

PRESERVING, PLANNING, AND PROMOTING THE LOWER EAST SIDE:  
THE CONFLICTED ROLE OF THE TENEMENT MUSEUM  
IN NEW YORK'S PREMIER IMMIGRANT ENCLAVE

by

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## ABSTRACT OF THE DISSERTATION

Preserving, Planning, and Promoting the Lower East Side:

The Conflicted Role of the Tenement Museum

in New York's Premier Immigrant Enclave

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This single-case study explores a cultural nonprofit house museum's proposal to create a historic district on New York's Lower East Side, a low-income but gentrifying neighborhood, in 2006-2007. The museum's proposal failed because the museum didn't engage potential neighborhood allies in true bottom-up planning, and because the City's landmarks law made it impossible for the museum's proposal to address the neighborhood's foremost concern, which was loss of affordable housing. This study suggests that in the postindustrial city it's very difficult for low-income communities to use culture to lay claim to their neighborhoods. It also suggests that historic preservation laws allow higher-income neighborhoods to protect themselves from the creative destruction of redevelopment by becoming historic districts, while still allowing wealth-generating redevelopment to happen in lower-income neighborhoods. The study suggests further research is needed to see if there is a causal link between historic district designation and gentrification.

## Dedication

This dissertation is dedicated to the first doctors of philosophy I ever knew:  
my mother, Carol Lee Steinberg, and my father, Phillip Henry Steinberg.

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## Chapter 1: Introduction and Methods

As Michael Bloomberg neared the end of his three terms as mayor of New York City, his administration was poised to celebrate Bloomberg's role as one of the country's leading historic preservationists. Under his mayoralty, entire neighborhoods vulnerable to out-of-scale redevelopment attained legal protection, ensuring they'd retain their human scale, walkability, and historic charm. For the historic preservation movement, this grand expansion of historic district designation is a story of one victory after another.

This is not one of those stories.

This is a story of failure, of one neighborhood cultural nonprofit that sought historic district designation for one of the oldest and most historic residential neighborhoods not just in New York City but also in the United States.

Why did this proposal fail while so many others succeeded? And what can this story of failure tell us about the role of culture in the postindustrial American city?

### *A Little Background*

A hundred years ago culture<sup>1</sup> was a political battleground in New York City, pitting an Anglo-Protestant elite against a growing mass of Catholic and Jewish immigrants. Elite cultural institutions such as the Metropolitan Museum of Art celebrated a narrowly defined, Northern European cultural tradition. Reformers used settlement houses to "Americanize" the immigrant, which meant stripping immigrants of their native, foreign culture and encouraging them to adopt American culture. The Educational Alliance, founded by German-American Jews to Americanize their newly arriving Ashkenazi coreligionists, initially offered classes only in English, and

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<sup>1</sup> See appendix for a definition of "culture" and other terms related to this dissertation.



the first New York City public school lunch menu, created by settlement house workers, featured “American” foods such as stewed prunes and oatmeal as a way to “Americanize the immigrant stomach.”

How times have changed. In 21<sup>st</sup> century New York City the culture industry celebrates diversity. Broadway shows, art museums, and street festivals proudly advertise New York as a diverse, world-class city where everyone is welcome, and where true New Yorkers appreciate the city’s diverse world culture. And New York City celebrates its culture industry, marketing itself as a great place to visit or live if you want to experience world-class culture.

But whose culture are we talking about? And who benefits from this culture industry? Certainly real estate developers, land speculators, and educated middle- and upper-income residents benefit, as do the owners of businesses that cater to the tourist trade, but what about the masses of working-class, immigrant, and poor New Yorkers? After all, they create the city’s culture, but can they also benefit from its commodification? That’s the question that frames this dissertation.

Few of the city’s cultural institutions are better situated to address this question than the Lower East Side Tenement Museum (hereinafter “LESTM” or “the Museum”).<sup>2</sup> Founded in 1988, this nonprofit house museum re-creates the homes of actual immigrant families that once lived in a pre-Old Law tenement<sup>1</sup> at 97 Orchard Street in Manhattan. In keeping with the culture industry’s celebration of diversity, the Museum’s mission statement read:

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<sup>2</sup> The author has been an employee of the Tenement Museum since 2006. However, the Museum's current president, Morris Vogel, waived the Museum's right of review for this research.

The Museum's mission is to promote tolerance and historical perspective through the presentation and interpretation of the variety of immigrant experiences on Manhattan's Lower East Side. The Museum interprets the homes of immigrant families who lived at 97 Orchard Street from 1863 to 1935 as the starting point for public dialogues on immigration, the garment industry, cultural identity, and social welfare.<sup>ii</sup>

A nonprofit's mission statement is rarely written without great care, and with good reason. A for-profit business knows its mission: to make money. Government agencies know their mission, too: It's defined for them by the legislature. But a nonprofit must define its mission. A nonprofit without a mission is like a ship without a compass or map: It goes nowhere, because it has nowhere to go. A nonprofit with a clearly defined mission knows its objective, and all of its activities presumably further its mission.<sup>iii</sup>

The Museum's mission is to change people's minds, to encourage people to appreciate diversity and, by doing so, to make life easier for immigrants today. This tolerance inspires support for certain public policies, including immigration reform that offers a clear pathway to citizenship for law-abiding residents, labor policies that empower immigrant-dominated labor unions, and housing policies that alleviate the housing crisis endemic to immigrant communities. However, the Museum has long had an unofficial non-endorsement policy; it never publicly endorses any of these policies. Rather, support for these policies is implicit in how it presents the stories of the immigrants who once lived at 97 Orchard Street.

But in 2006 the Museum departed from its non-endorsement policy when it sent an application to the city's Landmark Preservation Commission (LPC) requesting that the city designate a historic landmark district for the neighborhood surrounding 97 Orchard Street. Had this proposal been successful, about 30 blocks would have been protected from demolition or radical alteration. However, despite the Museum's stature and the great care it

took in preparing its application, the LPC had yet to schedule a public hearing on this proposal as of 2013. The proposal, it seems, has been shelved indefinitely.

On paper the Museum's proposed historic district may have seemed like a no-brainer. After all, the Lower East Side (LES) is one of the oldest residential neighborhoods in New York City *and* one of the first immigrant enclaves in U.S. history, so its built environment is particularly rich in historical significance. What's more, the Museum recruited Columbia Professor Andrew Dolkart to do a neighborhood survey for its application to the LPC. Dolkart, who wrote the neighborhood survey for the LES Jewish Conservancy's proposed federal and state historic district in 2000, is very familiar with the LPC's requirements. And the Bloomberg administration was dedicated to expanding the number of historic districts in New York City. So why did the Museum fail?

Since the 1960s, the City of New York<sup>iv</sup> has dedicated itself to expanding citizen access to municipal policymaking. The City's Landmarks Laws and the rise of community boards both attest to this official municipal goal. Indeed, the modern historic preservation movement and the rise of neighborhood activism go hand-in-hand: In the 1960s, preservation was touted as a counterpoint to the destructive redevelopment strategies of centralized, bureaucratic government agencies, banks, and real estate interests. Community Boards would give neighborhood residents a voice in the planning process, while historic district designation would give them a tool for protecting their neighborhoods. In light of this history, it may seem logical that a museum dedicated to preserving the immigrant history of a historically immigrant neighborhood would apply for historic district designation.

But in New York City, landmark designation is correlated with class. Wealthier neighborhoods are far more likely to have landmark districts than are poorer and immigrant

neighborhoods.<sup>v</sup> Lower-income residents of the Lower East Side are wary of historic preservation, suspecting that it makes a neighborhood attractive to wealthier individuals rather than empowering the people who live there now. The Museum tried and failed to convince these stakeholders that its proposed district would not contribute to gentrification.

### *Problem Statement*

This dissertation is a study of how one cultural nonprofit tried to use historic preservation as a tool for community empowerment in a traditionally low-income neighborhood. But more generally it examines whether low-income residents can use culture to protect their interests in the postindustrial city.

In the postindustrial city, culture is a consumer product (Mele, 2000). A certain kind of culture—demographically diverse but devoid of class antagonism—encourages a milieu attractive to the so-called knowledge workers and tourists who support postindustrial industries such as advertising and marketing, Web design, education, medicine, and tourism.

Yet New York City in particular has long been a city driven by real estate development. Although developers and their allies in local government—an alliance Harvey Molotch defined as the growth machine—want to use culture to attract higher-income, consumption-oriented shoppers and residents, they also want to replace the old built environment with one that puts newly valuable land to “better,” more-productive use. The growth machine pulls investment out of an aging neighborhood, allows it to decay and become derelict, and then returns to tear it down and build anew—a process Joseph Schumpeter defined as creative destruction.

The culture used to create profits does not happen in a vacuum. This highly desirable culture is the result of a diversity of land uses and communities, and this diversity is essential

to the formation of a professional/managerial class that does much of the work on behalf of the postindustrial industries. But the very transformation that allows people to create more profit from the postindustrial city may disrupt or even displace that diversity.<sup>vi</sup> Entire neighborhoods (Atlantic Yards in Brooklyn, for example) are demolished and replaced with a new built environment following a singular aesthetic. Gentrification slowly weeds out lower-income communities, robbing neighborhoods of the socioeconomic diversity that creates a city's uniquely vibrant culture. If left unchecked, neoliberal capitalistic redevelopment may destroy the very culture that makes cities attractive in the first place, especially on the Lower East Side through the construction of glass-tower dormitories, condominiums, and boutique hotels, as well as the replacement of the old family-owned businesses by upscale bars and restaurants. How is New York City to respond to this conundrum?

In this dissertation, I argue that New York City has responded to this conundrum in part by funneling creative destruction into lower-income neighborhoods while preserving the semblance of diversity in higher-income neighborhoods. The growth machine depends on creative destruction to wring profit from a city, but wealthier residents want to protect themselves and their communities from this creative destruction. Historic preservation (along with other tools such as downzoning) allows wealthier communities—whose residents may very well work for the real estate industry or its allied industries—to stop creative destruction in *their* neighborhoods while still allowing it in lower-income, minority, and immigrant neighborhoods. Residents of these lower-income neighborhoods are then caught in a bind: They can use their culture to lay psychic claim to their neighborhood, but they face a planning process that refuses to heed that claim and instead prioritizes the purely aesthetic culture of old buildings, mixed uses, “walkability,” and “human scale.” Although this was

never the intent of the Landmarks Law, nor is it the intent of the city's many dedicated preservationists, this guiding principle is nonetheless embedded in New York City's landmarking process.

In proposing a historic landmark district for a neighborhood primed for redevelopment, the Museum also found itself caught in a bind. On the one hand, its mission statement and many of its programs aim to integrate the Museum into the neighborhood today, fostering a healthy relationship with local immigrant and minority communities while educating visitors about the plight of local residents. On the other hand, the Museum owns three properties on the Lower East Side, and it depends on rising (or at least stable) property values in order to take out or refinance loans. (The Museum is highly leveraged.) It also benefits from gentrification, because this complicated process makes the neighborhood more attractive to the high-spending tourists the Museum relies on for ticket sales, membership sales, shop sales, and donations. How did the Museum try to balance these two competing interests? And why did it fail? By answering this question, we may understand how many other cultural institutions balance these two competing interests, not just on the LES but in postindustrial cities all over the world.

### *Research Questions*

1. Why is the LES in danger of historically dissonant development and gentrification?  
Why now?
2. Why did the Museum break with its tradition of noninvolvement in neighborhood planning issues by proposing the creation of a historic landmark district around the Museum?  
How did it try to achieve landmark district designation?
3. Why didn't the local community (or communities) support this proposal?

## *Methods*

I've relied on the following three methods throughout my research: archival research, interviews, and historical research.

### *Archival Research*

The Museum's archive of memos, letters, meeting notes, slide shows, and publications illuminated the Museum's changing tactics as it sought a historic district, especially as the Museum's leadership struggled to reconcile its two goals of preserving the built environment and preserving the communities inhabiting that built environment. Significantly, although its tactics changed, the Museum's ultimate goal—attaining a landmark district—never did.

### *Interviews*

To better understand how different stakeholders understood this proposed district, and how potential allies decided whether or not to support the Museum's proposal, I conducted interviews with 28 subjects. These interviews were confidential and anonymous. When I quote from these interviews, I refer to "Interview Subject 1," "Interview Subject 2," and so on.

As Rubin & Rubin write (2005), "You should use the model we present—choosing interviewees who are knowledgeable about the research problem, listening carefully to what they tell you, and asking additional questions about their answers until you really understand them—whenever you need to learn about something in depth from another person's point of view. We call this approach *responsive interviewing*" (p. vii).

Rubin & Rubin explain the goal of responsive interviewing: "Rather than stripping away context, needlessly reducing people's experiences to numbers, responsive interviewing

approaches a problem in its natural setting, explores related and contradictory themes and concepts, and points out the missing and the subtle, as well as the explicit and the obvious” (p. viii).

In all these interviews, my goal was to better understand the point of view of the interviewee rather than to uncover some elemental “truth.” I adopted grounded theory as the theoretical basis of my research, so in addition to conducting these 28 interviews, I also wrote 289 pages (121,239 words) about key phrases I identified in these interviews. I chose key phrases that would help me better understand each interviewee’s unique perspective.

### *Historical Research*

I also conducted historical research, especially of local newspapers. As a result of this research, I gained additional factual information as well as additional perspectives from different communities. I found this method particularly helpful in better understanding how the Museum’s proposed district was understood in Lower Manhattan’s Chinese immigrant community.

### *Chapters*

In this, my first chapter, I state my research questions. I explain why these questions are important and why readers need to know the answers. I also describe my research methods, and why I chose these methods.

In Chapter 2 I describe what the literature says about my questions, how that literature approaches my questions, and how my work will add to, build on, or diverge from that literature.

In Chapter 3 I provide an overview of recent global, national, regional, and municipal



political/economic/social trends. This is the larger context in which my case study sits, setting the stage for my subsequent analysis.

In Chapter 4 I describe chronologically what happened in my case study, keeping the focus on the Museum throughout.

In Chapter 5 I use my data to show how different people have different ideas of what the LES is, and how these ideas both reflect and shape attitudes toward land use. I also show how conflicts between these different visions for the LES made it very difficult for the Museum to assemble a coalition of stakeholders in support of its historic district proposal.

In Chapter 6 I use my data to show how each organization involved in the TM's proposal (e.g., Good Old Lower East Side, the Real Estate Board of New York, the Landmarks Preservation Commission, the LESTM) has limited resources and thus must prioritize which goals to pursue. I'll also describe how relationships among these organizations hindered the ability of the Tenement Museum to win support for its historic district proposal.

In Chapter 7 I use my data to show how the City's historic preservation regime made it almost impossible for the Tenement Museum to design a historic district that would preserve not just the built environment but also the low-income communities that inhabited that environment. I also explain why the Tenement Museum needed support from the neighborhood's low-income communities to win approval of its proposal from the City.

In Chapter 8 I summarize my research findings, provide (tentative) answers to my research questions, describe how my answers add to, build on, or diverge from the literature, and make suggestions for areas of further research.

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<sup>i</sup> In 19<sup>th</sup> century New York State, a tenement was any building that housed two (later three) families in separate units, each with its own kitchen. In other words, a tenement is an apartment building. “Pre-Old Law” refers to tenements built before the 1879 Tenement House Act.

<sup>ii</sup> This was the Museum’s mission statement at the time it proposed a historic landmark district. The Museum revised its mission statement in 2010.

<sup>iii</sup> For more on the importance of mission statements, see Oster, S. (1995). “The mission of the nonprofit organization.” *Strategic Management for Nonprofit Organizations: Theory and Cases* (pp. 17-28). New York: Oxford University Press.

<sup>iv</sup> For clarity’s sake, I’ll use “City of New York” or “the City” when referring to the municipal government and “New York City” when referring to the geographic location.

<sup>v</sup> When I worked as an intern for the Museum in 2006, I mapped all the city-designated landmarks on the Lower East Side. At that time, there were only a handful of landmarked buildings and no districts. As of 2013, this situation had only slightly changed. According to a REBNY newsletter dated 8/28/13, 9.8% of the properties in Community Board 3, which includes both the Lower East Side (south of Houston) and the East Village (Houston to 14<sup>th</sup> Street), were landmarked, and of those landmarked properties, 86% were in historic districts. By comparison, in Community Board 2, which includes Greenwich Village and SoHo, 70.2% of the properties were landmarked, of which 98% were in historic districts. (Chinatown is divided between the two districts.)

<sup>vi</sup> Andrew Merrifield (2002) describes this as dialectical urbanism, or a constant tension between urbanization (the process whereby capital creates wealth through the creative destruction of the built environment) and urbanism (whereby cities encourage new kinds of associations of people that often work to fight urbanization).

## Chapter 2: Literature Review

The culture industry has become central to the success of cities in a newly competitive global context. A review of the literature explains why.

### *Competition After Keynesianism*

Since the 1960s the global political economy has shifted away from the managed growth advocated by John Maynard Keynes and toward the constant innovation and competition advocated by Joseph Schumpeter (Jessop, 1993). With this shift, society's institutions have transformed into champions of competition. Success—of corporations, states, regions, cities, and people—now depends on making the most of what you have rather than on redistributing wealth or power. New York City has to innovate and compete with other cities now more than ever.

The Schumpeterian post-national workfare state is the new paradigm: everyone works, everyone competes, and no one can count on the nation-state to provide stability for the masses of workers. But there is a shorter way to describe this new paradigm: neoliberalism, a late 20th century resurgence of 19th century free-market ideals.

Elwood (2002) asks: What does neoliberalism look like at the highly localized level? Does the increasing involvement of local citizens and community organizations in urban planning strengthen or weaken neoliberalism's stranglehold on society? Based on her case study of revitalization programs in Minneapolis, the answer seems to be that it depends on "locally inscribed political cultures, histories, and power relations" (p. 124). Yes, the unbalanced power relations between relatively weak local citizens and organizations on the one hand, and empowered and neoliberal developers and government officials on the other, often lead to the reproduction of neoliberalism at the local level. But such relationships also

empower some locals to complicate and redirect neoliberal goals to better reflect their own needs. As it turns out, the 2008 rezoning of the LES empowered locals to complicate and redirect neoliberal goals in just this way, specifically by integrating an affordable housing component into the rezoning plan.

Many government officials and nonprofit leaders tout the benefits of community empowerment, and they argue that nonprofits are the key to this empowerment. But as noted by Fyfe (2005), in his study of Britain's "Third Way" under Prime Minister Tony Blair, local communities and grass-roots groups do not have the capacity to provide needed services, and if they professionalize and restructure so as to do so, "they run the risk of disempowering citizens both within organisations as a result of developing a hierarchical structure with clear divisions between volunteers and paid staff, and outside organizations by reproducing the bureaucrat-client relationship characteristic of government organisations" (p. 552).

DeFilippis, Fisher, & Shragge (2006) argue that "communities, because of their central place in capitalist political economies, can be vital arenas for social change. But they are also arenas that are constrained in their capacities to host such efforts" (p. 673). It is a mistake, they argue, to assume that empowering communities (and their nonprofits) will naturally lead to social change. The emphasis on community runs the risk of masking structural inequality between a community and the rest of society, and within the community itself (between men and women, for example). More broadly, "Communities cannot possibly be a 'Third Way' alternative to the market or state, because they play an important constitutive role in both" (p. 685). (This seems to have been the problem in Newark as described by Newman & Ashton, 2003.) Change, they imply, must come at different scales. The experience of nonprofits on the LES in relation to landmarking and rezoning reinforce

this conclusion. Neither landmarking nor rezoning addressed the structural inequality that made the neighborhood's low-income communities vulnerable to displacement.

MacLeod & Goodwin (1999) advocate a multiscalar approach to research. Their article "seeks to open up urban and regional research towards a multiscaled analysis, and to consider political economic activity as a series of situated, context-specific and politically constructed *processes*" (p. 503). MacLeod & Goodwin argue that urban regime theory, growth machine theory, and other such theories fail to take into account "the novel ways in which the state is now being reconfigured along local, regional, national and supranational levels" (p. 504). I agree with MacLeod & Goodwin, which is why I wrote chapter 3, a multiscalar context for this study.

In short, the old Keynesian national welfare state (KNWS) has been replaced by a new Schumpeterian postnational workfare state (SPWS). Each community increasingly finds itself in competition with other communities within a city; each city with other cities in a region; each region with other regions in a country; and each country with other countries throughout the world. To fully understand why a neighborhood-based nonprofit like the LESTM acts the way it does, we need to see it through this multiscalar prism while also understanding its many links to the state and its neoliberal agenda.

### *Culture in the Post-Fordist City*

Culture can provide cities a powerful edge in this newly hyper-competitive world. Zukin (1998; 2009), Lloyd (2006), and Mele (2000) assert that culture in the neoliberal city is now a consumer commodity. Cultural nonprofits are in the business of commodifying, not just preserving, culture for a new consumer class.

In their study of large art museums, Hamnett and Shoval (2003) find that these cultural nonprofits can succeed in rebranding a formerly industrial city as a cultural destination for tourists and middle-class residents. However, cities need a critical mass of cultural institutions to make this happen. Smaller industrial cities with fewer cultural offerings struggle to attract those people and their dollars. And in any case it's unclear that such cultural extravaganzas meet the needs of all residents, or only the needs of land speculators and educated middle-class residents.

Newman and Smith (2000) ask whether sub-regional planning agencies can shape the co-location of cultural production activities “in a way that both benefits the cultural industries and the indigenous populations” (p. 10). To answer that question, they examine the recent history of the south bank of the Thames, which has developed a concentration of cultural production since the 1980s. They conclude that the sub-regional level is not the best scale for encouraging cultural production and community preservation. On the south bank, the local council proved unable to resist the power of real estate development. “Denied a leading role, the local authority has been restricted to the role of environmental improvement and image marketing” (p. 21)—much like the Community Board and the Business Improvement District on the LES. Indeed, Newman and Smith's description of the south bank—which began the 1980s with a local council that demanded governmental funding for affordable housing but eventually became a cheerleader for the redevelopment of the neighborhood as a home of elite cultural consumption—echoes the story of the LES since the 1990s. In both cases, local representatives (elected in London, appointed in New York), lacking true power over land use in their respective neighborhoods, eventually succumbed to the irresistible drive of corporate real estate redevelopment.

Culture is just one of the tools a community, city, region, or country can use to compete, and it's a particularly powerful tool in postindustrial cities like New York. But culture is not produced or consumed in a vacuum. The conversion of a neighborhood into a node of cultural production or consumption often entails property development. In other words, a city like New York attracts capital flows by encouraging property development that in turn encourages cultural production or consumption.

To begin our understanding of the rise of neighborhood planning in New York City, we should first look at the literature detailing the recent history of urban planning.

### *Modernist Planning*

Opponents of Modernist planning designed much of New York City's early 21st century land use planning regime, including its historic preservation regime. However, this planning regime retains some of Modernism's precepts. To understand the current planning regime, we need to examine the history of Modernist planning.

The Modernist aesthetic—or the belief in very large planned urban developments based on new planning principles and construction materials—can trace its roots to many sources, perhaps most prominently Daniel Burnham, who, along with Edward H. Bennett, developed a plan for Chicago in 1906-1909. (Burnham's adage—"Make no small plans"—became the mantra of the Modernist movement.) The plan for Chicago was one of the first attempts to control growth through state power in the United States, and it spawned many other plans, some successfully implemented, others not. By the 1950s, modernist planning and its close relative, the International Style in architecture, were remaking American cities block-by-block—with New York City being the trendsetter, as described by Samuel Zipp (2010).

But by the end of the 1950s the first stirrings of public opposition to Modernism had begun. Jane Jacobs rose to prominence as a community activist in New York City's Greenwich Village in the 1950s and spelled out her anti-Modernist philosophy in *The Death and Life of Great American Cities* (1961). Ada Louise Huxtable, meanwhile, used her perch as contributing editor to *Progressive Architecture and Art in America* (1950-1963) and as the *New York Times*' first architecture critic (1963-1982) to rail against the effect of Modernism on New York City. (For an overview of her most anti-Modernist writings, see her 1982 collection, *Goodbye History, Hello Hamburger: An Anthology of Architectural Delights and Disasters*. The title refers to the legal right of developers to tear down any historic building, no matter how architecturally pleasing or significant, and replace it with a fast-food restaurant.)

