IN SEARCH OF THE PUBLIC GOOD:
AGENDA SETTING AND POLICY FORMULATION FOR POST-9/11 NEW YORK CITY

by

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Abstract

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by

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This study analyzes how state and civil society stakeholders constructed conceptions of the public good and substantive policy solutions for post-9/11 New York City. It also investigates why decision-makers adopted some of these policy solutions and rejected others. It links the theoretical frameworks of post-catastrophe agenda setting, urban governing coalitions, and civil society to analyze how macro events, organizational arrangements and coalition building allow actors to advocate for alternatives to dominant conceptions of the public good. Dominant conceptions of the public good, such as growth and security, can both indirectly influence and mandate what is considered possible in the policy-making arena. Therefore, growing support for alternative conceptions of the public good may indicate opportunities for marginalized sectors of civil society to advance their values and policy preferences.

Findings show that pro-growth advocates were often able to reassert growth as the dominant conception of the public good, usually with the assistance of state and federal political institutions. However, 9/11 created some opportunities for stakeholders to use alternative conceptions of the public good such as memorialization, equity, and excellent design to shape the systemic and institutional

agendas for rebuilding projects. In particular, civic coalitions provided opportunities for diverse communities to forge consensus on principles and substantive public policies. Findings are based on participant observation of over 200 meetings of the rebuilding agencies, civic coalitions, and other stakeholders; analysis of key documents; and in-depth interviews with key stakeholders and rebuilding officials.

DEDICATION

For my father Neal Sanford Mason Goldberg and my cousin Paul Edward London, and all others, who wished to contribute only kindness, laughter, and those things good to this world, but were prematurely and cruelly denied the opportunity to do so.

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CHAPTER 1
INTRODUCTION

Few public projects have been as saturated in symbolism and the language of the public good as the rebuilding of the World Trade Center and lower Manhattan following the September 11, 2001 attacks. The rebuilding and revitalization effort is a high stakes project in which personal and national sentiments, symbolism, and financial interests are powerful sources of motivation. The widespread human loss on 9/11 galvanized public interest in the redevelopment project, and a strong sense of proprietorship over the site. Those expressing their interests, some new to development, some not, desired a voice in the rebuilding process. In doing so, many of these participants made normative claims about the expectations of government and the preferred trajectory of the redevelopment of lower Manhattan.

Beginning in the nineteenth century, the role and responsibilities of municipal government in the United States expanded considerably. In large, diverse cities, governments began to oversee development and maintenance of infrastructure, and provide human services. Most municipal governments pursued economic growth—promoting new private investment—which subverted or marginalized other agendas (Peterson and Rom 1990). From a public finance perspective, promoting growth is a functional or logical imperative. Many different interests may benefit from investments that create private sector jobs, raise property values, and increase tax revenues. This prevailing view affects urban politics and policy making by shaping the parameters of what is considered possible and desirable. But, growth is also a doctrine that advances specific interests

This dissertation examines how key stakeholders construct and deploy conceptions of the public good in the post-9/11 rebuilding of lower Manhattan and the World Trade Center (WTC) site. It also investigates whether dominant values and resilient institutional arrangements limit and/or circumscribe the range and influence of those alternative conceptions. This research draws on the theoretical frameworks of post-catastrophe agenda setting and policy formulation, urban governing coalitions, and civil society to analyze how macro-level events, organizational arrangements and coalition building allow civil society and (sometimes) state actors to articulate and advocate for alternatives to dominant conceptions of the public good. This dissertation addresses the broader theoretical question: Under what conditions is it possible to challenge dominant ideas and the powerful actors who use these ideas to advance their own agendas through public policy?[1] Dominant conceptions of the public good, such as growth and security, can both indirectly influence and mandate what is considered possible in the policy-making arena. Therefore, growing support for alternative conceptions of the public good may indicate opportunities for marginalized sectors of civil society to advance their values and policy preferences.

Goals of this Study

This dissertation seeks to shed light on several questions. First, did the 9/11 attacks move public and governmental discourse beyond the prevailing norm that growth advances the public good, and broaden the parameters of agenda setting across a series of post-9/11 policy decisions? Second, if so, did the attacks also result in the formation of

[1] This is not an "urban decision-making" study that explains the major policy decisions undertaken in New York City post-9/11. It does, however, use discussions about lower Manhattan to explore how conceptions of the public good are constructed and how they are related to public policy making. The affect of the 9/11 attacks on decision-making in broader context of New York City will be the focus of a future study.

new alliances that sought to link that discourse to alternative policy outcomes? Third, why did some conceptions of the public good prevail while others were marginalized in the policy formulation process? And fourth, what are the implications of this agenda setting and decision-making case for democratic government?

These questions led me to (1) Identify the main post-9/11 state and civil society stakeholders and how they articulated conceptions of the public good. (2) Determine whether civic coalitions formed after 9/11 brought together diverse participants to construct conceptions of the public good, and how they dealt with the ideological and professional differences among their memberships when advocating for principles and specific policy solutions. (3) Analyze how state and civil society actors used structural arrangements, public processes, claims to authority, and "framing" of the public good to advance some conceptions of the public good and marginalize others.

This dissertation investigates the following claims about post-9/11 agenda setting and policy formulation in lower Manhattan:

1) Catastrophic events lead the public(s) to engage in discussions about the public good which reveal the highly contested nature of this concept.

2) Dominant governing coalitions will try to use their privileged structural position, non-decision making tactics, and framing of the public good to advance their values and interests.

3) The relationship between conceptions of the public good as values and as public policies is tenuous and open to competing interpretations. Some stakeholders are more successful at defining the content of conceptions of the public good.

4) Catastrophic events may result in coalition building and increased social capital between previously unaligned communities of interest. These new alliances may threaten both existing ties between members of the dominant governing coalition and support for the dominant conception of the public good.

5) Federal aid packages may reflect the interests and values of the dominant governing coalition, which makes it difficult for challengers to advance alternative conceptions even when they have public support.

Theorizing Shifts in the Dominant Conception of the Public Good

The Public Good

The literature on the public good either expresses a yearning for the return of lost community values, or reaffirms the tenet that no such objective normative framework exists. Scholars in the latter category argue that we risk violating individual liberties if we seek to impose only one normative framework. This dissertation does not develop a normative theory of the public good[2]; instead, it illustrates the way competing conceptions of the public good are constructed and deployed in post-9/11 agenda setting and policy making.

The emergence of an idea or set of values as a dominant conception of the public good may be explained by factors such as national or regional political culture (Elazar 1984), by public preferences, or by elite preferences that are perpetuated through foundations (Rich 2004). Governing coalitions (Mollenkopf 1992) also play an important role in strategically constructing and perpetuating conceptions of the public good through both public discourse and policy outputs. These coalitions persist because of shared values, and shared material and symbolic benefits.

In their efforts to frame agendas and influence public policy, stakeholders often invoke ideas or values to rationalize their claims. This dissertation employs the term "conceptions of the public good" to identify values that 9/11 stakeholders claimed should be pursued because they would be good for the broader community of New York City and even the United States. When a particular conception of the public good is dominant,

[2] Although it does depict the dominance of "growth" as problematic.

it has the effect of influencing the range of values and policy solutions considered possible in agenda setting and policy formulation. Over the years, and particularly since the 1970s fiscal crisis, economic growth—the need to pursue policies that attract private investment—has emerged as a dominant conception of the public good. Economists and some political scientists have argued that growth is for the good of the city, perhaps even the unitary interest of the city. The focus on growth is encouraged by fiscal federalism, which creates competition between cities for private investment. The idea that growth is for the public good is widely proclaimed by powerful interests (particularly those who benefit from growth), as well as by political officials and the general public (see section on Growth). Public officials, particularly mayors, have prioritized growth in their policy agendas. Without widespread acceptance that growth advances the public good, growth would simply be another contested concept. Instead, the priority of growth establishes the boundaries of what is considered possible and desirable for the urban agenda across an array of policy areas including housing, economic development, labor and redistributive policies. Catastrophes, which generate moral discourse, a more robust feeling of community, and increased public participation, may create opportunities for stakeholders to consider alternative conceptions of the public good. The triumph of some conceptions over others will have a profound effect on the future of the World Trade Center site and Lower Manhattan.

Urban Politics, Economic Elites, and Growth

In urban politics, pro-growth coalitions (Mollenkopf 1992) and pro-growth regimes (Stone 1989) have proven especially resilient and successful at defining growth as the dominant conception of the public good. "Growth" is widespread in the urban

politics discourse, and on the urban policy agendas of many U.S. cities, including New York. As Dennis Judd and Todd Swanstrom explain:

> Throughout America's national history, the most fundamental goal of its cities has generally been *local economic growth*. Founded originally as centers of trade and commerce, the nation's cities and towns came into being as places where people could make money. This was true for the oldest colonial cities and for cities on the frontier (2006, 1).

Several factors explain why, with the exception of a few successful challenges, growth has remained a dominant conception of the public good.

In part, growth is influential because economic elites who benefit the most from growth enjoy a privileged role in urban politics and policy-making. The extent of elite influence on public policy has been a central focus of urban politics, stemming from the debates between elitists and pluralists in the 1950s and 1960s. The former group emphasized that elites enjoyed advantages in shaping urban political and policy agendas (Hunter 1953; Mills 1956). The latter group argued that power was diffused among different players in different policy areas; one could identify this shifting configuration of power by studying the policy outcomes of urban decision-making (Sayre and Kaufman 1960; Dahl 1961; Polsby 1980).

Bachrach and Baratz (1962) and later Stone (1983), challenged the pluralists' focus on explicit decision-making debates, arguing that economic elites exercised power in the "agenda setting" phase as well as in the "decision-making phase." While pluralists emphasized controversy over issues in the decision-making process, they missed how economic elites also shaped policy priorities by keeping issues of concern to them off the agenda. Bachrach and Baratz (1962) argue that in addition to power exercised overtly in decision-making, there is a "second face of power…the powerful act to ensure that only

those issues that are comparatively innocuous to them ever reach the point of decision." Stone also discusses "non-decision making." He asserts that non-decision making is as significant as overt decision-making:

> There is a realm of activity beyond the give and take over specific policy decisions, a realm where numerous calculations are made about what is feasible and what is infeasible, about what is desirable and what is to be avoided, about what is worth following through and what may as well be left alone (Stone1982, 281).

Yet, why do the priorities of economic elites shape the agenda through non-decision making and decision-making? Public choice theorists, such as Mancur Olson (1965) argue that compared to other interests, economic elites are better able to influence urban politics and policy. Since economic elites have greater resources and selective incentives to distribute, they can effectively mobilize their constituents, and engage in "collective action"; public officials are more likely to respond to well mobilized interests.

Some social scientists have revisited the elitist-pluralist debate and questioned the inevitability and desirability of economic determinism in urban decision-making. In his theory of regime politics, Stone (1989) argues that a stable set of relationships and principles govern decision-making. Local governments work with business interests to form a regime. Because businesses play a significant role in providing necessary resources, they also have a disproportionate influence on the local agenda, which accounts for the pro-growth agenda in cities like Atlanta.

Mollenkopf, by contrast, argues that governing coalitions do not simply respond to pressures from economic interests (1975). Leaders of governing coalitions, mayors in particular, also need the support of electoral majorities to win elections and remain in office. Mayor Koch's pro-growth governing coalition in New York clearly prioritized

business interests, but it did not wholly ignore pressures from other constituencies (Mollenkopf 1992, 41; see also Chapter 2).

Logan and Molotch's "growth machine" thesis also emphasizes agency (1987). The authors identify a group of actors, known as a growth machine, committed to attracting private investment to raise the exchange value of land. "*Rentiers*" lead this effort to promote economic growth. They are supported by three other types of politically and technically savvy members of the growth machine. The first group includes real estate developers, financiers, and architecture-related professionals. The second are place-based local media and utility companies, and the third are other local interests such as universities, cultural institutions, and retail business that benefit from growth. Together, these stakeholders are influential in promoting growth.

Fiscal Federalism, Public Authorities, and Growth

American federalism, the separation of powers, and checks and balances—the enduring hallmarks of eighteenth century values, skillful negotiations over the economic, social, and spatial configuration of political power—also shape the politics of growth in U.S. cities. Together these three principles were adopted to limit the powers of the national government and thwart "hasty" decision-making.[3]

The federal system allows states (and sometimes cities) to express their distinct cultural values by regulating certain types of social behavior and by developing their own tax systems. There are drawbacks as well as advantages to this autonomy, however. Fiscal federalism has produced sometimes cutthroat competition between regions, states,

[3] Of course some of the clauses in the Constitution actually bolster the power of the national government such as the Supremacy and the Necessary and Proper clauses.

and cities for federal resources, and especially for private investment.[4] Peterson (1981; 1995) claims that the federal relationship causes cities to focus on encouraging private investment by shaping the policy area over which they have control—land use. Peterson contends that there may be some disagreement over the details of economic growth, but not over the general priority of economic growth; growth transcends politics, since it benefits the city as a whole. Growth is both a public finance necessity and logical priority. Pro-growth policies can have widespread benefits, including generating tax revenues and creating private sector jobs. Growth, they argue, is not just good for individuals; it is in the "unitary interest of the city." It promotes the public good.

Peterson focuses on growth in export industries, but growth *qua* more general private investment appears to have influenced the discourse, particularly in the form of large-scale development or "mega projects." In *Mega Projects* (2003), Altshuler and Luberoff question the dearth of studies that investigate mega-projects in the urban politics literature. This is noteworthy given the fact that these project are often a priority for business leaders who play an influential role in urban politics (2003, 46). According to the authors, two explanations account for this omission. First, urban politics scholars tend to focus on "power relations within local jurisdictions, [while] mega-projects are usually constructed by regional or state agencies." Moreover, political scientists tend to focus on controversy, whereas "when elites are united, they typically contrive to present

[4] Furthermore, there is an important relationship between social programming and tax structures. In times of federal retrenchment, states and cities must rely on their own revenues to pay for these programs. Baumgartner and Jones (1993) and Anton (1989) explain that if aid for consumption policies is cut, state and local government will not substitute their own funds to continue these policies. Conversely, if federal investment funds are cut they will. When 1996 Personal Responsibility Act transferred more responsibility and autonomy to the states to administer welfare programs, many feared the policy would result in a rush to the bottom.

issues as technical, which is to say nonpolitical" (2003, 46-7).[5] As the authors point out, elite consensus around mega-projects undermines potential challengers. This was the case during urban renewal efforts from the 1940s to the 1960s when,

> the unity and influence of their [renewal agencies'] supporters, reinforcing the myth that their decisions were technical, enabled them to prevail in nearly all cases where their decisions were challenged. And not only to prevail but to keep specific complaints from escalating into broader controversies—successfully framing disputes, for example, as pitting the narrow self-interest of a few (for example, residents to be displaced) against the public interest of the city or region as a whole (48).

While the urban politics literature often touches on public authorities, they rarely have a seminal role in these debates, despite their sizable impact on urban policymaking (Altshuler and Luberoff 2003).

Second, intergovernmental relations also affect the politics of growth. The politics and policies of cities are heavily intertwined with the institutions and values that shape politics at the state and national levels of government. As the national government has grown in powers and resources, the national, state, and even local levels of government have taken on overlapping functions and responsibilities (Grodzins 1966; Conlan 1998). This is especially true of large prosperous cities such as New York, which house major national and international corporate headquarters (Savitch 1990). This interdependence became more formalized in the twentieth century when the national government initiated grants-in-aid programs. Federally-funded social programs facilitated a more direct and dependent relationship between cities and the national government. This connection reached its pinnacle under the Johnson Administration's Great Society and War on Poverty programs.

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[5] My study of post-9/11 agenda setting indicates that I too am interested in controversial projects.

In cities and states across the country, public officials and policy entrepreneurs have used public authorities to achieve their agendas. This effectively buffers them from "politics" or political debate. Unlike line agencies that are often subject to public scrutiny, mayors and governors often design public authorities to circumvent public and legislative oversight (Walsh 1978). Proponents of public authorities argue that these organizations should be buffered from politics so they can pursue the public good.[6] As Walsh explains public authorities often advance business interests:

> Because of their insulation, they [public authorities] overemphasize financial returns and reflect or accept the viewpoints of banking and business participants. They bias government investment in favor of physical infrastructures for short-term economic return. Ideologies of laissez-faire, localism, autonomy, and limited politics converge to limit the forms and ambitions of public enterprise, to preserve the power of groups with narrow and specialized aims, and to relieve the enterprises themselves of obligations to respond to broader interests (Walsh 1978: 6)

Public authorities are often responsible for creating and implementing policies that facilitate growth (Piven and Friedland 1984). They often capitalize on the benefits, yet at the same time, relinquish accountability for the costs associated with growth. Such public authorities play a central role in the redevelopment of the World Trade Center and lower Manhattan.

Challenging Governing Coalitions and Dominant Conceptions of the Public Good

Much of the literature on economic growth policies notes that growth is necessary and desirable for all city dwellers. At the same time, social scientists and neighborhood activists have expressed concern about the impact of pro-growth coalitions and their policies on existing communities, especially on low-income and minority residents who

[6] This claim is part of a larger debate over science vs. values in which economists and some social scientists scholars have argued that economic logic is a value free science that can be juxtaposed with value-laden politics. Critics of this view claim that all agendas reflect some value (Walsh 1978; Stone 1988 and; Schneider and Ingram 1993).

may be displaced by the higher rents and increased cost of living in their neighborhood (Gans 1962; Mollenkopf 1975; Fainstein 1986; Logan and Molotch 1987; Reed 1999; Feagin and Parker 2002).

Some scholars have explored the possibility for biracial electoral coalitions (Browning, Marshall, Tabb 1984; 2003) to prioritize the values of liberalism over growth. Mollenkopf (2003) and Rogers (2004) examine this possibility for New York City and determine that inter-ethnic divisions, particularly among minority groups, are a considerable obstacle to forming these electoral challenges to governing coalitions. Stone (2005) suggested "institutional repair, community development and community organizing, and reshaping civil society" as an initial step toward including low-income communities in decision-making.

Institutional and Elite Conflict

Sometimes conflict between different groups of elites, especially members of a dominant governing coalition, may create opportunities for challengers to articulate alternative conceptions of the public good. In his seminal work, *The Semi-Sovereign People,* E.E. Schattschneider argues that "the outcome of every conflict is determined by the *extent* to which the audience becomes involved in it. That is, the outcome of all conflict is determined by the *scope* of its contagion" (1960, 2). According to Schattschneider, in a conflict between political actors, the weaker of the two parties may have an incentive to widen the scope of conflict by facilitating the participation of other actors. These other actors may seek to reframe the issues and suggest alternative solutions. A political actor's desire to widen the scope of conflict gives other actors a potentially receptive institutional venue. General agreement on pro-growth policies does

not necessarily mean that members of the coalition have an identical understanding of how to translate that principle into policy:

> Bureaucratic control is temporally contingent because the policies that governments pursue are embedded in a set of ideas about desirable courses of action, courses that are related to the core functions of governments. But just what core functions are emphasized at any one point in time is difficult to predict; today it may be economic growth, tomorrow legitimation. Indeed it is a false dichotomy to view legitimation as opposed to growth; mayors have mobilized voters around the concept of 'jobs' (Jones 1995).

Because bureaucratic agencies are ultimately accountable to elected officials, these leaders may ultimately bring other members in line, but that does not mean that latent points of tension cannot be exploited by those seeking to influence policy-making.

