will require a new ethos of care that is based not on whether folks can or should, but out of a necessity to survive. Just like the organizations that inspired Kropotkin, a future of cooperatives and collectives might be the only one that is just and sustainable.

State

Finally, solidarity can also involve a renewed relationship with the state that can support mutual aid work and also help improve government as a tool for equity, not oppression. Despite losing its political charge, the USDA free breakfast program provides thousands of breakfasts in schools across the country, especially public schools in cities that proportionately have higher amounts of poor children of color. Just like the Black Panthers, mutual aid efforts can push back on the state to be more responsive and equitable. In Detroit, a USDA grant gave the school district and mutual aid groups flexible funding which enabled them to target the three worst hit districts in the city for food and resource distribution.19 Mechanisms like this can allow mutual aid groups to keep on doing the work that they are doing, without making them concede on their mission. Though many groups strive for autonomy, the state can be a powerful tool for support and mutual aid has the power to change institutions from within as well as without.

Conclusion

As much as 2020 has been a year of challenge and dystopia, it has also been an amazing opportunity to do things differently. Unimaginable amounts of food, support and federal stimulus have been provided to folks in the USA and across the world that broke the bounds of what was known in 2019. From free buses to the thousands of individual acts of solidarity and charity, this year has redefined what is possible. And this new possible is needed, if only to make sure a year like 2020 doesn’t happen again.
NOTES
6 Ibid
8 Anna Clark, “Food Insecurity is Rising in Detroit. So is the Number of people fighting it.” Civil Eats November 13th, 2020.
“NYC Community Fridges Map” https://marsbtyne.github.io/nycfridge/
14 (Original Quote by Eduardo Galeano) Dean Spade, Mutual Aid: Building Solidarity During This Crisis and the Next, Verso Books (New York: 2020) page 14.
CONTRIBUTOR BIOGRAPHIES

K.C. Alvey is pursuing her Master of Urban Planning with an interest in urban politics, climate resiliency, food systems, and equitable economic development. She currently works as a Senior Outreach Coordinator with NYC Parks GreenThumb. Previously, she worked as an organizer for 350.org and studied Natural Resources at Cornell University.

Rachel Bondra is pursuing a master’s degree in urban planning. She has a background in Art and Architectural History. Her work explores urban industrial landscapes and history, land use, and expressions of power and politics in the built environment and planning processes, as well as public memory.

Charles Christonikos is a Bronx native with a B.A. in Geography from the George Washington University. He is currently pursuing his degree with an interest in climate change mitigation, energy policy, and geographic information systems (GIS). His professional experiences to date include conducting applied GIS research with the NASA DEVELOP Program and working as a research consultant at the World Bank Headquarters in Washington, D.C.

Francesca Fernandez Bruce is an urban planning graduate student, a specialist with the Manhattan Chamber of Commerce, and former educator. During a summer of activism, she participated in discussion and protest regarding affordable housing, sheltering, and displacement in NYC, and sees the city’s struggle with housing as one of our most urgent humanitarian crises.

Ben Foster is a second-year Masters of Urban Planning student originally from Massachusetts. Now an Upper East Side resident, he currently works as an editor in the tech industry and plans to migrate to transportation planning. Find Ben on LinkedIn at https://www.linkedin.com/in/benjamincfoster.

Jess Greenspan is an MUP student at Hunter and analyst at NYCEDC. She interned at several NYC planning organizations and currently belongs to the Planners Network and NYCDSA. A first-time editor, Jess’s editorial perspective critically engages the politics of planning and its relationship to social, racial and climate injustice.

Tess Guttières is a French-American MUP and seasoned branding specialist. She is passionate about applying the tools of brand communications to create more equitable and sustainable cities. With special interest in economic development, she hopes to create planning proposals that can be both profitable and purposeful.

Salome Gvinianidze is pursuing MUP with a focus on urban design and built environment. She has a background in international studies and sociology. She is currently interning at ARCHIVE Global, an organization that uses housing design as a preventative strategy in improving health outcomes in communities around the world.