But two events in particular crystallized popular opposition to Modernist planning and spurred the creation of its antithesis, the modern historic preservation movement: the destruction of the 1930 Pennsylvania Station in 1963/1964 and the construction of the Pan Am building behind Grand Central Station in 1958-1963 (Clausen, 2005). The former became a battle cry for those trying to preserve historic buildings; the later expanded that battle cry to justify the creation of historic landmark districts. The Municipal Arts Society had long advocated historic preservation in New York City, but thanks to these two events, it finally had the popular support to force the City of New York to pass its Landmarks Preservation Law and empower the Landmarks Preservation Commission to legally protect historic structures and districts. To this day, the LPC is primarily responsible for interpreting and enforcing this law. By the 1970s, social scientists such as William H. Whyte were



working with the city government to encourage the creation of a more “people-friendly” built environment, one public plaza at a time (Whyte, 1988).

### *Postmodern Planning*

These changes relied on a new planning philosophy: postmodernism, which argues for a new design aesthetic based on signage, symbolism, and popular culture (see Venturi, Brown & Izenour, 1977). This in turn led to the rise of postmodern urbanism (Dear & Flusty, 1999) and New Urbanism (Duany & Plater-Zyberk, 1993), a planning philosophy that tries to replicate, through design, the small-scale, mixed-use neighborhood aesthetic Jane Jacobs celebrated (1961). Unlike modernist planning, which embraces a unified vision for the future of the city, postmodern planning argues that surface image *is* vision, and that planners should allow a city to develop a jumble of different symbols and uses that will create a truly democratic, grass-roots vision of the city.

Postmodernism and New Urbanism, though, may suffer a serious flaw: a lack of concern for the power relations that led to Modernism’s deprivations in the first place. Lake argues that Dear & Flusty are essentially modernist in their external, omniscient view of urbanism (1999). A true “bottom-up” postmodern urbanism would take into consideration the viewpoints of rappers, corporate executives, social workers, and others who actually live in the city.

Bu Lake suggests another, implicit critique of postmodernism: The claim that no one vision guides the city today may act as a cover for those who actually do make the decisions about how a city should change, grow, and develop. Whereas the postmodern Los Angeles school of urban geography argues that the postmodern city is like a keno board, with uses placed willy-nilly, following no set order and directed by the periphery, not the center (Dear

& Flusty, 1998), Lake in 2003 wrote, “I have elsewhere urged the LA School’s proponents to adhere more closely to the postmodernist impulse motivating its inauguration by accentuating the voices from below rather than categorizing them from above (Lake, 1999).”

Sandercock, like Lake, has her doubts about any planning that fails to empower the people most affected by planning. She advocates radical planning (1998), whereby planners are extremely open to other voices and points of view (“radical openness”) and incorporate difference and the quest for social justice into their planning activities. This radical openness should empower people, she argues. Sandercock asks, “What rights should communities as collectivities have vis-à-vis individual rights on the one hand, and the rights of the larger society on the other?” (p. 179). She admits that this is a very difficult question to answer, but planners must face this question. She later writes that the best way to enable this radical planning is through storytelling and listening as a way to bring these different groups together (2003). Planners, by engaging these different groups in dialog, can better plan for a city’s development. Unfortunately, as we’ll see, the City’s historic preservation regime does not make room for Sandercock’s radical planning.

### *Planning by the People*

Already in the 1960s planners were responding to these concerns by changing their tactics, though not necessarily their goals. Arnstein (1969) defined a typology of citizen participation from manipulation to citizen control. She identified the ways that planners used the lower rungs of this ladder to mask citizen disempowerment—for example, through placation, whereby planners include token citizen members in the planning process. But only total citizen control leads to planning goals that truly reflect the community.

While Arnstein and others identified the ways that planners disempowered citizens, Jurgen Habermas was explaining why citizen empowerment benefited all of society. According to Habermas, the best way to make a more just society (and avoid the deprivations of unbalanced power structures) is by empowering all stakeholders to speak and *listen* to each other (1996). Through talking and listening, he argues, we can better understand our shared interests and better identify the most mutually beneficial public policies. As we'll see, though, the City's historic preservation regime makes this kind of citizen empowerment almost impossible when it comes to historic preservation. The public hearings for proposed districts are only a small and belated step in the historic preservation process, and it hardly meets the high standard of Habermas' discursive democracy.

In any case, Fainstein (2000) finds Habermas' model too moralistic and not analytic enough. "Its proponents seem to forget the economic and social forces that produce endemic social conflict and domination by the powerful" (p. 455). In other words, this model may easily reproduce the domination that led to the problems this model hopes to address. ("The power of words depends on the power of the speakers" [p. 458].)

Fainstein instead embraces the just city model, which "takes an explicitly normative position concerning the distribution of social benefits" (p. 467). In other words, adherents of this model focus more on results than process. They do this by mobilizing the public, not trusting government-appointed planners to be benevolent and unbiased.

This, however, is a political-economist take on the just city. Others argue that only through conflict will the disempowered gain power (Mitchell, 2003). They also focus more on economic class, whereas political economists such as Fainstein also study other forms of injustice, as between men and women, gays and straights, native-born and immigrant, and so

on. What's more, political economists see capital accumulation as a worthy societal goal. They just want to see its benefits better distributed. They also argue that only through societal capital accumulation can the majority improve their position in society. They somewhat pessimistically believe that capital accumulation depends on inequality and exploitation.

Flyvbjerg (1998) also criticizes Habermas—for ignoring how power works, for being an idealist, and for ignoring the threat that rhetoric poses to the public sphere. He prefers Foucault, who may not be so good with global ideas but who better engages issues of power. Both Flyvbjerg and Foucault argue that resistance and conflict are the hallmarks of a free society, because only through resistance and conflict can marginalized groups demand and acquire their rights. Therefore, planning must encourage conflict, not consensus. Habermas' communicative rationality is useful as a normative yardstick for judging how inclusive of other voices a society is, but not for much more.

This discussion about Habermas is important because he's the philosophical lodestar of much postmodernist planning. In light of Lake's, Fainstein's, and Flyvbjerg's critiques, Habermas may be fine as an ideal, but his ideas may empower the already powerful. Communicative rationality with a healthy dose of conflict may be the best recipe for furthering social justice.

### *Real Estate in New York City*

We've seen how modernist planning has been replaced by a postmodernist planning that takes its inspiration from Habermas, and we've seen how this may lead to the same problem of Modernist planning, namely that it may empower the already powerful. But how does this process play out on the ground? What does postmodern planning look like at the neighborhood level?

First and foremost, real estate is the bedrock industry of New York City. The history of New York is defined more by the real estate industry's thirst for profit than by anything else. This industry, Angotti argues (2008), is dominated by a few families who successfully reorient the city government to meet its needs by blocking planning except when it furthers its interests (as in when it uses its influence over zoning, the most significant tool of planning in NYC, to open new neighborhoods in the outer boroughs to development projects while protecting elite neighborhoods like Riverdale through exclusionary zoning).

Angotti also describes how community planning arose as a response to the rational-comprehensive planning model, but he notes that the Habermasian basis of community planning leaves much to be desired, because it leaves disadvantaged communities disadvantaged—and not just in economic terms. Disadvantaged communities have trouble taking advantage of a limited community planning process--known as 197(a) in New York city--so, in practice, community planning privileges the elite neighborhoods but not so much poorer and minority neighborhoods. The failure of the 197(a) planning process to empower communities has left the door open for the return of rational-comprehensive planning in the later 1990s, as seen by developments such as Atlantic Yards, though we can also frame Atlantic Yards as being the victory of market-driven planning whereby the city government enables the most profitable development (for the developer) regardless of its affect on the neighborhood.

Brash (2011) updates Angotti by examining real estate development in New York City under Mayor Bloomberg. Brash argues that Bloomberg is no friend of the "old school" New York real estate developers. Rather, he exemplifies what Brash calls the transnational capitalist class (TCC). These are the CEOs and other executives of the new, postindustrial

corporations shaping today's (and tomorrow's) economy. (He includes a second class, the PMC, or professional-managerial class, which supports and is supported by the TCC.) This class has a clear set of planning goals—specifically, the transformation of NYC into a place where this class can reside, reproduce, and profit. To that end, it wants to turn NYC into a “luxury capital,” one that combines high-end retail and residential living with the creativity needed by the PMC to thrive and produce wealth (principally for the TCC). Ironically, Bloomberg's antipathy for the “old school” real estate elite opens a door for low-income New Yorkers to use the City's 197(a) process to squeeze concessions from the real estate industry. But the 2008 rezoning of the LES, which began as a 197(a) plan, suggests that even under Bloomberg there are limits to what low-income New Yorkers can accomplish. This plan included only a limited affordable housing component, as did the coincident (but not coincidental) redevelopment of the Seward Park Urban Renewal Area.

### *History and Authenticity*

From 1900 to 1940, as the last vestiges of the old preindustrial New York faded away, New Yorkers time and again tried to balance their newly modern city with their desire for a sense of shared history (Page, 1999). For the typical New Yorker, storytelling became a key process for preserving this shared history. “The stories people told themselves about urban transformation were calculated efforts to shape the city—for good or ill, personal profit or public benefit “ (p. 259).

This seems to point toward Sandercock's focus on storytelling as a tool of planning. But is it enough? Page waxes eloquent on the subject:

One of the primary ways people link themselves, however weakly or fleetingly, to the past has always been through attachments to relatively stable landscapes. Constant change made this connection highly problematic, but also potentially useful.... The city builders of New York ... struggled to make

history a value and a tool in the marketplace for space. In their effort to “make time visible,” as Lewis Mumford said, they knowingly or unknowingly helped to fuel Manhattan’s creative destruction. (pp. 259-260)

Page’s findings suggest that there is nothing too new in what Zukin (2009) writes:

“Not enough attention has been paid to cultural forces that create this landscape of power” (p. 544). Zukin writes that authenticity, which the city’s cultural establishment has adopted as a guiding principle of urban planning, is an “ambiguous concept” (p. 544).

It represents *origins* in two quite different senses: on the one hand, an almost mythically primordial rootedness in place and time ... and, on the other, a capacity for historically new, creative innovation. Though in the second sense, authenticity nearly always applies to the artistry of exceptional individuals, it represents, in the first sense, the life-situation of a group (p. 544).

For the cultural establishment—and especially for the City’s preservation movement—the second sense prevails. But Zukin advocates an embrace of the first sense.

Zukin defines “authenticity” as the right of a community to control its built environment (including its pace and direction of change) based on aesthetics (or perhaps ethics) rooted in its culture and history. The current trend toward “hegemonic global urbanism” (i.e., the tendency of fewer and fewer institutions controlling how all cities look and function based on perceived profit opportunities) “connects to a crisis of authenticity” (p. 545). Either all cities can look increasingly alike, with no connection to the real lived experiences of their residents, or those residents can create authentic spaces in each city where their communities can thrive.

Zukin nicely critiques Jane Jacobs, noting that her vision of the city was already becoming obsolete in 1961. “She did not realize then—or acknowledge later—that gradual investments by highly educated, higher income people like herself might, over time, grease the wheels of developers’ high-stakes, large-scale projects, even without concerted planning

by the state” (p. 549). Increasingly, higher-income people decide through their consumption habits what is “authentic,” leaving low-income communities increasingly at the mercy of their wealthy neighbors’ fickle tastes. “The sociologist Leslie Sklair (1995) calls culture the ‘glue’ that connects state power and financial capital. It is clear that media images and consumer tastes grease the wheels of global urbanism, anchoring the power of both capital and the state in the spaces of our individual desires, persuading us that consuming the authentic city has everything to do with aesthetics and nothing to do with power” (p. 551). As Zukin argues, “We must politicize the meaning of authenticity to include the right to put down roots, a moral right to live and work in a space, not just to consume it” (p. 552).

Does historic preservation prove Zukin’s point? Does it depoliticize authenticity, turning historic preservation into a tool of displacement and inequality?

According to Knox (1991), historic preservation is an outcome of postmodernism, with its emphasis on consumption and historicity. Page wrote of creative destruction, but today we also creatively preserve so as to encourage consumption. Consumption of culture can also teach us where we came from and who we (or are families) once were, creating an interesting dynamic and, perhaps, tension between the past and the present as embodied by current residents.

But for most historic preservationists, it seems, historical significance is somehow innate to a building or neighborhood, not a social construct. In the National Council for Preservation Education’s 1998 “Preservation of what, for whom? A critical look at historical significance” (Tomlan, ed.), professionals in related fields plead for greater inclusiveness in the historic preservation process—inclusiveness of other views and of atypical buildings and landscapes to preserve. However, the writers mostly agree that some buildings are indeed



significant, and that they have the skills to identify those buildings. This belief is the historic preservation movement's *raison d'être*. Even when preservationists acknowledge the tension inherent between historic preservation and community revitalization, their solution—educate and organize the people—seems to fit on one of Arnstein's lower rungs (Beaumont, 1996).

Moe & Wilkie (1997), like Beaumont, recognizes the importance of the communities that inhabit a historic place. They write:

... the preservation of a neighborhood preserves more than buildings. It preserves people in a place, a community. When people stay, they make a statement that a place is worth inhabiting. Others join them. A neighborhood regenerates itself, and a city is healthier for it. (p. 103)

However, they also ground the historic preservation movement within the profit-driven real estate market:

... all historic buildings—except the most treasured cultural monuments under subsidized stewardship—have to remain economically viable if they are to provide any lasting public benefits. “Architecture is an art wholly based upon continuing utility, and utility is in turn grounded in the market place,” [Arthur] Ziegler wrote. “When you accept that circumstance and apply the techniques of finance, real estate, and construction to the problems at hand, you compete on equal terms with the forces that destroy buildings.”<sup>vii</sup> (p. 137)

But what makes certain buildings, land, or neighborhoods more valuable than others? Competing with the forces that destroy buildings is a fine strategy, but it may ignore the greater context that creates (and directs) those forces in the first place.

Zukin addresses the greater context when she writes about urban lifestyles (1998). According to Zukin, today's cities are geared for consumption, not production. Gentrification and historic preservation are but two symptoms of this change. Although cities have benefited from their newfound focus on consumption, there are also risks, especially for schools and non-consumption-oriented industries.

Cofresi & Radtke (2003), like Moe & Wilkie, are good at identifying problems and solutions, but less keen to describe the greater context that produces a specific problem or a particular range of solutions. Cofresi & Radtke write that all preservation is local, because preservation is place-based. This makes local government programs so important. Even when the preservation project originates from the state or federal government, it is often the local government that is responsible for its implementation. Local governments are also a target for opponents—including lawsuits, demands for “balance” on commissions, and so on.

But preservation is *not* local just because it’s place-based. Rather, the devolution of the historic preservation movement to the local level reflects the reality of the United States’ federal system of government combined with a neoliberal emphasis on local government as the proper forum for public policy debates. But of course relegating fierce battles over public policy to the local level frees the state and federal levels of government (and the multinational corporations that increasingly shape the world economy) from having to battle the public as it pursues its agenda.

Finally, there’s the economists’ take on historic preservation. Glaeser (2010) argues that historic preservation limits supply and thus raises the cost of housing. Thus, it’s essentially elitist. In New York City, developers and their allies often embrace this argument. But Byrne (2012) refutes Glaeser’s argument and promotes his own: Historic preservation is a public good that benefits everyone. “Planning and preservation can learn to coexist,” Byrne writes. “But preservation will not recede, because it responds to the need to live in a place that seems real and enduring, despite or because of the fluidity and complexity of economic and social life.”

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<sup>vii</sup> From Ziegler, Adler, and Kidney, "Revolving funds for historic preservation: A manual of practice," 1975, p. 107.

### Chapter 3: The Context

The story goes like this: The Lower East Side was bad in the 1970s, much worse in the 1980s, just beginning to “change” or “improve” in the 1990s, and then rapidly changing—even transforming—in the 2000s. This is a selective narrative, often spoken by someone who did not live or work on the LES until the 1990s or later. This story’s subtext is that Latinos and African-Americans “ruined” the neighborhood in the 1970s and 1980s by bringing drugs, crime, and prostitution to the formerly tight-knit immigrant enclave, and that the young, white professionals—often the educated, middle-class grandchildren of former immigrant residents—who braved a return to the neighborhood in the 1990s were instrumental in the neighborhood’s turnaround. This story has real-world repercussions as it shapes the actions of the people who embrace it. But just as significantly, it ignores the context for these changes, placing the onus of responsibility for neighborhood changes on very low-income, minority residents—precisely those people who have the least influence on the context in which they live.

In this chapter I’ll provide an overview of that context. I’ll describe global, national, and municipal trends from the early 1970s to the present. And I’ll describe how those trends shaped the changes on the LES. By exploring a multiscale context, I hope to counter this story’s racialized assumptions and allow for a more nuanced understanding of my case study.

#### *The Global Context*

Starting around 1970, the post-World War II economic boom began to cool, and along with it came a decline of elite support for the U.S.-centric economic system forged in the mid-1940s. Since 1970, the global economy has veered from one crisis to the next, and

trillions of dollars and millions of people have crossed state borders in a search for more productive use.

For 25 years after the end of World War II, the global economy revolved around an American axis, thanks to the Bretton Woods system created in 1944 by the major industrial states not allied with Nazi Germany. Under this system, the U.S. dollar was convertible to gold at a fixed rate, allowing every participating country to use U.S. dollars rather than gold as their reserve currencies. Thanks to Bretton Woods, the U.S. dollar, which was more plentiful than gold, could be used in international currency transactions. In other words, Bretton Woods made the U.S. dollar as good as gold, and all those U.S. dollars could then be used to fund international trade.

What followed was an era of extraordinary economic growth as the industrial states rebuilt their industrial economies and the U.S. industrial base expanded to meet growing international demand. The decline of European empires also opened up several new countries in Asia and Africa to increased trade with the United States, further empowering this new global superpower.

The post-War industrial democracies settled into what Jessop (2002a) calls the Keynesian welfare national state (KWNS). The global economy was characterized by robust states that used fiscal policy to manage changes in the economy and an expansive welfare state to turn citizens into consumers of the country's mass-produced consumer goods. It was an era of big government, big corporations, and big labor unions.

But by the late 1960s, the Bretton Woods economic engine was running slower and slower. As the other industrial powers finished the reconstruction of their industrial base, they began to compete with the United States for markets and resources. What's more, the

NICs, or newly industrialized countries—mostly in Asia—further increased competition for markets and resources. U.S.-based corporations saw their profits decline as a result.

This increase in competition combined with decreasing profits doomed Bretton Woods. In August 1971 the United States ended the direct convertibility of the U.S. dollar into gold. The value of the U.S. dollar would now “float,” and a new system of freely floating currencies replaced the old gold standard. The new system better reflected global economic reality: The U.S. was no longer the unquestioned, dominant force. However, it also introduced more volatility and instability—and opportunities for creative financial products that could be used as a hedge against that volatility and instability.

Brenner (2003) describes in detail the connection between the U.S. response to these declining profits and the resulting changes in the global economy. The United States, with by far the biggest and most influential economy on Earth, has repeatedly taken vigorous action to keep corporate profits high despite the end of the post-War boom (and the beginning of an increasingly zero-sum economic game). U.S. businesses responded to declining profits by lowering labor costs (by freezing wages and cutting benefits). The federal government responded by going off the gold standard and then running budget deficits so as to make U.S.-manufactured goods more globally competitive. Eventually, the federal government deregulated the financial market while keeping interest rates low so that U.S. businesses could borrow their way to profits. Easy credit leads to reckless spending and eventually the bubble bursts, but the United States has creatively offshored these financial crises—to Latin America in 1982, to Japan in 1991, and to East Asia in 1997.

As the global economy transformed in the 1970s and 1980s, the old KNWS model declined, to be replaced by a new global order defined by what Jessop (2002a) described as

the Schumpeterian workfare post-national state (SWPS). Economist Joseph Schumpeter, the onetime Minister of Finance for post-WWI Austria, applied Karl Marx's concept of creative destruction to 20<sup>th</sup> century advanced capitalist societies. According to Schumpeter, innovative technologies are the tool of creative destruction, clearing the way for new sources of expanding profit by destroying older though still profitable modes of production. The best way an advanced capitalist society can survive creative destruction is by fostering homegrown entrepreneurship. As Jessop writes, "Entrepreneurship in its strict, strong or Schumpeterian sense, involves the devising and realization of new ways of doing things to generate above average profits ... from capitalist competition" (Jessop, 2002b, p. 120). The most successful capitalist societies succeed not by producing more or producing more cheaply, but by "allocating resources to promote *innovations* that will alter the pace and direction of economic growth and enable the economy to compete more effectively" (Jessop, 2002b, p. 122). In practice, this means deregulation, loose credit, and more flexible labor markets.

But innovation is only one part of the new SWPS. With the new emphasis on innovation over consumption, a broad social safety net becomes less attractive, so welfare is replaced by workfare, or limited government assistance tied to work requirements, the goal being to create more workers, not more consumers. The state, too, hollows out as more and more of its functions are delegated to the private sector. Meanwhile, corporations become increasingly international in scope as they seek out new ideas to turn into profits. Power flows increasingly to the local and the international level, leaving a weakened state.

Such massive reordering of society doesn't happen without a change in thinking. This new world order rests on a new philosophy, neoliberalism, or the belief that individual

freedom is society's greatest asset, and that government should do as little as possible to infringe this freedom. This includes economic freedom—the freedom to acquire wealth and dispose of it as one sees fit. David Harvey (2005) argues that an embattled wealthy class consciously developed neoliberalism in the 1970s as a way to win back control of government. The siren song of “freedom” mesmerized the masses, Harvey argues, encouraging them to vote into office neoliberals such as Ronald Reagan in the United States and Margaret Thatcher in the United Kingdom.

Neoliberalism and its benefits do not spread evenly through space. Rather, some places do better than others. Why? The success of neoliberalism depends on the prior existence of a domestic elite willing to place class interests ahead of the interests of its home country. But not every country has such an elite, and not every elite is willing or able to prioritize its class interests. The relative success of neoliberalism in each state depends on the unique relationship of foreign and domestic factors.

Jessop argues that neoliberalism is not a prerequisite to the formation of the SWPS. Instead, the SWPS can develop in a neostatist, neocorporatist, or neocommunitarian environment. And different strategies can be pursued at different scales. A state can be neoliberal while its capital city can be neocommunitarian. Indeed, because neoliberalism encourages uneven development, and because cities are where “key issues of competitiveness, labor market flexibility, and social policy intersect” (Jessop, 2002b, p. 117), it makes sense for the urban scale to pursue alternatives to neoliberalism.

All of these changes radically altered the relationship among countries in the late 20<sup>th</sup> century. Each state, region, city, and neighborhood increasingly competed for investment and talent—the two ingredients for innovation. This competition led to a massive relocation of



money and people. For the purposes of this study, a few examples of these relocations suffice. First, increased trade between the United States and Latin America displaced a largely rural population, sending them to the hemisphere's many large industrial cities. Although not all migrants left their home country or even Latin America, many did arrive in the United States, including in New York City, swelling the city's immigrant population.

Meanwhile, a similar process was running its course in China, though for different reasons. Starting in 1978, the Communist government of the People's Republic of China introduced controlled capitalism to different regions and industries. As a result, China rapidly industrialized and urbanized. Throughout the 1980s and 1990s, many rural Chinese—displaced by new farming and mining technologies that required far less labor—moved to cities, and not just in China. This too led to a massive growth of New York City's immigrant population.

Along with these immigrants came international investment. One form of international investment played a particularly strong role on the LES during this era. After the Sino-British Joint Declaration entered into force in 1985, residents of Hong Kong realized that they had just 12 years before they'd be handed over to the Communist government of China. Through the rest of the century, Hong Kong investors relocated their wealth abroad, and many of them invested in New York City real estate, especially in and adjacent to Manhattan's traditional Chinatown north of City Hall.