Although there were elite disagreements over the future of lower Manhattan prior to 9/11, they did not generate significant opportunities for critics to challenge the growth agenda (see Chapter 2). In the 1990s, despite these tensions, elite consensus over mega-projects continued to mute controversy, although efforts to limit negative community and environmental impacts also played a role. As Chapters 3-5 will show, elite positions on growth diverged somewhat following the 9/11 attacks.

Civil Society and Public Participation

Debates about civil society and the public sphere help to explain how individuals or organizations challenge dominant conceptions of the public good. Political theorists, such as Arendt (1989) and Habermas (1986), praise the public sphere model of "rational" civil society actors exchanging ideas to generate consensus about the public good. Many theorists have extended aspects of Habermas' theories of communicative action. For example, Warren distinguishes between issues that can and should be the focus of public

agreement (Warren 1992). Participants in these public spheres exchange ideas and may even identify or develop common values.

Scholars of feminist thought and especially race (Hooks 1984; Pateman 1988; Ryan 1992; Mills 1997; Young 2000) explain that the public spheres, which Arendt (the *polis)* and Habermas (the bourgeois) extol, were exclusive discursive spaces. In addition to *de jure* exclusions, the unwritten rules of discourse marginalized women and minority groups who chose to reject "rational" discourse and express their concerns in moral and emotional terms. Civic engagement by these excluded groups produced multiple civil societies and public spheres that were an alternative to the bourgeois public sphere.

Throughout American history, leading observers have identified civic associations and community-based or neighborhood organizations as an integral part of American politics and policymaking (Tocqueville 1835/1988; Putnam 1993; Skocpol 2003). Neighborhood organizations play a critical role in articulating the experience and needs of low-income and minority communities, but they face considerable obstacles to getting their priorities on the policy agenda (Piven 1974; Portney and Berry 2001). By forming alliances with more broad-based organizations, they may gain increased access to decision-makers, or they may be marginalized in these groups as well (Gittell 1980). Therefore, civil society debates must address whether there is a link between these multiple public spheres and the formation of public policy, especially if only elite or bourgeois public spheres influenced public policy, usually with the assistance of the media (Mills 1956). Under some conditions, such as successful social movements, these often excluded stakeholders are able to shape public discourse and public policy. Catastrophes, which raise moral and normative questions, may also create the space for

inclusion of previously excluded stakeholders and their values. For this reason, and those addressed in subsequent paragraphs, theoretical and empirical works on the impact of catastrophes on public discourse and policy are especially relevant to this dissertation.

Agenda Setting: Policy Resilience and Change

The policy literature is also useful to understanding post-9/11 agenda setting and policy formulation. Cobb and Elder (1983) develop a framework of agenda setting. The authors identify two types of agendas, the systemic and the institutional or governmental agenda. The systemic agenda includes all issues that the political community considers worthy of attention. The institutional agenda includes those issues that decision makers take up for serious consideration.[7] As the authors explain, the institutional agenda will reflect cultural constraints and biases that pervade the larger social structure, since "differential legitimacy [is] accorded [to] various social groupings" (93). As a result, the "new demands of particularly disadvantaged or deprived groups are the least likely to receive attention on either the systemic agenda of controversy or the institutional agenda…" (93). This dissertation explores the role of cultural constraints and differential legitimacy in post-9/11 agenda setting.

Kingdon (1995) explores how timing affects which policy problems and solutions reach the agenda. For a solution to make it to the agenda, the political climate must be receptive, and a policy entrepreneur must forge a particular coupling of a policy problem and policy solution. Focusing events can create a window of opportunity in which all three streams—the political stream, the policy stream, and the problem stream—come

[7] This dissertation uses these two agendas as a framework to analyze post-9/11 agenda setting for lower Manhattan.

together to make certain problems and policy solutions seem worthy of attention. Catastrophic events, such as the 9/11 attacks, are an example of a focusing event.

Even with an open window of opportunity, however, some actors (and their policy solutions) are more likely to be taken seriously than others because of their resources and their status in society (Cobb and Elder 1983). Other works on agenda setting analyze how new participants seek to gain access to the policy-making process by manipulating discourse, and by venue shopping—pursuing institutions amenable to their policy solutions. Stone identifies problem definition as "the active manipulation of images of conditions by competing political actors" (1997). She explains that stakeholders attach different meanings to five fundamental concepts or goals—equity, efficiency, security, liberty, and community. People, she explains, "fight *with* ideas as well as about them" (34). Stone's "goals" inspired the framework of conceptions of the public good used in this dissertation. This study builds on her work by using empirical data to analyze how 9/11 stakeholders articulated a range of conceptions to shape the agenda, and how they attempted to translate their conceptions into policy.[8] It also addresses her focus on the spurious distinction between reason and politics. The dichotomy of scientific inquiry/cost-benefit analysis on one side and politics on the other is misleading in that public policy always reflects a value-laden interpretation of the problem (Stone 1997; Schneider and Ingram 1993). This distinction was commonplace in post-9/11 discussions about economic growth. Pro-growth advocates often portrayed economic growth as transcending politics.

[8] A comparative case, for example the post-Katrina rebuilding of New Orleans, would likely show that stakeholders articulated a different set of conceptions of the public good than the ones expressed following the 9/11 attacks.

Baumgartner and Jones (1993) build on Schattschneider's (1960) and Stone's models to explain the agenda setting process. They argue that actors seek to gain access to the policy-making process by reframing the discourse about a problem and by "venue shopping"—pursuing institutions receptive to their way of framing and solving policy problems. Efforts to gain access may result in a shift in policy paradigms including which groups and what approach dominate the policy area. The authors note that because fiscal federalism leads local governments to compete for growth, stakeholders advocating consumption policies may find that local venues impede their efforts to get these issues on the agenda. However, "claimant groups have become adept at justifying their policy proposals in the language of economic growth" (228). Baumgartner and Jones show that these stakeholders embraced growth as the dominant conception of the public good instead of challenging it. This dissertation analyzes whether 9/11 stakeholders did the same, or if discussions about the public good led to alternative conceptions.

This study also draws on the concept of advocacy coalitions to analyze post-9/11 coalition building and policy formulation. Sabatier (1988) and Sabatier and Jenkins-Smith (1999) develop the framework of advocacy coalitions, a complex network of actors from multiple levels of government as well as journalists, researchers, and policy analysts, which makes up a policy subsystem (119).[9] The authors extend Heclo's (1974) work on "policy-oriented learning," which posits that new experiences and new information may cause the advocacy coalition members to rethink policy solutions. Under normal conditions, however, members of the advocacy coalition will not embrace new policy solutions that are inconsistent with their core beliefs. Policy shifts that

[9] The coalition framework goes beyond the model of iron triangles of administrative agencies, legislative committees, and interest groups at a single level of government.

challenge core beliefs will not come from within the coalition; they require "a perturbation in noncognitive factors external to the subsystem" that change the "composition and the resources of various coalitions" (1999, 123). The advocacy coalition framework is especially relevant to analyzing post-9/11 coalition building and policy-oriented learning, particularly for the 9/11 civic coalitions.

Birkland (1997) builds on the aforementioned theories to conceptualize focusing events and to analyze how disasters affect agenda setting and policy change. He develops four theoretical criteria of focusing events, including that they (1) happen suddenly; (2) are rare; (3) affect a large number of people; and (4) are known to the public and "informed member of the policy community" at the same time. These characteristics of focusing events make it difficult to keep associated issues off the agenda. These events may dislodge existing consensus around a policy area, upset power dynamics, create new learning communities, and make existing, but previously ignored solutions seems viable. Together, these shifts create the possibility of policy change in a particular policy area.

This dissertation emphasizes that focusing events, especially catastrophic ones, may focus the public's attention on both the abstract question of which values should guide public policy, and the pragmatic question of which policies best fit those values. In doing so, focusing events may produce challenges to a particular policy network, but also to the dominant conceptions of the public good that shape the parameters of the agenda and thus affect several related policy areas. The latter scenario is particularly germane to urban politics and policy because of the closely inter-related functions of land, labor, and

capital on the urban level.[10] The impact of catastrophes on the discourse that influences urban agenda setting and policy formulation, which remains understudied in both the public policy and urban politics literatures, is the focus of this dissertation.[11]

Key to this undertaking is the role of catastrophic events in generating challenges to the dominant discourse of the public good and new alliances that may undermine the cohesiveness of the growth coalition. This requires that stakeholders are willing to challenge the non-decision making tactics of decision makers and force new conceptions of the public good and marginalized policy solutions onto the political agenda for public discussion. This requires challenging symbolic politics. As Edelman (2001) explains, while public pressure may lead officials to embrace symbolic policy solutions, they may not actually adopt them as public policies. In other words, symbolic promises are politically useful, but often hollow. Therefore, mainstream organizations that are members of the pro-growth alliances must be willing to embrace some of the strategies typically used by marginalized communities or help these marginalized stakeholders to gain access.

The Post –9/11 Case in New York City

The 9/11 attacks affected individuals from all walks of life across the city, the region, and the globe. First and foremost, 2,749 people lost their lives. These individuals hailed from cities across the United States and beyond. Victims were socio-economically diverse, including employees of some of the most successful financial firms in the world, municipal employees from New York City fire and police departments, immigrant service workers, and many others.

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[10] For a discussion of the significance of land, labor, and capital to urban politics see Peterson 1981.
[11] These changes may not affect long term policy shifts, but they will have a significant impact on the trajectory of spatial and socio-economic relations in lower Manhattan.

In conjunction with the human toll, the attacks had a devastating impact on the physical landscape and financial prosperity of lower Manhattan. Not only was the World Trade Center demolished, but there was also considerable damage to the surrounding office, retail, and residential communities. The rescue and recovery effort required the closure of the downtown area below 14th Street for months, causing considerable hardship to downtown residents who were cut off from basic amenities and services such as pharmacies and grocery stores. Small businesses in particular suffered because they were unable to receive deliveries and had few customers since most of the city's residents and tourists could not enter the area. In addition to these directly impacted communities, the attacks caused a ripple effect in the surrounding neighborhoods of Chinatown, the Lower East Side, Tribeca, and Soho, all of which lost accessibility, services, and, therefore, customers.

Large commercial real estate owners were hit especially hard. They expressed concern that if government failed to address their needs expeditiously, their spaces would be permanently abandoned, and lower Manhattan's status as the country's third largest business district would be undermined. Including the Twin Towers, which have come to symbolize the strength of New York's financial services industry, the attacks destroyed or damaged over 16 acres and 34.5 million square feet of downtown office space. Affected properties included the World Financial Center, the Verizon Building, Deutsche Bank, and the location of the City's emergency response office. Much of the destroyed space was located in the World Trade Center, which the Port Authority of New York and New Jersey (PA) had leased the site to Larry Silverstein only six weeks prior to the attacks.

In the summer of 2001, the PA signed a 99-year lease with New York based Silverstein Properties for approximately 10.5 million square feet of the commercial office space. Westfield America leased approximately 430,000 square feet for retail use. The PA, which lost considerable human, physical and financial resources, was particularly proprietary regarding its headquarters and flagship. The Port Authority is a "public" authority; however, it also had fiduciary responsibilities to its bond holders and was most interested in maintaining a stable revenue source. Although Silverstein (Westfield subsequently sold its development rights back to the PA) and the Port Authority have legal rights to make decisions affecting what is built on the site, Governor George Pataki of New York delegated oversight of the rebuilding process to the city-state Lower Manhattan Development Corporation (LMDC).

Facing considerable public concerns about the site and an impending mayoral election, which the Democratic candidate Mark Green was initially expected to win, Republican Governor George Pataki of New York created the city-state LMDC to oversee the revitalization, redevelopment, and memorialization projects (Moss 2005). The LMDC is a subsidiary of the Empire State Development Corporation (ESDC), formerly known as the New York State Urban Development Corporation (UDC), a Rockefeller-era state development agency with powers to raise funds in the bond market, use eminent domain to take private property, and override local zoning regulations. As an ESDC subsidiary, LMDC could exercise these powers as well. The mayor and governor appointed the board members, although many of the LMDC staff were former aides to the Governor.

The Port Authority of New York and New Jersey and the city-state Lower Manhattan Development Corporation both had jurisdiction over the 16 acre site. They were also both accountable to Governor Pataki (the Governor of New Jersey appoints half of the PA board, but he left this matter largely to New York). As the Governor of New York, it behooves him at least to appear to be responsive to his constituents, especially to grieving families that lost members on September 11. Although the Port Authority is a public authority, it has little experience and perhaps less interest in encouraging public or civic input into its decision-making (Walsh 1978; Doig 2001; Fainstein 2005). After 9/11, the Port Authority and its leaseholders found themselves in the unenviable position of facing a public that wanted a meaningful say in how the site was redeveloped. The Port Authority was also overwhelmed by more immediate concerns. It had to deal with the death of much of its staff as well as the complete loss of its physical headquarters (Fainstein 2005). Given its financial stake in the project, the complexity of the legal situation with Silverstein, and its general proclivity for insular decision-making, the Port Authority was an unlikely initiator of an inclusive decision-making process.

If the Port Authority appeared to have greater leverage over the 16 acre WTC site, the LMDC had a broader mandate—the revitalization of lower Manhattan. After 9/11 the Federal Government allocated a $21 billion recovery package to New York. Much of the money was rigidly allocated, either for transportation or as redevelopment bonds for commercial and residential developments. However, the United States Department of Housing and Urban Development (HUD) allocated $2 billion as a Community Development Block Grant for the recovery and revitalization effort with an additional

$783 million allocated specifically for utility repairs and for companies with a disproportionate loss of life (Beyond 16 Acres). This was the most flexible and, therefore, most valuable part of the federal aid.

Lower Manhattan

Post-9/11 decisions about the redevelopment of the area and the allocation of Federal disaster aid will have significant consequences for the World Trade Center site and lower Manhattan. Lower Manhattan is a collection of socio-economically diverse neighborhoods including the Financial District, Tribeca, Battery Park City, Chinatown and the Lower East Side. Compared to the other four boroughs of New York, Manhattan has a high median income, although Chinatown, the Lower East Side, and Harlem (which is uptown, at the opposite end of the borough) have historically provided some racial and income diversity in Manhattan. Over the past 10 years, however, these neighborhoods have become increasingly gentrified, and affordable housing has become increasingly scarce. Home ownership is particularly unusual for low-income neighborhoods in Manhattan because of the value of land, which increases the cost of construction. By the summer of 2001, the decrease in available Section 8 vouchers and the impending expiration of Mitchell-Lama protections threatened to aggravate the already acute housing shortage in the borough (Stark and Turetsky 2001; Amateau 2003).

The 9/11 attacks illuminated the economic interdependence of these neighborhoods, all of which suffered considerably. In 2002 there was a 7.5% decrease in private employment in Battery Park City, the closest neighborhood to the World Trade Center. But in Chinatown, a nearby neighborhood with a large immigrant and low-income population, there was a roughly 9% decrease (Fuerst 2005). In other words, all of

lower Manhattan was negatively affected by the attacks. According to a study by the New York City Partnership, Lower Manhattan lost approximately 100,000 jobs and 30% of its office space. Although the downtown economy is still struggling, the economic blow did not reverse the shortage of affordable housing, except temporarily. Lower Manhattan clearly needed economic revitalization, but how could this need be addressed without aggravating the existing affordable housing shortage. Lower Manhattan's situation exemplifies the challenges cities across the nation face in seeking to promote economic growth without sacrificing affordable and livable communities and without intensifying the separation of communities by race and income.

The Case

This dissertation asks what role conceptions of the public good play in agenda setting and policy adoption. Specifically, it examines the role conceptions of the public good play in the economic and physical rebuilding of Lower Manhattan and the World Trade Center (WTC) site following the 9/11 attacks. Members of the public (including elites) often seek to promote their interests and issues by using the language of the public good (Baumgartner and Jones 1993). The concept of the public good may be invoked by many diverse and competing interests, its meaning at any given time is dependent on who is speaking (Stone 1997). Yet the image of public accountability that this concept conjures may impact its users as well. September 11 unleashed an opportunity to manipulate the discourse of the public good, but it may also have influenced the way people think about their interests and the way those interests are related to the interests of other groups and their conception of the public good of the city as a whole. This dissertation examines the way individuals and groups use the discourse of the public

good to influence agenda setting and policy adoption, as well as how this concept shapes opportunities for public participation and group interests and strategies. Essential to this story is the role played by rebuilding institutions and how their response to the public's competing ideas of the public good includes or excludes certain sectors of the public.

Therefore, this dissertation analyzes how state and civil society stakeholders constructed consensus around both conceptions of the public good and substantive policy solutions in post-9/11 New York City. It also investigates why some of these policy solutions were adopted and others were rejected. Just as governing coalitions use structural privileges to set agendas, they also use claims about the public good to frame the parameters of agenda setting and policy formulation. Since the fiscal crisis of the 1970s, economic growth had reemerged as a dominant conception of the public good in New York City. Considering this, I ask whether the 9/11 attacks destabilized growth as the dominant conception of the public good and created opportunities for new alliances to form, negotiate, and articulate alternative conceptions, which hold the potential to expand the parameters of agenda setting and policy formulation across multiple policy areas.

Research Design

The dissertation is a qualitative case study of how state and civil society stakeholders construct conceptions of the public good in an effort to affect decisions about the rebuilding of the World Trade Center and Lower Manhattan. Through participant observation, I was able to elucidate the deliberative process and the transformation of ideas into positions and policies. Interviews complement my own observations and interpretations of written text. The case study is a standard research design for describing and explaining the urban development process and has recently

received increased attention from political scientists (Nicholson-Crotty and Meier 2002; see also http://www.asu.edu/clas/polisci/cqrm/QualitativeMethodsAPSA.html).

In this study, I address the following questions: (1) Did the 9/11 attacks shift public and governmental discourse about the public good and broaden the parameters of agenda setting across a series of posts-9/11 policy decisions? (2) If so, did the attacks also result in the formation of new alliances that sought to link that discourse to alternative policy outcomes? (3) Why did some conceptions of the public good prevail while others were marginalized in the policy formulation process? (4) What are the implications of this agenda setting and decision-making case for democratic government?

It also tests the following claims:

1) Catastrophic events lead the public(s) to engage in discussions about the public good which reveal the highly contested nature of this concept.

2) Dominant governing coalitions will try to use their privileged structural position, non-decision making tactics, and framing of the public good to advance their values and interests.

3) The relationship between conceptions of the public good as values and as public policies is tenuous and open to competing interpretations. Some stakeholders are more successful at defining the content of conceptions of the public good.

4) Catastrophic events may result in coalition building and increased social capital between previously unaligned communities of interest. These new alliances may threaten both existing ties between members of the dominant governing coalition and support for the dominant conception of the public good.

5) Federal aid packages may reflect the interests and values of the dominant governing coalition, which makes it difficult for challengers to advance alternative conceptions even when they have public support.

Data Collection

To address these questions I used a multi-method approach including participant observation in over 200 public and closed meetings, analysis of public documents and reports, partial action plans, press releases, emails, and print media coverage, and structured interviews with 30 key stakeholders. Data was collected over a three year period from July 2002 to July 2005.

This data collection was extremely comprehensive due to support I received during the initial data collection phase from the Center for Urban Research at the CUNY Graduate Center, the Russell Sage Foundation, and the Center on Philanthropy and Civil Society at the CUNY Graduate Center. A Doctoral Dissertation Research Grant from the Department of Housing and Urban Development (HUD) made a second phase of data collection (as well as data analysis and writing) possible. In the course of my field research, I established relationships with members of many of the organizations engaged in the rebuilding process and was given access to the closed meetings of those organizations. This access gave me an unusual level of knowledge of internal discussions of the civic networks and community organizations and their relationships with decision-makers.