Stephen Hanrahan has just completed his Master’s in Urban Planning from Hunter and has taken a job with the DC District Department of Transportation as a program analyst working with the loading zone and curbside management division. He partly got into planning from summer part-time construction and landscaping jobs and although will miss the hands-on aspect, is excited to have a position that does not require him to lift extremely heavy things anymore.

Jennifer Hendricks is pursuing a master’s degree in Urban Policy and Leadership. She has a background in teaching and in the nonprofit sector. Her work explores sustainable urban practices and comparative urban policy. She lives in Brooklyn.

Michael Horwitz is a student in Hunter’s MSUPL program. He is an organizer and political researcher, and has worked with grassroots advocacy organizations and public officials.
Sus Labowitz is in their first year at the Hunter MUP. They are interested in surveillance and queer and trans urban spaces.

Gabriel Lefferts is the managing editor of *Tricycle: The Buddhist Review* magazine and a part-time student in Hunter College’s Master of Urban Planning program. Heavily influenced by a background in the Humanities, he begins his formal study of urban planning this year with wide-ranging interests that include political and economic theory, housing policy, and social history.

Max Marinoff is a lifelong New Yorker who currently works at the FDNY. He has a passion for NYC life and culture, particularly the local communities that give the city its texture and vitality. A former NYC tour guide, he is well versed in the city’s history, lore, and idiosyncrasies.

Alek Miletic graduated with an MUP from Hunter College in December, 2020. He is currently Chair (2020-2021) for APA-NYM Student Representative Committee and has previously served as Treasurer (2019-2020) for GUAPA. He works as a planner for an urban planning and civil engineering consulting firm in New York.

Craig M. Notte is a litigation partner at a New York City real estate / landlord-tenant law firm representing large and small owners in the residential and commercial contexts. He is also on the Advisory Council of the New York Landmarks Conservancy. He has a Juris Doctor from Brooklyn Law School and a Bachelor of Arts in English from the University of Rochester.

Kevin Ritter is a MUP candidate at Hunter College. In his professional life, he has worked primarily in the museum and performing arts world. His academic work focuses on the relationship between the cultural sector and civic identities. Kevin is, with Annie Latsko, the co-founder of the Museum of Post Industry, an online institution devoted to the ups and downs of the American Rust Belt in the 21st Century. www.museumofpostindustry.com

Kathleen Ross is an undergraduate in the Urban Studies program at Hunter. Her article was inspired by Professor Pollans’ central question in Planning for a Sustainable Environment: what is worth sustaining?

Madeline Schoenfeld is a student in Hunter’s MUP program. She is currently working as a contractor doing street surveying in Manhattan.

Sean Sonneman is an Urban Planning student at Hunter graduating in May. He currently works as a civil engineer for the design firm Arup. Sean looks forward to using his dual background in engineering and planning to help positively shape projects and policies that enable metropolitan regions to prepare for the future.

Ben “Bobby” West-Weyner is pursuing an M.S. in Urban Policy & Leadership, interested in examining domestic and international reparations programs. A former elementary school teacher, he currently works with 9/11 survivors seeking compensation for their 9/11 related illnesses. For more works visit www.bobbywater.com.

Lily Zaballos is a Brooklyn-based artist and educator in the MSUPL program. She has a background in nonprofit education and has taught youth of all ages in a variety of mediums including dance, creative writing, cooking education, and environmental science. Her work currently focuses on food system policy and community education. lilyzaballos.com
BETH EDEN BAPTIST CHURCH
302 E. GORDON STREET
912-233-9115
WE ARE EXPECTING MIRACLES
SUNDAY WORD INSTITUTE 10:00AM
SUNDAY MORNING WORSHIP CELEBRATION 11:00AM
WEDNESDAY PRAYER/BIBLE STUDY 7:00PM
FRESH FIRE EVERY 2ND & 4TH FRIDAY 7:00PM
SAMANTHA STEWART SUNKINS • SENIOR PASTOR