For all these reasons, the global economy since the early 1970s has undergone rapid changes and become increasingly unstable, unmanageable, and competitive, with accelerating international migration of wealth and populations.

#### *National Context*

Each country responds to this new global context in its own way. The United States has responded by embracing neoliberalism, at least at the federal level. With the new neoliberal focus, the federal government—and, increasingly, state and local governments—adopts certain policies, including deregulation of labor markets and the financial industry, and reliance on nonprofits to provide services. Labor unions weaken, middle class wages stagnate, industrial production declines, and corporations find new and more creative ways to maintain high profits.

The economic and political elite embraced neoliberalism as a response to stagnating profits and the rise of social democratic politics. The neoliberal political response focused on two policies: deregulation and devolution.

Before the 1970s, regulation arguably served corporate interests at least as much as the public interest, which is why corporations were so complicit in their implementation and maintenance. Regulation minimized class conflict, coopted labor unions, and limited the entry of new market competitors.

But starting in the 1970s, the federal government became increasingly “pro-market,” meaning that it began to deregulate certain industries (airlines in 1978, trucking and railroads in 1980, telecommunications in 1996), thus opening up those industries to greater competition but also to opportunities for consolidation and greater profits.

Deregulation went furthest and had the greatest effect in the financial industry. After one final regulatory push in 1977 with the Community Reinvestment Act, Congress moved toward deregulation of financial markets, starting with savings and loans in 1982 and culminating with the repeal of the Glass-Steagall Act in 1998 and the deregulation of derivatives in 2000.

As a result of this deregulation of the financial market, new financial corporations developed out of previously illegal mergers. These international corporations needed cities where they could coordinate their operations. New York, as we'll see, was a particularly popular "world" city to call home.

While the federal government deregulated markets, it also rolled back social services, cutting and restricting benefits, most notably with welfare reform in 1996, and devolving social services to the nonprofit sector. As nonprofits received federal grants to provide social services, their guiding philosophy shifted from social democracy to neoliberalism. The rise of the community development corporation with its special focus on housing fit neatly into the new neoliberal mindset by using nonprofits to redevelop land, thus improving real estate values in formerly struggling urban neighborhoods such as the LES. However, this "shadow state" of nonprofits unaccountable to voters or recipients is not evenly distributed. The poorest and neediest Americans have less access to these nonprofits, resulting in what Lake & Newman call differential citizenship (2002).

For the federal government, neoliberalism was the answer to declining profits and spreading social democracy. Corporations also had to respond to these trends. By the 1970s the old tools of corporate expansion—profiting from foreign production by selling intellectual property rights and making loans to foreign firms—had broken down. Foreign economies had caught up to the United States, and U.S. corporations could no longer dominate world trade. To better compete with these resurgent and emergent foreign economies, U.S. corporations sought to lower labor costs by cutting wages and benefits. Organized labor was not about to agree to that, so U.S. corporations decided to bypass U.S. labor by liquidating U.S. industry and reinvesting even more in industries, regions, and

countries with a much weaker labor movement (Bluestone & Harrison, 1982). The result was the rapid deindustrialization of much of the United States, chronic underemployment and unemployment in formerly industrial regions, and the rise of ever-more-complicated tools of financial investment.

### *Municipal Context*

The new multinational corporation needed world cities in which to locate decision-making and access financial markets (Sassen, 1991). New York is one of those cities. But New York didn't become one of these cities by accident. Just when the global economy was switching from the KWNS to the SWPS, and just as the United States was embracing neoliberalism, New York City underwent a crisis that would position it as an ideal home for the new multinational corporations and creative financial service firms.

In the decades prior to this crisis, New York City was deluged with poor African-Americans and Puerto Ricans just as low-skilled industrial jobs were leaving the city. The City of New York responded by increasing welfare payments and other social services to these poor people of color while refusing to raise taxes. The result was a ballooning deficit paid for by ever more borrowing of short-term notes from local banks. In 1975, the banks refused to lend the City any more money until it cleaned up its fiscal mess (Shefter, 1992).

With city finances dangerously out of balance, banks refusing to loan the city any more money, and New York State unwilling or unable to help, the city turned to the federal government for rescue. That rescue came, but at a high price: In return for federal support, New York City had to turn over control of its finances to a Financial Control Board. Although the city's mayor and comptroller and the state's governor all sat on this board, it

was largely independent of democratic accountability, especially at the municipal level. (The other three members were nonelected and appointed by the governor.)

This board did not represent the older liberal order. Instead, it was aligned with the new global capitalist class developing during the Cold War, which used the 1975 crisis to wrest control of the city's economy from liberals, leftists, and unions. This class' goal: stop the drift toward social democracy that threatened their control of the economy. "The crisis regime shaped in 1975 would in many ways be an example of how government could be used to reassert class power and shift priorities toward both the traditional goals of business and the newer ideas that would be known as neoliberalism" (Moody, 2007, p. 18). The Board would maintain direct control of city finances until 1986 and remain a "watchdog" thereafter.

After 1975 the City embraced policies that would better suit the needs of global capital. Government became much more supportive of private development, triggering a major expansion in new office construction (Moody, 2007). This expansion of—and increasing dependence on—real estate proved self-perpetuating as banks and real estate firms embraced office development as the best option available to them, even when the market for office space was in danger of being glutted (Fainstein, 2001). Although the real estate industry has always played an outsize role in New York City (Angotti, 2008), in the post-1975 era it became even more dominant, thanks to the flight of light industry eager to escape environmental and labor regulations in an ever-globalizing and increasingly competitive economy. Even after the market for new office buildings contracted in the mid-1980s, real estate continued to redevelop land in New York City, with strong support from pro-development mayors Ed Koch (1977-1989) and Rudolph Giuliani (1993-2001), who used rezoning and tax incentives to reward real estate interests for their loyalty to the city.

This expansion of pro-development, pro-real estate policies, though, did not mean that the city was becoming neoliberal. Each city is unique, so each city responds to neoliberalism in its own way (Brenner & Theodore, 2002). New York City used the 1975 crisis to respond to global neoliberalism by becoming neocorporatist. The neocorporatist city is characterized by the following (Jessop, 2002b):

1. A rebalancing of competition and cooperation
2. Decentralized “regulated self-regulation”
3. A widening range of private, public, and other “stakeholders”
4. An expanded role of public-private partnerships
5. Protection of core economic sectors in an open economy
6. High taxation to finance social investment

In New York City, many vestiges of the old liberal order would continue, but now under the control of and in the service of global corporations and local real estate interests.

The growing dominance of the real estate industry after 1975 coincided with two demographic changes that would reshape the city for the new millennium: the arrival of the new immigrants and gentrification.

The passage of the federal Immigration Act of 1965, which ended the racial quota system implemented in 1924, triggered a huge influx of immigrants—mostly from East and Southeast Asia, Central America, and the Caribbean—just as the great migrations from Puerto Rico and the African-American South were ending. The new immigrants, though, would not be working in unionized industrial occupations. Rather, they were shunted into service sector industries with low wages and few benefits. What’s more, an increasingly arcane and bureaucratic naturalization regime ensured that many of these immigrants would

spend years without citizenship or even legal status, further limiting their autonomy or ability to organize for political change (Abu-Lughod, 1999).

On the other hand, the new immigrant communities maintain much closer ties to their home countries, enabling even greater international flows of capital (Portes, 1997; Coombe, 2001). This in turn encourages even more immigration and migration. Immigration and globalization are mutually reinforcing (Bhagwati, 2007).

At the same time, New York City experienced a major influx of young professionals into aging urban neighborhoods. Although gentrification had begun in Brooklyn Heights in the 1950s (Suleiman, 2011), it was in the 1970s that New Yorkers began to describe this process as “gentrification.” By then, it had spread to other neighborhoods in Brooklyn and Manhattan, turning formerly low-income and blue-collar neighborhoods into highly desirable locales for the new urban professional middle class.

The return of outside investment to an aging urban neighborhood usually follows the arrival of a new class of residents. At first, these new residents are often single women and gay men (Bondi, 1999), but they are quickly joined by young professionals who often work for large bureaucratic institutions headquartered in central business districts (Suleiman, 2011). What all these new residents have in common is a refusal to live in more conventional middle-class suburban communities. For these new residents, the aging urban neighborhood represents freedom, a place where they can be themselves (e.g., gay, single, progressive, artistic), a place where they can use their dedication to their new neighborhood as a counterpart to the profit-driven, mass-produced, atomizing culture dominating so much else in America, although they may very well be contributing to that culture after all (Lloyd, 2006).

Gentrification has radically altered one neighborhood after another in New York City since the 1960s. Neighborhoods where the value of real estate had plummeted to almost nothing became cheap places to live and highly profitable places to invest in (Smith, 1986). Increasingly, New York's aging brownstones, loft buildings, and tenements were recycled as consumer products for a new consumption-based society (Zukin, 1998). Although early gentrification need not necessarily lead to displacement (Braconi and Freeman, 2004), it's part of a general restructuring of New York that ultimately results in displacement (Newman and Wyly, 2006). Increasingly, lower-income residents—often racial minorities—are pushed out of Manhattan and much of Brooklyn to make way for the newer, higher-income residents. These residents then transform their neighborhoods into welcoming places for employees of the global corporations that call New York City home.

### *Neighborhood Context*

By the 1970s, the Lower East Side was, in the eyes of many, in profound decline. As a *New York Times* article announced in 1969, "Crime and violence are commonplace in nether world of Lower East Side" (Fox, 1969). With rapidly declining property values and redlining by banks, the neighborhood, once reputedly the most densely populated on Earth, began to "empty out." Some landlords tore down their buildings to lower their tax bills, turning their lots into pocket parking lots or allowing them to be used as illegal dumping grounds for garbage. Other landlords turned to arson, burning down their buildings to collect on the insurance. Still others demolished the upper floors of their buildings, leaving just the first floor or two to rent out as storefronts. And some landlords just walked away from their buildings, leaving them to be confiscated by the City for nonpayment of taxes. However, easily the largest "vacant space" on the Lower East Side isn't a tenement lot abandoned by its



landlord. Rather, it's SPURA, the Seward Park Urban Renewal Area, a massive stretch of land cleared by the city to make way for a low-income housing project in the late 1960s, but left largely vacant thereafter.

“Vacant space,” though, is misleading. While some empty lots were turned into parking lots or garbage dumps, neighborhood residents converted others into community gardens. And while some buildings remained boarded up and empty, squatters occupied others. Both the community gardeners and the squatters were illegal trespassers of usually city-owned property, but they argued that they were laying claim to land that belonged to them because the City was leaving it fallow. The squatters in particular argued that because the City had stopped building affordable housing by the mid-1970s (in part due to the defunding of Urban Renewal by the Nixon administration in 1973), they had the right to convert abandoned city-owned buildings into their own affordable housing, and they had proved their right to these buildings by bringing them into compliance with building codes through their own sweat equity.

Despite these efforts, the Lower East Side suffered from a growing drugs-and-crime epidemic throughout the 1970s and 1980s. The City, especially after its 1975 crisis, cut funding for many services in poorer neighborhoods where residents were politically weak, most notably the Lower East Side. The Parks Department abandoned city parks such as Sara D. Roosevelt Park, a long, narrow park opened on the Lower East Side in 1934. The Sanitation Department reduced garbage pickup, leaving garbage piled up on sidewalks and at intersections. And the Police Department reduced foot patrols. With a reduction in municipal services came an increase in violent crime and the drug trade. (The location of the LES near several major transit routes connecting downtown and midtown, as well as Manhattan with

Brooklyn, gave the local drug market a steady stream of non-local customers.) Reclaiming abandoned parks and tenement buildings was the local community's way of fighting crime, but it was not enough. As Venkatesh (2000) notes, "It may be impossible for a community to create its own law and order" (p. 275).

The abandoned tenements were a particular problem. Those that had not been taken over by squatters were sometimes converted into drug dens where drug dealers could distribute heroin and, later, crack cocaine (Chambers, 1982). That they were operating out of city-owned buildings frustrated locals, but until the late 1980s the City had no ready buyers for these properties—in part because the banks had redlined the neighborhood and would not make loans to otherwise creditworthy potential buyers.

During this era, the neighborhood was divided among three dominant communities, the Jews, the Latinos, and the Chinese. They did not get along ("3 Ethnic Groups," 1980). The Jews of the Lower East Side mostly trace their roots to the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, when Yiddish-speaking immigrants flowed into the neighborhood, though there was also a significant sub-community of Holocaust survivors settled in the neighborhood by Jewish-American charities after World War II. These Jews were mostly middle class civil servants and unionized garment workers, and their domestic bastion was the Grand Street Co-op, a 1957 limited equity housing project—though there were also pockets of persistent Jewish poverty on the LES through the end of the 20<sup>th</sup> century. For the Jews on the Lower East Side, access to kosher restaurants and stores, Judaica stores, mikvah, and synagogues was of paramount importance. These Jews understood that they needed a critical mass of Orthodox Jewish residents to sustain these businesses and nonprofits, so they were typically hostile toward public low-income housing projects that might attract more African-American

and Puerto Rican residents to the neighborhood. They also feared the declining property values and public services and the increase in crime that they associated with these communities. The United Jewish Council of the East Side, founded in 1971 and headquartered on East Broadway across the street from the Grand Street Co-op, has led the opposition against any more construction of government-owned, affordable housing on the Lower East Side (Fried, 1973; Litvak, 2010).

The Latino community was predominantly Puerto Rican until the 1970s, at which point it became increasingly Dominican. Puerto Ricans, being U.S. citizens and suffering from squalid living conditions in the oldest and most rundown tenements, qualified for the public housing projects and were big supporters of their construction. The geographic center of the downtown Puerto Rican community was the string of public housing projects between Avenue D and the East River, running from East 14<sup>th</sup> Street to Delancey Street—though they quickly outgrew that neighborhood and began moving west and south. (Until 1961, federal law allowed local municipalities to racial segregate their public housing projects. The housing projects built on the Lower East Side and in the East Village were designated whites-only, and Puerto Ricans were classified as white. Even after this segregation was outlawed, the downtown projects remained largely Latino.)

Many Puerto Ricans were also supporters of Puerto Rican independence, arguing that they were a colonized people denied equal representation by a racist American government. Puerto Ricans were major proponents of local control of schools and bilingual education, putting them at odds with the Jewish-dominated teachers union. The Dominicans who came after the Puerto Ricans had a complicated relationship with the Puerto Ricans but shared a desire for more affordable housing and bilingual education.

The neighborhood's Chinese community traces its roots back to the mid-19<sup>th</sup> century, but the 1882 Chinese Exclusion Act limited their numbers until after World War II. For decades, New York's Chinatown was concentrated in a few square blocks north of City Hall. The arrival of more and more Chinese refugees after World War II, followed by the passage of the Immigration Act of 1965, opened the door to a huge increase in the population of Manhattan's Chinatown. The Chinese immigrant community was riven by many divisions—between the older, Cantonese-speaking elite and the newer, Mandarin-speaking immigrants; between those who supported Chaing Kai-Shek and those who opposed him; between those who identified as Chinese and those who identified as Asian-American; between those who wanted the Chinese to “go it alone” and those who wanted to lobby the government for more direct assistance (Kwong and Miscevic, 2005). If anything united this community, it was a desire for more space, that is, an ability to expand Chinatown into neighboring communities as a way to accommodate the growing Chinese immigrant population. After the Sino-British Agreement of 1985, investors in Hong Kong began investing in tenements in and around Chinatown and, increasingly, renting storefronts to Chinese immigrant business owners and apartments to Chinese immigrants families--especially Fujianese families arriving after the mid-1980s. This would put the Chinese community into direct competition with the Jewish LES for limited land.

By the late 1980s, the neighborhood began to noticeably change course. First, the City's Police Department launched Operation Pressure Point, a massive paramilitary incursion designed to disrupt the neighborhood's drug trade (Wolff, 1984). Then, two years later, the federal government created the Low-Income Housing Tax Credit, which enabled local nonprofits, most notably Asian-Americans for Equality, to fund the construction of

affordable housing by renovating older tenements or building new housing in abandoned lots. The City was happy to sell their troublesome buildings and lots to these nonprofits at a time when no for-profit developer was willing to build on the Lower East Side, and when banks were still redlining the neighborhood. As more and more City-owned properties were redeveloped, the drug dealers who once congregated there were displaced.

As crime declined on the LES, both locals and the media noticed a demographic shift: a growing number of new residents who didn't fit into any of the previously dominant groups. Some were immigrants, but often from Europe or Australia and already fluent in English. Most of the new residents were young and college-educated. Many seemed to be white-collar professionals, especially graphic designers, copywriters, and other "creative types," as well as artists and musicians looking for cheap housing and an art-and-music scene they could contribute to and benefit from. Many of these new residents had already moved into parts of the East Village, but with rising rents and an increasingly rowdy nightlife, the East Village was looking less attractive to the creative young professionals, so some moved south of Houston Street, the dividing line between the East Village and the Lower East Side.

Boutiques, cafés, restaurants, and art galleries followed these new residents into the Lower East Side. With rents rising rapidly in SoHo, Nolita (North of Little Italy), and Chelsea, smaller businesses found the LES cheap enough to afford and trendy enough to thrive in, thanks to the new residents (Holusha, 2002).

By the late 1990s, banks were finally willing to lend to landlords and developers on the Lower East Side. Tenements whose apartments had been boarded up since the 1930s were renovated and reopened as market-rate housing. After 2000, for-profit developers began constructing luxury condos, some of them very modern and more than seven stories tall.

(This in a neighborhood dominated by 5- and 6-story 19<sup>th</sup> century tenements.) Although the neighborhood retained large immigrant and low-income populations, thanks in part to city- and nonprofit-owned affordable housing and rent regulated apartments, the number of middle-class and upper-class residents grew quickly, and the commercial mix changed accordingly, with many of the remaining family-owned businesses that catered to immigrants or bargain shoppers being replaced by boutiques and art galleries.

By the mid-2000s, a number of very tall buildings were under construction on the LES, including the high-rise Hotel on Rivington, the first in a string of new hotels to enter the neighborhood. Although the housing crash of 2007/2008 halted new construction for a few years, construction on stalled projects had largely resumed by 2013, with building cranes dotting the skyline. Under pressure from community activists, the City adopted a rezoning plan for the neighborhood in 2008 that banned these tall buildings from most mid-blocks, though not from designated “growth corridors.” In any case, the rezoning had no effect on plans already adopted by the Department of Buildings, so tall mid-block buildings are still under construction four years after the rezoning.

## Chapter 4: What Happened

### *The Slave Galleries*

Deacon Edgar Hopper had a problem, and a vision. His vision was to restore and interpret the Slave Galleries in his landmarked, 1828 church on New York's Lower East Side. In these galleries, slaves and freedmen could join their masters and employers in prayer while remaining out-of-sight.<sup>viii</sup> In the late 1990s he created a 9-member Slave Galleries Committee to help make this vision a reality. His problem: St. Augustine of Hippo Episcopal Church had no experience in historic preservation or interpretation. Deacon Hopper believed that the history of slavery in New York deserved to be acknowledged and discussed, and his church building's Slave Galleries were the perfect place to do it, but he didn't know how to proceed.

But on Orchard Street was someone who did.

Ruth Abram founded the Lower East Side Tenement Museum inside a pre-Old Law tenement at 97 Orchard Street in 1988. This tenement had joined the National Register of Historic Places in 1992. In 1994 it became a National Historic Landmark. That same year, the Museum launched its first tour of a re-created apartment in 97 Orchard—the home of the Italian-Catholic Baldizzi family as it looked in 1935. In 1996 the Museum purchased 97 Orchard Street from the Halpern family, which had owned it since 1919. In 1998, 97 Orchard Street became a National Historic Site. Also in 1998, the Museum launched its second building tour, this one featuring the re-created home and “sweatshop” of the Levine family, a Polish-Jewish immigrant family living at 97 Orchard Street in 1897. No other organization on the Lower East Side had so much experience with historic preservation and interpretation. In 1999, Deacon Hopper “approaches the Tenement Museum to work with SG [Slave

Gallery] committee on the project and involve other community leaders” (“Chronology of the Lower East Side Community Preservation Project’s collaboration...,” 1999).

Ruth Abram and her staff were eager to support Deacon Hopper’s project. After a decade spent building up the Tenement Museum, they wanted to become more involved with the surrounding community—or, more properly, communities. Some locals had accused the Museum of being a middle-class interloper on the Lower East Side. Despite the Museum’s attempts to integrate a contemporary connection into every program (e.g., describing the plight of mostly Chinese immigrants in the 1990s New York garment industry when interpreting the story of the Levine family in 1897), the Museum had failed to win over widespread support from local community organizations or attract many locals to visit the Museum. (Typical visitors, then as now, were tourists and suburbanites.) This contradicted the Museum’s stated mission of creating tolerance for today’s immigrants through inter-communal dialogue.

There were two other reasons why the Tenement Museum may have been eager to support Deacon Hopper’s project. First, the City was attempting to finally redevelop SPURA, or the Seward Park Urban Renewal Area, a massive city-owned parking lot cleared of tenements in the 1960s to make way for low-income public housing. Disagreements over the racial makeup of the projects, combined with opposition from many middle-class residents of the neighboring co-ops, doomed plans for this housing, and in 1978 the City officially abandoned plans to build low-income public housing in SPURA. In 1998 the City invited developers to submit proposals for the re-development of this tract, though in a sop to lower-income neighborhood residents, any winning proposal would have to include a community-service component.



The Museum saw this as an opportunity. It approached developers and offered to be a proposal's community-service component. Specifically, the Museum offered to take over Building 4 of Essex Street Market, a City-owned market built in 1940. The Market was not much of a success, and Building 4, on the southeast corner of Delancey and Essex, had stood empty for years. The Museum wanted to turn this building into its new Visitors Center, a place where visitors could shop in a Museum store, watch documentaries about the Lower East Side, and buy tickets for tours of the Museum's tenement two blocks away. One document summarizing the Museum's rationale reads, "The Lower East Side is in urgent need of economic revitalization.... A recent survey of the Museum's visitors conducted earlier this year found that 90 percent used the occasion of their visit to the Museum to dine (52%) and/or shop (38%) in the neighborhood" (Seward Park Development & Visitors Center Proposal, 2006). If the Museum were to be part of a winning proposal, it would acquire a large building, expand its programming, and encourage the economic revitalization of the neighborhood it called home by encouraging still more outside visitors to visit and spend money there.

However, backlash from community groups prompted the City to cancel its request for proposals, and the redevelopment of SPURA would have to wait. Clearly, SPURA was still an emotional and divisive issue on the LES. Perhaps by encouraging dialogue among various community stakeholders, the Museum could help overcome the animosities making SPURA's redevelopment impossible. And if SPURA could be redeveloped, the neighborhood—and presumably the Museum—would benefit from an influx of new residents, stores, tourists, and shoppers.

Although there's no archival evidence linking SPURA to the Museum's decision to aid Deacon Hopper, there's evidence that the Museum was changing its programming in response to SPURA. In 1998 the Museum held *Around the Kitchen Table*, a one-time program bringing together local residents to talk about their links to the LES. (This would later become the basis of *Kitchen Conversations*, a daily program for visitors to the Museum to engage in a facilitated discussion after touring the Museum.) Although SPURA was not a subject of conversation in *Kitchen Conversations*, a Tenement Museum employee involved in its development remembers that SPURA was nonetheless influential.

[*Around the Kitchen Table*] actually wasn't entirely unrelated to Seward [Park Urban Renewal Area], in that there was a really palpable sense that there were deep divisions within the neighborhood. And the objective of the Museum from its conception before I got there, and very much a vision of the founder, was to use the neighborhood's history and the history of 97 Orchard as a catalyst for conversations among people about immigration issues today. So it was the first attempt to really concretize that and think like, what would that actually look like?