I conducted *Content Analysis* of key documents and field notes to identify strategies, developed by the civic networks and other stakeholders, for promoting economic growth and affordable housing.

- Agency Documents: Field notes from board and advisory meetings, public forums, public comments, requests for proposals and HUD-funded partial action plans.

- Network Documents: Field notes from open and closed meetings, press releases, public statements, reports, emails.
- Print media coverage: Articles from the *New York Times*, *Daily News*, *New York Post*, *Newsday*, the *Wall Street Journal*, *The Observer*, *The New Yorker*, the *Tribeca Tribune, Downtown Express*, and the *Gotham Gazette*.

Participant Observation: I attended over 200 meetings and public hearings between July 2002 and July 2005. Observation of these meetings, especially closed ones, will help to reveal patterns of social dynamics between civic coalition members that differ from those presented in public documents.

Interviews: I conducted approximately 30 semi-structured, open-ended, thematic interviews with: (1) decision-makers including elites at the LMDC, PA, and Office of the Mayor, and of the Governor; ESDC, EDC, and the State and City Housing and Finance Authorities; (2) Civic network participants and other stakeholders including: the WTC site leaseholders, victim family member organizations, downtown resident and business owner organizations, and members of five civic networks including the Civic Alliance, New York New Visions, the Labor Coalition Advocacy Network, Rebuild Downtown Our Town, and Imagine NY.

I analyze how participants in the civic coalitions construct and deploy conceptions of the public good regarding housing, economic development and good design. A review of field notes and official meeting minutes revealed policy priorities and concerns voiced by participants and references to the common or public good, the interests of any community larger than a small group of individuals, or references to honoring legal agreements, honoring lost lives, and ensuring an open and transparent process. For the

civic coalitions, notes from closed meetings were compared to public documents produced by those coalitions. Findings show that in closed meetings participants differed in their understandings of the public good, while the coalition's public documents tended to depict a more united front, which was used to influence the decision-making process. I examined which priorities became part of the coalitions' public agendas, paying special attention to the emphasis placed on affordable housing and other issues of concern to low-income and minority communities.

In order to assess the level of access and influence these groups have on decision-makers I first determined how often network members met with decision-makers. This data was often available because I either attended the actual meeting or have a record of it from meeting minutes and my own records of e-mail correspondences. Influence is much more difficult to accurately measure; however, I reviewed my field notes and documents to determine how decision-makers framed policy concerns and whether they made changes to policy approaches and strategies after meeting with civic coalition members. In order to assess the impact of low-income and minority community organizations I reviewed my field notes to determine whether they attended and participated in meetings with decision-makers

To analyze the process for allocating CDBG funds and Liberty Bonds, I reviewed electronic and paper announcements sent out by the agencies, e.g. the announcement of partial action plans by LMDC. I examined the records of how many people wrote comments or gave testimony at hearings and analyzed the content of those comments. The goal was to determine the level of participation these methods of decision-making yield and to identify patterns in the comments. This information was available on the

agencies' websites. I also used interviews to determine their formal process for making decisions and asked their strategies for reaching out to low-income and minority communities.

I performed a budget analysis of the decisions made by the agencies. These decisions are a matter of public record. I review the allocations to see what percentage of them embrace policy strategies articulated by the civic coalitions or other stakeholders. In particular, I looked for efforts to address the values of economic growth, memorialization, equity, planning, security, and participatory process. Finally I compared the rhetoric used by agencies regarding their policy initiatives to their actual allocations to elucidate the relationship between symbolic rhetoric and policy adoption.

Significance and Innovation

As one of the biggest, most-watched, most heavily-federally-funded urban redevelopment projects ever mounted, the rebuilding of the World Trade Center and the neighborhoods that compose lower Manhattan is significant in itself and should be studied. To date, no comprehensive study on this post 9/11 process of public deliberation and agenda setting exists.

There is a considerable theoretical and empirical literature on the social construction of the public good and agenda setting. Much of this literature emphasizes the way individuals frame the public good to influence agenda setting (Baumgartner and Jones 1993) and the way that conceptualization benefits some and excludes others (Stone 1988). However, little empirical research exists on how actors actually construct conceptions and incorporate them into policy-making by shaping both agenda setting and policy formulation. This dissertation seeks to illuminate that process.

Key Findings

My findings indicate that pro-growth advocates were often able to reassert growth, specifically the need to provide public incentives for new private investments, as the dominant conception of the public good. State and federal political institutions often used their influence to help these pro-growth advocates to succeed. At the same time, 9/11 created opportunities for other parties to assert alternative conceptions of the public good, including memorialization, planning, equity, and excellent design (see Chapter 3). In particular, diverse coalitions of planning, architecture, economic development, labor, advocacy, and social justice representatives formed to deliberate and forge consensus on principles and substantive policies in the areas of housing and commercial land use, community and economic development, and transportation. These coalitions, which in some cases included marginalized communities and their advocates, provided an important counterbalance to the affluent and highly sophisticated lower Manhattan residential and business communities, which primarily focused on economic growth. If these coalitions endure, they may effect long-term changes in the policy agenda for New York City.

Organization of this Dissertation

This dissertation includes six chapters. This chapter provides a theoretical framework that draws on the agenda setting, urban decision-making literature to explain how stakeholders establish dominant conceptions of the public good. Chapter 2 describes the resurfacing of growth as a dominant conception of the public good including the role of institutions such as the Port Authority and ESDC in promoting and carrying through these ideas in NYC. The second half of the chapter analyzes the impact of 9/11 on the

institutional and political context post-9/11 and how these conditions and the inclusion of certain key players on the LMDC board might promote some conceptions of the public good and not others. Chapter 3 examines the key conceptions of the public good that emerge on the systemic agenda following the 9/11 attacks and how different stakeholders frame them. Chapter 4 analyzes the role of civic coalitions in bringing together diverse communities to deliberate the public good and how these coalitions create alternative public spheres to generate ideas about the public good. Chapter 5 analyzes the interaction between chapters 2, 3, and 4 to elucidate why some conceptions of the public good make it onto the institutional agenda. It examines several specific policy outcomes or decisions. The final chapter draws conclusions about the relevance of findings in chapters 3-5 and seeks to draw some conclusions about these findings that bear on other major events such as post-Katrina rebuilding in New Orleans.

CHAPTER 2
NEW YORK CITY AND THE POLITICS OF GROWTH

INTRODUCTION

Chapter 1 outlines the theoretical framework that informs this dissertation, including the structurally enhanced position of economic elites, the invocation of the "public good" to set systemic and governmental agendas, and the use of public authorities to implement those agendas. Together these factors reinforce growth as the dominant conception of the public good. In New York City, boosters, real estate and other industry moguls have often successfully promoted growth as the dominant conception of the public good. Yet immigrants, entering New York from around the globe, have brought other values with them as well, including that of equity. During the 1930s and 1940s and again in the 1960s, these movements posed a challenge to the growth discourse. Since this dissertation is primarily concerned with the impact of the 9/11 attacks on the discourse of growth, this chapter focuses primarily on the development of growth as a dominant discourse and a dominant approach to policymaking in New York City prior to the 9/11 attacks.

This chapter is organized into four parts. The first part describes the development of lower Manhattan as the historic site of commercial and residential activity—the primary location of economic growth in the New York region until the 1920s. The second part of the chapter introduces two public authorities—the Port Authority of New York and New Jersey and the New York State Urban Development Corporation (later known as the Empire State Development Corporation)—that were used to advance growth as the dominant conception of the public good in New York City and State in the

twentieth century.[12] A discussion of these influential public authorities is particularly germane because they play a decisive role in establishing and pursuing growth in post-9/11 discussions about the future of the World Trade Center site and lower Manhattan.[13] The third part examines the development of a pro-growth consensus following the 1973-1975 fiscal crisis. The final part of this chapter explains how the 9/11 attacks affected the political and institutional context surrounding decisions about the future of the World Trade Center and lower Manhattan. Specifically, it establishes whether the 9/11 attacks reinforced or undermined the influence of political actors and institutions that had previously promoted growth as the dominant conception of the public good.

PART I: GROWTH AND THE PUBLIC GOOD IN EARLY NYC HISTORY

The politics of growth has a long history in New York City, notwithstanding the eclectic mix of ethnic, racial and class differences. Consolidated in 1898, New York City is made up of the five boroughs of Manhattan, Brooklyn, Queens, Staten Island, and the Bronx. But much of the story of New York began with lower Manhattan, below Canal Street, including what are presently the neighborhoods of Chinatown, City Hall, the Financial Center, Tribeca and the housing complexes along the East River. This lower Manhattan was the historic site of commercial and residential activity in New York for over three hundred years (Wallace 2002, 14). Much of the commercial activity in lower Manhattan was driven by the natural port along the Hudson River, which became a main port of trade in the region:

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[12] In the case of the Port Authority, it was actually intended to generate growth for the whole region. Growth was not the initial reason for creating the Urban Development Corporation; this transformation in the goals of the authority will be discussed later in the chapter.

[13] The Port Authority is the owner of the World Trade Center site. The Lower Manhattan Development Corporation, which was created after 9/11 to oversee post-9/11 revitalization, is a subsidiary of the Empire State Development Corporation; the successor to the Urban Development Corporation.

> The development of the port triggered the chain reaction that gave the region its vast cluster of wholesalers and jobbers, its financial and insurance complexes, the headquarters of most of the great industrial empires, and Madison Avenue's world of make-believe. Consequently, the region has a distinctive office-based economy heavily dependent upon face-to-face communication—in banking, securities, corporate management, advertising, mass communications, and publishing (Danielson and Doig 43).

As Robert Yaro of the Regional Plan Association (RPA) explained, however, Wall Street did not always play such an exclusive role in lower Manhattan:

> I think the economic model downtown has… basically been Wall Street. This is ironic… this is an aberration from the 300, almost 400 year history of lower Manhattan. Lower Manhattan has always been a diverse place in terms of who lived there and who worked there. If you went back 30 or 40 years ago there was incredible broad range of economic activities, sectors represented downtown. There was retailing and food and printing and services and insurance and obviously government as well as financial services. It's always been Wall Street but wrapped around Wall Street has been all these other things and now it's basically just two industries; primarily FIRE [Finance, Insurance, and Real Estate] and government (Yaro 2004).

By the 1950s much had changed in the New York commercial real estate market. Midtown Manhattan had emerged as a prime location of real estate and commercial investment, while lower Manhattan was quickly losing its share of the market. Despite its rich history and proximity to Wall Street, no new skyscraper had been built downtown since the early 1930s. Lower Manhattan was well linked to other parts of the city by the extensive subway system. These connections served the area well through the middle of the twentieth century, since most of New York's workforce also lived in the boroughs. But the construction of Grand Central and Penn Station in the 1920s connected midtown to the suburbs of Westchester and Long Island, where many white collar workers were moving. No such connection existed from lower Manhattan. Downtown faced another blow in the 1950s after the 1956 National Defense Highway Acts increased white middle-class flight to the suburbs (Wallace 2002, 14-15).

Moreover, the characteristics that gave downtown its charm and terrific waterfront views—its narrow seventeenth century streets and the Hudson and East Rivers on either side—limited the potential for further development in the area (Glanz and Lipton 2003, 9).

Downtown business owners, however, argued that City should not allow lower Manhattan to languish as Midtown thrived. It was the historic center of New York trade and still the home of major financial institutions. With the support of the City and Robert Moses, David Rockefeller and other downtown business interests formed the Downtown Alliance and successfully warded off the complete desertion to Midtown, temporarily (see World Trade Center section below). By September of 2001, lower Manhattan was still struggling to maintain its position as the third largest central business district (CBD) in the country, while Midtown had become the largest CBD.[14] Furthermore, there was little indication that this trend would be reversed. Midtown, particularly the West Side of Midtown was seen as ripe for office development; lower Manhattan was not.[15] Using rezoning tools and tax incentives to encourage redevelopment on the West Side was seen as a necessary step to counter business flight to nearby, business-friendly New Jersey (Wallace 2002, 19).

In contrast to its commercial decline, lower Manhattan's residential population had more than doubled in the 1990s from 14,000 to 31,000 (ADNY 2003). Downtown

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[14] The redevelopment of Times Square helped to secure Midtown's position and expand development on the West Side. See Lynne Sagalyn, *Times Square Roulette*.

[15] Part of this enthusiasm for Midtown was driven by a report prepared by a working group organized by New York's senior United States Senator, Charles Schumer. Schumer had convened a "Group of 35" to prepare a report on office development in the City. In 2000 the Group released its report, which identified the Far West Side, Long Island City, and downtown Brooklyn as the few remaining locations for major office development (Group of 35).

developers of retail[16] and residential real estate who hoped to capitalize on this population growth had invested in new residential and loft conversion projects. In 1995 the City Council aided this development with the J-51 program, which provided tax incentives to convert older office buildings into residential ones. Many of these developments offered rentals in luxury apartment buildings targeted to young, single, and upwardly mobile Finance Insurance and Real Estate (FIRE) industry types. The typical lower Manhattan household size was 1.76 individuals with an annual income of $138,852 (ADNY 2003, 12). Downtown developers realized they could maximize density and profits by building studios and one-bedroom apartments for this population. Newcomers would pay high rents to be close to the office for several years until they desired a larger space. But without larger apartments available and with the limited amenities in lower Manhattan (including schools), they would likely move on, possibly to the suburbs, soon to be replaced by a new batch of recent college graduates or MBAs. These studio and one-bedroom luxury units provided a good return on investment, but did not meet the needs of the growing number of families who wanted to build a life downtown. By 9/11 this residential population was on the rise and discussions were underway about how to meet the needs of this growing and affluent population. This was the context in which 9/11 occurred.

PART II: PUBLIC AUTHORITIES AND THE PURSUIT OF GROWTH

The rhetorical claim that growth promotes the public good has its organizational parallel in public authorities that are buffered from public influence. In response to the excesses of the Industrial Age, the corruption of the machines, and the urban crisis in

[16] Lower Manhattan residents as well as those who worked at the World Trade Center had made the retail shops in the WTC extremely profitable.

America's largest cities, the twentieth century produced several significant initiatives by government that were justified in terms of the public good. These efforts included the creation of public authorities that would intervene in the market to create public infrastructure for mass utilization and to promote private investment. In some cases, this government intervention was intended by some proponents to remedy the grossly unequal distribution of economic resources, often the result of racism and classism; however, in practice these public authorities often advanced private interests. The goal of the reform efforts of the early twentieth century was to make government efficient by basing it on the business model, but this often included putting power in the hands of businessmen:

> Despite such references to the business model, in fact the city manager reform was political. It was intended not merely to achieve efficient government but also to ensure the election of a different class of people who would insulate government from the influence of the Great Unwashed. By putting business leaders in charge of local government, reformers were able to ensure that cities would not try to take on social responsibilities" (Judd and Swanstrom 2006: 96).

Authorities created to address the conditions of urban poverty, e.g. to promote equity through affordable housing, were also used to promote growth and economic revitalization on valuable land, which often resulted in the displacement of existing residents and businesses (Feagin and Parker 2002).

The foci of this chapter are the public authorities that were used to promote growth in New York City, and that came to play a significant role in post-9/11 rebuilding discussions. Such public authorities, buffered from the "capricious and parochial nature" of public influence, have a mainly notorious, although occasionally laudable, history in New York. The activities of the Port Authority of New York and New Jersey (PA), the New York State Urban Development Corporation (UDC), and the myriad public

authorities created by Robert Moses[17] have earned New York a leading role in the American public authority tradition. The Port Authority and the New York State Urban Development Corporation, which was later absorbed into the Empire State Development Corporation (ESDC), have a seminal place in this dissertation because they are responsible for the post-9/11 rebuilding of the World Trade Center and lower Manhattan.[18] These public authorities, and many others like them, have been charged with promoting growth through infrastructure investments, office development, subsidies to businesses and all this without the influence of the state legislature and the city council, and often out of the public eye (Friedland, Piven, and Alford 1977; O'Connor 1973).

The Port Authority of New York and New Jersey

The Port Authority of New York and New Jersey is generally considered the earliest organization of its type and the embodiment of the Progressive movement (Walsh 1978; Doig 2001).[19] It is certainly one of the most influential public authorities in the New York metropolitan region. The Port Authority was crafted to generate "growth" by resolving interstate competition between New York and New Jersey, and by diminishing the influence of corrupt local politicians and capricious public opinion. In 2006, the Port Authority's website still identified pursuing the public good through growth as its primary mission.

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[17] For more on the authorities created by Robert Moses, see Robert Caro's, *The Power Broker.*

[18] New York Governor George Pataki created the Lower Manhattan Development Corporation (LMDC), a subsidiary of the Empire State Development Corporation, to oversee post-9/11 revitalization in lower Manhattan.

[19] Some dispute the claim this claim, however. Leiland claims that the Port Authority was hailed as a new form of government to resurrect special districts that were being discredited in the 1920s. See James Leigland 1994. The Progressive Movement sought to remedy the negative externalities associated with the pursuit of wealth by imposing rational principles of efficiency

> The Port Authority of New York and New Jersey manages and maintains the bridges, tunnels, bus terminals, airports, PATH and seaport that are critical to the bistate region's trade and transportation capabilities. Through our facilities and services, people are able to make vital connections and businesses are able to grow. Providing safe and efficient travel is our highest priority, and enhancing the well being of everyone who lives, works and travels here is our strongest commitment (www.panynj.gov –see about the Port Authority).

On April 30, 1921, following nearly two decades of research, negotiations, and the prodding of those committed to bi-state cooperation, the New York and New Jersey legislatures passed a bill creating the bi-state Port Authority of New York and New Jersey.[20] In August President Harding signed legislation authorizing the creation of the Port Authority under the Compact Clause. The PA became a model for public authorities across the United States.[21]

The Port Authority was intended to realize the ideals of early twentieth century planning—the ability of disinterested experts to impose a physical environment that superceded natural and human obstacles. Julius Henry Cohen, the agency's institutional architect and most committed advocate, dreamed that the Port Authority would achieve projects that reflected the broader interest of the region in contrast to the parochial interests of local communities. To achieve these goals the agency was designed with limited public oversight and the power to undertake projects without conforming to local land use procedures. (Walsh 1978; Doig 2001)

The negotiations that led to the creation of the Port Authority in 1921 were arduous and reflected the economic interests, political dynamics, and social-scientific values of the time. Until the mid-twentieth century, the waterway was still the main site

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[20] Originally named the Port of New York Authority, it became the Port Authority of New York and New Jersey in 1973.

[21] Using the compact clause was Julius Henry Cohen's novel way of instilling permanency to the bi-state agreement. The Port Authority became a model for many of the infamous public authorities created by Robert Moses as well as the New Deal era Tennessee Valley Authority.

of commercial activity, especially for international trade. The Hudson River, marked by New York on one bank and New Jersey on the other, had generated considerable economic growth and financial prosperity for the region including 40 percent of the nation's international trade (Doig 2001, 69). As the site of tremendous opportunities for economic growth, the Hudson was also a source of political competition between the states for that growth. The Port Authority was created to reduce that conflict, facilitate interstate cooperation, and thus capture growth for the entire region. The conflict between New York and New Jersey stretches back to the early nineteenth century, but it peaked in 1914; New Jersey issued a report that advocated investing in piers on its side of the Hudson,[22] and lobbied the Interstate Commerce Commission (ICC) to allow the railroads to charge different rates for the two states instead of the regional rate (35). This conflict eventually led to the creation of the Port Authority as a way to create a compromise between the states and prevent growth from leaving the region.

The Port Authority has an illustrious history, particularly during Austin Tobin's reign when it "expanded from a bridge-and-tunnel agency to embrace a wide range of new goals and projects, including three major airports, a massive bus terminal in Manhattan, and its first important marine facility, at Port Newark." In that time its changed from "a loosely connected organization, somewhat adrift, into a coherent institution with a clear sense of mission and a staff dedicated to that mission and loyal to a new leader" (247-8). Tobin began his career at the Port Authority in 1927 as a young law clerk. Promoted to Executive Director in 1942, he was known to wield power with

[22] At the time, New Jersey had only two piers compared to New York's 230.

the same skill and influence as Robert Moses (Glanz and Lipton 2003).[23] In his tenure at the Port, Tobin recruited a highly skilled engineering staff. By emphasizing merit over patronage, the Port Authority earned respect from planning and engineering professionals. In that time, the Authority also amassed greater resources, and increased its influence over the region's transportation infrastructure (Danielson and Doig 1982, 160).

As much as the Port Authority enjoyed success, it also came under attack for its lack of accountability to the public. The story of the Port Authority is one of

> how Democracy was put "on hold" in the New York metropolis—of how the passion for greater efficiency in transportation and for rapid economic growth, combined with some antipathy toward local political leaders, led state officials and civic leaders to drop their democratic guard and yield responsibility for an important part of their destiny to an agency insulated from direct popular control (Doig 2001, 2-3).

The Port Authority achieved respect under Tobin's directorship from 1942-1971, but eventually that respect waned and public concern over the Port Authority's activities waxed.

Federal programs such as urban renewal, which had displaced low-income and minority residents and businesses in the 1950s, mobilized people in affected neighborhoods to demand input into decision-making, especially in the areas of community development and land use. These programs were under sharp attack by low-income, especially minority, communities as well as a new breed of activist planners inspired by Jane Jacobs (1961). Critics argued that urban renewal had destroyed urban neighborhoods under the pretense of advancing the public good, when really these

[23] Moses was known for his far reaching vision for the city as well as for his increasingly autocratic use of power and his deftness at using public agencies and authorities to bypass accountability to members of the public and their elected representatives (Caro 1975).

programs simply advanced business interests by making that land available for redevelopment.

In response to these pressures and the growing civil rights movement, President Lyndon B. Johnson introduced the War on Poverty legislation, mandating "maximum feasible participation" of the poor in community action agencies (Marris and Rein 1967, 215-217; Piven 1993). Moreover, these efforts resulted in new guidelines for public participation including the creation of the New York City Uniform Land Use Review Procedure (ULURP) in 1975 (Mollenkopf 1992, 140) and the State Environmental Quality Review (SEQR) process on the state level in 1978.[24] Because it was created under a federal charter, the Port Authority was exempted from many of the local and state public review requirements, which rendered it suspect to local public officials and their constituents. Although public protests sometimes mounted successful challenges to the Port Authority (Warf 1988, 292), the building and ownership of the World Trade Center came to epitomize the Port Authority's lack of accountability.

The World Trade Center

World Trade Center came to exemplify advancing the public good through growth. Construction of the Port Authority's World Trade Center began in 1960 and was completed in 1972.[25] The idea of creating a World Trade Center in New York has a much longer history that dates back to a temporary exhibit at the 1939 World's Fair in Flushing Meadows, Queens. Winthrop W. Aldrich, David Rockefeller's uncle, was on the organizing committee of an exhibit that proposed building a World Trade Center to

[24] For more on the history of ULURP and SEQR, see the New York City Department of City Planning's website at http://www.nyc.gov/html/dcp and the New York Department of Environmental Conservation's website at http://www.dec.state.ny.us/website/dcs/seqr.

[25] The iconic towers were completed in 1972. Other components of the World Trade Center were completed in later years.

create "world peace through trade" (Glanz and Lipton 2003, 28). Ironically, the Second World War dispelled this idea. It resurfaced again in 1946 when the New York State Legislature created the World Trade Corporation to conduct a feasibility study. The study found inadequate demand to fill the nearly five million square feet of exhibition halls proposed for the Manhattan project, so the idea of building a World Trade Center was quashed again (Gillespie 2002, 37-38; Glanz and Lipton 2003, 30).

Nearly a decade later, David Rockefeller revived the idea of building a World Trade Center, this time to be located in lower Manhattan. Rockefeller had become personally and professionally invested in the idea of building the Center to help restore lower Manhattan's competitive position. Chase Bank had its headquarters on Pine Street, but by 1955, the Bank had increased in size and needed a larger space. John J. McCloy, the bank's Chairman, and David Rockefeller, its new Executive Vice President for Planning and Development, faced a crucial, and historic, decision: stay downtown or follow the other banks to Midtown. In 1955 real estate entrepreneur Bill Zeckendorf[26] approached David Rockefeller with a complicated, but visionary plan for a new Chase headquarters. Chase would need to buy the Mutual Life Insurance building next to its current Pine Street headquarters, convince the City to close the street separating the two, and build a skyscraper to house Chase's new headquarters on a freshly parceled superblock (Glanz and Lipton 2003, 11). Chase hired the Chicago based firm Skidmore,

[26] For more on Zeckendorf, see Shachtman 2001.

Owings & Merrill (SOM) to design its new headquarters.[27] After much maneuvering, Chase had struck a deal that would intertwine its fate and the fate of lower Manhattan.[28]

The successful completion of the Chase deal had required the cooperation and assistance of Robert Moses, the New York development czar who used the city and state's leading public authorities and agencies to reshape the City's physical infrastructure for nearly 40 years. According to Rockefeller, when he approached Moses to get support for Chase, Moses advised him to build a strong coalition of big business interests to advocate for lower Manhattan. Rockefeller created the Downtown-Lower Manhattan Association (DLMA)[29] with top officers from the largest and most successful downtown banks and corporations (Glanz and Lipton 2003, 21; Rockefeller 2002).

The official call for a World Trade Center came from the DLMA[30]; however, Rockefeller's leadership role in creating the institution was obvious (Glanz and Lipton 2003, 21). By this time, Rockefeller and his DLMA colleagues were heavily invested in lower Manhattan's future. To add credibility to the project, they retained the consulting firm McKinsey & Company to complete a cost and feasibility study. The McKinsey study was never released, since it did not champion the idea of building a trade center. The preliminary report found it unnecessary to concentrate trade services in one location, especially in a geographic area that most major corporations were leaving for Midtown (McKinsey 1959). David Rockefeller was not pleased; two of his aides at the DLMA

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[27] Following the 9/11 attacks, Larry Silverstein retained SOM to design the Freedom Tower, the signature element of the new World Trade Center.

[28] To close Cedar Street, which separated Chase's old headquarters from the Mutual Life Insurance building, Zeckendorf and Rockefeller needed Robert Moses assistance (Glanz & Lipton 2003, 12).

[29] The DLMA continues to represent large downtown property owners.

[30] This united front is an interesting paradox. Property owners were advocating for an enormous influx of commercial space. This investment was necessary to secure lower Manhattan's commercial future, but also meant that property owners would be competing with each other if demand was not commensurate with the supply.

made it clear to Gilbert H. Clee, the main author of the McKinsey report, that his finding would remain undisclosed: 'there is going to be no concern [about the World Trade Center]. This is good. This is for the benefit of New York. And for the benefit of the economy of the area. That is what you are going to say' (quoted in Glanz and Lipton 2003, 34). Rockefeller and the DLMA ignored the McKinsey findings and hired SOM to begin designing a World Trade Center to be located on the east side of lower Manhattan near the Fulton Fish Market; the estimated cost was $250 million (Glanz and Lipton 2003, 33-5).

To pull off a project as complicated and costly as the World Trade Center, Rockefeller needed an organization with tremendous influence and resources. Rockefeller and the DLMA approached the Port Authority. Austin Tobin was receptive to building a World Trade Center, but faced several significant challenges. First, the Port Authority was created to construct and oversee transportation infrastructure that facilitated trade. It was not established to dabble in the real estate business, much less own one of the tallest, most symbolic, and most expensive pieces of commercial real estate in the city. In fact, the Port Authority's founding legislation excluded it from "acquisition of property, the financing and construction of facilities such as the Office Building and the Finance building." To circumvent these limitations, Austin Tobin cast the project as a vertical port and emphasized the Center's "trade" function, which was part of the Port Authority's original mission (Doig 2001, 382; Glanz and Lipton 2003, 39-40). The Port Authority's license to embark on the World Trade Center project was questionable, but the project had enough support to overcome opposition.

Second, the project encountered resistance from New Jersey interests who saw it as primarily benefiting New York. New Jersey commissioners had been pushing the Port Authority to pursue another project: the purchase of rail cars for the struggling Hudson and Manhattan Railroad (H & M), which linked New Jersey commuters to Manhattan. The H & M bailout promised to be a costly endeavor for the Port Authority, and Tobin had already rejected it on several occasions. In 1961, it appeared that a deal had been struck. The Port Authority would pursue both the World Trade Center and the H & M projects; in fact, the two projects became interconnected. The Port Authority presented a revised plan and design for the World Trade Center. Now the Center would be located on the West Side (as opposed to the East Side) over the H & M lines, which were renamed the Port Authority Trans-Hudson (PATH). The final version of the project, designed by Minoru Yamasaki, included two 110 story buildings (and five smaller office towers)—much taller than the 70 story building in the original plan. It also had a much higher price tag—ultimately over one billion dollars (Doig 384-5).

When it was completed in 1972, the World Trade Center was far from the successful one-stop trade center that its proponents envisioned. The project also received extensive criticism for its impact on the neighborhood; the roughly 16 acre super-block destroyed the once thriving radio district, Radio Row, of which only the well-known J & R Music World remains,[31] and replaced it with shadows and wind tunnels. Furthermore, the project was deemed a failure both as a real estate and trade venture. Advances in technology made the concentration of trade services unnecessary, especially at the port, which had been largely replaced by air and rail transportation. Traders, like their

[31] J & R, which opened in 1971 when the WTC was nearly complete, was able to capitalize on its monopoly and remains a successful company with several downtown locations that specialize in different types of electronics.

products, had become dispersed around the world. The World Trade Center's location on the Hudson River was more a symbolic gesture that captured the negotiations between two states than the port's place in the system of world trade. Exacerbating the aforementioned problems, the complex was completed on the eve of the New York City fiscal crisis; businesses were leaving the city, not investing there. For many years, the Port Authority and several state agencies located their offices in the World Trade Center's two signature towers to mitigate falling vacancy rates. Far from a lucrative endeavor, the World Trade Center generated an annual 20 million dollar debt in its first few years (Glanz and Lipton 217).

The New York State Urban Development Corporation

Tobin's Port Authority and Moses' myriad authorities have played an important role in reshaping the physical and social contours of New York City and state. The New York State Urban Development Corporation, now "doing business as" the Empire State Development Corporation, has had, perhaps, an equally significant influence. In 1968, Governor Nelson Rockefeller, David Rockefeller's older brother, created the New York State Urban Development Corporation (UDC) to deal with the "urban crisis." The UDC was created "for the purpose of carrying out development programs that will increase low and moderate income housing, help alleviate unemployment, revitalize industry, and expand community facilities" (Quoted in Lawer 1970).

Considering the heightened attention to problems of urban poverty in the 1960s, the creation of UDC made sense; however, it also generated suspicion in light of the social climate and the public criticism of such corporations (see above). Still, urban redevelopment had not receded as a key goal for public officials and businessmen

anxious to stabilize urban centers. Governor Nelson Rockefeller argued that since older cities like New York, had failed to resolve the urban crisis on their own, a new, powerful development corporation should be created to address blight, the dearth of low-income housing, and commercial and retail disinvestment. The UDC was given many of the same powers, privileges, and exemptions as the Port Authority. It was not reliant on state or local budgets, but instead could sell bonds to finance its projects. Furthermore, like the Port Authority, it was also exempt from local zoning and building codes (Danielson 1976, 308).

The Urban Development Corporation exemplified the competing agendas of the 1960s. The UDC was intended to pursue policies that would advance equity and excellent design, particularly through the construction of affordable housing. Housing expert Richard Plunz describes UDC with admiration, "Architects could be hired without following civil services codes, thus eliminating the mediocrity caused by a reliance on those whose qualifications were dominated by their local connections…The independence of the UDC led to the development of its own design standards, which were higher than the FHA's [the Federal Housing Administration] (Plunz 1990, 292-293). The UDC efforts to build low-income housing in the suburbs met with strong opposition. In fact its ability to override local zoning in the suburbs was repealed in 1973 (Danielson 1976, 311-321).

> When the UDC tried to use these powers to build low- and moderate-income housing in the affluent suburbs of northern Westchester County, intense pressures were brought to bear on state legislators to strip the public corporation of its override power. UDC was particularly vulnerable at the time (1973) because of its deepening financial problems, and legislative authorization for $500 million in bonds was desperately needed. To get money UDC had to relinquish its power over local land-use controls in suburbs, and in the process its ability to have any

> significant impact on suburban housing patterns" (Danielson and Doig 1982, 158).

The Urban Development Corporation retained its ability to override land uses laws in the older cities, and local officials such as New York City Mayor John Lindsay saw the UDC as a direct threat to home rule (Danielson exclusion 306-322). New York City residents would have little power to challenge the UDC, which soon became the parent to subsidiaries that could also engage in development projects with limited oversight from the public. Well known examples of UDC subsidiaries include the 42nd Street Development Corporation, and the Battery Park City Authority, which oversaw the development of Battery Park City which was built on landfill from the World Trade Center on the west side of lower Manhattan.[32]

Battery Park City is particularly germane to post-9/11 discussions about the future of the World Trade Center and lower Manhattan. Originally intended by the state as a mixed-use and mixed-income development endeavor, New York City, under Mayor Lindsay, pushed for luxury developments "because of the high cost of reclaimed land and its desire to complement downtown office development with walk-to-work housing for executives" (Danielson and Doig, 270). Luxury housing became the dominant agenda for Battery Park City. Given that it costs 2.5 times as much to build on landfill in Battery Park City than in another area, one might argue that there were compelling economic reasons to develop luxury housing in Battery Park City (Danielson and Doig, 270). My point, however, is that the value of equity was again subjugated to growth. Battery Park City indeed became one of the most affluent neighborhoods in the city with a median

[32] The Empire State Development Corporation, under the influence of the Governor of New York, would spawn another subsidiary to oversee post-9/11 redevelopment projects. This Corporation and its subsidiaries provided the governor with a mechanism for creating new authorities without even limited local and legislative oversight.

income that is nearly double the City's average (LMDC 2002). The City's compromise was that it would collect development fees from Battery Park City projects to be used for affordable housing. When, by 2001, the fees had been used for general revenues instead of for affordable housing (City Project 2000; Lander 2004), affordable housing advocates were leery of Mayor Bloomberg's suggestion to again create a pool of funds for affordable housing from development fees following the 9/11 attacks (see Chapter 5).

The UDC did create a significant amount of subsidized moderate housing as well as some low-income.[33] However, in 1975s, the UDC defaulted on its obligations, contributing to the fiscal crisis, an event that affected the UDC as well as the political and fiscal context for the next several decades.

PART III: THE "POST-FISCAL CRISIS CONSENSUS" ON GROWTH

As Part II of this chapter explained, pro-growth interests used the Port Authority and later the New York State Urban Development Corporation to promote their interests (despite the fact that UDC was ostensibly created to promote equity). In the 1960s, marginalized communities working with progressive Leftists advanced a liberal agenda that offered alternative conceptions of the public good such as equity and excellent (responsible) design that challenged the claim that growth advanced the public good. However, the 1973-5 fiscal crisis provided pro-growth advocates with an opportunity to reassert growth as the dominant conception of the public good.

There are competing explanations of the cause of the 1973-1975 New York fiscal crisis. Neo-conservatives such as Fred Siegel (1997) blame the crisis on the irresponsible spending on social welfare programs during the 1960s, and the gimmicky fiscal practices

[33] On the other hand, state legislators repealed UDC's power to override local zoning and building codes when the authority tried to build low and moderate income housing in wealthy Westchester. See Danielson and Doig, 158.

of the Lindsay Administration. Others blame the banks that chose not to continue underwriting and thus forced a fiscal crisis (Alcaly and Mermelstein 1977; Brash 2003; Freeman 2000; Shefter 1992). There is greater concurrence about the outcome of the fiscal crisis: economic pressures and political strategizing reintroduced growth as the dominant conception of the public good, both rhetorically and in terms of public policy outputs. As historian Joshua Freeman described it, a "post-fiscal crisis consensus" emerged around the idea that "city government best served the populace by creating a pro-business climate through tax breaks, zoning and spending priorities" (Freeman 2000, 324).

This outcome was not a given, even with the considerable influence granted to business interests following the fiscal crisis. In part this has to do with the nature of political constituencies in New York City. According to Mollenkopf, the preemptive power of economic elites (Bachrach and Baratz 1962; Stone 1983) is far from absolute, "dominant coalitions must respond to mobilizations against the negative impacts of downtown growth and inadequate public services, or demands for government programs that provide upward mobility for excluded groups" (Mollenkopf 1992, 41). Even with these pressures from excluded groups to address their needs, the Koch coalition primary benefited the business elite, while other constituencies, particularly from the black community received limited gains (Mollenkopf 1992, 21 and 147-148). Instead, out of the fiscal crisis emerged a new coalition led by Mayor Koch that was decidedly pro-growth:

> The business elite of New York City could not assume that political leaders would find it in their natural self-interest to efficiently promote economic growth. Instead, like other constituencies, they had to contribute to the process of building a coalition that would promote their ends. In Mayor Koch, they found a political

> leader willing and able to do so. His genius lay in his ability to construct a new kind of dominant political coalition that made the pursuit of economic growth a politically rational thing to do (Mollenkopf 201).

The New York City growth coalition that Mollenkopf describes includes not only business and local public officials, but also municipal unions, good government organizations such as the Regional Plan Association and the Municipal Art Society. The Koch coalition had an enduring impact on New York City politics.

Lower Manhattan and the Politics of Growth in the 1990s

In the 1990s, the political leadership in New York City and New York State continued to identify growth as essential to advancing the public good. In 1993, New York City voters elected Rudolph Giuliani, a Republican, as Mayor. On the state level, New York and New Jersey voters also elected Republican Governors, George Pataki and Christine Todd Whitman, respectively. These three electoral victories ensured the continued framing of growth as the dominant conception of the public good, since all three Republicans supported privatization and government retrenchment. In particular, austerity, privatization, and the exclusion of cultural and community organizations from access to City Hall, were characteristic of Mayor Giuliani's pro-growth coalition (Sites 1997).