This same employee notes that in a neighborhood riven by racial and class-based divisions, SPURA stood out:

There's this incredibly valuable piece of real estate that had become the focal point of conflicts between groups in the neighborhood that had different interests, and unfortunately was a really racialized conflict, just because of the particular ways people were organized and particular interests that they had. So it was an issue that either created or exacerbated underlying tensions between immigrant or ethnic communities on the Lower East Side. Tough, tough issue (Steinberg, 2013).

On the Lower East Side, where land is scarce and expensive, and where several different groups jostle for influence, the question of what SPURA—or, indeed, any piece of land—would “actually look like” looms large. Joining Deacon Hopper's *Slave Galleries Project*, which Hopper officially launched in February 2000, and creating the *Around the Kitchen Table* program were both steps the Museum adopted to heal these divisions.

Meanwhile, another event would convince Ruth Abram that the Museum must do more to encourage dialogue among LES communities.

In 2000, Lower East Side Business Improvement District President Andrew Flam submitted a request for historic district designation of the Lower East Side to New York State and the federal government. The 17-page description of the neighborhood mentions Asians only once (on the last page) and Italians and Latinos not at all. By comparison, two pages deal specifically with the German history of the neighborhood and three pages with the Jewish history. This focus on the Jewish history of the LES fit with the LESBID's focus. Founded in 1992, this BID's strategy, according to a *New York Times* article, "was to burnish and market the historic character of this rambunctious bazaar—to draw tourists and New Yorkers interested in reliving a bit of the city's more colorful history, while prowling sharklike for present-day bargains" (Martin, 1993). These stores were largely Jewish-owned, and as Beth Wenger notes (1997), many Jewish New Yorkers felt a strong kinship to these storeowners and often patronized their stores as a way to "revisit" their Jewish past. Perhaps not surprisingly, the BID's partner in proposing this district was the Lower East Side Jewish Conservancy, a local nonprofit dedicated to preserving aging synagogues.

Though herself Jewish, Ruth Abram had always maintained that hers was *not* a Jewish museum, and the neighborhood was not *exclusively* or even *primarily* a Jewish neighborhood. Abram initially welcomed this district, reporting to the Board of Trustees in September 2000, "The Lower East Side Historic District has been approved by the State. We are hopeful this will encourage building owners to maintain the historic quality of their building facades" (Lower East Side Tenement Museum President's Report FY 2001, First Quarter, 2000). But by April 2001 she had created a six-person advisory council to research

the influence of African, Asian, Cuban, German, Irish, and Puerto Rican peoples and institutions on the LES. Her stated goal: Counter what she construed as the overly (and overtly) Jewish focus of the newly created state and federal historic district. The Slave Galleries Project was a perfect way to expand public knowledge of the role played by one of these overlooked communities in the neighborhood's history.

*The LESCPP Is Born*

In November 2000 the Tenement Museum launched the Lower East Side Community Preservation Project (LESCPP) to aid St. Augustine's Slave Galleries Project. According to a later presentation, "This coalition of over 30 community groups worked on the restoration and interpretation of a slave gallery in St. Augustine's Episcopal Church, using it [as] a foundation for a community wide dialogue on prejudice" ("Proposal to form...", ca. 2005). The LESCPP served the Museum's goals by strengthening links between the Museum and "community leaders from over a dozen churches, synagogues, and immigrant service and advocacy, housing, and health care organizations" (Sevcenko, 2000) representing different neighborhood communities. In September 2001, Liz Sevcenko, the Museum's Vice President of Programming, joined St. Augustine's Slave Galleries Project Committee.

The Museum was pleased with the results of its involvement in the Slave Galleries Project. In a 2001 memo to the Board of Trustees, Director of Education Kate Fermoile wrote, "With great success, the Tenement Museum has used the process of historic preservation of underrepresented ethnic groups as a powerful community-building tool" (Fermoile, 2001).

The Slave Galleries Project, though, was soon finished, and the LESCPP began looking for other historic places that could be used to foster community dialogue, among

them the Daily Forward Building, the low-income Vladek Houses, street murals, and the Jarmulowsky Bank building. In November 2002, Place Matters, a partnership between City Lore and the Municipal Arts Society dedicated to raising awareness about significant places in New York City, partnered with the LESCPP to conduct an artist competition “to create new kinds of markers commemorating places around the Lower East Side. The community leaders of LESCPP will work with the artists to decide which places, stories, and people should be commemorated to portray the diversity of histories and communities that shaped the neighborhood” (Sevcenko, Cohen & Long, 2002). Some of this place-marking was focused on the Allen Street Mall, a median running down the center of Allen Street. Soon the LESCPP would help convince the City to rename the street the Avenue of the Immigrant and later redevelop the medians with more seating and landscaping.

In April 2003 these place-marking activities culminated in a neighborhood walking tour hosted by the Tenement Museum and created by various members of the LESCPP. In a PowerPoint slide show used by a Museum representative at an April 2003 forum hosted by the Municipal Arts Society, a Museum employee wrote:

When a new Lower East Side Historic District was created to highlight nationally renowned Jewish landmarks, our community erupted. A Puerto Rican City Councilwoman publicly denounced the district as “excluding Hispanics;” African American church leaders protested that it signified “historic ethnic cleansing;” and an editorial in the *Daily News* fumed that “it looks more like a gerrymandered voting district than a coherent neighborhood.” The Jewish community council behind the district nomination and several Asian- and Puerto Rican advocacy groups have clashed for years over the rights to new housing in the neighborhood; in effect, over the rights to the neighborhood itself.

The Lower East Side Tenement Museum’s experience in this neighborhood is that history matters. Because if you get represented as part of the neighborhood’s history, you make a claim to resources in the neighborhood today. There’s a lot riding on who gets a place on the map or who gets an apartment in our landmarked Museum building on 97 Orchard Street....

We realized that the historic places in the neighborhood—in addition to representing diverse people—needed to be catalysts for ongoing dialogue about the bigger issues in our community today....

Traditionally, when historians and preservationists begin a project, their primary goal is to uncover information about the past. From the beginning, this project was different: we wanted to create a catalyst for positive dialogue about and among different ethnic groups today. A research project that begins from that starting point looks to 1) humanize the experience, help people to imagine and connect; and 2) complicate the story, inspire people to ask difficult questions. (Presentation to MAS Forum, 2003)

This long quote reflects the Tenement Museum's attitude toward historic preservation before it proposed its own historic district. By 2003 the Museum had developed a sophisticated understanding of how communities use history to lay claim to a place. The Museum had also developed a sophisticated process by which discussions about historic preservation could be used to build bridges between communities.

What's noticeably missing is a concern with what was fast becoming the No. 1 concern for many of the organizations the Museum was engaging through the LESCPP: displacement of low-income and minority residents due to redevelopment and gentrification. This omission was not due to ignorance. In 2001 the Museum compiled a list of key neighborhood organizations and their main goals. This list included Good Old Lower East Side, Asian Americans for Equality, and the Cooper Square Community Development Committee, all of which, as noted in the document, were struggling to protect their constituents from displacement. A Museum employee wrote on this unsigned document, "Question: How politically active do we want to be?" And below that, under list of Possible Lecture Topics: "Gentrification (obvious)" (Memo for Ruth Abram, ca. 2001).

The Museum had traditionally sidestepped being politically active. Instead, it facilitated dialogue, which, the Museum believed, would foster whatever political action was

in the neighborhood's best interests. But the Museum's faith in the power of facilitated dialogue to build bridges and enable community action would be sorely tested in the coming years as it pursued City-approved historic designation of the Lower East Side.

### *The High-Rises*

On January 13, 2004, a group of Tenement Museum staff members and trustees gathered at the home of trustee Norm Keller for the Museum's first Strategic Planning Retreat. In addition to Keller, there were trustees Ray O'Keefe, Peter Campanella, and Suzette Brooks-Masters; President Ruth Abram; and staff members Renee Epps, Katherine Snider, Steve Long, Liz Sevcenko, and Alexandra Mann.

At this meeting, "Participants identified some primary objectives for the Museum to undertake over the next five years. After generating a list, each participant voted for the five objectives they felt were most important."

The top vote getters, with 10 votes each, were "Develop new interpretative spaces in our existing envelope" and "Develop financial plan in support of on-going operations and in support of 5-year plan."

Next, with 9 votes each, were "Develop management, structure, systems and processes to support future growth of museum"; and "Evaluate existing on site programs for appropriateness in order to develop, change or discontinue."

Then came four objectives with three votes each and three with one vote each. One of the goals that garnered a single vote: "Achieve a Lower East Side Landmark District." Only one person at this meeting had previously advocated pursuit of this goal, and only one had the power to make this goal an official part of the long-range plan, even though it received only one vote. That person was Ruth Abram.

Ruth Abram's newfound interest in a City-designated historic district was a response to the seemingly out-of-scale modern high-rises being constructed on the LES by 2004. The Hotel on Rivington, a 20-story boutique hotel, was then under construction on Rivington Street between Essex and Ludlow Streets, a block previously dominated by 4- to 6-story, 19th century tenements and two-story, early 20th century commercial buildings. Other high-rises were being planned for the neighborhood, most notably Blue, a 17-story luxury condominium building sheathed in blue glass that would open in 2007; the Thompson LES boutique hotel, which would open in 2008; and the School for the Visual Arts' 20-story Ludlow Residence dormitory, which would open in 2009.

But what really got Ruth Abram's attention was the proposed high-rise that would have gone up at the southeast corner of Delancey and Orchard Streets, on the same block as the Tenement Museum. When Abram made her presentation to the February 17, 2004, meeting of the Board of Trustees' Long Range Planning Committee, her prepared notes included this statement: "Near the corner of Orchard and Delancey, a bank building will be demolished and replaced with a high rise. Without a landmark district, the Museum risks losing its architectural context on the block" (Long Range Planning Committee Meeting Minutes, February 17, 2004). As Ruth Abram would state repeatedly over the coming months, she was inspired to pursue a landmark district as a way to preserve the historic streetscape of Orchard Street, which, she would argue, was integral to the Museum's mission of interpreting the past for present visitors. How else, she asked, will the Museum's visitors understand what life was like on the Lower East Side if nothing is left of that neighborhood but the occasional tenement?



In response to Abrams' prepared statement, trustee Ann Buttenwieser made the following suggestions.

- invite Landmarks Commissioner Robert Tierney to dinner
- honor the mayor's [Michael Bloomberg's] mother at the next dinner (she was born behind the Museum)
- ask [LPC Director of Research] Mary Beth Betts how the process starts (Long Rang Planning Committee Meeting Minutes, 2004)

By the March 2004 meeting of the Board of Trustees, Board of Trustees Chair Ray O'Keefe, who had a long history working in the city's real estate industry, had met with Tierney to discuss this proposed district. On March 26, Museum Executive Vice President Renee Epps sent Tierney a letter proposing a landmark district.

But as the Museum was about to learn, it would take more than a meeting and a letter to convince the City to create a historic district on the LES.

### *Getting Started*

The LPC's initial response to the Museum's proposal seemed promising. On April 30, 2004, Tierney sent Abram a letter noting that the renaming of Allen Street Mall as Avenue of the Immigrant and its planned renovation "is a great beginning to the process of establishing the first Landmark district devoted to immigration" (Abram, 2004). However, Tierney made clear in his meeting with Abram and O'Keefe that letters were not enough. The Museum, he said, would need to find wide-ranging support from throughout the proposed district if the LPC were to consider the application sooner rather than later. And with each new high-rise compromising the aesthetic integrity of the neighborhood—and thus undermining the Museum's argument that there was an intact streetscape worthy of designation—it seemed that the choice was between sooner and never.

How would the Museum garner neighborhood support? At first, it reiterated its argument in favor of landmark designation to potential allies, though none of these allies were grass-roots community organizations. In a letter sent by Renee Epps to the chair of Community Board 3, Epps argued that a historic district was necessary to protect the historic character of the neighborhood. The letter implicitly defined character as a visual quality; it did not speak of displacement. This argument was strong enough to convince potential allies in the historic preservation movement to write letters in support of the Museum's proposed district. By June, the National Trust for Historic Preservation, City Lore/Place Matters, and Li/Saltzman Architects, the small firm that helped both the Museum and St. Augustine with their restoration projects, had written letters to the LPC in support of the proposed district.

According to the June 2004 report of the Real Estate Committee of the Museum's Board of Trustees, the Museum was now ready to reach out to grass-roots community organizations.

We are also in the process of meeting with local community groups to enlist their support, and to date have met with Two Bridges and Asian Americans for Equality. The Lower East Side, like many other areas of New York, is under intense development pressure. Rumors abound about potential new high rises proposed right on our block. We are concerned that the character of the Lower East Side could be altered beyond recognition if this development is not in keeping with the character of the neighborhood (Real Estate Committee Report, 2004).

However, concerns about "character" would not motivate these other organizations to support the initiative.

When the Board of Trustees' Long Range Planning Committee met on June 3, 2004, trustee Suzette Brooks-Masters had some words of warning for Ruth Abram:

Ms. Brooks-Masters cautioned that the Museum may be attacked by anti-gentrification forces.... Our community supporters should be ready for that and address that argument specifically. She suggested the Museum find financial

projections or studies that demonstrate that landmarking facades does not cause rents to increase (Long Range Planning Committee Meeting Minutes, June 3, 2004).

This would be the first mention of gentrification in relation to landmarking, and an inkling of the issue that would come to dominate the Museum's landmarking plans for the next four years.

The Museum had decided to pursue landmarking before consulting with community groups. Once it dawned on the Museum that many locals considered displacement, not high-rise buildings, as the neighborhood's biggest threat, the Museum would try to convince local community groups that a historic district would forestall displacement. What the Museum never did after 2003 was facilitate a dialogue among local community groups about what if anything *should* be preserved and *how* it should be preserved. The LESCPP, which the Museum created to facilitate exactly this kind of dialogue, would disband by the end of 2004. From here on out, facilitated dialogue would take a back seat to crafting convincing arguments in favor of a project Ruth Abram had decided on her own was in the neighborhood's best interests.

### *Building a Case*

For the rest of 2004, Ruth Abram and Renee Epps reached out to potential allies on the LES while also seeking advice from professional historic preservationists.

The potential allies fell into two groups: nonprofit community groups and for-profit business owners. This plan was laid out at the September 21, 2004, meeting of the Board of Trustees, as described in the meeting minutes:

We have developed a plan to get community input and support for the landmark designation. Meetings will be held with local community groups, shopkeepers and landlords. We have enlisted the help of the local Business Improvement District to gain support from the local property owners, a group

that may have the most concerns about the designation (Real Estate Report, 1<sup>st</sup> Quarter, Fiscal Year 2005, 2004).

Note that these minutes speak of enlisting help and input, but the decision to pursue a historic district had already been made by the Museum. Never did the Museum reconsider its decision in light of indifference or even opposition from any of the groups and individuals it approached for help.

The Museum got an earful when it finally called a meeting of potential allies on October 29, 2004. At this meeting, representatives of the Chinese-American Planning Council, Asian Americans for Equality, the Educational Alliance, Trust in God's Baptist Church, and St. Augustine's Church met with four Museum employees (though not with Ruth Abram or Renee Epps). A Museum employee stated the Museum's rationale for seeking a historic district: "The TM is concerned about the rapid development in the neighborhood and the destruction of its tenement character, signifying the experience of generations of immigrants, migrants, and working people." Also, she said, the time is right: "Previous chairpeople of the Landmark Preservation Commission have not been very supportive of the idea that tenement buildings are important historical buildings, but this has changed with the current administration." She then acknowledged what Tierney had stated in his previous meetings with Abram and O'Keefe: "The TM needs the active support of community leaders to get this initiative started." And now, for the first but not the last time, a Museum employee attempted to sell designation as a means to protect local residents from displacement: "Landmarking prevents the creation of highrises and therefore limits inflation of the real estate market in the neighborhood by speculators... Might limit further displacement of low income families in the neighborhood" (General Project Meeting Minutes, 2004).

The community representatives at this meeting expressed their concerns. Cindy Freidmutter of the Educational Alliance said that renovating a building will cost more due to LPC guidelines, and the tax benefits of designation do not make up for this expense. As a result, small non-profits and community groups won't be able to afford needed renovations. In any case, "Property owners and business owners would likely voice objection toward regulation itself, especially if it seems to be serving only the TM's interest" (General Project Meeting Minutes, 2004).

Deacon Hopper, who attended on behalf of St. Augustine's, said that the proposed district boundaries included a parking lot but not other important structures. (The 2000 state and federal district initially excluded St. Augustine's, a point of contention then and later, so this was an issue Hopper was particularly sensitive to.) Hopper also suggested that "limiting signage to the contrived 'upscale' look would not be appropriate for the neighborhood" (General Project Meeting Minutes, 2004).

Steve Yip of the Chinese-American Planning Council "suggested that the museum might set up a community focus group that would look at areas in the LES to designate that does not necessarily include the Tenement Museum—perhaps the area should not be the one around the Museum at all—it should be the one that is most historically significant, not necessarily the one right around the Museum." He added: "Overall, be sure to make the broader interest clear so it doesn't look like just a TM project" (General Project Meeting Minutes, 2004).

If the Museum was looking for reassurance from these community groups, what it got instead was suspicion of the Museum's motives and concerns that the landmarking process wouldn't help their constituents. But the Museum did not heed Yip's advice: Instead, it

moved forward, hoping to somehow convince these and other community representatives that the Museum was not motivated by self-interest and that a landmark district would not exacerbate displacement.

Even people involved in the 2000 state and federal district balked at supporting this one, which would include many more regulations. The LESBID refused to support the district, as did Holly Kaye of the Lower East Side Jewish Conservancy, who “said while she is personally very distressed at the tall buildings & demolition going on in the neighborhood, she has reservations about taking a public position on the issue, because many of her clients are property owners. She knows [the LESTM is] sensitive to this” (Brown, 2004).

Concurrently, Abram and Epps were reaching out to historic preservation professionals for guidance on how to proceed. In November 2004 they met with Simeon Bankoff, Executive Director of the Historic Districts Council, which specializes in advising community groups on how to convince the LPC to create historic districts. Abram and Epps, it should be noted, had no experience in historic district designation. Bankoff suggested that the Museum could avoid suspicions about its motives if it created a “front” organization of community representatives similar to the LESCPP. (Many neighborhood stakeholders saw the Museum as an uptown interloper staffed, funded, and visited by people from wealthier neighborhoods.) This new organization could then take the lead in assembling a winning neighborhood coalition in support of designation. Simeon also counseled them to expand the district as a way to find additional allies—and also so they could make it smaller if that’s what the LPC later asked them to do.

In January 2005 Abram met with Executive Director Andrew Berman and Director of Preservation Melissa Baldock of the Greenwich Village Society for Historic Preservation.

According to the Museum's notes of this meeting, Berman said, "Property Owners should be made aware that property values usually go up in designated historic districts" (Freude, 2005). The Museum was increasingly faced with a conundrum: To convince property owners to support a district—or at least temper their opposition—they needed to sell designation as a way to raise property values, but to convince tenants to support it, they had to sell designation as a way to forestall displacement. And according to Tierney, Bankoff, and Berman, the Museum had the best chance of gaining a historic district if it had at least some support from both groups.

None of this deterred Ruth Abram. At the March 2005 meeting of the Board of Trustees, she presented the Museum's five-year strategic plan. Despite receiving only one vote at the previous year's retreat, creating a district was one of the stated goals, though now the goal had been restated to address the need for community support: "Collaborate with community preservationists and other local organizations and individuals to advocate for New York City Lower East Side landmark district by FY2007" (Strategic Plan 2006-2010, 2005).

By May 2005 the Museum had incorporated community preservation as a core element of its historic district proposal. In a meeting with a representative from the National Trust of Historic Preservation, Abram said that a longer-term goal of the LESTM is "to devise strategies for limiting gentrification and maintaining the current ethnic and socio-economic diversity" of the LES (Lowe, 2005).

The landmark district proposal clearly needed additional administrative support, and no one at the Museum had the time to invest in this project, and other than Ruth Abram no one seemed to have a strong interest in the project. So the Museum applied for and received

outside funding to hire a dedicated community activist to help it create the local coalition it needed to convince the LPC to approve of this district.

*Enter Margaret Hughes*

On October 3, 2005, Margaret Hughes, the former Executive Director of Good Old Lower East Side, joined the Museum staff to oversee, among other projects, the Museum's historic district initiative. Hughes had years of experience as a community organizer and activist, and unlike the LESTM she had earned the trust and goodwill of many other community groups. It would be her job to build a winning coalition in support of a historic district.

But Ruth Abram was not the only neighborhood stakeholder upset by the new high-rise developments, and these other interested stakeholders had their own solution to the problem: rezoning. Just as Hughes was joining the staff of the Tenement Museum, Community Board 3 was creating a 197(a) Task Force to help develop a rezoning plan that would limit the ability of developers to build high-rise condos and hotels, except on designated "growth corridors." Indeed, Margaret Hughes would be the Tenement Museum's representative on this task force. But rezoning would not be enough for Ruth Abram: It would do nothing to protect the 19th and early 20th century built environment, and one of those growth corridors was Delancey Street, so the owner of the bank building at the southeast corner of Delancey and Orchard would still be able to replace it with a high-rise. For these reasons, rezoning never captured Abram's imagination as did a historic district, and Hughes never expended as much energy on the Task Force as she did on assembling a coalition in support of a historic district.



Until she left the Museum in July 2007 Margaret Hughes pursued a three-prong approach. First, she created the Lower East Side Preservation Coalition (LESPC), a front for the Tenement Museum that she and Ruth Abram hoped would develop into a true coalition of supporters. Second, she created opportunities to discuss the proposed landmark district with neighborhood stakeholders. She and Abram hoped to use these discussions to turn these stakeholders into allies. And third, she tried to appease landlords and developers, partly through argument, partly by finding funds for rehabilitating buildings in historic districts.

*The Lower East Side Preservation Coalition*

The Lower East Side Preservation Coalition (LESPC) and the Lower East Side Community Preservation Project (LESCPP) were both created by the Tenement Museum, and both comprised representatives of neighborhood community organizations. But there the similarities ended. The Museum created the LESCPP to help St. Augustine interpret its Slave Galleries. The Museum created the LESP to organize support for its historic district initiative. At the LESCPP, trained Museum representatives facilitated discussions among interested stakeholders, and together they identified historic places and agreed on how best to interpret them for a diverse audience. At the LESP, community representatives were invited to share their opinions, but the goal was to convince them to support a district. The LESCPP was about encouraging dialogue and bottom-up planning. It had no hidden agenda. The LESP was about assembling the fiction of a coalition in support of a historic district. Hopefully that fiction would become a reality.

The Museum felt it had to turn to the community for support after Ruth Abram and Ray O'Keefe met with Bob Tierney. It was Tierney who explained that the Museum's application would stand a better chance of approval at the LPC if the Museum found allies in

the neighborhood. And it was Simeon Bankoff of the HDC who suggested that the Museum create a coalition through which it could engage and hopefully win the support of these potential allies. In a memo Margaret Hughes sent to Ruth Abram and Renee Epps in April 2006, Hughes wrote:

As Ruth discussed at the recent board meeting the landmark designation campaign has been recast as an effort to explore options in neighborhood stabilization and preservation. Ruth asked me to develop a coalition, tentatively called the Lower East Side Preservation Coalition, to explore options for neighborhood stabilization (Hughes, 2006).

But despite this recasting, historic district designation was always on the agenda. The Museum was not abandoning its application to the LPC, even after Coalition members raised concerns.

Between February 15, 2006, and April 23, 2007, Margaret Hughes chaired 13 meetings of the LESPC. Meeting attendees were mostly individuals she knew from her work at GOLES. Some would later confide that they attended these meetings as a favor to Hughes and not because they were eager to support the Museum's historic district proposal. Attendees included representatives of Asian Americans for Equality, the Eldridge Street Project, GOLES, Lower East Side People's Mutual Housing, and St. Augustine's. However, few representatives attended more than a few meetings. It appears that Hughes found it challenging to maintain community involvement with the LESPC.