When George Pataki was elected Governor of New York in 1995, he restructured the state's economic development efforts by combining several existing authorities under the pro-business Empire State Development Corporation (ESDC), including the Urban Development Corporation. Although there were already significant changes at UDC, the Empire State Development Corporation was a business-oriented authority. Compared to the founding legislation for the UDC (see above), the ESDC mission describes the authority as "a New York State public benefit corporation. It engages in four principal

activities: economic and real estate development; State facility financing; housing portfolio maintenance; and privatization initiatives"; however, the legislation goes on to explain that "Since the mid-1970's, activity in this area [housing for low- and middle-income persons] has been limited to the monitoring and loan servicing of projects." By contrast to the declining focus on housing, ESDC's website clearly and proudly claims that "New York State is the Pro-Business, Pro-Growth State" (www.empire.state.ny.us). Furthermore, the reorganization of these authorities under ESDC was seen as a political effort by Pataki to redistribute economic development funds away from urban New York City to other parts of the state. According to J.A. Lobbia, "It wasn't just a bureaucratic change. It was a new way of doing business: cutting New York City out of millions of development dollars despite the fact that 40 per cent of all businesses statewide call the city home" (1997). Some, like New York State Assembly Speaker Sheldon Silver, also took issue with the pro-big business bent of the authority: "the economic philosophy of Empire State Development Corp. ignores small businesses. That's a mistake" (Silver 1998).

In addition to the changes at UDC, Mayor Giuliani, and Governors Pataki and Whitman all strongly encouraged the Port Authority to divest its non-transport holdings and get out of the commercial real estate business (Lueck 1995). Within planning and engineering circles, the Port Authority's reputation was also in decline. The Port Authority, once known for its meritocracy, was now known for its cronyism. One accomplishment, however, was that it was now a successful property owner. After nearly three decades, the World Trade Center was finally throwing off a large net revenue stream.

In response to political pressure from the top, the Port Authority hired Chemical Securities investment bank, in May 1995, to determine whether selling the World Trade Center would be financially beneficial (Levy 1995). By July 2001, the Port Authority had a signed 3.2-billion dollar 99-year lease with New York developer Lawrence Silverstein and his retail partner, Westfield America. Governor Pataki endorsed the deal noting: 'When I came into office in 1995, the Port Authority had hotels, shopping malls, industrial parks and we asked why…We have worked hard to put those developments in the hands of the private sector experts who pay taxes. And today the Port Authority returns to the core mission of dealing with transportation' (Smothers 2001).

Silverstein's 99-year lease of the World Trade Center was one of the biggest real estate deals in U.S. history. The deal gave Silverstein, previously a minor player in lower Manhattan, a new level of prestige and exposure (Sagalyn 2004). He and other large downtown property owners hoped to secure lower Manhattan against Midtown competition. Other members of the business community, such as Katherine Wylde (NYCP 2001) suggested that downtown diversify its economy, which was heavily dependent on the finance, insurance, and real estate (FIRE) industries. To do so would require not only funds for major investments in physical and technological infrastructure, but also decision-makers willing to embrace a new paradigm for downtown.

PART IV: THE POST-9/11 POLITICAL AND INSTITUTIONAL CONTEXT

The previous sections provide a brief historical overview of the development of lower Manhattan and the public authorities that would become directly involved in rebuilding decisions following 9/11. These institutions have a long history of involvement in New York City and New York State land use policies and projects. In many ways, they are both products and handmaidens of pro-growth coalitions. Although the research on how successful challenges are mounted against these dominant coalitions is limited, there is a significant body of literature on policy change. Theoretical and empirical studies suggest that crises often destabilize the existing status quo by rendering existing institutions ineffectual or by exposing weaknesses in dominant cultural values. These crises may create opportunities for new actors and political entrepreneurs to influence politics and policy (Baumgartner and Jones 1993; Birkland 1997; Kingdon 1995). The 9/11 attacks on the World Trade Center were precisely this kind of triggering event. It had a considerable impact on the institutions involved in the rebuilding process. As described in Chapter 1, the attacks had a devastating impact on those who lived, worked, and visited the vicinity of the World Trade Center on September 11, 2001 and thereafter.

The Port Authority and the World Trade Center Lease

The Port Authority, which exercised considerable power and influence through its transportation holdings, lost 74 staff members including its well-respected Executive Director Neil Levin (Fainstein 2005, 76). The Port Authority also lost its physical headquarters, which was located in the Twin Towers. As a result, the Authority faced a

major redevelopment project with temporary working facilities and a smaller and emotionally (in some cases physically) scarred staff.

The timing of the transaction between the Port Authority and Silverstein, only six weeks prior to the 9/11 attacks, set the tone for the public perception of Silverstein's rights over the WTC site. Had Silverstein signed the lease several years earlier, he would have a more cogent claim to the site. As a purely private commercial development project, the rebuilding process would certainly have proceeded differently, even if the result had been the same. However, with the ink on the lease still drying and the ownership of the land in the hands of a public authority, there seemed to be some legal credence to the public(s)' sense of ownership. The World Trade Center was located near transportation infrastructure owned by the City and State of New York, and by the Port Authority. Additionally, the Port Authority continued to own and operate the commuter rail system (PATH), which ran directly below the site, connecting it with New Jersey.

The lease and Silverstein's insurance suit locked the Port Authority and Silverstein into a relationship in which neither appeared wholly satisfied. Both parties needed money to rebuild and that money would come from insurers. One question was how much money? The lease between Silverstein and the Port Authority stipulated that the former was required to rebuild exactly what had been there. Although it was unlikely that the Towers would be rebuilt exactly as they had been (see Chapters 3 and 4), the lease required Silverstein to rebuild the full amount of commercial space. Silverstein had taken out several insurance policies totaling 3.2 billion dollars, which would not be enough to cover the cost of rebuilding the original 10 million square feet. His attorneys argued that the 9/11 attacks were two incidents, since there were two planes; therefore,

their client was entitled to two full settlements or 7 billion dollars. It was in both Silverstein's and the Port Authority's interest to receive the most they could get from the insurers. Suggesting that they might build less than the full 10 million square feet could undermine Silverstein's claim to the 7 billion dollars, since less space would require less money. This meant that the program—quantitatively, if not qualitatively—would be the same as the original program for the World Trade Center. Restoring all of that property would have very real consequences for the WTC site and for the future of lower Manhattan; it would certainly re-establish high-density downtown development as the dominant interpretation of growth.

The Port Authority already had a reputation as a behemoth agency intentionally designed to be buffered from public and political influence.[34] Furthermore, the Port Authority's interest in restoring the revenue generated by the World Trade Center led it to act more as a private developer with private material interests than as a public agency, with public interests. New York City residents and business were already leery of the Port Authority which, exempted from local environmental review procedures, had steamrolled through development projects in the past. It seemed unlikely that the Port Authority would change its *modus operandi* when the stakes involved rebuilding its physical and symbolic headquarters and ensuring its revenue stream. Finally, the attacks and the lack of its office space meant that the Authority's technical capacity was limited. Together, these factors made the Port Authority a poor choice for overseeing a major redevelopment project on New York City land, especially one about which the New York City public cared deeply.

[34] New York City politicians, particularly Mayor Giuliani, were often critical of the Port Authority's failure to pay the city for its airport leases.

After 9/11, the Port Authority and its leaseholders—Silverstein and Westfield America—found themselves in the unenviable position of facing a public that wanted a meaningful say in how the site would be redeveloped. The recent transfer of ownership of the Twin Towers created a confusing governance structure. But the institutional and political context was further complicated by the impact of the 9/11 attacks on local electoral politics.

The Political Context: The New York Mayoral Election

The previous eight years under Mayor Rudolph Giuliani set the tone for the 2001 mayoral race. In his first term, Giuliani earned respect for making the city "governable" as well as disapproval of his authoritarian tactics. A series of scandals in his second term involving police brutality, a very public accusation of an affair ending in his divorce, and the imposition of his personal values on cultural expression in the city's museums eroded some of the credibility and respect he had garnered in his first term (Kirtzman 2000).[35] The September 11, 2001 attacks occurred on the morning of the New York City mayoral primary. When the first plane hit the North Tower at 8:46 on Tuesday morning, New York City's polling stations had already been open to voters for several hours.

The Democratic Primary featured four candidates with extensive experience in New York City politics. Mark Green, the Public Advocate, and Fernando Ferrer, the former Bronx Borough President, were the frontrunners; City Council Speaker Peter Vallone and City Controller Alan Hevesi trailed behind. Polls in the weeks before the primary indicated that Mark Green was the expected leader, with Fernando Ferrer a close second (Mollenkopf 2005).

[35] It was term limits, however, that prevented him from running again.

Despite Giuliani's two-term Republican administration, New York City has a long history of Democratic mayors. Like Giuliani, both Republican contenders were former Democrats. Neither of them was expected to beat a Democrat in the general election (Mollenkopf 2005, 208). Herman Badillo had an established history representing New Yorkers, first as a Democratic congressman, then as Special Counsel on education policy and as Chairman of the Board of Trustees of the City University of New York during Giuliani's reign. Badillo was already affiliated with the Republican Party through his connection to Giuliani. Michael Bloomberg was a self-made billionaire who earned his fortune in the media industry. Bloomberg was a registered Democrat, but did not want to add his name to the long list of Democratic primary hopefuls, all of whom were well-established political figures. Although Bloomberg had considerable recognition as a businessman, he had no prior experience in politics. Like Giuliani before him, Bloomberg decided to run in the less competitive Republican primary. Following the collapse of the North Tower, Mayor Giuliani closed the polls and rescheduled the primary for September 25, two weeks later. The decision to postpone the primary had significant consequences for the outcome.

In the postponed primary, Fernando Ferrer won a close race against Mark Green, which led to a run-off. Green won the run-off, but depleted much of the money he needed to run against Bloomberg. He also lost credibility when Ferrer supporters accused his campaign of racial pandering. Independently wealthy, Bloomberg was able to finance his campaign without accumulating debts or promises to the usual suspects including municipal unions and developers. Yet, as John Mollenkopf explains, concerns about the future economic vitality of the City displaced the priorities of equity:

> Although the ethnic and racial tensions within the Democratic electorate contributed to this outcome, there can be little doubt that September 11 also played a primary role. It shifted voter attention away from the moral imperative of helping 'the other New York' to the economic imperative of rebuilding a shattered city. Green relied on this theme to win the runoff primary, but the exit poll suggested that this issue worked strongly to Michael Bloomberg's advantage in the general election (Mollenkopf 2005, 210).

Although Bloomberg was certainly more liberal than the average Republican, it became clear that his agenda was a pro-growth one. Still, Bloomberg's pro-growth agenda, emphasizing investments in public infrastructure and culture, clearly differed from Giuliani's politics of austerity (Brash 2006). This created the potential for an alternative interpretation of growth (see Chapter 5).

The Lower Manhattan Development Corporation

Given the public and governmental concerns about stabilizing lower Manhattan, the logical question was who would supervise the rebuilding and revitalization projects. With the Port Authority's state of disarray and the public's sense of proprietorship, many suggested using a more accountable public authority. Although Bloomberg was ultimately elected Mayor of New York City, in the two months between the September primary and the November general election Green, Ferrer, and Bloomberg each offered suggestions to expedite the rebuilding process. In October 2001, Green presented a comprehensive plan for rebuilding lower Manhattan. Central to this plan would be the creation of a joint city-state development corporation and the securing of federal funds. Within weeks of the attack Green's web-site displayed his proposal: "An Action Plan to Unite and Rebuild New York: Protecting New Yorkers, Revitalizing Our Economy and Building a New Partnership with Washington." The plan recommended the creation of a "New York City Emergency Redevelopment Authority (NYC-ERA), which would build a robust coalition representing the city and state, business and labor, and public and

private interests. It would have joint oversight by the Mayor and Governor and would be authorized by the State Legislature" (Green, 2001b, 4). Green's plan alluded to the goal of diversified representation on the board by comparing it to the Empowerment Zone (EZ) programs of the Clinton presidency. As he noted, "All of this will require the cooperation and assistance of many in and beyond our City, most notably the Governor and State Legislature, Congress and the President. We must transcend politics as usual. There is enough work for everyone" (Green, 2001b, 9).

On his website, Fernando Ferrer also advocated creating a development corporation to be called "The New York Rebuilds Corporation." He suggested that it be "a one-stop shopping source with significant financial resources, condemnation authority, and the power to resolve all land use issues and issue all necessary permits so construction can be commenced as soon as possible" (Ferrer, 2001, 2).

Bloomberg initially distinguished himself from the career politicians by rejecting the idea of creating a new corporation or authority—a new bureaucracy—to oversee the redevelopment. He claimed that "the current administration is doing an admirable job and the MTA/Port Authority are certainly able to supervise the Subway/PATH reconstruction" (Bloomberg 2001, 5). He also distinguished himself in two other ways: First, by conceding that forthcoming Federal funds would be limited and, therefore, that the City's needs should be carefully prioritized. Second, Bloomberg appeared less troubled by the exiting of financial companies from Lower Manhattan. His vision emphasized a diversified economy: "[a]fter accommodating the needs of Wall Street, the Bond and Commodity Markets, we should entertain other forward-looking opportunities. Why not a biotech complex, information technology center, fashion industry metroplex?"

(Bloomberg 2001, 5). His main concern was to prevent the city from going into receivership and under state financial oversight the way it had in the 1970s.

On November 2, 2001, Governor Pataki announced the creation of the city-state Lower Manhattan Development Corporation (LMDC).[36] Initially, the LMDC's responsibilities included: "transportation and other infrastructure improvements, the construction and development of the areas affected by the terrorist attacks and the attraction and retention of business throughout that area" (Pataki, 2001a). In time, the LMDC's myriad responsibilities would include involvement in virtually all of the revitalization, redevelopment, and memorialization projects downtown.

The LMDC is a subsidiary of the Empire State Development Corporation (ESDC), formerly known as the New York State Urban Development Corporation (UDC). As an ESDC subsidiary, the LMDC also has powers to use eminent domain to take private property, and to override local zoning regulations. Since the LMDC was created in the wake of a highly symbolic event, its institutional culture was more solicitous of the public. Its board and staff were preoccupied with transparency in their decision-making and responsiveness to the vast array of stakeholders. This approach provided a stark contrast to the Port Authority. Formally, however, the LMDC was less accountable to the public than agencies that the legislature creates by a charter.

If the Port Authority appeared to have greater leverage over the 16 acre WTC site, the LMDC had a broader mandate – the revitalization of Lower Manhattan. After 9/11 the Federal government allocated a roughly $21 billion recovery package to New York. Much of the money was rigidly allocated, either for transportation or as redevelopment bonds for commercial and residential developments. But, the United States Department

[36] The authority was originally called the Lower Manhattan Redevelopment Corporation

of Housing and Urban Development (HUD) allocated $2 billion as a Community Development Block Grant for the recovery and revitalization effort with an additional $783 million allocated specifically for utility repairs and for companies with a disproportionate loss of life. This was the most flexible part of the federal aid and, therefore, highly coveted. The LMDC came to play a seminal role in organizing the public, but in the first few months it was simply getting organized.

> The establishment of the LMDC as an ESDC subsidiary allowed Governor Pataki to bypass the State Legislature, preempt the authority of the New York City mayor and other city officials, and potentially challenge the proprietary rights of the State of New Jersey. According to a high-level executive at the New York Economic Development Corporation, the real question was, since LMDC would mainly focus on land owned by the Port Authority: "Does the state LMRC have the right to condemn bi-state land?" (2001).

The LMDC Board

On November 29, 2001, Governor Pataki, outgoing Mayor Rudolph Giuliani and Mayor-elect Michael Bloomberg announced the names of the nine Directors of the LMDC's Board. Pataki soon increased the number to 11, of which he appointed seven and Mayor Giuliani appointed four. Bloomberg did not appoint any of the initial Directors.

As Moss notes, both the Real Estate Board of New York (REBNY) and the New York City Partnership (NYCP) called upon public officials to create an authority with private sector representation to oversee the rebuilding efforts (2005, 102). For the most part, the LMDC Directors reflected those private sector interests. Pataki appointed John Whitehead, the former co-chairman of Goldman, Sachs & Co, as Chairman of the Board. Whitehead was a Pataki supporter who had contributed $30,700 to the Governor over the previous two years (Lovett and Haberman, 2001, 1). Other Pataki appointees to the Board included: Frank Zarb—The former chairman and CEO of Nasdaq; Roland Betts—

Chairman and co-owner of Chelsea Piers; Lewis Eisenberg—Chairman of the Board of Commissioners of the Port Authority of New York and New Jersey; Ed Malloy—President of the Building and Construction Trades Council of Greater New York and vice president of the New York State AFL-CIO; Deborah Wright—President and CEO of Carver Federal Savings Bank and; Madelyn Wils—Chairperson of Community Board No. 1.

Giuliani appointees included: Robert Harding—Deputy Mayor for Economic Development and Finance for the City of New York; Dick Grasso—Chairman and CEO of the New York Stock Exchange; Howard Wilson—Chair of the New York City School Construction Authority; Paul Crotty—Group President for Pubic Policy and External Affairs-New York/Connecticut for Verizon Communications. (Pataki 2001b).

Five of the appointees including Whitehead, Zarb, Eisenberg, Grasso, and Crotty represented downtown businesses and financial institutions located in lower Manhattan. Others such as Roland Betts did not have a direct stake in lower Manhattan. Betts was a known friend of recently elected President George W. Bush, and the owner of the Midtown Sports Complex Chelsea Piers. Madelyn Wils was the only representative of the residential community. Neither Pataki nor Giuliani appointed a representative of Chinatown, which was also hard hit by the attacks. A Chinatown appointment would also have acknowledged the income and ethnic diversity of lower Manhattan's economy and its residential community. The make up of the board reflected a narrow interpretation of the post-9/11 stakeholders that emphasized businesses interests and the interests of the more affluent residential neighborhoods of Battery Park City and the Financial District.

Interagency Competition and the "Scope of Conflict"

Overall, the LMDC served as the public face for most decisions related to the site. The Port Authority benefited from this relationship in that it was shielded from direct public view. Beneath this surface unity, however, there were important areas of conflict between the LMDC and the Port Authority. As described above, the Port Authority owned the site and held the lease with Silverstein, from which it would draw critically important rental payments. In essence the two were landlord and developer, bonded in the common desire to restore a commercial arrangement. The LMDC, on the other hand, was the custodian of a planning process seeking to direct and regulate what the landlord and developer would be allowed to do. Although Governor Pataki appointed many of the key LMDC staff members, including the president, the planning staff had ties to the City Planning Commission and tended to have a broader view of the redevelopment effort than the Port Authority. The LMDC was also charged with overseeing the revitalization of all of Lower Manhattan of which the World Trade Center was only one, albeit very important, component. The potential conflicts flowed from these factors in the relationship.

The Rules/The Money/The Early Programs

Political scientists, especially public administration scholars, contend that institutional rules shape the parameters of political debate and policy outcomes. These rules often reflect the interests and values of those who make them. Such rules play an especially important role when intergovernmental grants to state and local subunits are involved, as in the response to the 9/11 attacks.

As representatives of New York, U.S. Senators Charles Schumer and Hillary Clinton, Governor Pataki, and Mayor Giuliani played a critical role in lobbying for federal aid to New York. To identify priorities for lower Manhattan, these elected representatives reached out to established downtown business interests including the Partnership for New York City and the Chamber of Commerce, the Real Estate Board of New York (REBNY), and the Alliance for Downtown New York (ADNY) (Moss 2005). On September 13, two days after the attacks, Pataki convened a meeting of real estate and finance industry leaders. Another meeting was held on September 16, which brought together leaders from the Partnership, REBNY, and staff members of the Governor and the Speaker of the State Assembly (Moss 2005). The early influence of these organizations gave the initial package a decidedly pro-growth bent, which favored well-established large corporations and property owners.

The $21.4 billion federal recovery package to New York came through several channels including $9.1 billion through FEMA for recovery efforts, and $4.55 billion to restore the transportation infrastructure. However, this study focuses primarily on Liberty Bonds and a $2.783 billion Community Development Block grant.