Officially, the LESPC was a coalition of stakeholders interested in "neighborhood stabilization." According to its website, [savetheles.org](http://savetheles.org):

The Lower East Side Preservation Coalition is currently engaged in a series of discussions and initiatives concerning how best to achieve our goals—these include affordable housing preservation, zoning modifications, landmarking and property owner assistance.

However, creating a historic district was always a part of the LESPC's agenda. The site's About Us page read:

The Lower East Side Preservation Coalition (LESPC) was formed to explore options and pursue strategies for neighborhood stabilization and preservation. An integral part of the Coalition's work is to maintain dialogue with other organizations involved in establishing an historic district. These include city agencies, property owners and civic groups (Savetheles.org, 2007).

During its existence, the LESPC did not advertise its close association with the Tenement Museum. On the Coalition's website, the Museum was last on the list of members. And although the Coalition's main contact was Margaret Hughes, her mailing address, though identical to the LESTM's mailing address, didn't mention the LESTM. Only her e-mail address—mhughes@tenement.org—makes it clear that she was an LESTM employee. Margaret Hughes took pains to downplay her professional association with the LESTM during her work with the LESPC. She tried to make the LESPC seem independent and disinterested. But she was either unwilling or unable to steer the LESPC away from the historic district proposal.

According to the LESPC meeting minutes, Coalition members were less-than-thrilled by the idea of a historic district. At the fifth meeting, during which the Coalition drafted a letter to send to property owners in the proposed district, Mary Spink of LES People's Mutual Housing, spoke up:

Mary Spink asked how landmarking will work towards all of LESPC's goals. The proposed area is not the entire LES, the benefits are unclear. Would we be putting all of our energy into this? She stated that it appears the Tenement Museum has an agenda, and others have suggested that perhaps they are all part of a "coalition" working solely to accomplish the Tenement Museum's Agenda... Margaret Hughes responded by saying that we are working on and supporting many initiatives, and landmarking is one of them (LESPC Meeting Minutes, June 19, 2006).

Similar concerns were raised at the sixth meeting, where the LESPC drafted its Declaration of Preservation Principles. The Coalition reviewed several drafts of this declaration, but the following sentence was included in the first paragraph of each draft: “We view historic preservation issues as integral to any plan for the successful social and economic development of a neighborhood” (*LESPC Declaration of Principles*, 2006). At this meeting, Coalition member Rob Hollander of the short-lived LES Alliance, a nonprofit dedicated to limiting the number of liquor licenses being issued in the East Village, said, “This Coalition was not formed solely to accomplish landmarking—the goal is to preserve the entire Lower East Side. What else can we do?” The Coalition members agreed: “Once the Landmarks submission is underway, the next LESPC meeting will be devoted to brainstorming on the affordable housing issue” (LESPC Meeting Minutes, July 10, 2006).

It is true that the LESPC’s final four meetings were about affordable housing. It’s also true that, despite these discussions, the only *action* the LESPC ever took was to submit the Museum’s revised proposal for a landmark district.

At the Coalition’s eighth meeting, Margaret Hughes, in keeping with the LESTM’s focus on facilitated dialogue, hosted a round-table discussion where each member organization could share what it had done for preservation, however that may be defined. Only two of the 12 speakers spoke explicitly of historic preservation: Laurie Tobias Cohen of the LES Jewish Conservancy and Simeon Bankoff of HDC. Not surprisingly, the other speakers, none of whom worked at organizations with experience in historic preservation, spoke about community and housing preservation, not historic preservation.

This concern with preserving community and housing would hamper the Museum’s effort to create a historic district. Ominously for the Museum’s effort, Sayar Lonial, assistant

to then City Councilmember Alan Gerson, was most explicit in linking historic preservation with displacement. At the Coalition's ninth meeting, "Sayar raised a concern, saying that landmarking goes hand in hand with gentrification. By increasing maintenance costs, it makes affordability even more difficult to maintain. Margaret said that the Coalition hopes that this district will be a model for ways that preservation and affordability can be combined" (LESPC Meeting Minutes, September 15, 2006).

Indeed, Margaret Hughes worked hard to convince Coalition members that a historic district would help maintain affordable housing. She cited what few studies she could find on the issue and argued that displacement would happen faster if buildings were being torn down and replaced with high-rise towers. She invited a class at the Milano School for Management and Urban Policy at the New School to consult for the LESPc by answering a question: "How can affordable housing and historic preservation be combined as goals for the proposed Lower East Side Historic District" (*Milano School Presentation*, 2007). (The class made two recommendations: "Combined funding package for current property owners in order to continue providing affordable housing and rent stabilization," and, "Advocacy agenda focused on reforming existing rent stabilization laws in order to decrease the levels of rent deregulation." Neither recommendation entailed a historic district.) But she was never able to convince Coalition members to dedicate much time and energy to supporting a historic district as a tool of community preservation.

Interestingly, the Community Board's rezoning initiative also came up in Coalition meetings, but to little effect. At the Coalition's fourth meeting, Holly Leicht, NYC's Assistant Commissioner for Planning and Pipeline Development at the Housing Preservation Department, said, "You should push rezoning, get a [illegible] coalition behind it (better bet

than landmarking)” (*LESPC Meeting Minutes*, May 15, 2006). The Museum did not follow her hint. Other than Margaret Hughes’ presence on the 197(a) Task Force, the Museum played no role in the eventually successful rezoning of the Lower East Side.

The LESPC did not long survive after the Museum submitted its revised proposal for a landmark district, and once Margaret Hughes left the LESTM, it ceased to exist.

### *Talking About Preservation*

Hughes also attempted to gain support through conversation. There were letters sent to property owners, letters sent to ethnic and religious organizations whose members may have been overlooked by the state and federal historic district, meetings with stakeholders such as the Real Estate Board of New York and the Lower East Side Business Improvement District, and most notably a disastrous Community Board meeting on March 16, 2006.

The Museum’s proposed district was the 21st and final agenda item at the March 16 meeting of the Parks, Recreation, Cultural Affairs, Waterfront subcommittee of Community Board 3. Hughes and her newly hired assistant, Danielle Linzer, planned to use this meeting as an opportunity to introduce the proposed district to the community, seek community input, and address concerns. As a way to drum up interest in the meeting, the Museum had issued a press release on March 7, 2006, unveiling its proposed district.

The following day, March 8, an anonymous reporter at the *Sing Tao*, a Chinese-language New York newspaper, published a report about the proposed district (“Portion of...,” 2006). According to the article, the Museum hadn’t informed local property owners about the proposal, and the proposal would bar property owners from making changes to their buildings, with possibly disastrous repercussions for the local economy. According to the Museum’s in-house translator of this article, “The author makes it sound like the

landmark district will definitely happen and even if not, the Tenement Museum will do anything to get it done.” (Two more Chinatown newspapers, *Ming Pao* [“Once listed...,” 2006] and the *World Journal* [Chan, 2006], covered the proposed district on March 9, but neither was as critical as the *Sing Tao*.)

Perhaps because of this article, there was strong opposition to the proposal at the Community Board meeting. Though the discussion came late in the meeting, 40 people stayed to hear the Museum’s presentation, including several landlords from Chinatown and Sion Misrahi, a real estate broker who owned several tenements on the Lower East Side. According to the meeting minutes, “the majority [of people in the audience] expressed opposition to the proposal” (Community Board 3, 2006).

This is an understatement. As subsequent articles about the meeting in the Chinese- and English-language local press make clear, opposition was fierce and came from attendees of the meeting and at least one member of the Community Board. According to the *Villager* article about the meeting: “Estelle Rubin, a C.B. 3 member on the committee, scolded the Tenement Museum group, saying, ‘You are requesting support. This is not informational. You have a plan that you have not discussed with your neighbors, and they’re upset. This is disingenuous to say the least.’” To which Danielle Linzer said, “I appreciate your comments.” “‘My comments carry weight,’ Rubin, a resident of Grand St., shot back” (Anderson, 2006, p. 18).

This was clearly not what Margaret Hughes had in mind for the meeting. As she told *The New York Sun* before the meeting, “The Tenement Museum is concerned about pressure on the neighborhood. Our role is to serve as the town hall for these issues, to talk about how we could possibly address these issues” (Lombino, 2006). But opponents at the meeting

understood that this statement omitted a deeper issue: The LESTM had already decided to advocate designation. This was a post-hoc “town hall.”

Opposition may have been a result of a misunderstanding of how historic preservation works in NYC. Both during and after the meeting, Hughes and Linzer assured landlords that designation would not affect their ability to alter their interiors, that funds were available to help them rehab their facades, and that designation would ultimately increase property values. But there was another issue impeding their ability to gain support for a district: rezoning. According to *The Villager*:

Afterwards, one local architect and builder, who declined to give his name, said he opposes the historic district, because he feels much of the same desired effect could be accomplished with zoning and bulk restrictions. “I go back 100 years in this neighborhood. My mother, my grandmother walked these streets. I feel that there can be new styles and new building types. We spend hours thinking about this stuff—how the street wall [of his building] will line up [with that of the existing buildings]...” Other cities have successfully blended the old and new, the young architect added (Anderson, 2006).

And in the *New York Sun*, LESBID Executive Director Joseph Cunin “said property owners probably would prefer a rezoning to a historic district designation because it would place fewer restrictions on upgrading existing buildings” (Lombino, 2006).

Plenty of neighborhood stakeholders were concerned about the same high-rises that troubled Ruth Abram, but unlike Abram they had decided that rezoning was the best tool to bring this out-of-scale development under control. Instead of joining a coalition in support of rezoning, the Museum continued its quest to create a historic district.

#### *Appeasing Landlords and Developers*

The Museum’s attempt to appease landlords and developers who might otherwise oppose a historic district began before Margaret Hughes was hired at the Museum. On January 31, 2006, Ruth Abram wrote Michael Sillerman, chair of the Landmarks Committee



at the Real Estate Board of New York (REBNY), thanking him for their meeting. She acknowledged REBNY's concern for "the economic health of the area and the impact on property owners." She touted the \$10 million revolving loan fund created by Emigrant Savings Bank and Howard Millstein with help from the LESTM "to assist the property owners" (Abram, 2006). Not much came of this fund, though: By 2007 the LESPC was reduced to identifying federal historic building tax credits as the only funding available to landlords in historic districts. And these credits were already available thanks to the 2000 state and federal district; the creation of a local district had no bearing on those credits.

In March, Hughes, acting through the newly created LESPC, took three steps to reach out to landlords and developers.<sup>ix</sup> First, she met with Howard Slonim, a local property owner, business owner, and president of the LESBID. Second, she asked Museum trustee and local real estate broker Paul Massey to contact Sion Misrahi about landmarking. (It's not clear from the archives whether this occurred before or after the March 16 Community Board meeting where Misrahi spoke out against the landmark district.) And third, she met with representatives of REBNY's Landmarks Committee.

In all these meetings, Hughes aimed to address the one overriding issue she and Ruth Abram had identified as impeding their ability to find support for a district among landlords and developers. As they stated in their presentation to the Board of Trustees' Real Estate Committee on March 2, 2006: "Ms. Hughes and Ms. Abram are concerned that landmarking will be perceived as onerous by local landlords, who may assume they need to undergo costly procedures to renovate their facades" (Real Estate Committee Meeting Minutes, 2006).

On July 11, 2006, Hughes was ready to send out her mass mailing to neighborhood property owners. This letter, which was printed on LESPC letterhead and addressed from

“Margaret Hughes, Coordinator, Lower East Side Preservation Coalition,” was translated into Chinese for Chinese-speaking landlords. The letter was carefully worded: Hughes does not say that the LESPC (or the LESTM) had actually decided to seek designation. Rather, she describes the LESPC as “a newly formed group exploring options for neighborhood stabilization and preservation.”

Together, we are engaged in a series of discussions concerning the best ways to achieve our goals. These include affordable housing preservation, zoning modifications, landmarking, and property assistance. As one part of our exploration we invite you to discuss city landmark designation for a portion of the Lower East Side.... While the Landmark Designation process provides ample time for community input, we would like to offer an opportunity for you to express your opinions early on.

The implication of the letter seems to be that this is an invitation to a dialogue about something that might one day happen as part of the LESPC’s desire to stabilize and preserve the neighborhood.

The letter goes on to address possible concerns property owners might have. Notably, the letter states: “Several recent studies... **show that landmarking more often than not protects or maintains property values**” (emphasis in original)(Hughes, July 11, 2006).

Three weeks later, the LESPC, acting on behalf of the LESTM, submitted its historic district proposal to the LPC. Attempts at appeasing landlords, business owners, and developers would continue sporadically for the next few months, but with the exception of two property owners who each owned one building, the property-owning class did not support the proposed district.

### *The End of the Initiative*

By the time the LESPC submitted the revised proposal to the LPC, it was clear that the landmarking initiative had minimal support throughout the neighborhood or, indeed, even

from within the Tenement Museum. The momentum was behind rezoning, not historic preservation. In December 2006, the 197(a) Task Force unanimously approved a rezoning resolution. According to this resolution, the neighborhood should be rezoned to shorten the maximum building height for new construction, except on designated growth corridors, which would allow for taller buildings. These buildings could be even taller if some of their units were affordable.

Interestingly, the resolution includes the following quote:

Landmark survey of rezoning areas. This is very helpful as it ties the Community Board to an interest in landmarking and possible historic districts. We were able to achieve this through the process of being part of the Community Board's discussions (197[a] Task Force, 2006).

The resolution did not acknowledge that the Museum had already conducted a landmark survey and proposed a historic district. This suggests that the Community Board would consider supporting a historic district sometime in the future, presumably after the rezoning, and presumably in an area of its choosing.

In response to the 197(a) Task Force's resolution, the Department of City Planning issued a rezoning map in March 2007. A year later the Department of City Planning certified the 197(a) Task Force's rezoning plan. From there the plan moved quickly. In July 2008 Community Board 3 approved the 197(a) rezoning plan. In August the Manhattan Borough President approved the rezoning plan. The City Planning Commission (CPC) hosted public hearings a week later. By October the CPC had approved the rezoning plan. The City Council followed suit in November.

By then, the Museum's historic district proposal was dead. Shortly after Community Board 3's Parks, Recreation, Cultural Affairs, Landmarks & Waterfront Committee held its second hearing about the historic district in July 2007—a meeting which few bothered to

attend and even fewer bothered to speak at (Community Board 3, 2007)—Margaret Hughes left the LESTM. The grant paying for her position had expired, and there was no more money forthcoming for her work from inside or outside the Museum. Officially Danielle Linzer took over the project, but she was also transferred to the Education Department, where her duties managing the Museum's team of educators left her with no time for other projects. When Ruth Abram retired from the Museum in July 2008, there was no one left to advocate for a historic district. At the LPC, the Museum's proposal was shelved indefinitely.

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<sup>viii</sup> The last slaves in New York State finally attained freedom in 1827, but visitors from other states, most notably New Jersey, could still bring their slaves to New York. The galleries were most likely built for recently freed slaves from New York and for the slaves of New Jersey residents travelling to New York City on business.

<sup>ix</sup> For the purposes of this dissertation, I define a landlord as someone who owns property but does not plan to radically alter or replace it. I define a developer as someone who buys property for the purpose of radically altering or replacing it with a new, higher-rent structure. These are the definitions typically adopted by landlords and developers, but not by residents who do not own property. In my interviews, most of these residents define landlords as people who own property but have a stake in the neighborhood, whereas developers are people who own property but just want to make money from them.

## Chapter 5: Differing Visions

### *Introduction*

In a globalized world, May (1996) argues, different groups living in the same space can have different senses of place. Studies of place, then, can uncover the workings of globalization as it affects real people on the ground. This is particularly true of the LES, a neighborhood with a diverse, multinational population located near the center of a global city and with potential for extremely high exchange values. In this chapter I explore three differing visions of the LES, each representing a different sense of place. I also examine how each vision represents a different response to globalization and how each vision yields different land use preferences.

### *Nostalgic LES*

For some neighborhood stakeholders, especially for those who work on the LES but do not live there, the LES is primarily a historic site. Nostalgia for an earlier LES dominates their vision of the current LES and dictates their land use preferences.

This nostalgic vision of the LES often frames the neighborhood as a Jewish enclave. In this vision, the Jews left the most lasting imprint on the neighborhood.

[The Jews] were there the longest. This wasn't just a way station for them.... They stayed a long time and they created an infrastructure. And then you started seeing more waves of other people who came—the orthodox [Jewish], Sephardic, Greek [i.e., Romaniote Jews from Greece]. And they didn't come as a result of being persecuted. They came for a better life. And so they really put down roots. By that time there was a whole infrastructure that was needed to keep orthodox Jews down here. You had all the synagogues, you had the mikvah, you had the kosher shopping.... And so they stayed as long as they could. Until the late '20s and early '30s [when] they started moving out. After the war [i.e., World War II], even more so they went to the suburbs, and everybody who could buy a house did. And so you see these periods of huge declines (Steinberg/Interview Subject 13, 2013).

There's truth in this vision. Organizations such as synagogues, charities, educational societies, and businesses that were founded by Jews more than a hundred years ago continue to operate on the LES today.

But this vision omits much. The era of Jewish dominance lasted only about 40 years, from roughly 1880 to 1920. The neighborhood was a predominantly German immigrant enclave from the 1840s to the 1880s. A growing Italian population moved in after World War I. Puerto Ricans and Dominicans have dominated much of the neighborhood since World War II. And the Chinese community dates its presence to the late 19th century.

Nor is it true that the Jews didn't move out until the 1920s. Jews were moving out in large numbers by 1910. By 1927 only 15% of New York City's Jews lived in the neighborhood (Wenger, 1997). The movement of LES Jews to other neighborhoods actually began with the development of Harlem in the 1890s, and it accelerated with the opening of the Williamsburg Bridge in 1903 and the opening of the Manhattan Bridge (and its subway link to Brooklyn) in 1909. With the opening of these two bridges and the subway link to Brooklyn, many successful Jewish entrepreneurs and professionals were able to move to better housing in Brooklyn. However, many of the Jewish shop owners continued to operate their small businesses in the neighborhood late into the 20th century, and this is what preserved a Jewish presence on the LES.

According to Beth Wenger (1997), it was these Jewish-owned stores that enabled the nostalgic vision of the old LES as a homeland for American Jews. Jewish New Yorkers, including some who had never lived on the LES, would visit the neighborhood on Sundays and before Jewish holidays to shop at its Jewish-owned stores and eat at its kosher restaurants. By shopping on the LES, Jews celebrated their own identity as entrepreneurial.

But they also celebrated their adaptation to American culture by contrasting their more suburban lives with the “Old World” LES from whence they came. These Jewish New Yorkers reframed the poverty of the neighborhood as the starting point for American Jews, and the worst aspects of the old LES were either forgotten or used to contrast with the present—and congratulate Jews for how far they’d come. Perhaps most significantly, by defining the LES as a common “homeland,” American Jews subsumed their own differences and identified themselves as an organic, unitary community; not as Ashkenazi, Sephardic, and Romaniote, or wealthy, middle-class, and working-class, but rather as the sons and daughters of the old Jewish LES.

This vision had to be squared with the increasing crime and decay of the post-World War II era. These decades coincided with the rise of the Latino LES, suggesting to some adherents of this vision that Latinos lacked the values necessary to make the same journey to the middle class as made by their Jewish predecessors. Another interview subject implies as much by comparing Latino and Chinese residents:

The movement of the Asian population further north and further east from Chinatown has been a major change because this area was predominantly Spanish during the 1980s. That also has been a very good thing. I mean, they’re good neighbors. They have the same motivation as Jewish immigrants did. They’re family-oriented, hardworking, a future for their children. They stress education. And where Jews had the distinction down on the Lower East Side of within two generations being able to move from the tenements to the split-levels, from hardworking, small-time merchants to sending their children to become doctors and lawyers and teachers and professors and architects, the same thing’s gonna happen with the Asian population. They’re going to make that move in two generations. They have the same motivation (Steinberg/Interview Subject 2, 2013).

According to this vision, Latinos lack the aspirations and work ethic of the Jews and Chinese, and the rising crime and building abandonment of the 1950s to the 1990s reflected a

deficient Latino neighborhood culture rather than municipal indifference and global economic restructuring.

However, this nostalgia also complicates the relationship between the newly expansive Chinatown and those who embrace a nostalgic vision of the old LES. Some local Jewish organizations were initially cool to the idea of the Tenement Museum because they felt it was insufficiently Jewish. “They wanted a bulwark against what they regarded as the encroachment of the Chinese into the Lower East Side, and they saw Orchard Street as that demarcation. And if the Tenement Museum was going to be a Jewish museum, fantastic. But if it was going to talk about Catholics and Germans and Irish and Italians, well that was not going to be good for the Jews” (Steinberg/Interview Subject 27, 2013).

Some Chinese landlords and other Chinatown stakeholders were also cool on the Museum. They understood the power of this nostalgic vision, and this may have fostered distrust of the Tenement Museum’s historic district proposal. “Once there was the opportunity to make large amounts of money on these properties... there was a sense within the Chinese community that [the historic district proposal] was favoring a Jewish history over the opportunity of contemporary Chinese immigrants to profit from their investments” (Steinberg/Interview Subject 19, 2013).

It seems that the Tenement Museum found it challenging to balance the nostalgic vision with the needs of current LES residents. For example, the LESPC’s Save the LES website featured essays on the different ethnic and national groups that settled on the LES over the years. The goal was to reframe the LES as a gateway neighborhood equally important to many different groups. But historian Hasia Diner, the author of the website’s essay on the Jewish LES, makes claims that no other essayist made: “[The LES] came to be



the embodiment of the Jewish experience in America. American Jews engaged with it over and over again in a range of media and in multiple ways, all of which confirmed the truth that this place had no competitor in conveying the idea of Jewishness in America”

(Savetheles.org, 2007). By contrast, sociologist Margaret Chin, in her essay on the Chinese and the LES, makes a claim to a current and ongoing (rather than strictly historical) relationship between a group and this neighborhood. For Chin, the LES is significant as a place of lived experience, not just cultural self-identification:

... unlike the European immigrants, wave after wave of Chinese immigrants continue to enter the United States and move to the Lower East Side. Many of the earlier immigrants, in turn, sublet to new arrival family members and friends. This renewal brings ever more creativity, services and commerce to the area. The LES supports a wealth of activities for all Chinese immigrants.... (Savetheles.org, 2007)

*From Bad to Good*

A second vision of the LES that focuses on the more recent past is by no means mutually exclusive with the nostalgic vision. In this vision, the neighborhood went from bad to worse in the 1980s and turned for the better in the 1990s. According to this view, the neighborhood of recent memory was dirty and dangerous, and the arrival of young professionals heralded a renaissance. However, this vision, like the nostalgic vision, is conflicted: Adherents of this vision acknowledge that the renaissance is leading to rising rents and the loss of old buildings and independent stores, though perhaps this is a reasonable price to pay for retiring the “bad” LES.

In this vision, the LES (and the East Village) by the 1980s was in rapid decline. “You would not have gone east of Third Avenue unless you wanted to buy drugs, squat in the vacant buildings, or die. It was that bad. As a native New Yorker, I wouldn’t have walked on those streets. It was a bad area” (Steinberg/Interview Subject 10, 2013). “It was really, really

gritty.... Dirty. Filled with graffiti. Lots of vacant buildings.... (Steinberg/Interview Subject 13, 2013). “It was pretty much given over to sex, drugs, and rock ‘n’ roll, and crime. What would pass in front of [my store] you could see was the pimps and prostitutes and petty criminals” (Steinberg/Interview Subject 16, 2013). However, some of these interview subjects distinguish between the East Village (with its notably more Latino population in the 1980s) and south of Delancey (which in the 1980s was much more Jewish and Chinese). As one interviewee said, south of Delancey “was a little more of an area where people lived—established communities” (Steinberg/Interview Subject 10, 2013).

In this vision, much of the LES and East Village (which were just developing separate identities in the 1980s) was devoid of communities and even people. “When I first moved to New York in 1994, I remember being told, whatever you do, don’t go on Rivington Street. Like, the Lower East Side was kind of like a no-man’s land. Not no-man’s land, but we were told that it was not safe” (Steinberg/Interview Subject 17, 2013). People who do appear in this vision are often part of a criminal underclass, not a community.

Then, in the 1990s, it changed. “At some point ... I hear inflections, accents that are not Yiddish, which was basically what it was, but British and French and Italian and Spanish.... ‘Where do you live?’ ‘I live on Rivington, on Suffolk, on Delancey, on Clinton.’ ‘What do you do?’ ‘I’m a graphic designer, I’m this, I’m that’” (Steinberg/Interview Subject 16, 2013). Crime fell. Public services improved. Landlords began renovating their buildings.

By the 2000s the good times were rolling, but displacement was becoming a problem—though adherents of this vision usually focus on the displacement of businesses rather than of residents.

Going through the neighborhood [today], I don’t miss seeing drug dealers everywhere. There’s less neglect and abandonment on the streets. At the same time

you do lose a lot of the more local feel of everything when you see a lot of older businesses disappear. Mom-and-pop shops that you grew up with are no longer there. It's both good and bad, whenever neighborhoods change. So then it's a feeling of loss but there's also a feeling of, well, you don't want to over-romanticize certain things that, looking back, it wasn't the best place to live, either. People tend to think one way or the other. And I always find that a little disingenuous (Steinberg/Interview Subject 18, 2013).

In this quote, nobody is changing the neighborhood. Rather, the neighborhood is just changing, as all neighborhoods presumably do. In this vision, the loss of local flavor is unfortunate, but it's balanced by the decline in crime and abandonment.

### *Communal Ownership*

There is a third vision of the LES, one grounded in its history as a home to left-wing thought and activism. In this vision, the LES of the 1970s-1990s is the neighborhood's true golden age, one during which private property became communal property and locals rallied to fight against the City's attempt to "wipe clean" the neighborhood and hand it over to real estate interests.

There was a very different attitude towards the properties. The real estate properties had declined below zero, so landlords would burn their buildings to get the insurance money, because the property was worth less than anything intrinsically. And the City didn't want the properties either. Nobody wanted this neighborhood in the late '70s, early '80s, mid-'80s. And that has an important effect on the people who live in the space because they treat the neighborhood as if it's their personal backyard. Ownership is gone, so the people feel that the space that they live in belongs to them. That's a very unique attitude to have towards a neighborhood (Steinberg/Interview Subject 7, 2013).

Attitudes toward graffiti reflect these different visions. Whereas the other two visions frame graffiti as a sign of crime and decay, this vision frames it as an artistic movement.

There were a lot of graffiti artists. You could just paint graffiti on other people's property with impunity because the landlord didn't care, because why would you care? Why would you want to efface graffiti? It wouldn't improve your property to repaint your property. You weren't getting any money for your property anyway. So there were murals on many of these buildings. And some of them were quite striking (Steinberg/Interview Subject 7, 2013).

Street murals back then were often political, advocating Latino and Asian claims to the neighborhood and its history.

[Some of the murals] had Chinese-American immigrant themes. There was one on Bowery and Hester, and there's another one—this is a Chinese restaurant now, at Rutgers and East Broadway.... It used to be a cafeteria. And then once the cafeteria closed down a Chinese restaurant came in. They whitewashed that whole—And I thought that was a very important mural. And they had a couple others around the community (Steinberg/Immigrant Subject 9, 2013).

The cafeteria this interviewee refers to was the Garden Cafeteria, a legendary left-wing hangout on the same block as the offices of the Daily Forward. Although the Forward was a Yiddish-language newspaper, it was also socialist and, as such, it valued class identity over racial or national identity. For the Jewish immigrants who founded the Forward in 1897 (and for the prior German immigrants who introduced many of the Jewish immigrants to German left-wing political activism), the ethnic divisions of the neighborhood were far less important than the need to unite into a workers' movement. This attitude, too, is part of this vision of the neighborhood: The LES is a place where ethnic divisions can be overcome through class solidarity. (The nostalgic vision also celebrates the Forward, but as an example of Jewish literacy and curiosity, not cross-cultural political activism.)

In this vision of the LES and East Village, the crime and disorder were part of the sense of shared purpose, adventure, and ownership:

Somebody gorked out was tragic. The heroin. It was aspects of animosity, there were aspects of class antagonism and those sorts of normally human things. But I think that they went hand-in-hand with the openness that created the artistic eccentricity. The Upper East Side wasn't porous enough to have allowed either of those things. And the Lower East Side was a place that a lot of New York went to--to score, to buy. It was a place that was cheap enough for the artists to live in (Steinberg/Interview Subject 15, 2013).

In this vision, squatters were not lawbreakers so much as settlers.

When the housing was burning and being abandoned, there was a large movement in the Lower East Side along with many other places, too, through self-sweat equity or through outright purchase, or through participation in the Community Management Program that the city ran at that time (Steinberg/Interview Subject 11, 2013).

Sevcenko (2012) explains how many of the residents of the eastern portion of the East Village coined the phrase “Loisaida” to describe their neighborhood, not as a way to lay a Puerto Rican claim to those few square blocks, but rather as a counterpoint to efforts by the City and real estate interests to force out the Lower East Side’s low-income minority residents and then redevelop the neighborhood. Their idea was that Loisaida, though predominantly Puerto Rican, would be home to a multiethnic united front against displacement and disinvestment. Although in no other part of the East Village/Lower East Side did residents go so far as to coin a new name for their neighborhood, elements of this attitude shaped the entire neighborhood thanks to its many community gardens, squatters, public art, block parties, and community-building nonprofits.

This vision, though, has its own tinge of nostalgia.

A lot of people like me had moved in. Increasing number of people like me. White. Educated. Middle class.... By the early 2000s, the people I knew who were artists in the neighborhood had moved out. They almost all left or maybe weren’t making art anymore. That moment disappeared (Steinberg/Interview Subject 15, 2013).

The vision of the LES as a place of communal ownership would succeed in stopping the Urban Renewal redevelopment planned for the neighborhood in the 1960s and 1970s, but it also attracted a new group of young, educated, middle-class white residents who would trigger a slow and steady rise in rents and, eventually, a different kind of redevelopment, one based on refurbishing old tenements and building new condos.

### *Placing These Visions in a Globalized World*

Each of these visions relates to the highly globalized world described in chapter 3.

The nostalgic vision of the LES is an attempt by mostly nonresidents to freeze the neighborhood's sense of place in a less globalized era, one in which non-European immigrants were rare and most investment money came from within the neighborhood's immigrant communities. This is a reactionary and even xenophobic vision.

The vision of the LES as going from bad to good reflects the attitude of the neighborhood's newest residents, mostly middle-class professionals. For these newer residents, the LES is attractive in part because of its "diverse" population and culture, but also because it's safer than it once was. This vision either passively accepts or ignores the displacement upending the neighborhood's older communities. It also ignores the larger context—including municipal policies and global flows of migrants and capital—for the spike in crime in the 1980s and the decline in crime since then.

The communal LES reflects a desire among some residents to protect their claim to the neighborhood in the face of changing municipal policies and global flows of capital. When global finance is wed to municipal governance in such a way as to encourage gentrification, this vision becomes a powerful counterweight, a tool for some locals to lay claim to a neighborhood they might soon be unable to afford to live in.

#### *Land Use Implications of These Visions*

Globalization shapes each of these visions. Each of these visions in turn shapes local land use policy.

Adherents of the nostalgic vision wish to preserve the original built environment because it represents the original immigrant (i.e., Jewish) experience. It was in these buildings that European immigrants began their journey to middle-class, assimilated success.

Inherent in the nostalgic vision's land use preferences is a search for authenticity, a quest to identify and preserve those shops and buildings that truly represent the nostalgic vision of the old LES. Authenticity, however, is not inherent to any business or building. Rather, it results from a relationship between a person and a business or building.

There are plenty of small business owners on the LES who work hard to nurture this sense of authenticity among customers as a way to out-compete their competitors. For example, the Pickle Guys, the last pickle vendor on the LES, retains its kosher certification and places wooden pickle barrels in front of its store. However, inside the store are plastic barrels (as required by Food and Drug Administration regulations), and inside the barrels are pickles from non-Jewish communities, including pickled pineapple and pickled okra. The owners of the Pickle Guys (one of whom is a second-generation Jewish American from Brooklyn, the other a Chinese-American who grew up in Manhattan's Chinatown) are happy to sell "Jewish" pickles to tourists wishing to visit a nostalgic remnant of the old LES while selling different kinds of pickles to other communities living on the LES today.

Second, there's a desire to support the neighborhood's economy of small shops and independent tenement landlords. As one interview subject with long-standing familial and professional ties to the neighborhood said, "I loved the fact that my father came here as an immigrant with a 4<sup>th</sup> grade education and was able to open a store and prosper," (Steinberg/Interview Subject 14, 2013). For this and other stakeholders, the small, independent stores and landlords add character to the neighborhood and explain how Jews became so successful.

[Opening a store is] what made so many other immigrants. And that's what made so many other people that followed them. And that's what makes them today. Take that away, and what have you got? A homogeneous society.... It's becoming where the big boys are getting bigger and bigger and bigger, and dominating. And every step we

take, the little guy is being pushed aside. And if this continues, we're going to have a more polarized society than ever before. (Steinberg/Interview Subject 14, 2013)<sup>x</sup>.

In the nostalgic vision, the LES not just celebrates the Jewish past. It offers a lesson for later immigrants on how to become American and a lesson for all Americans on how to improve class mobility. But for newcomers to learn this lesson, much of the original LES must be maintained. Otherwise the lesson might be diluted or lost amid new development and changing demographics.

Those who see the LES as having gone from bad to good have different land use preferences. First, there's a tolerance and even welcoming of newer residents who have settled this supposedly abandoned, lawless neighborhood. In this vision, it's a good thing that landlords can upgrade and deregulate tenement apartments and developers can build luxury housing. Second, there's a conflicted tolerance of the displacement of older businesses by boutiques and chain stores. Third, there's resigned acceptance of the displacement through rising rents of older (especially Latino and Chinese) communities. Adherents of this vision may feel conflicted about the changes, but they're wary of public policies that may reverse those changes; such policies risk returning the LES to the supposedly lawless 1980s.

What are the land use implications of the communal ownership vision? First, a strong dedication to maintenance of communally owned spaces such as community gardens (some of which now have long-term leases thanks to the City's Green Thumb program) and squats (a few of which have also attained long-term leases from the City). Second, strong support for maintenance of the public housing projects as an important addition to the neighborhood. This belief, as one interviewee notes, goes against the other two visions: "When they see us, they see us as residents of city public housing and the assumption is we couldn't have possibly made a contribution, our ancestors. And it's the wrong assumption to make, of



course” (Steinberg/Interview Subject 5, 2013). According to the communal ownership vision, more should be done to maintain the public housing projects, and the City should not sell housing project parking lots and playgrounds to for-profit developers, as the Bloomberg administration suggested in 2013.

### *Conclusion*

Tuan (1991) writes that the words we use to describe a place—and how we use those words—shape our vision of that place. This is certainly true of the Lower East Side. Names such as Kleindeutschland, Little Italy, the East Village, and Loissaida have long reflected one group’s claim to a portion of this neighborhood. Words such as “slum,” “gangs,” “no-man’s land,” “bargain shopping district,” “bridge-and-tunnel crowd,” “historic,” and “authentic” also shape our vision of the LES—what it is and what it should be. By parsing how these different words are used and by examining who uses them, we better understand what the different visions of the LES mean.

So what can we learn from these differing visions? First, these visions often reflect gendered and racial divisions. As Massey (1997) notes, space is a social construct, often reflecting power differences between classes, races, and genders, and this is particularly true on the Lower East Side. The nostalgic vision is a distinctly Jewish vision, and the “from bad to good” vision renders nearly invisible (or at best criminalizes) the darker-skinned residents of the neighborhood in the 1980s. Some of the interview subjects also frame the “bad” LES as a place particularly dangerous for women, and a place where the only women on the streets are prostitutes, whereas the “better” LES is a neighborhood where middle-class women could walk without fear.

Second, these visions often reflect differing attitudes toward capitalism. For the communal vision, capitalism is the enemy and the cause of the neighborhood's many troubles. For the nostalgic vision, capitalism is the route immigrants can (and should) take to middle-class success and respectability. And for the "bad to good" vision, capitalism is the process that has saved the neighborhood, though it also leads to unfortunate (but perhaps unavoidable) displacement of lower-income communities.

Third, these visions can coexist in the same people. Someone may adopt the communal vision when speaking of murals but switch to the "bad-to-good" vision when speaking of crime. These visions, then, are rather like interchangeable lenses that stakeholders can use to make sense of specific phenomena. Which lens a stakeholder adopts in any particular moment is often a function of many variables, including race, gender, age, and class.

Fourth, there are land-use repercussions for each of these visions. Each vision has its own preferences for what gets preserved. For the nostalgic vision, the focus is on preserving buildings and public places relevant to the 19th century and early 20th century LES. For the "bad to good" vision, the focus is on preserving a vaguely defined neighborhood character based on walkability and human-scale massing. For the communal LES, the focus is on preserving communal spaces, including community gardens, political murals, and squats, and on preserving affordable housing.

As a nonsectarian cultural nonprofit, the LESTM saw itself as uniquely suited to develop a land-use plan that would balance and integrate these three competing visions. As a historical nonprofit, it could speak to and reflect the nostalgic vision. As a benefactor of gentrification, it could celebrate and reinforce the transformation of the neighborhood into a

destination for tourists and newer, wealthier residents. And as a museum that celebrated immigration, it harbored a healthy respect for the communal claims of lower-income and minority communities on the LES.

Although Ruth Abram's initial support of a historic district was driven by the nostalgic vision (with likely reinforcement by the "bad-to-good" vision), she and Margaret Hughes eventually tried to integrate the communal vision into their proposal by designing a historic district that would preserve affordable housing and celebrate the stories of contemporary immigrants. But as we'll see in the next two chapters, there are major structural barriers to the creation of such a historic district proposal. Despite their best efforts, Abram and Hughes were operating in a system that did not allow for the kind of land use that would reflect all these visions equally.

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<sup>x</sup> But note that this interview subject opposes historic preservation, perhaps because he's also a landlord. Different people can adopt different visions when considering different aspects of the neighborhood.

## Chapter 6: The Politics of Organizations on the LES

### *Introduction*

With few exceptions, the LESTM did not seek support from individual men and women. Rather, the Museum sought support from organizations and approached individuals as representatives of those organizations. This made good sense. As we'll see in the next chapter, New York's land-use process empowers organizations to represent communities. But first I examine how the LESTM's organizational structure and its relationships with the LES's other nonprofit organizations limited the Museum's ability to create a winning coalition in support of its proposed district.

### *The Tenement Museum as an Organization*

The Tenement Museum—like the proposed LES historic district—was born in the mind of Ruth Abram. In 1988, when many tourists and middle-class New Yorkers associated the LES with drugs, danger, and decay, Abram and her first curator, Anita Jacobson, founded the Tenement Museum as a cultural nonprofit that would transcend the racial and ethnic sectarianism of the neighborhood and draw visitors and donors from all parts of the New York metropolitan area. Despite Jacobson's early involvement, Abram dominated the Museum, especially after Jacobson left the Museum in the late 1990s.

To make her vision of a museum on the LES a reality, Abram needed to be charismatic, single-minded, tenacious, and implacable. She was all these things.

Ruth founded the Museum. Wonderful, great idea. Her and Anita Jacobson. Anita took a back seat because Ruth is a very, very dominant personality, which it'd have to be. Nobody thought that you could pull this off. Nobody thought that this was a good idea.... This is about the hoi polloi, this is about the masses that came here. And people say, who's really interested in that? Not that they were right. They were very, very wrong about it. People just thought it was a bad idea. And Ruth didn't. Ruth was right. Ruth persevered and got this done (Steinberg/Interview Subject 10, 2013).

Here employees were impressed with her abilities.

For that period of the Museum's growth, she was fantastic. I mean, you only have to look at the facts of what happened in 20 years that she was there. She was incredibly charismatic. She made it everything that it was. There was always a really healthy tension between the staff and her about the level of ambition and mission creep, the level of scope (Steinberg/Interview Subject 8, 2013).

But there were risks to this charismatic and single-minded style of leadership. There was apparently little check on her leadership from inside the Museum.

[The Board of Trustees] were all friends of Ruth. They didn't take minutes. They didn't have votes. There was Ruth telling everybody what she did and what the Museum did. And there were great stories, and great things. She got this done. She willed this into being. She wasn't about running a board and having a board. The board basically listened to her. And she did what she wanted (Steinberg/Interview Subject 10, 2013).

This concentration of vision and power enabled the Museum to keep growing despite the skepticism it encountered. But as Gaskins (2007) notes, a nonprofit leader's power does not emanate from the stature of her office. She doesn't work for elected officials, as a top bureaucrat does, nor does she work for the owners of the organization, as a for-profit CEO does. Rather, she works for *everyone*, including the board and staff. To get things done, she can't rely on being right. She must also motivate people to do things they would otherwise not do.

As a nonprofit leader, Abram sometimes lacked this ability, as her failure to garner support for a historic district from within her own organization proves. None of her employees was willing to dedicate much time and energy to the historic district proposal, and when she hired an outsider to lead the effort, her staff made their hostility evident.

Ruth loved [Margaret Hughes], because Ruth saw what she was able to do in the community. But other people inside the Museum were mean to her. Some of the other people ... just thought that she didn't get it, didn't get what the Museum was. So

people didn't hold her in the highest esteem, didn't always treat her with the most respect internally (Steinberg/Interview Subject 19, 2013).

Abram's inability to galvanize support for this project among her own staff, combined with the Board of Trustees' refusal or inability to check her power, may have doomed the historic district proposal from the start.

But there's another reason the proposal was likely to fail: The Tenement Museum was a cultural nonprofit trying to balance three competing priorities. First, it was a history museum dedicated to preserving and interpreting the past for the edification of Museum visitors. This made it a natural supporter of historic preservation, because the more of the neighborhood it could preserve, the more of the built environment it could use for this edification. Second, it was a cultural destination, and it depended on tourists and suburbanites to visit and contribute to the Museum. This made it a natural beneficiary (if not outright supporter) of gentrification, which would help re-brand the neighborhood as a safe and exciting place to visit. Third, it was a social justice nonprofit that sought to empower and unite the many low-income and immigrant communities of the LES through facilitated storytelling and communal landmarking. This made it a natural foe of displacement.

Had the land-use regime in New York City been different, perhaps the Museum would have been able to identify a land use plan that would unite all three of these priorities. But the City's land use process forced the Museum to choose which priorities to embrace. These tensions came to the surface—especially in the Museums' interactions with other neighborhood organizations—when Abram proposed a historic district, which would speak to the first two of the Museum's priorities but not the third.

*How the Tenement Museum Was Perceived by Other Organizations*

The Lower East Side has long been a neighborhood where coalition building is a challenge.

There has always been a kind of Mexican standoff among the various groups down there. It was like, if anybody would suggest something, everybody else would get in a circle and shoot them down. So you had the Orthodox Jews, the Latinos, and Chinese. And then you have the leftover '40s era Communist, really ultra- ultra-left wing group, mostly in the East Village, but also operating down there [i.e., on the LES]. And so they were always at war with one another. Very little was able to be gotten done. Very turf-ed up (Steinberg/Interview Subject 13, 2013).

To overcome these divisions, the LESTM would need to gain the trust of many different organizations. Through its work in the LESCPP, the Museum had proven that it could facilitate meaningful dialogue among these groups, but the stakes were much higher when it came to creating a historic district, which would limit property rights (though not when it came to displacement of lower-income residents). What's more, many other organizations questioned the Museum's motives in light of other developments, most notably the Museum's attempted seizure with government support of the tenement at 99 Orchard Street, which Ruth Abram wanted to use to enable elevator access to 97 Orchard Street.

Some of the people the Museum asked to support a historic district later expressed skepticism of the Museum's motives.

I think Ruth was doing it for the benefit of the Tenement Museum, that's what she was doing. That was her agenda (Steinberg/Interview Subject 16, 2013).

It's different when it's something in somebody's kitchen and a couple people with an idea and then they look to rent a little place, versus being a line item in somebody's budget, which is millions of dollars a year, and the money just keeps coming, and they know that they're going to be able to pay the electrical next year and your salary the year after that, and they can afford to rent another building or buy another building and start to have a real presence. So you said to me, *What becomes a community leader?* It's maybe starting to throw your weight around a bit. And that's absolutely what the Tenement Museum does. It's changed (Steinberg/Interview Subject 15, 2013)

The Tenement Museum is a very ambitious institution. They're very successful. They are sort of expansionary.... The Tenement Museum has these wonderful programs.... But it's supported by a very aggressive model.... And [the attempted taking of 99 Orchard] tells you something about the character of the Tenement Museum. It's sort of like a business. It's a nonprofit, but it really does have this character of commerce and making a lot of money (Steinberg/Interview Subject 7, 2013).

The Museum was aware of this skepticism, and how this skepticism was tied to its status as a cultural nonprofit.

People would reference [99 Orchard] in relation to the landmarking efforts and say, here we go again, the Museum overstepping its boundaries as a cultural institution and trying to take a hold of the neighborhood in a way that they're not really entitled to, or that's at the expense of others and in their own best interests. And then being disingenuous about what those interests are. That was the feeling that a lot of people had, even when they wanted preservation, the fact that it was a museum that was doing that and that the museum was by many seen to contribute to the gentrification in the neighborhood. So on one hand here we are accelerating that process and benefiting from it. And at the same time we're trying to implement something that would limit other people's benefits. So that was this thing that we could never reconcile (Steinberg/Interview Subject 19, 2013).

As a cultural nonprofit, the Museum depended on the neighborhood's cultural identity as a working-class immigrant enclave. This might have made it a natural ally of ethnic-based neighborhood nonprofits. But because the Museum also benefited from gentrification, which had made the neighborhood a more attractive destination for potential Museum visitors, those other nonprofits distrusted its motives. And as the Museum acquired (or attempted to acquire) more properties, it came to look more and more like just another landlord trying to expand its holdings and increase its property values. The Museum's very success as a cultural nonprofit made it suspect.

### *Issues Facing Other Organizations on the LES*

Even if the Museum had overcome this level of distrust, it still would have faced challenges in stitching together a coalition in support of a historic district.



One challenge was that different organizations had different “catchment areas,” or self-defined geographic areas of interest, which in turn reflected the changing demographics of the neighborhood. For example, the Greenwich Village Society for Historic Preservation (GVSHP) did not offer strong support for the Museum’s historic district proposal because the district was not within Greenwich Village. (But note that the GVSHP could have redefined “Greenwich Village” to include the LES, if it wanted to. Indeed, it had already redefined “Greenwich Village” to include the East Village once it moved its offices to East 11th Street.) Other organizations with strong ties to the East Village—include the East Village Community Coalition and GOLES—hesitated to get too involved in any planning issues occurring south of Houston Street.

A former employee of another organization—this one with strong ties to the Chinese immigrant community—said that the proposed historic district was in his organization’s “catchment area,” but only as an adjunct to Chinatown to the west. Indeed, he called the area of the proposed district “East Chinatown” (Steinberg/Interview Subject 12, 2013). Because the proposed district was on the periphery of Chinatown, it was difficult to convince Chinese immigrant and Chinese-American organizations that it would be central to their mission or identity. And because the LESTM was not an expressly Chinese nonprofit, these organizations doubted that the Museum’s proposed district would adequately reflect the Chinese history and culture of the neighborhood.

Meanwhile, some of the organizations whose catchment area more closely matched the boundaries of the proposed district—such as the LES Jewish Conservancy—were struggling to maintain their relevancy in a rapidly gentrifying neighborhood and were not

willing to alienate local landlords who doubted that a historic district would help them in the short-term (or ever).