Liberty Bonds

As the third largest business district in the country and the physical home of the financial markets, lower Manhattan played an important role in New York City and the regional economy. A significant portion of the federal response package was intended to retain the commercial and residential tax base in Lower Manhattan. Part of the money was promised as development bonds. Congress allocated a total of eight billion dollars in triple tax exempt “Liberty Bonds,” to stimulate economic growth. The bonds would be

split equally between New York State and City, so that the Governor and Mayor would each oversee the allocation of four billion dollars of liberty bonds through state and city agencies. The funds could be used for "the cost of acquisition, construction, reconstruction, and renovation of (i) nonresidential real property and residential rental property (including fixed tenant improvements associated with such property) located in the New York Liberty Zone, and (ii) public utility property" in the Liberty zone.

Of the total $8 billion, $1.6 billion could be used for residential development projects. The remaining $6.4 billion could be used for commercial development projects of which $800 million could be used for retail projects. The legislation further stipulated that a total of $2 billion of the commercial bonds could be used outside of the Liberty Zone area. Therefore, the majority of the public monies would be used to subsidize private commercial developments.

The Liberty Bond program was created to "fulfill the vision of Lower Manhattan as a 24/7, mixed-use, diversified community and support the City's broader revitalization" (EDC website). Although this description of the program suggests that it was intended to promote growth, there is some hint of equity concerns in the reference to a diversified community.[37] The more detailed program principles reiterate the priority of growth, although they also encourage design excellence. The principles are as follows (see EDC website):

- Repair and replace damaged and destroyed commercial space and improve lowe quality commercial space
- Create additional multifamily residential rental and complementary retail development in Lower Manhattan

[37] Of course it could also really mean a diverse commercial and retail selection.

- Provide modern office space for displaced and decentralizing businesses and facilitate new investment in central business districts throughout the City
- Attract new residents and employers to New York City
- Encourage Environmentally responsible design and construction

There are other indications that the Liberty Bonds were intended to promote growth through construction and retention of luxury development as well. First, the residential bonds could only be used for rental properties. Although the logic of the legislation was in part to limit the benefits to home owners who did not need them, many rental properties in lower Manhattan tend to be luxury apartments. Furthermore, the legislation did not require that any of the units be for affordable housing. Instead, the City, through the New York City Housing Development Corporation, required developers to pay a 3% development fee, to be used for affordable housing. The State, through the New York State Housing Finance Agency, required that only five percent of the units built with Liberty Bonds be affordable to "moderate" income families.

Community Development Block Grants

While the Federal Emergency Management Agency (FEMA) provided $8-9 billion of the recovery money, the Department of Housing and Urban Development (HUD) provided much of the funds for revitalization through the Community Development Block Grant (CDBG) program.[38] The CDBG program is one of the most important remaining sources of federal support for development in low-income and minority, especially urban, neighborhoods. To promote the program's mission, CDBG

[38] President Nixon proposed the Community Development Block Grant program as part of a larger agenda that emphasized revenue sharing and block grants as a way to consolidate the hundreds of individual programs. He failed to garner support for most of the programs, especially from liberal Congressmen who saw the consolidation as a threat to the categorical grants they had established for social programs in the 1960s. But the Community Development Block Grant was one of the few exceptions. In 1974, the 93rd U.S. Congress approved the program with bi-partisan support (Conlan, 1998, 44).

allocations usually require conformity to the following guidelines: (1) 70 percent of the CDBG funds be used for activities that benefit persons of low and moderate income and; (2) Public hearings to include citizen participation, ensuring opportunities for public input.

Following the 9/11 attacks, HUD used the Community Development Block Grant program to supply emergency relief funds. The agency allocated $2.783 billion in CDBG funds—one of the largest grants in the program's history—as emergency relief. Some of the money, $783 million, was for the utility companies. At least another $500 million was intended for businesses. The net of the $2 billion was "for the purpose of assisting in the recovery from the September 11, 2001 terrorist attacks on New York City." HUD had used the CDBG program for disaster relief in the past; however, the lower Manhattan scenario differed significantly from the typical CDBG-funded projects. The World Trade Center was located in the heart of the financial district. Far from a low-income, low-investment neighborhood, the Financial District was home to some of the largest and most successful financial institutions in the country. The residential population, especially in Battery Park City,[39] tends to be white and affluent. Although the Community Development Block Grants have not always benefited low-income communities (Feagin and Parker 2002, 260), lower Manhattan, particularly the Financial District is one of the most affluent neighborhoods in the city. To facilitate an expedient use of the funds in an upper income neighborhood, HUD waived the low-income and public hearing requirements. For the former requirement HUD's Federal Register stated

[39] Battery Park City (BPC) is a residential and commercial neighborhood located along the Hudson River. It was created from the landfill of the World Trade Center. Some have compared BPC to a gated community since Route 9A, also known as West Street, creates an artificial boundary between it and the rest of lower Manhattan.

that HUD "expects the grantee will make a good faith effort to maximize benefits to low- and moderate income persons, and maintain documentation of such efforts" (4164). Regarding the latter exemption, the HUD guidelines stipulated a public comment period, but not a public hearing. By exempting the LMDC from public hearing requirements, HUD also eliminated formal opportunities for challengers of CDBG allocations to gain media attention.

CONCLUSION

Catastrophic events may destabilize an institutional context and create opportunities for new and sometimes old voices to be heard. Such events may reinforce an existing power structure, or they may reveal that a seemingly formidable governing coalition may actually be a delicately crafted and vulnerable web of social relations and defunct or delegitimized institutions. Dynamics within the coalition may shift so as to generate support for a different normative position (conception of the public good) or a new, more inclusive approach to institution building and public policy-making.

This chapter introduced the reader to the historic role that lower Manhattan has played in the New York regional economy; the efforts of pro-growth advocates to use public authorities to pursue growth in the twentieth century; the reemergence of growth as a dominant conception of the public good following the 1973-75 fiscal crisis[40]; and the impact of the 9/11 attacks on the political and institutional context affecting decision-making in lower Manhattan.

The last section, in particular, is important for analyzing the potential for post-9/11 challenges to the idea of that growth advances the public good. Overall, the 9/11 attacks affected the institutional and political context in ways that would have significant

[40] After it was challenged by 1960s liberalism.

consequences for the future of lower Manhattan (see Chapter 5). Government agencies such as the Office of Emergency Preparedness, which was located in the World Trade Center, were destroyed, and the primary election was disrupted, likely affecting the outcome of the general mayoral election. Mayor Giuliani, who had been mired in controversy in the final years of his mayoralty, gained a new image and level of moral authority from his decisive actions and compassionate speeches following the 9/11 attacks (see Chapter 5). In contrast to New York City, however, the political situation on the state and national level was relatively stable.[41] These higher levels of government were able to use existing institutional frameworks and precedents, the Port Authority and the Lower Manhattan Development Corporation, to reassert their power and focus attention on their conception of the public good, which tended to favor growth.[42]

Although the Port Authority endured the most critical damage—the loss of its headquarters and 74 members of its staff—the attacks did not lead it to greater responsiveness to the public or local officials. Given its financial stake in the project, the complexity of the legal situation with Silverstein, and its general proclivity for insular decision-making, the Port Authority was not a likely initiator of public deliberation and inclusive decision-making (Doig 2001; Fainstein 2005). Although the Governors of New York and New Jersey have considerable influence over the Port Authority, it was designed to be buffered from public and political pressures. It had little experience and perhaps less interest in encouraging public or civic input into its decision-making (Doig 2001; Fainstein 2005; Walsh 1978). The 9/11 attacks did not change this institutional

[41] Obviously the attacks on the Pentagon created instability on the national level.
[42] Pro-growth policies were not the only response to the attacks. Government agencies initially concentrated on providing funding for social services to nonprofits (Krauskopf); however, these funds were significantly less than the amount allocated for growth, and for memorialization, as Chapter 5 explains.

behavior. The Port Authority was primarily concerned with rebuilding its offices, ensuring its revenue source, and memorializing its losses, albeit in its own way.

Governor Pataki's decision to create the LMDC as a subsidiary of the ESDC established the state as the leading decision-maker along with the Port Authority and appeared to confine the City's role to the rescue and recovery efforts (Moss 2005). Although city government may have been a better vehicle, it did not have formal authority. The LMDC, by institutional design and because of the heavy representation of business interests on its board, seemed most likely to pursue economic growth.[43] But, in contrast to the Port Authority, the LMDC had a more diverse board and was also concerned with the creation of a memorial (www.renewnyc.com).

The design of the Federal aid package also implied that growth was the dominant conception of the public good. The Federal aid was funneled through New York State, albeit sometimes through City public authorities—the LMDC, the ESDC, state and city housing authorities—with limited public oversight. Most of the programs were targeted towards encouraging economic growth. For example, eight billion dollars in Liberty Bonds were targeted to stabilize commercial, retail, and residential rents. Another large segment of the money was allocated through the Community Development Block Grant as retention and incentive programs to keep prices artificially high at a time of high unemployment and unprecedented real estate inflation. Overall, these programs identified economic growth as the way to advance the public good; they virtually ignored equity as an important value.

This chapter set the stage for subsequent chapters that address the emergence of alternative conceptions of the public good, and whether they were pursued through public

[43] Chapter 5 will show that that was not always the case, however.

policy following the 9/11 attacks. The political and institutional context described above suggests that opportunities to challenge growth as the dominant conception of the public good would be limited, or at least not initiated from above. Thus, the following chapters will address the conceptions of the public good that stakeholders articulated following the 9/11 attacks (Chapters 3 and 4), and how the political and institutional context described in this chapter affected which conceptions moved from the systemic agenda to the institutional agenda (Chapter 5).

CHAPTER 3
CONCEPTIONS OF THE PUBLIC GOOD

INTRODUCTION

As the previous chapter explained, the 9/11 attacks were an important triggering event that affected the institutional and political context of downtown decision-making and engendered discussions about the public good. In addition to pro-growth priorities, the Lower Manhattan Development Corporation also emphasized an appropriate memorial and opportunities for public engagement as part of its mission. The LMDC's actions, such as conducting several large scale public hearings and smaller meetings with key stakeholder groups, suggest that it made an effort to pursue those aspects of its mission. Moreover, civic organizations, especially newly formed civic coalitions, also created public forums and events in which the publics were able to articulate their agendas. These public spheres created opportunities for people with different values and interests to engage in discussions about city building (see also Chapter 4). Many of these participants sought to frame the symbolic identity of the site as well as the physical landscape and social fabric of lower Manhattan. Although these participants did not always use the term "public good," they made claims about the values that should undergird public discourse and guide governmental activities.

Civil Society Post-9/11: Conceptions of the Public Good

In the weeks following 9/11, it quickly became apparent that the attacks had produced myriad public and private stakeholders who wanted to have a meaningful say in the rebuilding process. Some stakeholders, especially downtown residents and business owners, and families of the 9/11 victims, had obvious reasons for wanting to

participate—their interests were directly involved. These stakeholders came from diverse communities of interest, since the 9/11 attacks affected individuals from all walks of life across the city, the region, and the globe. The 2,749 people who lost their lives included employees of some of the most successful financial firms in the world, municipal employees from New York City fire and police departments, immigrant service workers and many others including visitors and tourists.

Through their exposure to the effects of 9/11 on their friends and neighbors, members of the general public appeared to become 9/11 stakeholders as well. Anyone who lived, worked, or by chance happened to be in New York City in the weeks following the attacks came into first-hand contact with the loss of life and the loss of the Towers. Others tuned in through television coverage of First Responders who searched tirelessly through smoldering debris to find more survivors.[44] The visceral images of lost lives and lost symbols provoked fundamental questions about values and in doing so mobilized these diverse communities to look both at a broader agenda for the City as well as more narrowly at the future of the former World Trade Center site and lower Manhattan. Nonprofit organizations, such as Safe Horizons, became directly involved in the response to 9/11 and often redirected their funds or their human resources to assist those affected by the attacks.[45] Many nonprofits worked together through the 9/11 United Services Group. Other stakeholders, including unaffiliated individuals, became

[44] Television coverage of the first hours after the attacks was limited because all of the major New York stations had their antenna on the roof of the Tower 1.
[45] Some of these organizations did this voluntarily, while others were instructed to redirect their resources by government or foundation funders.

involved in post-9/11 recovery activities by bringing sandwiches to local fire houses and donating money to these nonprofit organizations.[46]

PART I: SUBSTANTIVE CONCEPTIONS OF THE PUBLIC GOOD

Memorialization vs. Growth

In the immediate aftermath of the attacks, the public focused primarily on two different ways to symbolize a response to the attacks: growth (the revitalization of the city) and the memorialization of lost lives. In part, these conceptions of the public good were most commonly identified because official opportunities for public participation were organized around those agendas. The Lower Manhattan Development Corporation organized a series of public hearings that focused on reviewing site plans and memorial designs. In their most extreme versions, honoring the lost lives and growth seemed to represent the widest divide among stakeholders. The former conception of the public good emphasized the need to memorialize human loss by preserving all or some of the World Trade Center site as sacred space, while the latter emphasized rebuilding the commercial space bigger and better to symbolize and stimulate a healthy economy and defiant New York. These competing conceptions could and at times did flare into heated debates over the appropriate physical and symbolic use of the space.

Growth

In the mid-1970s, in response to the New York fiscal crisis and the intensification of globalization, a political coalition under then-Mayor Koch organized to reaffirm growth as a dominant conception of the public good (Mollenkopf 1992; see Chapter 2). Growth remained a well articulated conception of the public good following the 9/11

[46] Four years after the 9/11 attacks, a family member participating in a public forum remarked on how moved he was by the public's efforts to assist, including providing sandwiches to family members (Wolf 2005).

attacks, despite the families and allies who viewed it as antagonistic to achieving the public good. Not all advocates of this conception of the public good actually used the term "growth." In fact, some of the stakeholders that I interviewed rejected my use of the term.[47] I chose to use this term, despite these concerns, to indicate positions that advocate using public policy to promote private investment to increase land values.

The 9/11 stakeholders had different reasons for arguing in favor of growth. Some who emphasized growth recalled the commercial disinvestment of the 1960s and 1970s. Several seemed surprised that New Yorkers had so quickly forgotten their past (Braconi 2005). Many of the downtown stakeholders emphasized the importance of ensuring that lower Manhattan remained the third largest central business district in the country. They argued that lower Manhattan played a vital role in the regional economy by creating high-end jobs and high property values that ultimately produced an important tax base for the City of New York. The Alliance for Downtown New York (ADNY or Downtown Alliance), a business improvement district (BID), which has a membership primarily made up of large downtown property owners, often took this position. Jennifer Hensley, Assistant Vice President of Corporate and Intergovernmental Affairs at the Downtown Alliance, noted that that the BID's main goal is to stimulate growth and increased property values for large property owners, but that these goals are significantly linked to the vitality of other neighborhood members including downtown residential, retail, and cultural interests:

We were formed when there was a twenty percent vacancy rate downtown, and

[47] One senior executive at the Economic Development Corporation (EDC) noted that the term is too broad and vague, and that it is primarily used by academics and the press. He said that that many people at EDC were planners and architects and did not see their work in those terms. They were trying to get any type of reinvestment back into the city. Yet, he went on to identify a series of steps which were geared towards attracting reinvestment (Anonymous 2005).

> the whole idea was to make this a vibrant, 24-7 community…so, given that, the Alliance has always understood that the retail and restaurant component is a huge support system for the commercial building stock, right? So the people in the buildings need something to do and that's the only thing that's going to, I mean, the whole point is to drive up property— I mean, to get down to it, right?—the whole point of a BID is to increase property values so that the streets are cleaner and safer, people feel more comfortable, they're more likely to locate in those commercial buildings that are in the area. So, to that end, that's why marketing has been such a big part of our budget for so long, because the concerts are something people can do after work, and the restaurant guides are things that workers keep on their desks. And in turn, that helps the small businesses (Hensley 2005).

The Downtown Alliance advocated for a commercially oriented-downtown, but argued that there would be ripple effects that would benefit all of downtown because the success of these various sectors was inter-related and mutually reinforcing. The tipping point was when residential development accelerated at the expense of commercial development.

Some advocates of growth recommend expensive governmental investments to assist in stimulating the downtown economy by attracting or retaining private investment, although there were important differences in priorities. The most common focus was on capital investments, for example, in transportation. This position is commonly voiced by private developers such as John Zuccotti, who claimed that "since government is not planning to build these buildings and private developers will, government needs to build infrastructure–physical, creative, etc. There has been confusion between architecture and urban planning. We don't have architecture now, because we don't have a plan. You cannot force the market to build. But, you can build infrastructure" (Skyscraper Museum Symposium 2002).[48]

Many others, including downtown residents, small businesses, large property owners, and civic organizations in the immediate and surrounding areas, also supported a

[48] Zuccotti is Chairman of Brookfield Properties, which developed the World Financial Center—the commercial and retail complex directly west of the World Trade Center.

conception of growth. Downtown residents emphasized the importance of rebuilding the retail space in the World Trade Center. The World Trade Center had a large shopping mall on its lower levels and some residents and former employees at the WTC argued that they had used that shopping mall regularly and wanted it rebuilt. Many of them seemed to prefer the enclosed mall model to the street-retail model that planners said would revitalize the streets and contribute to downtown's vitality (see planning).

In addition to infrastructure investment, some stakeholders suggested using marketing techniques to attract investment, especially because of the agglomeration effects on the surrounding neighborhoods. One marketing technique was to "brand" lower Manhattan, its neighborhoods and cultural institutions. At the kickoff to the Rebuild Chinatown Initiative, Kathryn Wylde, President and CEO of the New York City Partnership & Chamber of Commerce, emphasized the importance of rethinking Chinatown.[49]

> When "China" is brought up, it is seen as a very strong center of technology and trading. When you talk about "Chinatown," it is referred to as old retail and restaurants. There is an opportunity to rebrand Chinatown and the role it plays. We need to attract international businesses. A relationship with Asia and China is important to revitalizing lower Manhattan & the city. English as a Second Language is important short term, but more important is the connection to universities; also with cultural district–relation to tourism is important, but this could be better linked internationally. Lower Manhattan gets many tourists, but a small fraction of the revenues from them. Think in terms of a knowledge-based economy. This would make a greater contribution to the state and will attract greater contribution or investment in the community (2002).

In the previous passages, stakeholders claimed that growth advanced the public good because it was a necessity for the immediate future of lower Manhattan, New York City, the region, or the country. Yet, the advocates of growth also identified reasons other than

[49] Although Chinatown is not in the immediate impact zone of the Towers, the attacks had a devastating effect on Chinatown because Park Row, a key North-South axis that runs from the financial district to Chinatown was closed due to security concerns (see security section).

necessity in their emphasis on growth, which illuminate growth's symbolic function. These symbolic claims ranged from restoring lower Manhattan's historic role in New York City because that was the way things had been in the past to the claim that it was the appropriate way to respond to attacks on the American symbol of capitalism. The Downtown Alliance argued that it was important to preserve lower Manhattan as the financial core because of the economic and community building benefits, but also because of downtown's historic role in the eighteenth century. Essentially, lower Manhattan should remain the financial core because that was what it had historically been. Restoring this role required retaining the financial service firms in lower Manhattan, which required building commercial office space to house them.

Larry Silverstein, who held the lease for the World Trade Center, was, of course, an important proponent of rebuilding. The World Trade Center lease solidified Silverstein's investment in lower Manhattan, which began when he bought the Equitable Building, located just blocks from the World Trade Center, in 1980. Silverstein claimed that rebuilding large amounts of office space was in the public interest (Silverstein 2001; Stanley 2001). To rebuild the commercial space would mean to be defiant in the face of terrorism, to reassert the symbol of United States' commercial and financial dominance, and its values of free-trade and free speech. Silverstein argued that he was morally and legally obligated to rebuild the commercial office buildings.[50] Although he acknowledged that the site

> must and will have a real memorial…at the same time, [he claimed,] it is imperative for our city, state and country that rebuilding go forward. We must not let terrorists destroy our way of life or our city's vital financial heart. Under Governor George E. Pataki's leadership, and in concert with the Port Authority,

[50] The Port Authority could release him from the legal obligation if it chose to buy him out, which perhaps did not seem like a good strategy considering the insurance issues.

> rebuilding will send a strong message that those who would destroy us are doomed to fail (Silverstein 2001).

Silverstein asked the architectural firm Skidmore Owings Merrill[51] to explore designs for a new World Trade Center. For Silverstein, rebuilding was important, but the iconic height did not seem to be. The initial designs retained the full amount of commercial space, but in several smaller towers. Initially the designs had towers of approximately 50 stories. Silverstein also requested Liberty Bonds for the redevelopment of the commercial space he had leased, most immediately for World Trade Center #7, which had been badly damaged by the collapse of the Twin Towers.[52]

Other stakeholders who emphasized the symbolic importance of growth advocated rebuilding the Twin Towers as tall as or taller than they had stood on September 10, 2001. Although architects, planners, and especially local advocates had been quite critical of the World Trade Center super block when it was first built, by 2001 the public perception of the towers had become progressively more positive (Goldberger 2004).[53] Those who worked in the WTC and pressed themselves to the windows or dined at Windows on the World enjoyed spectacular views.[54] The frequent use of the Towers as a backdrop in films and television series based in New York, their ever-present place in virtually any vista of the city, and an active program of cultural activities on its plaza seemed to have softened some of the antagonisms expressed about the buildings after their completion in 1973. And despite the early struggles of the World Trade Center to attract tenants, the 1970s New York fiscal crisis had given birth to a new period and

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[51] Skidmore Owing Merrill was the design firm that had worked on the World Trade Center.
[52] For more on Liberty Bonds, see Chapter 3.
[53] I use the terms World Trade Center and towers interchangeably.
[54] The windows were designed so that you did not have a good view unless you stood very close because the architect was fearful of heights. The restaurant Windows on the World was a popular spot for New Yorkers and tourists because of its panoramic views from the 107th floor of Tower 1.

revival of confidence in the pro-growth model.[55] The World Trade Center, over the years, gave the value of growth a sleek new symbol. These positive feelings appeared to intensify to veneration following the 1993 bombing and finally the 9/11 attacks (Goldberger 2004).

One of the most vocal advocates of rebuilding the Twin Towers was the group Team Twin Towers, formed after 9/11.[56] The organization's website invited supporters to sign a petition to rebuild the towers because of the "tourism revenue and vitality" they brought to downtown; the importance of the buildings in sending a message of defiance to the terrorists and; because, contrary to the claim that the towers were structurally flawed, the "simple, yet highly effective design" withstood the impact of the 767s and remained standing for an hour (www.teamtwintowers.org). Team Twin Towers also targeted attacks on those whom they termed "urban utopian types." In particular they challenged Beverly Willis, co-founder of Rebuild Downtown Our Town (R.Dot) whom they believed had unfairly denied the positive contribution of the World Trade Center to lower Manhattan.

> Fact: The Twin Towers in particular and the WTC site in general cleared out the slum area known as "Radio Row." The WTC site spawned the creation of Battery Park City and the World Financial Center, neither of which would exist today, were it not for the Twin Towers. Until the Twin Towers were built, Lower Manhattan was a depressed slum. Today, it is a high-end, gentrified area populated by stock brokers, investment bankers, lawyers, accountants, and IT professionals. Not bad for a pair of buildings that "failed to revitalize the area." (www.teamtwintowers.org –Frequently asked questions)

Team Twin Towers explicitly endorsed what many argue are the effects of growth— the

[55] This response to the fiscal crisis reaffirmed growth as the dominant conception of the public good after the movements of the 1960s had temporarily displaced it with alternative conceptions such as equity, transparent and inclusive decision-making, and community development.
[56] Although the group states that it is in favor of a memorial, it has certainly focused on promoting the rebuilding of the commercial space.

creation of an affluent residential population and a high-end professional, service economy, which often displaces poor and working class people. Not all, however, defend growth in such clearly class-laden terms. These claims demonstrate that in discussions about conceptions of the public good, one must constantly return to the question: which public? Who is part of the community by which we determine whether the public good is being served?

Those who advocated growth did so for many reasons, but all posited a benefit to the broader "community," though variously defined. The Downtown Alliance, for example, claimed that efforts should be made to preserve lower Manhattan as New York City's financial core because it had historically been the financial district; in other words, place and history mattered. Groups like Team Twin Towers justified it in other symbolic terms, including the need to restore the commercial skyline.[57] Ultimately, people emphasized growth for many reasons, and these debates show that discussions over growth are rarely just about using land for its highest exchange value. Pursing growth often requires that governments make expensive public investments, on their own or in partnership with the private sector, to create market demand where little or none exists. In such cases, it is often difficult to predict whether the public, and which public, will benefit (Sagalyn 1997).

[57] Other stakeholders also emphasized restoring the skyline, but they did not necessarily link it to the value of growth.

Memorializing Death

Family members of the 9/11 victims expressed concern about the way history would remember the attacks and those who perished.[58] In fact, as of 2005, the message "Never Forget: 9/11/01" can still be found on cars, lampposts, and buildings around the city. Family members and their supporters argued that to rebuild the commercial space and pursue growth was "business as usual" and would essentially erase the immediate history of the attacks and the memory of those who lost their lives on 9/11. The public good would be best served by properly honoring those who lost their lives, which meant treating the former World Trade Center site as sacred space. Memorializing death was more important than following the rationale of growth, which viewed land through the lens of exchange values.

For many of the family members, the identification of the WTC site as sacred space was literal as well as symbolic. The jet explosions and the weight of the falling towers made it difficult to recover and to identify the victims. Even with the use of DNA testing, many family members did not receive any remains of their loved ones. Although the First Responders, police and firemen, continued the recovery efforts through July, 2002, almost 1600 victims were still missing (Gittritch 2002).[59] As a result, many family members came to see the 16-acre site as a graveyard, literally the final resting place of their loved ones. Therefore, family members argued that some part of the site or, in the case of certain members, all of it should be treated as sacred ground. Then-Mayor

[58] I use the term victim to refer to those who lost their lives in the attacks, although there were certainly many other types of victims including survivors and those who lost their livelihood as a result of the attacks.

[59] In July, the city ceased looking for remains in the Fresh Kills landfill on Staten Island. Search and rescue efforts on the site and in the surrounding buildings had ended several months earlier.

Rudolph Guiliani agreed with the family members. He also came out with a statement that the site should be considered sacred ground (see Chapter 5).

By October 2001, many of the family members had formed groups to articulate their understanding of the public good. These groups included September's Mission, Widows and Victims Families Associations, Give Your Voice, the World Trade Center United Family Group, Families of September 11th, and the Skyscraper Safety Campaign. Several of the groups formed a united front through the "Coalition of 9/11 Families." Many of the family members seemed to agree on certain key issues. Many argued that the footprints of the former Twin Towers should be preserved as sacred space, that is, they might house a memorial, but should not house commercial (office space or retail, in some cases even cultural) profit-making development. Because the site was extremely valuable, they framed their argument in terms of valuing life above economic interests.

At "Listening to the City," an event organized by the Civic Alliance and sponsored by the LMDC and Port Authority, family members and other stakeholders who were critical of the process and decisions had a chance to mobilize support for this position in a highly public format. Participants argued that the site plans and designs that the LMDC and Port Authority had presented failed to address the magnitude of the events. In part, the plans failed to prioritize memorialization (see Chapter 4).

Although the majority of family members advocated for the preservation of the footprints, they were not monolithic regarding the specifics or the intensity of their positions. As Amy Peterson, who was ultimately promoted to Vice President of Memorial, Cultural, and Civic Development at LMDC, noted "There were important differences between different groups of family members, individual members, and even

within an individual him/herself" (Peterson 2005). Despite these differences, family members and those who emphasized memorialization offered a clear alternative to growth as the dominant conception of the public good.

Other Conceptions of the Public Good

The continuing debate over whether to respond to the attacks through revitalizing the economic life of lower Manhattan or memorializing death dominated many of the discussions about the future of lower Manhattan and the identity of New York City. Although these concerns reflected the primary focuses of the broader public, they also resulted from the kinds of participation processes that were available to the public and other stakeholders. The Lower Manhattan Development Corporation initially organized several large-scale public hearings that primarily focused on which redevelopment site plan was most appealing. These plans all included 10 million square feet of office space; in other words, they posited growth as the primary focus. Although the LMDC was already meeting with family members, the lack of focus on the memorial provoked strong criticism and led the LMDC to organize additional large scale events primarily focused on how best to memorialize the lost lives. Since these goals appeared to involve separate processes, the tension was further aggravated and magnified.

Still, supporters of other conceptions of the public good were found or created opportunities to articulate their visions for the WTC site, lower Manhattan, and sometimes even the city and the region. Stakeholders at the Listening to the City event emphasized memorialization and also rejected too much focus on growth, which create opportunities to articulate other conceptions of the public good. In some ways, the juxtaposition of these two as extremes in the wake of the 9/11 attacks created a temporary

opening within which many other conceptions of the public good and their correlative public policies could potentially be examined and considered. Listening to the City participants also catapulted other conceptions of the public good onto the systemic agenda including equity, security, culture, design, and planning (see Chapter 4).

Good Design/Planning

The emphasis on valuing life in contrast to private investments created the discursive space for those who were critical of the World Trade Center to consider other ideas. The destruction of the Towers also created a physical space in which to revisit conversations about the World Trade Center, which time had seemed to put to rest. Although some mourned the lost Towers and the global financial success they had come to represent, others felt that the Towers and lower Manhattan simply did not function well (see Chapter 4). This was not a new perspective on the World Trade Center project, but it was an important contrast to the unwavering approbation the Towers had received from its supporters, especially post-9/11.

The priority of good and green design caught the attention of many of the 9/11 stakeholders, including the general public. Most focused on the need for design excellence, while others emphasized the importance of green and sustainable design. One Battery Park City resident praised LMDC designs for their attention to sustainable design: "I'm most excited to see the criteria about environmentalism and sustainability. I think you should do more of this. We don't need to worry about asbestos in the future if we build them right the first time. Now they are finishing a building in Battery Park City that is famous for green and sustainability" (CB1 2002). Design issues caught the focus of the general public because even those without training often had aesthetic preferences

or a commitment to protecting the environment. Architects and other design professionals celebrated the new public focus on design (Goldberger 2004). Planners, however, contended that a focus on design was not enough and perhaps even a distraction from the underlying issues of connectivity, market demand, public space, and other amenities. Good and inclusive planning determined whether or not development projects benefited the public. According to its critics, the original World Trade Center project was based on outdated planning principles that idealized the super-block model.[60] Furthermore, although the WTC project required significant public investments and had significant effects on the neighborhoods of lower Manhattan, the project had primarily served private interests.[61] The post-9/11 conditions offered an opportunity to rethink lower Manhattan and rectify the problems created by the original World Trade Center including its wind tunnel effects and the way it divided and isolated the surrounding neighborhoods. In some ways, the area appeared to be a clean slate. These planners suggested that the site needed a "program" that also took into consideration the needs of lower Manhattan, the city, and possibly even the region. They emphasized connections to other neighborhoods, the building of amenities, and investment in public infrastructure—often referred to as "the public realm." For example, Amanda Burden, an urban planner and civic activist, Chair of the New York City Planning Commission and Director of the Department of City Planning (as of 2002) also emphasized the importance of investing in the public sphere.

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[60] The super block model reassembled several distinct city blocks into an enormous plot, usually to house a skyscraper or another type of large footprint development project. These development sites, which sometimes included large empty plazas, seemed to alienate the site from other parts of the city instead of connecting them. For more on super blocks, especially critique, see Jane Jacobs, *The Death and Life of Great American Cities.*

[61] For more on this issue, see chapter 2.

> 9/11 changed things dramatically. We need not just to plan a vision, but to implement. The future of the commercial sector is at stake. It needs 24-hour vitality, transportation and public amenities. Need to channel public resources to bring about private investments. Transportation access is critical–especially to airports. It needs a critical mass of residents to stabilize lower Manhattan. Many conversions are people who do not live here and are not dedicated to Lower Manhattan's future. What they did with Battery Park City was essential–they spent money to build parks and public spaces. Built 1/4 mile for esplanade and Rector Place. Need to show what quality of life would be like down there. That can be the role of the public sector–bring these ideas to life. Need boulevard and open spaces. This will attract business–great place to live and work, water on three sides. Need to prioritize, channel resources, and key infrastructure investments (Skyscraper Museum Symposium 2002).

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To some degree, this agenda contrasted with the public investment priorities of the business community, although none of these communities of interest are monolithic and the business community has also become more focused on stimulating culture and tourism to attract additional economic investment.

Critics argued that to change the program (enabling a different approach to lower Manhattan), the Port Authority needed to abandon its lease with Silverstein. If the lease remained in place, and the program did not change, decisions about the site would be mainly aesthetic (design) instead of substantive. As Robert Yaro, president of the Regional Plan Association, explained about one set of plans for the site: "It is like putting lipstick on a hog…Nothing has changed except you have a lot of fancy architects on this go-round. They are still designing the same thing, just prettier" (Yaro 2003). At an event organized by the *Architectural Record*, one participant reiterated the point: "it's the program, stupid" (Czarnecki 2003).[62]

Of course, one of the main criticisms of the WTC program was that it was driven by private economic interests. In October, 2002, the Architecture Research Institute and

[62] The phrase was borrowed from political strategist James Carville's 1992 slogan "It's the Economy, stupid."

the Guggenheim Museum in New York co-hosted a seminar on the building of Paris' *Grands Travaux* (great work). The seminar compared these undertakings to American's limited planning history. Harvey Molotch, a well-known social scientist, argued that the World Trade Center site needed to be planned based on use, not exchange principles. Molotch argued that in the United States,

> the goal has been not to create a grand city that represents the culture and the people, but to create cities that exist at the expense of other cities. Cities are growth machines in that their political and civic instrumentality is to grow, and since it's a zero-sum game out there, which means capturing rent resources and things that will generate income and tax base at the expense of other places. Most everything that occurs has to occur through that particular prism of what it will do for us - "the New Jersey threat" — as it's sometimes called in downtown thinking (Molotch 2002).[63]

In some cases, members of the general public also mobilized around the values of excellent design and planning. At a public hearing, a downtown resident also criticized the Port Authority's unwillingness to consider a new program for the WTC site:

> This exercise demonstrates that 6-10 million will always look bulky no matter who designs it. We should really be asking: is this the right program, is this the right process? There are many options. The only excuse from the Port Authority is that they need to honor leases, but many things including lives were destroyed and it is disturbing that the only thing the Port Authority wants to honor is the leases. We said this at Listening to the City. Break the leases. If not, the city should condemn the site and take it over. Need a new approach. Let architects and urban planners, etc. work on West ST. while you focus on the memorial (LMDC 2003).

Perhaps this resident's focus on program indicates that the civic organizations' were somewhat successful in their efforts to educate the public about technical planning issues (see Chapter 4). For other members of the public and the press, however, the distinction between planning and design was often lost. As the Yaro quote above suggests, the conflation of design and planning ultimately became a way for decision makers to engage

[63] For more on growth politics, see Chapters 1 and 2.

in primarily symbolic events that changed the aesthetics, but not the underlying program for the World Trade Center site.

Public Health, Safety, and Security

The 9/11 attacks, like most major disasters, spurred discussions about public health, safety, and security.[64] These discussions specifically raised questions about the post-9/11 environmental conditions downtown (and in other affected areas), and how best to secure public and private spaces in the future. When the Twin Towers collapsed on 9/11, they were filled with computers and other technological equipment. The smoking embers from the collapse and the giant plume of smoke billowed over the East River and left a chalky gray matter atop streets and buildings. Although early news coverage suggested that the debris might be harmful, the fact that the EPA did not require first responders to use masks made environmental issues seem less important. Soon, however, downtown residents began reporting signs of asthma and other respiratory problems. Several groups formed around the issue of public health and safety such as the WTC Community-Labor Coalition, 9/11 Environmental Action, the Stuyvesant High School Parents' Association, and Asthma Moms. These organizations, and others like them, began to ask questions about the debris that had supposedly been removed and why the main focus after 9/11 seemed to be on economic revitalization instead of the environmental conditions downtown:

> Community residents, workers, and others reject the rationale that the health of tens of thousands of people should have been put at risk so that Wall Street could re-open, and demand:
> -A full investigation into how the truth was withheld about toxic hazards from the WTC disaster
> -Proper testing and cleanup of affected homes, schools, and workplaces in compliance with all federal environmental and worker safety laws

[64] For more on post-disaster agenda setting, see Thomas Birkland, *After Disaster*.

> -Health care for all those suffering from WTC-related illnesses, now and in the future (9/11 Environmental Action et al 2003)

Over time, the downtown public became increasingly more focused on the Deutsche Bank building. The collapse of the towers had left the Deutsche Bank building, located slightly south the towers, standing but badly damaged and uninhabitable. Shrouded in black netting, the Deutsche Bank soon became another symbol of the devastation caused by the attacks.

The attacks also affected low-income residents and workers in the surrounding neighborhoods. Although many of the first responders in the search and rescue teams came from the public unions, some of the clean-up crews were low-income, uninsured and sometimes undocumented immigrants. One member of the Beyond Ground Zero Network, who represented Chinatown, noted:

> After 9/11 government said there is no problem, just stay although it was obvious that it wasn't healthy. The wealthy could leave these communities but low income people had to just stay. We are also looking at health problems that people are having post-9/11: asthma, bleeding ...We did a survey to ask people to rank greatest concerns. The significant majority ranked health as the number one concern. We are going to Albany for the "it's about time campaign." The goal is to get reparations for people whose health was hurt but 9/11 and government covered it up (Rebuild Coalition with a Spotlight on Poor 2003).

At another meeting, also organized by the Rebuild Coalition, a Spanish speaking-speaking woman described, through a translator, her health problems following 9/11. She explained that although she was undocumented, she had been hired to clean up offices in lower Manhattan after the attacks. She explained that no one had asked her for documents or work papers and no one had supplied her with safety equipment either. She now carried a purse filled with medications for the various ailments she suffered as a

result to exposure while she was cleaning (Rebuild Coalition with a Spotlight on Poor 2005).