A second challenge facing each of these organizations was limited funds. Each nonprofit had limited money to spend in support of its mission. What little money an organization had would normally be used in the service of that organization's mission. And because none of these organizations, other than the LES Jewish Conservancy, were explicitly dedicated to historic preservation, it was a challenge to convince any of these organizations to expend valuable resources in support of a historic district. GOLES, for example, was far more likely to dedicate its limited resources to fighting the sale to developers of land owned by the New York City Housing Authority (NYCHA) than helping the Museum create a historic district.

Even if an organization had the funds, it typically lacked experience with and interest in historic preservation. Organizations with a long history of fighting Urban Renewal, preserving affordable housing, supporting community gardening, or offering social services to very low-income communities usually lacked much knowledge of historic preservation and were wary of how a historic district would change the neighborhood. The Museum attempted to educate these potential ally organizations about historic preservation, but just as Ruth Abram found it difficult to motivate her own employees to support a historic district, so too did the Museum find it difficult to convince potential allies to support a winning pro-district coalition.

#### *Historic Preservation Organizations in New York City*

Historic preservation nonprofits in New York City did not rush to aid the Museum's proposal because of who worked for them and how those employees related to each other.

Most historic preservation nonprofits in New York City begin as small grass-roots organizations staffed by volunteers and dedicated to preservation in just one neighborhood. It can take years of hard work at low or no pay before such a nonprofit is able to hire full-time, professional preservationists.

Volunteers are usually residents of this one neighborhood. Typically, these volunteers are educated, fluent in English, and middle class. Often they're also homeowners, either of condos or as members of co-ops. They have the time to spare for this sort of volunteer work, they feel a greater need to volunteer in the service of preservation than in the service of some other goal such as fighting displacement, and thanks to their education and professional training they feel confident that they can engage the City's arcane planning process. And it's often the same kind of residents—educated, English-speaking, and middle class—who can afford to donate money to these nonprofits. If the nonprofit has enough name recognition and donations, it might then hire full-time professional historic preservationists, many of whom started their career as volunteers.

It's not uncommon for the Landmarks Preservation Commission to employ these volunteer and professional preservationists before or after they work for these nonprofits. Indeed, historic preservationists in New York City, whether they work for the city, work for an established historic preservation nonprofit, or volunteer for an emergent, neighborhood-based historic preservation nonprofit, often know each other and have worked with each other before.

In the preservation field, everybody kind of knows each other. Half of us all went to school together. So whether or not you work at the Landmarks Commission, you work at Historic Districts Council, or you work for Municipal Arts Society or Landmarks Conservancy, because it's a small field and most everyone knows each other, there's a lot of kind of chatter back and forth (Steinberg/Interview Subject 17, 2013).

Historic preservationists share a common worldview shaped by their class, academic training, and professional training. As we'll see in the next chapter, this worldview is rather technocratic. It also neglects many of the concerns of lower-income communities, especially in an era of rapid displacement and gentrification.

But these preservationists aren't as likely to live and work in lower-income communities, anyhow. And if they do, those neighborhoods aren't likely to remain lower income for long. One preservationist who long worked in New York City says:

Part of the hard issue in New York [is that] the neighborhoods that have organizations dedicated to preservation in those neighborhoods with paid staff are not always the neighborhoods that need it most. You know, Greenwich Village, Upper West Side, Upper East Side, the wealthier, largely white neighborhoods are the ones that have in a lot of ways the most preservation support, because they have organizations that are dedicated to it (Steinberg/Interview Subject 17, 2013).

An ally of the developers' lobby agrees:

The higher-income neighborhoods... can hire individuals, so there are resources there to get the expertise. There is an economic investment in the neighborhood, because they are condo or co-op owners, so they see the value of their property being tied to preserving the neighborhood as it is (Steinberg/Interview Subject 22, 2013).

The Lower East Side is a neighborhood with a very high proportion of renters. Many of the homeowners live in the Grand Street co-ops—mid-century housing projects geographically and demographically removed from the surrounding tenement housing stock. The neighborhood lacks the critical mass of educated, middle- and upper-income resident homeowners needed to create local, grass-roots historic preservation nonprofits. This explains why Ruth Abram felt that the LESTM had to lead the preservation movement on the LES. But precisely because the LESTM wasn't an expressly historic preservationist nonprofit, it employed no historic preservationists and thus had no clear link to the city's

historic preservation movement. The Museum was as isolated from the city's historic preservationist movement as from the neighborhood's other nonprofits.

### *Conclusion*

For any vision to shape a neighborhood's land use, it must have organizational support, both within and between organizations. Ruth Abram's vision of a historic district on the LES lacked both. The Museum failed because of organizational politics, both internally and in its relations with other nonprofits.

Nonprofits are often founded by charismatic leaders. If they're not careful, these leaders can create an organization with little check on their power, and thus they risk leading their organization astray by pursuing goals that alienate staff and other organizations. That's what happened at the Tenement Museum. Ruth Abram's retirement from the Museum in 2008 and the coincidental professionalization of its Board of Trustees reflect a maturing of the LESTM. So too does the Museum's revised mission statement, which it adopted after Abram's retirement. It reads:

The Tenement Museum preserves and interprets the history of immigration through the personal experiences of the generations of newcomers who settled in and built lives on Manhattan's Lower East Side, America's iconic immigrant neighborhood; forges emotional connections between visitors and immigrants past and present; and enhances appreciation for the profound role immigration has played and continues to play in shaping America's evolving national identity.

Note that the revised statement no longer speaks of promoting tolerance and historical perspective, or of initiating public dialogues on immigration, the garment industry, cultural identity, and social welfare. Now it speaks of forging emotional connections and enhancing appreciation. The Museum now downplays the social justice component of its mission, a reflection of its increasing professionalization and specialization within the museum field.

As the Museum changes, so too does its sense of place. Ruth Abram had a strong sense of place, which she tried to impart on the Tenement Museum. For Abram, that sense of place necessitated a historic district so she could preserve as much of the neighborhood's built environment as possible. But no individual can translate her sense of place into actual land use. Rather, she needs an organization to support her vision and then other organizations to join forces with her organization. Ruth Abram failed on both counts.

The Museum logically could have found support among the city's other nonprofit organizations dedicated to historic preservation. But these organizations are largely staffed by middle- and upper-income residents of wealthier neighborhoods. They are often homeowners in those neighborhoods, and they often know each other and share a technocratic vision and language. Both geographically and demographically, the Museum was isolated from the city's extensive historic preservation movement.

The Museum also tried to find support among the neighborhood's social justice nonprofits, but here too it failed. The neighborhood's other nonprofits were primarily concerned with gentrification, and the Museum failed to convince them that the proposed historic district would limit displacement.

But the Museum's failure to create a winning neighborhood coalition in support of a historic district points to a bigger problem facing the Museum. The Museum was trying to foster a social network of organizations and the ethnic communities they represented, but the Museum's proposed district did not address the unequal power relations that caused so much of the poverty and displacement on the LES. As DeFilippis (2001) writes, a social network that doesn't recognize and address unequal power relations will never develop much social capital (or the ability to better one's community). The LESPC was just such a social network;

it's inability to recognize and address unequal power relations ensured that it would not nurture a truly democratic people's movement in support of some kind of preservation.

In a sense, Ruth Abram was acting like the hypothetical elected official described by Hays and Kogl (2007): "If neighborhood social capital were disconnected from democratic power, then elected officials' reliance on it to provide citizens with collective goods could be construed as self-serving" (p. 183). The Museum, by adopting top-down planning rather than the bottom-up planning it experimented with through the LESCPP, was trying to provide a collective good (a historic district) without ceding power to neighborhood residents as to what to preserve in the neighborhood, and how to preserve it. And as with Hays and Kogl's elected official, locals construed this attempt as self-serving.

The Tenement Museum tried to both commodify culture and pursue social justice, but when forced to choose, it chose to commodify culture—and this in a neighborhood dominated by social service and justice nonprofits. Ruth Abram thought that the LESTM as a cultural nonprofit could act as a bridge between the ethnic divisions separating the other neighborhood nonprofits. But these other nonprofits viewed the Museum with suspicion, doubting that a cultural nonprofit unwilling or unable to enable truly democratic, grass-roots activism could speak to their needs.

## Chapter 7: Historic Preservation in NYC

### *Introduction*

The clash of differing visions for the LES proved a major hurdle for the Tenement Museum as it sought support for its historic district proposal. So too were the conflicting missions of the neighborhood's other nonprofits, which the Tenement Museum needed as allies. But the biggest hurdle for the Museum was New York City's historic preservation regime. The people who work in historic preservation, the process by which historic districts are created, and the role of zoning in the City's land use all worked against the Museum's proposal.

### *Who Are the Preservationists?*

In New York City, it's the preservationist who takes the lead in preserving. But who is the preservationist? How is the preservation process constructed to give preference to his or her views over others'? And why are cultural nonprofits like the LESTM ill-suited to take the initiative in historic preservation in New York City?

Whether they studied architectural history and historic preservation in graduate school or joined the historic preservation movement without any formal study in the topic, preservationists in New York tend to share certain characteristics. They tend to be educated. Indeed, they need to be to engage the City's arcane and technocratic historic preservation process.

Preservationists also tend to focus on "their" neighborhoods, meaning neighborhoods they live (or would live) in. This is particularly true of volunteer preservationists:

We decided right from the beginning to focus on the East Village because a lot of our volunteers were from the East Village and were very much intent on having the area



landmarked first since that's where they lived.... (Steinberg/Interview Subject 26, 2013).

These volunteers sacrifice their limited free time in the service of preservation, but they won't do this unless it's preservation they feel passionate about—and they're most likely to feel passionate about preservation in their own communities. More established preservation organizations tend to follow these mostly middle-class, college-educated volunteers into new neighborhoods rather than independently identifying neighborhoods worthy of preservation and then pursuing historic preservation. Thus, the GVSHP didn't expand its area of interest to include the South Village or the East Village until those neighborhoods had enough volunteer preservationists willing and able to support historic preservation within their neighborhoods. Preservationists won't seek to preserve something unless *they* feel it needs to be preserved.

Whether volunteer or professional, preservationists also tend to be specialists with training in architecture, architectural history, or historic preservation. Rarely do they support historic preservation as a means to an end, for example, as a way to help lower-income and minority communities lay claim to their own neighborhoods. This specialization is required by the City's historic preservation process, but this specialization may blind preservationists to other land use tools, such as rezoning, and other definitions of what needs to be preserved.

St. Augustine's Church and the LESTM understood this during the Slave Galleries Project. As one person involved with the Slave Galleries Committee said:

The goal of [the Slave Galleries Project] was to have the community leaders themselves who are not professional preservationists or historians identify places in the neighborhood that they knew had resonance and were important for their communities and then make that history known to a broader community, but use them as sites of dialogue across different communities about the contemporary issues that those places raise.... Very few other people knew about [the Slave Galleries], and of course it tells a specific piece of history about segregation and slavery, but then also

resonates with anybody who's felt marginalized or excluded or has experienced racism. So it's a place that we chose as the pilot for being a center for recording the specific community's history but also opening conversations about shared experiences of marginalization and segregation in the neighborhood today (Steinberg/Interview Subject 8, 2013).

One way to resonate a marginalized community's "sacred" historic space with an entire neighborhood is through facilitated dialogue, but historic preservationists are not normally trained to facilitate dialogue, and they may be disinclined to do, since it may seem like a distraction from what they were trained to do. What's more, facilitated dialogue takes time, costs money, and requires trained facilitators who do not have a preconception as to what should be preserved.

Cultural nonprofits are at a disadvantage when it comes to historic preservation because they operate independently of the cadre of volunteer and professional preservationists. They typically don't hire preservationists, and preservationists usually don't work for them. This is particularly true of historic house museums like the LESTM:

[House museums] really tend not to look outside their own walls as much as other neighborhood groups. They're very issue-focused, which is their job. They're also dealing with their educational programming, their own fundraising, which goes on inside their walls. Whatever outreach they do do is translated to serve their mission, which is usually to get people to visit them (Steinberg/Interview Subject 6, 2013).

So while preservationists seek to create a critical mass of volunteers in support of preservation, historic house museums seek to expand their educational programming, raise funds, and attract visitors. In terms of methods and goals, preservationists and historic house museums have little in common, making it unlikely that they would easily join forces.

### *How Does Preservation Work in NYC?*

In her history of the LPC, Marjorie Pearson (2010) cites two historical trends as inspiring New York City's modern historic preservation movement: post-WWII Urban

Renewal and the City's 1961 rezoning. The former led to the widespread destruction of the aging built environment while the later, by dividing the city "into residential, commercial and manufacturing districts for the first time..., placed pressures on historic areas of the city, which had a wide variety of building types and uses" (p. 11). The City's burgeoning historic preservation movement prompted the City's Board of Estimate to establish a largely advisory Landmarks Preservation Commission in 1962. The destruction of the old Pennsylvania Station proved the limits of an advisory commission, so in 1965 Mayor Wagner signed into law a landmarks preservation bill empowering the city to designate buildings and districts as historic and thus protected from a-historic changes.

This history is important, but more important is the background of the people who staffed the commission, drafted the law, and rallied citywide support for historic preservation.

As Pearson notes, the City's modern historic preservation movement was launched in 1952, when three organizations compiled a list of architecturally significant buildings and structures. Those organizations—the Municipal Arts Society, the Society of Architectural Historians, and the New York Chapter of the American Institute of Architects—shared a concern with the built environment and a common technocratic language nurtured in architecture and arts programs at American colleges and universities. None of these organizations can be described as social justice nonprofits. Their concern was the built environment, and they shared a belief that if a city managed and preserved its built environment correctly, it would benefit all the city's peoples. Employees of these three organizations would staff the LPC and draft the 1965 Landmarks Law, ensuring that this belief would be embedded into the City's historic preservation regime from its inception.

However, the preservationists understood that implementing a historic preservation regime was a political process. They needed to minimize opposition and maximize support if they were to overcome opposition from the real estate lobby, especially in the Board of Estimate, which held veto power over any LPC designation. So they made a few decisions in the 1960s that would leave its mark on the LESTM's historic district proposal in the early 21st century.

First, the preservationists, while drafting the 1965 Landmarks Law, empowered the City to create historic districts. Previously, preservationists were primarily concerned with protecting individual landmarks. But they realized that the growing neighborhood rights movement could provide a useful ally as they sought passage of their bill. Politically engaged voters in Greenwich Village and Brooklyn Heights—many of them young, college-educated professionals on the cutting edge of what would later be called gentrification—wanted to protect their neighborhoods from the City's Urban Renewal plans. Though lacking the technocratic training of the LPC's staffers, these neighborhood residents identified with the spirit of the historic preservation movement and prided themselves on rescuing the embedded, forgotten history of the brownstones and loft buildings they called home.

Second, the preservationists recognized that establishing a commission and passing a law were not enough. In 1965 the LPC was underfunded and understaffed. What's more, there were unresolved legal concerns. Just how much of the built environment could the LPC protect before it ran up against the well-established judicial deference to private property rights?

The LPC responded to this uncertain political and judicial environment by moving forward cautiously, passing up opportunities to designate historic structures least it enrage

powerful real estate interests. Instead, the LPC carefully picked its fights, using its limited resources to identify the proposals that had the most *political* support. It would then marshal its limited resources to write detailed technical documents in support of designation—documents it could then submit to a court to show that it was acting within the letter of the 1965 Landmarks Act.

Third, in the 1970s the LPC launched an extensive public education campaign, plastering subways with posters and mailing “how-to” leaflets to neighborhoods ripe for designation.

Fourth, the Landmarks Law required hearings during which stakeholders could respond to proposed designations. This would allow the LPC to shelve a proposal with particularly fierce opposition. It would also allow potential allies time to marshal supporters of designation. Either way, hearings would be the political field of battle between supporters and opponents of designation. Hearings were not designed to merely consider the aesthetic merits of a proposal.

Hearings, though, were only the public face of the historic designation process. Under the City’s historic preservation regime, the LPC developed a three-way relationship between itself, the Board of Estimate, and the preservation community. Together and behind the scenes, these three actors decided what would get designated.

Within city government, the LPC has a near monopoly on the expertise required to ascertain the merits of any proposal for designation, but because the LPC depends on the Mayor’s office to hire its staff and fund its research, and because every proposal had to win approval from the Board of Estimate, it placed a very high premium on political legitimacy. To ensure that it maintained political legitimacy, the LPC created a complicated, multistep

process that every proposal had to follow before the LPC would calendar a public hearing for the proposal. An LPC employee described this process:

[A] proposal comes in, [1] it's reviewed by the Research Department. [2] The Research Department makes a recommendation as to the merits of the case. [3] Then it goes to the Senior Staff Committee. And they can decide to push it through or they can decide that, yeah, it's interesting, but we have too many other things right now. Or they can decide no. [4] If they think it's interesting, then it's usually shown to the Commissioners for their comment, and the Commissioners can also say, hey, wait a minute! Why aren't you looking at this street? [5] Now what then happens, where things get kind of complicated, is owner outreach that occurs, whether it's a potential individual landmark or a historic district. So there may be a group from the community that's already kind of taking charge and spearheading stuff. Or the City Councilmember may take charge of things. And so if there was an historic district, [6] we would then probably take whatever proposal there was, do a survey, [7] come up with a proposal for the boundaries, and [8] then have a community meeting, whether it's a big meeting at night in the neighborhood or smaller, more focused meetings with representatives of the community, or some combination thereof. [9] And there could be a lot of back and forth on the boundaries at that point. So then once you finally get where you think everybody's agreed about the boundaries, [10] then you would get to the calendaring where it's presented to the Commission. [11] They take a vote to place it on the Commission's calendar for a future public hearing (Steinberg/Interview Subject 28, 2013; bracketed numbers added by author).

This multistep process allows ample opportunity for the LPC to shelve a proposal before holding a hearing. And, because it receives far more proposals than its staff can evaluate, it shelves a lot of proposals. Ideally, the LPC would never hold a hearing on a proposal that could lead to political backlash from property owners, the real estate lobby, or other interested parties. The embarrassment of such a public setback could undermine the LPC's political legitimacy with the Board of Estimate and the Mayor's office. With the right mayor, this careful nurturing of political legitimacy can pay off. Mayor Bloomberg, for example, greatly expanded funding for the LPC, allowing it to increase its Research Department's staff from two to 12—and thus process many more proposals, especially for historic districts.

The LPC also provides behind-the-scenes guidance to local preservationists, suggesting changes to proposed district boundaries or even sharing research with local preservationists who lack the resources to do their own architectural survey of a proposed building or district. For example, LPC Commission Bob Tierney suggested to Ruth Abram that she alter the boundaries of her proposed district to improve its chances at the LPC. And when, in 2007, a separate nonprofit, the Lower East Side Preservation Initiative (LESPI), approached the LPC to discuss the possibility of creating a historic district north of Houston, the LPC simply gave LESPI its own architectural survey of a district the LPC already wanted to create. LESPI in turn submitted this LPC survey back to the LPC as part of its official proposal later that year.

The Board of Estimate was not exactly an equal partner in the three-way relationship behind the scenes of the City's historic preservation regime. Its veto power limited the ability of the LPC to create historic districts, especially in the outer boroughs. But all this changed in 1989, when the U.S. Supreme Court ruled that the Board of Estimate was unconstitutional because it undermined "one man [sic], one vote."

The Board of Estimate was created with the 1898 charter that created the modern five-borough City of New York. The Board consisted of eight members—the mayor, comptroller, and City Council president, each of whom had two votes; and each of the five borough presidents, each of whom had one vote. In response to the Supreme Court's decision in *Board of Estimate of City of New York v. Morris*, the City transferred budget and land use decisions to the City Council. This in turn radically altered the City's historic preservation regime.

An ally of the real estate lobby describes this change:

If you ... were on the Board of Estimate, you had the rest of the borough to worry about. And then you also had the three city-wides, who also were not as dependent on one neighborhood to be reelected. So there was always a citywide perspective, and I think that's why the [Landmarks Preservation] Commission was probably more sympathetic to some of the planning goals, because they knew they probably couldn't get a designation through that was going to impair the city's growth and development. When the Board of Estimate was ruled to be unconstitutional [because] it violated "one man, one vote," the Board of Estimate was replaced by the City Council. And then the relationship fell to the Councilmembers, so that if there was an issue in your district and you were the Councilmember, you were pretty much the decider. So if you said yes to a district, it happened. If you said no, it didn't happen. The change in the governmental structure has made it easier for designations to occur, because there's no one with the citywide perspective anymore. There's no one balancing the needs of the city (Steinberg/Interview Subject 22, 2013).

Since 1990, the City Councilmember, with her strong interest in the local community, has become an important potential ally in designation proposals. Both the LPC and local preservationists look to her for approval before moving forward on proposals. And because the local City Councilmember is far more likely to support designation even if it means disregarding borough- or citywide planning concerns, she is more likely to be a coequal partner, not merely a skeptical veto to appease.

The third partner in this three-way relationship is the preservation community, the men and women who share training and a guiding philosophy with the LPC staff (and who sometimes have worked for the LPC or a City Councilmember).

Local preservationists are responsible for initiating proposals. They also do the legwork of gaining support for a proposal. They air their proposals at Community Board hearings before submitting them to the LPC. They're the ground troops; without them, a proposal is unlikely to ever make it to the City Council.

The LPC defers to local preservationists for three reasons. One, it ensures political legitimacy. If locals support a proposal, no one can accuse the LPC of trying to force designation on a resistant community. Political legitimacy also increases the likelihood that



the City Councilmember will approve a proposal; elected officials are often unwilling to go against the wishes of their own constituents. Indeed, it's often local preservationists who take the lead in convincing the City Councilmember to support a proposal, and a proposal is much more likely to survive a City Council vote when the local City Councilmember supports the proposal.

Two, local preservationists do the important work of researching the history of a proposed district or building. The LPC lacks the staff to do this research for more than a few potential districts. Volunteer preservationists, if properly trained and fully committed, will do this research for free. And every proposal needs this research, because it's this research that allows the LPC to claim that a proposal is being considered on its aesthetic and historic merits rather than because of political considerations.

Three, local preservationists are often the key to recruiting property owners to support (or at least not oppose) a proposal. Indeed, local preservationists are often themselves property owners. The LPC is wary of designating a building or district against the wishes of property owners. A group of recalcitrant property owners can cause the LPC enormous problems by refusing to comply with designation or by challenging designation in court. Either way, the LPC, concerned as it is with political legitimacy and having to operate with a minimal budget and small staff, just can't deal with too much noncompliance or too many lawsuits. When a group of local preservationists succeed in maintaining support for designation within a community, it suggests that local property owners won't be a problem. If, however, local property owners organize against the local preservationists early on, or if the local preservationists never get much support from local property owners, that suggests that local property owners will become a problem if a building or district is later designated.

*What Are the Obstacles to Preservation?*

Preservationists in New York often speak of the obstacles they face as emanating from outside the preservation movement, but in fact they exist because of how the City's historic preservation regime was developed and how it's since evolved.

First and most notably, major real estate interests, often through their main lobbying organization, the REBNY, pose a challenge to preservation, though not as big a challenge as preservationists assume.

REBNY was founded by a group of New York City real estate brokers in 1896. Today its membership includes brokers, agents, and landlords of all types. However, membership dues for landlords are on a sliding scale based on a landlord's total real estate assets. In other words, the more your land is worth, the higher your dues. Understandably, then, REBNY's policies skew toward the interests of the city's largest and wealthiest landlords, who tend to favor development over preservation. "The 5,600 members of REBNY are the bulwark of the landed elite and steer the growth machine. Their survival, individually and as a group, depends on a continuing rise in property values, starting from the center of Manhattan and rippling outward" (Angotti, p. 39).

REBNY and its members can influence the historic preservation regime through the mayor's office, which sets funding for the LPC, and through the City Council, which must approve any preservation proposal. However, REBNY's influence is limited on both counts. First, historic preservation is popular among New York City voters, so neither the mayor nor the City Council can openly defy the preservation movement. (It was easier for REBNY to slow preservation efforts when the Board of Estimate still had the veto because the Board had only one locally elected member, the City Council president. All other members were

elected citywide or borough-wide and were thus less accountable to local interests.) What's more, cutting funding to the LPC only takes you so far, because so much of the research is already done outside the LPC by neighborhood preservationists working for local preservation nonprofits.

A far more significant obstacle to preservation is the absentee landlord. When property owners neither live nor work in a neighborhood, they're much less likely to support preservation efforts. New York City in particular has a long history of absentee landlords who struggle to pay off mortgages, pay taxes, and maintain aging buildings. As a class, these landlords are often financially stressed and deeply skeptical of government regulation of the real estate market (Day, 2000).

Why are absentee landlords particularly hostile toward historic designation? First, the benefits of designation take longer to accrue. As one LPC staff member describes it:

I think the other benefit is our staff's expertise that ultimately long-term they could save you money. Even though what they might kind of want you to do might be more expensive initially, it'll be longer lasting, more durable. They can probably get you better results—in terms of like repointing or cleaning a building or something like that—than you [would] necessarily get just on your own (Steinberg/Interview Subject 28, 2013).

But absentee landlords often find it difficult to hold on to their holdings long enough to take advantage of this sort of help. Sometimes desperate to pay off their loans before a credit crunch or tax increase forces them to sell their buildings at a loss, they'd rather milk their buildings for profits now. (One interview subject notes that many of the remaining single-tenement owners on the LES were forced to sell their buildings to large, corporate real estate interests during the real estate crash of 2007-2009. Much the same thing happened during the Great Depression. Absentee landlords understandably fear these events.)

Second, the benefits of preservation often accrue not just to the landlords but also to the neighborhood residents. The historic preservation movement's *raison d'être* has always been a historic structure's use value. It's the aesthetic pleasure and embedded meaning of a historic structure *for a community* that justifies preservation. If no one appreciates a historic building, then there's no reason to protect it. (Preservationists often take pains to educate people to the use value of a structure or neighborhood they want to protect. By encouraging locals to appreciate a historic site's use value, they increase the likelihood that the site will be deemed historic by the government.) An absentee landlord, however, is too far removed from the property to benefit from its use value. For absentee landlords, only exchange value matters.

Third, preservation blocks landlords from making huge profits by selling their properties to major developers. By selling a tenement or the air rights above a tenement to a developer, a struggling or middling absentee landlord can become a millionaire. But historic preservation robs the absentee landlord of this opportunity, should it ever arise.

There's a third obstacle to historic preservation, especially in lower-income neighborhoods like the LES: the indifference of lower-income communities. Because the historic preservation regime places such a high premium on political legitimacy, it greatly values local support for historic preservation proposals. But because the same regime so narrowly focuses on the built environment, these proposals are far less attractive to lower-income residents struggling with displacement. As one community activist says:

I was just concerned that in an effort to preserve this community, we were going down the path of a bricks-and-mortar preservation versus acknowledging the contributions of the people, and the diversity of the neighborhood and what that really also lends to the flavor. We could preserve all the architecture we want, but if we don't preserve some of the spirit of the community, it will be a different community.... There's nothing that says that because a building lies within this

historic district that it can't be unregulated. And so it's just a matter of time before those units become deregulated if they're regulated, and that landlords are going to seek the highest bidders for their properties in terms of renters. Because we already see those trends, we already see people being pushed out of their apartments. We already see landlords trying to escalate the rents in their buildings. That's not going to be any different in the building that's in an historic district (Steinberg/Interview Subject 20, 2013).

Lower-income residents of rapidly gentrifying neighborhoods, desperate to hold onto their homes as landlords eagerly (and sometimes illegally) raise rents or harass them into leaving, don't see how historic preservation protects them. The use value of a preserved neighborhood is a fine thing, but only if you can still afford to live there.

### *How Does Historic Preservation Differ From Zoning?*

From its inception in 1916, zoning in New York was about protecting use *and* exchange value. Wealthy landlords on Fifth Avenue, fearful of the spread uptown of loft building factories, strongly supported zoning as a way to distance themselves from the immigrant workers who filled the loft factories, but also as a way to protect high-rent properties from losing value as a neighborhood became more industrial and working-class (Page, 1999). By using the government to concentrate industrial land use and tenement housing in certain neighborhoods, the wealthy New Yorkers whose wealth creation depended on immigrant labor and industrialization need not have to live with the social, economic, and environmental costs associated with either.

By 1961, though, zoning had become diluted by amendments, so the City replaced the old zoning code with a new one. The 1961 zoning, though, was similarly designed to protect use and exchange value. One important element, for example: Developers could build taller buildings in exchange for creating public plazas on a building's site.

In 1975, the City revised its 1961 zoning code, most notably by adding clause 197(a), which empowered the public to submit their own land use plans and local re-zonings. Although these plans can come from anywhere, it's the City's Community Boards, which were also created in 1975, that most typically write them. 197(a) was a response to the neighborhood rights movement that had swept through New York in the preceding 20 years.

In New York City, zoning and historic preservation differ in important ways. First, there are many more trained historic preservationists than trained planners working for local nonprofits. Trained planners are far more likely to work for the City. As one former employee of a City Councilmember explained:

The Councilmember's office has people who are better educated in land use. Normal residential people do not, right? They have what they want to have happen. Planning is a technical degree, and understanding the terms of what zoning are, what's allowed, FAR, all of these other quote-unquote difficult technical terms—The average person, whether it be the Lower East Side, Lower Manhattan, Queens, or Brooklyn, they don't know these things. They just know what they think they know (Steinberg/Interview Subject 24, 2013).

With a historic preservation proposal, the choice is essential yes or no, and the expert's job is to write a research study in technocratic language justifying designation. Land use is far more complicated and requires much more expertise, thus empowering a City Councilmember to negotiate plans that best fit his constituents' interests.

But the far more significant difference between zoning and historic preservation in New York City is their attitude toward exchange value. Zoning has always concerned itself with protecting use *and* exchange value, but historic preservation is much more concerned with use value. Under historic designation, a landlord can apply for a hardship exemption, but as long as she's still making some sort of profit on her investment, she can't ignore designation.

This difference is key. Landmarking can be used to halt redevelopment. Zoning doesn't stop development; it channels it. In rezoning, pro- and anti-development forces can reach a compromise. In historic preservation, no compromise is possible and no horse-trading is allowed. Either something is designated or it isn't. In practice, this means it's easier to create wealth through zoning, and easier to preserve it through historic preservation.

*What Does This Story Tell Us About the LESTM's Proposed District?*

The LESTM tried and failed to attain landmark status for its surrounding neighborhood. As discussed in chapters 5 and 6, the LESTM failed in part because of conflicting visions for the neighborhood and conflicts within and among neighborhood organizations. But the biggest reason it failed was because the City's historic preservation regime made success so unlikely.

The LESTM was not part of the City's traditional historic preservation movement. It was neither founded nor staffed by trained historic preservationists, so it lacked a strong connection to that movement. But more significantly, the LESTM didn't share many of the presumptions of the City's historic preservation movement.

As Pearson notes, before Urban Renewal galvanized the city's modern historic preservation movement in the 1950s, most historic preservation in New York City focused on preserving historic homes of rich, famous, or at least colonial-era New Yorkers. The founders and managers of these historic house museums didn't have to concern themselves with displacement—the original occupants of these homes had left long ago. The 1965 Landmarks Law reflected this lack of concern for displacement. Although the law was designed to enable communities to protect themselves from displacement through government-mandated

Urban Renewal, it didn't concern itself with subtler forms of displacement, especially through gentrification, which was not yet a public policy concern.

The Tenement Museum is a historic house museum, but it differs from other house museums in linking its mission and educational programming to the neighborhood's contemporary communities. It *had* to address displacement in its historic district proposal if it were to remain true to its mission. The Museum's ideas about preservation were thus markedly different from those of the city's historic preservation community. Although New York preservationists are aware of displacement, they generally don't see historic preservation as a tool of community preservation. The Museum, by contrast, felt compelled to try to combine both kinds of preservation in its proposal, and in doing so found itself unable to excite the interest of potential allies in the historic preservation community.

The LESTM also erred in forgoing true bottom-up, community-driven decision-making. The LESPC was largely a front for the Museum's plans, an attempt to win *ex post facto* support for a district. The Community Board's 197(a) Task Force, by contrast, was truly bottom up:

The Lower East Side rezoning is something that I have not heard much negativity about, because I really think it was as much a grass-roots decision as it was a coming together of a lot of different resources and constituencies to get the right thing for everybody. And obviously there are some people who are upset. There are some developers that are probably angry beyond belief. [quoting hypothetical developer:] "I wanted to tear down those three blocks and build up a giant high-rise and make millions of dollars, billions of dollars." But for the most part, overall, I think it was one that was really successful, in the rezoning (Steinberg/Interview Subject 24, 2013).

By creating a Task Force, the Community Board enabled the neighborhood to craft its own 197(a) plan. The Community Board knew this plan would have widespread neighborhood support and minimal opposition once it arrived at the City Council. By contrast, the LESPC presented its historic district proposal to the neighborhood without ever



granting the neighborhood real input as to what, if anything, should be preserved, or how it should be preserved. This ensured that its proposed district never had similar widespread support.

But even if the LESPC had engaged in true bottom-up planning, it's unlikely to have resulted in a successful historic district proposal. In New York City the historic preservation process doesn't allow for much horse-trading. The language of historic preservation, with its focus on the aesthetic and historic merits of a proposal, makes it difficult to negotiate among different stakeholders in such a way that a proposal will gain the political support it needs to win approval.

By contrast, re-zoning allows for all sorts of horse-trading, as is clear from the LES's experience with rezoning in 2006-2008. To win support (or at least minimize opposition) from developers and the Bloomberg administration, the Community Board's 197(a) plan allowed for growth corridors along which buildings could be built much taller than before. To win support from community activists concerned with displacement, developers could build even taller buildings if they provided a certain number of affordable rental units. The re-zoning also enabled the Bloomberg's successful redevelopment proposal for SPURA: The winning proposal features 1,000 units of new housing, half of which will be below market-rate rent.

The Bloomberg administration made rezoning a major goal. By upzoning neighborhoods like Atlantic Yards, Hudson Yards, and Long Island City, the Bloomberg administration allowed for a major expansion of luxury housing, something that would improve the City's tax base. Indeed, Community Board 3 initiated its own 197(a) plan because so many community members were concerned with what kind of rezoning would

happen without community input. Rezoning was coming no matter what, so better, it seemed, to initiate it at the neighborhood level.

The Bloomberg administration also greatly expanded the number of historic districts in New York City, but these districts were not in the neighborhoods most ripe for upzoning. Instead, the Bloomberg administration encouraged the creation of historic districts in neighborhoods already given preference by the historic preservation regime: those with a large percentage of owner-occupied housing or market-rate housing. Unlike absentee landlords, residents who own their homes are more likely to be interested in social stability and a long-term return on their investment, precisely the benefits that come with historic district designation. In these neighborhoods, there's less opportunity to create wealth through development and more wealth to preserve through historic preservation.

### *Conclusion*

The Tenement Museum's proposed historic district did not reflect the needs of most of the neighborhood's stakeholders. This was partly the Museum's fault: Its refusal to pursue true bottom-up planning undermined its claim to speak for the neighborhood. But more significantly, New York's historic preservation regime makes it very difficult to gain widespread support for preservation in neighborhoods where the rent gap, or the difference between the market value of land and the potential value of that land were it fully developed, is as vast as it is on the LES.

Zoning, however, allows for at least some community preservation as landlords and developers close the rent gap. The City's final rezoning plan for the LES, which closely resembled the 197(a) Task Force's plan as submitted to the City, spells out how rezoning could be framed as a "win-win" for the neighborhood's diverse stakeholders:

[The rezoning will] preserve the established neighborhood scale and character by establishing contextual zoning districts with height limits, and provide modest opportunities for residential growth and incentives for affordable housing along the area's widest streets well served by bus or subway lines.

The proposal fosters Mayor Bloomberg's sustainable planning goals by promoting the preservation of neighborhoods with special character while also providing opportunities for modest growth and affordable housing along wide corridors well served by mass transit (NYC Planning, 2008).

For community nonprofits desperate for any new affordable housing, the rezoning was a qualified success. But only qualified. The rezoning of the LES was part of a larger program to transform New York City into a world-class city. Development would continue, apartments would still be deregulated, stores would become ever more upscale, and lower-income communities would become increasingly marginalized. As one employee of a neighborhood nonprofit said:

What these city planners are doing, what Bloomberg is doing in terms of remaking the city of New York, is bring it back to world-class status and stuff. And they're doing that at a certain price. And the price is poor people (Steinberg/Interview Subject 9, 2013).

This is the big issue facing New York City, and not just the LES, but historic preservation, by design, doesn't address this issue, which is why it fails to capture the imagination of those people most vulnerable to these changes.

## Chapter 8: Conclusion

What role does culture play in the postindustrial city? Have capitalistic forces transformed culture into a commodity, stripping it of its context and its ability to empower communities? Or is it a tool by which those communities lay claim to their neighborhoods in the face of the creative destruction of redevelopment?

To help answer these questions, I studied the role a cultural nonprofit played in a neighborhood facing redevelopment.

From its founding in 1988, the Tenement Museum strove to commodify culture *and* use it to build community. The selling of tickets to tour re-created tenement apartments and the neighborhood represented the commodification of the neighborhood's culture. But the Museum also facilitated dialogue among neighborhood stakeholders. Through its work on St. Augustine's Slave Galleries Project and its later neighborhood place-marking project, the Museum sought to help the neighborhood's diverse communities identify common interests and share a claim to the neighborhood.

After 2000, though, the neighborhood underwent remarkable changes. The slow drip of gentrification became a deluge of new money and new, wealthier residents. Corporate developers and banks that had previously shunned the neighborhood began tearing down the old built environment and replacing it with out-of-scale, luxury condos and boutique hotels. Local residents were alarmed by these changes and feared that they would soon be unable to afford life on the LES.

For the Tenement Museum, however, redevelopment posed a different threat. If redevelopment continued unabated, the Museum would no longer be able to use the built environment to teach visitors about the neighborhood's immigrant past. Those visitors might

then take their tourist dollars elsewhere. In other words, while redevelopment threatened the communities' ability to live on the LES, it threatened the Museum's ability to commodify the neighborhood's culture.

How would the neighborhood respond to this redevelopment? How would the Museum respond? There was little either could do. The redevelopment pressures facing the neighborhood stemmed from global, national, and municipal changes over which the Museum and the local communities had minimal influence. All of the money flowing back into NYC had to go somewhere, and the LES, with its prime location, loose zoning regulations, and lack of City-designated landmarks made it an ideal target for highly profitable redevelopment.

While most of the neighborhood responded by supporting a 197(a) rezoning, the Museum's response was to propose a historic landmark district. In doing so, it largely abandoned its attempts at using culture to build community. It decided to propose the district without first consulting neighborhood stakeholders, and it then tried to give the proposal the illusion of being a grass-roots movement.

The Museum could have instead built community on the Lower East Side by facilitating dialogue among stakeholders. But had it done so, there would have been no historic district, and the local communities would likely have faced displacement anyhow.

That's because New York City offers limited opportunity for low-income communities to influence land use. Yes, communities can design 197(a) plans, but such plans are non-binding. Community representatives can speak out at public hearings, but the City is not legally obligated to take their views into account. The rezoning of the LES, with its very

limited affordable housing component, suggests that communities can exert limited influence over land use, but they can't control it.

The ability of low-income communities to influence land use is even more limited when it comes to historic preservation. The City's historic preservation process precludes communities from implementing a more holistic preservation district, one that preserves both the built environment and the people who inhabit that built environment. The LESTM tried and failed to craft just such a proposal. Because the LPC made it impossible for the LESTM's proposal to incorporate the preservation of affordable housing, the LESTM failed to garner the community support it needed if it were to convince the LPC to approve its proposal.

In New York City, historic preservation is far more likely to occur in wealthier neighborhoods or neighborhoods of owner-occupied housing. In neighborhoods where the rent gap is quite large and much of the population comprises low-income renters, historic preservation is a much tougher sell. On the one hand, the LPC requires at least some neighborhood support and minimal opposition from landlords before it schedules a hearing on a proposed district. On the other hand, the LPC is empowered to consider *only* preservation of the built environment, *not* community preservation. In low-income communities where renters predominate and land values are escalating, the main concern of residents is preserving affordable housing, and (often absentee) landlords want nothing to interfere with their ability to reap previously unanticipated profits from reinvestment and redevelopment.

In New York City, wealthier communities are willing and able to preserve their built environment and protect their neighborhoods from the kind of redevelopment they deplore

(e.g., out-of-scale, ahistorical) while allowing just such redevelopment to occur in other, lower-income communities. Historic preservation in New York City channels creative destruction into lower-income neighborhoods, thus protecting the wealthier classes from the disruption of redevelopment while still allowing those classes to profit from redevelopment.

I found no evidence that anyone intended this to be the case. Instead, this is the land use system that developed over decades in the face of complex urban politics and a judicial tradition of deference to property rights. But the inability or refusal of previous generations of historic preservationists to take into consideration the issue of community preservation ensured that the preservation regime they helped implement fails to meet the needs of lower-income communities in neighborhoods targeted for redevelopment.

If historic preservation couldn't forestall displacement, could rezoning? With its looser rules and opportunity to encourage the creation affordable housing, it would seem that the answer is yes. This is why the nonprofits representing the neighborhood's local communities largely threw their weight behind the Community Board's 197(a) rezoning plan.

Rezoning, though, is a flawed tool for communities that want to slow, stop, or reverse displacement. 197(a) plans are nonbinding, so Community Board 3 had to carefully craft a plan that would not trigger too much opposition from powerful real estate forces. As a result, the neighborhood's 2008 rezoning includes growth corridors that still allow for out-of-scale, ahistorical development. And although developers can build even taller buildings on these growth corridors if they include some affordable units, there's no requirement that they do so. It remains to be seen whether any affordable units will be created as a result of the rezoning. Still, the promise of a few more affordable units was more than what a historic district would or could offer.

In supporting a historic district, the Museum chose to preference its commodification of culture instead of using culture to build community, but why couldn't it do both? First, the pressure of redevelopment forced the Museum to choose. If it chose to focus on using culture to build community, it would do nothing to forestall the continued destruction of the old built environment. But the tools available to preserve that built environment would do nothing to forestall the continued displacement of the neighborhood's lower-income communities.

What's more, these communities distrusted the Tenement Museum. The Museum's refusal to identify with any one community won it few friends in a neighborhood long defined by interethnic tension. Instead, many locals viewed the Museum as an uptown interloper more interested in its ability to generate wealth than in the communities' ability to remain in the neighborhood. With displacement looking inevitable, it's perhaps no wonder the Museum acted as it did. It may have seemed nearly impossible to build community in such a divided neighborhood facing profound redevelopment pressures.

This study is by no means definitive. It would have benefited from interviews with Chinese- and Spanish-speaking neighborhood stakeholders. (I could not afford to hire translators to conduct such interviews.) And it would have benefitted from more interviews with people associated with the neighborhood's Jewish community, especially staff members of State Assemblyman (and Speaker) Sheldon Silver and of the Metropolitan Council on Jewish Poverty.

This study also raises new questions. Are these findings applicable to other neighborhoods in New York City? We need to examine how other cultural organizations address displacement and redevelopment in their neighborhoods, especially when those organizations have strong ties to a lower-income, minority, or immigrant community, as does



the Museum of Chinese in America (MOCA) and El Museo del Barrio, both in Manhattan. It would also help to study other history museums and then compare them with art museums, which have become a popular area of study for geographers since “starchitect”-designed art museums began to appear in the 1990s. A study that compares New York City's historic preservation regime with the historic preservation regimes in other cities would also add depth to these findings.

For community preservationists, two new questions loom particularly large. Will the election of Bill de Blasio as New York mayor in 2013 trigger a change in the municipal context for redevelopment and preservation? And is there a causal link between historic district designation and displacement? Armed with answers to these questions, activists may be in a better position to reform the landmarking process so that it considers not just the aesthetic and historic merits of proposed designation, but also the ability of such a proposal to preserve a community.

If New York City is to enable culture to become a tool of social justice, it can begin by incorporating community preservation into the historic preservation regime. Preservation of communities and preservation of the built environment must go hand-in-hand, each reinforcing the other. Otherwise, a city's culture will be just another tool of displacement, even when the culture was created by those being displaced.

## Appendix: Defining Terms

### “The Lower East Side”

Neighborhoods in New York City have no legally defined borders, and the borders of this neighborhood, as popularly understood, have shifted over time. We can identify at least three popularly recognized borders:

1. the old 10th Ward (south of 14th Street, east of the Bowery, west of the East River, and north of the Brooklyn Bridge);
2. south of Houston Street, east of the Bowery, west of the East River, and north of the Brooklyn Bridge;
3. and south of Houston Street, east of Sara Delano Roosevelt Park, west of the East River, and north of Canal Street.

For this paper I adopt the second definition. The East Village, which runs from Houston to 14th Street, has developed into its own neighborhood. And although many people now include all of the area between the Bowery and Roosevelt Park as part of Chinatown, this is not a universally accepted change. Whichever definition we use, we should recognize that neighborhood boundaries are highly contested and forged through conflicts among local communities and between those communities and outside city agencies and developers.

### “The Lower East Side Tenement Museum”

The Lower East Side Tenement Museum is a quasi-independent nonprofit museum on New York’s Lower East Side. The Museum is affiliated with the National Park Service, so it receives some funding from the federal government.

### “Organization”

The Museum is an organization, which we can define as a group of individuals in voluntary combination to fulfill a specific purpose.

### “Mission Statement”

A mission statement is a public statement of purpose adopted by a nonprofit. The mission statement is supposed to guide all actions taken by a nonprofit and its constituent parts (e.g., employees, volunteers, and departments).

### “Cultural Institution”

A cultural institution is any nonprofit dedicated to preserving, memorializing, or propagating certain cultures or cultural traditions. Cultural institutions include art museums, restored historic homes, history museums, arts centers, and community centers.

### “Culture”

Culture comprises actions taken by individuals to identify themselves as part of a group. Culture includes language, religion, dress, cuisine, as well as philosophical tenets and moral beliefs.

### “Historic Preservation”

Historic preservation includes attempts by private and public entities to slow, stop, or reverse changes to the built environment, specifically elements of the built environment deemed by those entities to be significant because of their history.

### “Landmark Designation”

A key tool of historic preservation is landmark designation, which is the result of governmental action (usually at the local level) to either protect a portion of the built environment or at least provide official recognition of the importance to society of a portion of the built environment. The extent of the protection depends on the level of government doing the designation (federal, state, or local) and the law under which designation occurs.

### “(Urban) Planning”

I use the definition provided by the *Dictionary of Human Geography* (2000): “Planning involves the attempt to shape prevailing social and economic dynamics to achieve particular developmental ends. And those ends may include the discourse of development as well as development itself” (Johnston, Gregory et al., p. 873). This definition is particularly apropos because the Museum uses facilitated discourse as a central tool for fulfilling its mission.

### “Collaborative Planning and Deliberative Democracy”

Collaborative planning has its roots in deliberative democracy. These two terms depend on the idea that calm, rational, facilitated discussion can result in a deeper, more profound understanding of other people and of ourselves. But they also depend on the idea that, once we achieve a tipping point of empathy, we will act in accordance with higher societal values rather than out of restricted self-interest (usually defined in monetary terms).

### “Community”

One of the trickiest terms to define is community. I defer to the definition several of my interview subjects shared with me: Community, at least on the LES, comprises those people and organizations that have a presence on and a stake in the LES but whose stake is not strictly capitalistic. In other words, “community” excludes absentee landlords and real estate developers but includes local residents as well as local businesses owned and operated by people who do not live in the neighborhood.

### “Community Planning”

If we define community that way, then community planning is any planning that empowers the community to decide where and how outside money is invested in the community, regardless of whether that money comes from the government or from the private sector.

### “Gentrification”

Gentrification is the return of investment to a previously disinvested neighborhood, resulting in the displacement of one community and its replacement by another community comprising higher-income individuals.

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