Some family members and members of the public also focused on the issue of building safety. Sally Regenhard, who lost her son Christian M.O. Regenhard, a young probationary firefighter, formed the Skyscraper Safety Campaign to raise the issue of safety. The Campaign argued that very tall skyscrapers were not safe, since firefighters could not climb to high floors and workers could not quickly evacuate in the case of a fire. Reganhard emphasized the contribution and public service her son had made to the city, noting that he and others had died needlessly in the Towers. She challenged the hubris of those who argued for tall buildings, but did not value the human lives who worked or resided in these tall structures: "I am not concerned about how tall the buildings are, I'm concerned about how safe they are. Decision-makers need to make a decision about safety." Reganhard argued that the failure to build safe buildings was also due to the governmental authority structure that exempted the Port Authority, as a bi-state authority, from complying with the New York City building and fire codes when it built the Twin Towers. She contended that all new buildings should be under New York City building and fire codes and if the "Port Authority is unwilling or unable to build according to the New York City codes, get out of ground zero, do the land swap, take over the airports and give the city back to the people of New York. (LMDC 2003).[65] Two years later, another member of the Skyscraper Safety Campaign argued, "Can we finally take pause? The sanctity and safety of human life must take precedence over economic greed. Governor George E. Pataki's first order of business for his legacy should

[65] At that time, Deputy Mayor Daniel Doctoroff had proposed that New York City take back control of the World Trade Center site from the Port Authority in exchange for the airports, which the Port Authority leased from the City of New York.

be making sure that all possible measures for safety and security are implemented - not pretty, tall spires!" (Gabrielle 2005).

Others echoed Reganhard's concern with building safety over building aesthetics and the iconography of capitalism. At another public meeting, a man criticized the LMDC for focusing primarily on the site plans and secondarily on the memorial and those who lost their lives: "When I first saw 9/11 there was coverage of helicopters filming people in the building waiting to be saved. They couldn't be because they [the Twin Towers] are a monument to someone's hubris. They couldn't be saved because they are too tall or too big. We need to have a way to exit people. I would like that whenever they look at construction site…any building in New York City… they should be very careful and that no more deaths needlessly occur. It is not the buildings, it is the people" (LMDC 2003a).

Although the above passages suggest that tall buildings can never really be secure, others emphasized the importance of trying to achieve just that outcome. In addition to claims about the need to enforce security through new policing measures, many argued that special care had to be taken to secure office towers and other possible targets such as the New York Stock Exchange. Large property owners, in particular, argued that security was essential to ensure future investments in lower Manhattan (Frangos 2005)

Following the 9/11 attacks, some of the public, especially downtown locals, became increasingly concerned about public safety and security. While some focused on the inadequacy and inefficacy of the government's response to post-9/11 environmental conditions, others argued that security and public safety were values that should guide the

redevelopment of lower Manhattan as well as future development in other parts of the city. In some cases, the arguments for public safety and security were clearly compatible with economic growth, while in other cases, growth was depicted as an obstacle to pursuing safety and security.

Culture—Peace

Following the attacks, some argued that the site should include educational and cultural institutions that fostered discussions about peace. Some even suggested moving the United Nations to lower Manhattan. Others wanted a place to address peace without the politics of existing institutions. One woman who was a survivor of the 9/11 attacks and a downtown resident noted that one of the Twin Tower footprints should be used as a "living memorial…A center for world peace where various peace organizations could convene and promote demonstrations. [It would be] different from the UN because it would be free of IMF and politics, more grassroots, with documentaries of victims here and from around the world. By honoring lives this way we enforce the need for global understanding" (LMDC 2003a). This idea did not appear particularly controversial in the beginning. As time progressed, however, the question of cultural institutions on the site became increasingly controversial. While many had advocated cultural institutions that would foster peace, others began to advocate cultural institutions that emphasized "freedom." The debate over cultural signifiers on the site also became tightly linked to the site planning debates about where the institutions would go on the site and how they would relate to or detract from a memorial (see Chapter 5).

Equity

The 9/11 attacks created a more inclusive sense of community, which resulted in a willingness, for some, to discuss issues of equity. The shared experience of loss seemed to bring New Yorkers together in a way that, temporarily, transcended some of the historical tensions based on race and class. While the physical destruction was mainly concentrated in lower Manhattan and specifically the financial district, the effects were more widespread. Those who lost their lives came from many different neighborhoods, socio-economic backgrounds, races, and genders. Furthermore, the ripple effects in the economy illuminated the relationship between the financial core and other neighborhoods.

Edward Blakely, then-Dean of the Milano Graduate School, challenged the continuing focus on individual buildings and design, arguing that working class people, especially new immigrants, are less focused on visiting museums and more focused on opportunities to earn a living. According to Blakely, "the problem is redesigning of the city's economy and not the buildings. Maybe we should think about the future of the city's economy first. Sixteen acres is not a lot of space, it is significant because of what happened. The need is also to solve the existing social problems regarding economic and racial disparities and no building will solve that" (Grands Travaux 2002).

Others emphasized the importance of remembering the diverse groups who were affected in the attacks both in discourse and in actual governmental programs. They argued that government needed to demonstrate that it included all in its understanding of community. Margaret Hughes, Executive Director of the Good Old Lower East Side (GOLES) organization, focused specifically on low-wage workers.

> The rest of the city isn't looking at what you are doing because you are only focusing on the 16 acres. The rest of the city has to be looked at. It is important that the needs of low wage workers are addressed, many low wage workers died in the WTC. Need to put aside low-wage jobs, think about job training, etc. You have the money and the power and you should be asking what the low income communities need and not just addressing the corporate side of the economy. It should be a 24/7 community, but with low-income people in the community.

Ron Shiffman, the former Director of the Pratt Institute and long time New York progressive activist, took a different approach. Shiffman clarified that the equity issue was not just about the low-income community. Lower Manhattan needed more affordable housing in general: "We need to think about how to rebuild that speaks to our aspirations as a pluralist people. How would it be if the police, firemen, workers, etc. couldn't afford to live there or get a job? We need to show the world that we are a democracy that is inclusive" (LMDC 2003).

Those who argued for equity emphasized a more inclusive understanding of community and called on government to actively address the diverse needs of this community. These claims offer a stark contrast to Team Twin Towers' understanding of downtown as a "high-end, gentrified area populated by stock brokers, investment bankers, lawyers, accountants, and IT professionals" (see "Growth" above).

PART II: THE PUBLIC GOOD AS PARTICIPATORY PROCESS

Although many 9/11 stakeholders advocated substantive conceptions of the public good, following the 9/11 attacks, public participation developed as an end in itself, a conception of the public good in its own right (Polletta 2005).[66] Some wanted an actual say in decisions about the site. The shared experience of the 9/11 attacks and the emotional investment also produced a sense of public proprietorship of this publicly

[66]For more on the idea of public participation and public happiness, see Pateman 1974; Arendt 1989; Young 2001.

owned, but privately leased and extremely valuable commercial property. While many stakeholders would identify more substantive conceptions of the public good, a concern for process was a recurring theme.

With the traditional institutions focused on recovery efforts, questions emerged about how 9/11 stakeholders would express their views and participate in rebuilding discussions. What would be the terrain of political debate? Who would be included? In many cases, interested individuals mobilized through civil society organizations or groups. Some of these groups emerged organically from the grassroots, such as the family groups, while opinion leaders from established civic associations organized others, as in the case of the Civic Alliance. Together these organizations represented a broad, if not always deep, swath of the New York public and key 9/11 stakeholders including families of 9/11 victims (the families), downtown residents groups, civic organizations and arts communities, labor and advocacy groups, and business organizations such as the Alliance for Downtown New York.[67] Through these organizations, individuals and communities of interest shared their grief and explored their concerns and hopes for lower Manhattan and the World Trade Center site with other New Yorkers (Polletta 2005; Hanhardt Interview 2005). These civil society organizations gave collective voice to their members' goals for the rebuilding including substantive policy priorities that echoed their conceptions of the public good. Since there were few official opportunities

[67] Leading scholars of civil society have debated whether or not business should be considered part of civil society, with many agreeing that they should not be. I have included such organizations, however, because they often arue that their priorities should be addressed because they benefit the larger community; that is, they claim to advance the public good.

for public participation in the months following 9/11, these informal public spheres provided important spaces for public deliberation (see Chapter 4).[68]

Many of the forums organized by these groups were not part of an "official" public process, which posed a problem for influencing decisions. A public process, conducted by decision makers, would suggest at least the potential for accountability. Therefore, many opinion-leaders contended that there must be processes that linked these civil society activities to actual decision making. They asserted that decisions about the site must not reflect politics or business "as usual." The planning and decisions about the original World Trade Center in the 1960s were done in private with little public input. At a time when the federal government had mandated "maximum feasible participation" and activists such as Jane Jacobs (1961) had gained a following, there was considerable criticism of this closed process by an unaccountable public authority. If the error of the past was to engage in bureaucratic decision-making that privileged private interests, the remedy would be to engage in public deliberations (see Chapter 4). Key issues included "transparency" and an "inclusive" public process. But what did inclusive mean? For some, this was an opportunity, through information sharing and candid public discussions, to transcend conflicting private interests or professional differences and generate a world-class program for the WTC site and lower Manhattan. For others, lower Manhattan was home and the response to 9/11 needed to be guided by local priorities.

This concern with process continued throughout much of the rebuilding process. In January 2003, John Schiumo, a journalist at New York 1, acted as moderator of a

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[68] There were few "official" outlets for participation in the first months after 9/11, since the LMDC formed its advisory councils in February 2002 while it was still recruiting its own staff and getting its bearings.

public hearing sponsored by the Lower Manhattan Development Corporation.[69] He sought to reassure participants that they had a say: "I am an independent moderator and this is because we want to support the public's involvement. This is a continuation of an earlier conversation about what you want the site to look like. There have been lots of concerns about the process. When people ask me who is in charge, I say you [the public]" (LMDC 2003).

The quality of the opportunities for public input and the integrity of the process were also a focus. At the same January 13th meeting, Ron Shiffman, Director of the Pratt Center for Community Development (PICCED), a planner and architect who had worked in community planning for three decades, contended that the Lower Manhattan Development Corporation, which was hosting the public hearing, had failed to provide the public with an opportunity for meaningful public deliberation. While several civic coalitions had organized public events, which used small group formats in which stakeholders could deliberate issues of interest, the LMDC hearings, by comparison, were typical public hearings. Speakers were permitted a two minute statement (which they could also submit in written format), which would be recorded by the LMDC. In these hearings, decision makers did not react to the testimony or engage in dialogue about the issues with participants. Shiffman claimed that

> LMDC seems to have forgotten what effective public participation is. We call on them to hold another Listening to the City. After the attack, the city lost about 100,000 jobs and 3000 people. We need to honor the victims and heroes and the democratic process as people, not structures…

Shiffman emphasized the way institutional arrangements and rules were designed to advance or protect political agendas: "When we have a true democratic decision-making

[69] New York 1 is Time Warner's 24-hour news channel in New York City

process, we put it back in the city of New York City, not an entity [The LMDC] that was developed in the heat of a campaign when they [Republicans, especially Governor Pataki] did not want Green to have too much control" (LMDC 2003; Moss 2005).

Another speaker also expressed concern that material or private economic interests were an obstacle to creating an inclusive democratic process that would result in decisions based on consensus.

> If we want to see a truly representative process, we should consider the role that economics is playing in the timing of this process. What would be the outcome if a few individuals and organizations were not going to benefit materially. If all benefited equally, would we be in such a rush? If people worked pro bono and wanted to get involved to be a part of something bigger than themselves. If we used that approach and made sure that people were heard...We could go back, be a lot more inclusive, come up with a design that is consensus based. We could come up with something that speaks to critics of American capitalism and the reputation of greed that New York City's stuck with… (LMDC 2003).

Another participant also expressed concern that the process must be open and transparent to the public because that would ensure excellence of outcome.

> While democratic process isn't perfect, 3000 people died because terrorists don't respect our democratic process. Now the LMDC and Port Authority meet in a background to decide the future of the site by January 31st. This requires a truly open architectural process for all of downtown–judged not by political hacks. When we see the 8th wonder of the world, we will know it...And we haven't seen it yet. We will put overwhelming pressure on Pataki and McGreevy and the LMDC is welcome to join us. If you think 2 men in a back room somewhere is the best, I ask you to stand at this time [no one stands]. If you think we can do better stand up (about ½ or 1/3 of the room stands) (LMDC 2003).

A Process for Whom?

Not everyone felt that lower Manhattan was a clean slate. Another divide opened between downtown residents and business owners, and those who did not have live or work in the area. No one dared say that lost lives should not be honored, at least not initially. As discussions continued, however, there seemed to be a feeling, among

downtown locals, that they might not have as much of a voice in discussions and priorities for downtown as other stakeholders, especially family members. They recognized the national and historical significance of the site, but felt that downtown was their home. They claimed that far from being a clean slate, downtown had been a thriving and growing neighborhood prior to 9/11.

Although downtown had been losing its share of the commercial office market, it was still becoming more vibrant as the residential population and the amenities needed to serve it and the World Trade Center had grown. Some of these downtown locals recognized the broader public(s)' desire to participate in rebuilding discussions, but they felt that they were being excluded from important discussions about the future of lower Manhattan. At an early meeting of the Civic Alliance, Madelyn Wils, Chair of Community Board 1, noted

> I've said this before, and I'll say it at every meeting. The process must start downtown. You say the ESDC will work with the community, or with an advisory board, but I've seen how the ESDC didn't work with its advisory board when we were doing the Hudson River Park. If you think Giuliani is going to listen… From being down at Ground Zero, he has never been thoughtful; he always treats the local community as if we are an obstacle. We should say to the Governor and the Mayor that we need to be involved. Sometime it actually happens if you are persistent enough" (Civic Alliance 2001).

Not long after, Governor Pataki appointed Wils to the LMDC Board. Once appointed to the Board, Wils and Carl Weisbrod, President of the Alliance for Downtown New York, claimed that the business and residential communities were united. Yet downtown residents continued to express concerns about neighborhood priorities: At a meeting of Community Board 1, a downtown resident expressed concern about a public investment for whom and by whom and noted that "one issue that has come up for classic downtown is that you aren't revitalizing an existing neighborhood, you are imposing goals on us.

Part of looking at lower Manhattan as South of Houston is that you aren't really looking at the revitalization of downtown. I think that will pose problems" (CB1 2002). At the same meeting another participant commented that "the community response included in this is that it includes the response of all communities except this one; unlike other mixed use communities, this community really is mixed use" (CB1 2002).

As Wils and Weisbrod began to work together on the LMDC board, some lower Manhattan residents expressed concern about the kind of lower Manhattan these two powerbrokers envisioned. Were they concerned with protecting and reviving the existing community or with attracting major new investments that would displace them? When discussing the issue of West Street (see Chapter 4), John Delportes, a Battery Park City resident and chairman of Coalition to Save West Street, stated: "We know what is best for us and our community. Please don't try to turn downtown into Disneyland for the tourists, they will come anyway" (LMDC 2003).

A Process for What?

In addition to the tensions between locals and other stakeholders over who should be involved in the process, there were also differences of opinion about whether "participation" would hinder efforts to advance certain conceptions of the public good. For example, those who argued for excellent design of the memorial drew on their experience of the Vietnam War memorial and warned of design by committee. They often supported public participation but noted that in terms of design, extensive public participation was likely to produce a rather mediocre design. On the other hand, Silverstein seemed to emphasize that the public should play an important role in the memorialization process, but not in the complicated decisions about land use

development. Therefore, although many identified an inclusive and participatory process as advancing the public good, arguments in favor of participation were sometimes mediated by other conceptions of the public good such as excellent design and growth (see Chapters 4 and 5).

CONCLUSION

The 9/11 attacks produced an unusually diverse set of stakeholders who sought to shape the future of the World Trade Center site, lower Manhattan, and often the city. Some of these stakeholders focused on specific policy suggestions, while others spoke more broadly of values. In both cases, however, conceptions of the public good were either implicitly or explicitly expressed. As the above sections indicate, following 9/11, stakeholders articulated a wide range of conceptions of the public good including growth, memorialization, planning and design excellence, public safety and security, and equity.

Some of the formal public events, such as the hearings, were structured so as to promote certain conceptions of the public good. For example, by presenting the pre-9/11 "program" as a given, the LMDC and Port Authority were promoting growth as a conception of the public good.

Yet the early focus on growth seemed to mobilize stakeholders who saw it as incompatible with memorialization. These stakeholders, especially family members, saw the focus on growth as reflecting private economic interests, which were often perceived as offensive to the public good. Furthermore, some of those who argued for growth also emphasized its symbolic function, which was different from arguing that growth advances the public good because it is a necessity. Other 9/11 stakeholders also questioned whether growth should be the cultural value that the city used to represent

itself to the world. Therefore, while the 9/11 attacks reinforced the importance of growth, they also underscored its symbolic function. In these post-9/11 deliberations, many stakeholders relegated growth and the logic of the market to one value amongst other competing and complementary values.

Many 9/11 stakeholders also used the large scale public events to address other conceptions of the public good, such as planning and design, public safety and security, and equity. There were other opportunities to address these issues as well, although they tended to be for more narrowly defined or key stakeholders. These included smaller, semi-public advisory council meetings or smaller group meetings with individual stakeholders to address other priorities. Finally, civic and other advocacy groups organized their own forums around issues of importance to their constituents. Overall, different agents organized different political processes that attracted different types of stakeholders who, of their own volition or because of the prescribed focus of the forum, articulated different conceptions of the public good.

Of course decision makers did not move all of these conceptions to the institutional agenda or to a policy initiative. Those who successfully defined the content of conceptions of the public good were able to claim some type of authority[70] or enjoyed a structurally privileged position because of formal and informal resources. Although this study will address policy adoption in Chapter 5, it is worthwhile to quickly review which stakeholders supported which conceptions of the public good and what type of resources and influence they enjoyed.

Many powerful stakeholders clearly supported growth. Stakeholders such as the Port Authority and Larry Silverstein argued in favor of growth and had legal authority

[70] Post-9/11 discussions elucidated that authority wells from different spheres and sources.

over decisions about the site. As the previous chapter describes, powerful business interests, including the Real Estate Board of New York, the Alliance for Downtown New York, the New York City Partnership, and other downtown stakeholders such as John Zuccotti, also argued that pursuing economic growth—by rebuilding the Trade Center and using incentives to attract and retain financial services, and investing in infrastructure—would advance the public good. These powerful stakeholders sought to define the public good by shaping both the public discourse and the rules of the game. Their influence over the design of the federal aid package, their connections to decision-makers, and in some cases their position on the LMDC board made them formidable players.

Mayor Bloomberg also supported the priority of growth, although he emphasized residential development and the diversification of the lower Manhattan economy. Although Bloomberg did not have a formal role in post-9/11 decisions, he certainly had the resources to articulate alternative conceptions by producing a plan for lower Manhattan (see Chapter 5).

Other stakeholders who typically support growth emphasized economic revitalization, but also prioritized other conceptions of the public good. Traditional allies of the pro-growth coalition, including mainstream professional and good government organizations such as the Regional Plan Association, the American Institute of Architects, and the Municipal Art Society, focused on issues of planning, culture, memorialization, and participatory process. Although these organizations did not have any formal influence, they did have established relationships with decision-makers and enjoyed professional authority, which normally legitimates growth for the broader public

(Altschuler and Luberoff 2003). Chapter 4 will analyze the efforts of these organizations to create civic coalitions and construct conceptions of the public good.

Family members advocating for memorialization were also powerful stakeholders. They were sophisticated in sending a united message to the media and were able to claim a moral authority that many other stakeholders found it difficult to challenge. They also had the support of former Mayor Giuliani who appeared to have achieved considerable moral authority for his handling of the post-9/11 rescue and recovery efforts.

Advocates of equity had fewer resources at their disposal, although they were able to use public hearings to raise issues of affordable housing and jobs. On several occasions they also used protests at the offices of the LMDC, and of Governor Pataki to raise awareness of their issues. Finally, some of these equity-oriented organizations increased their access to decision-makers by joining civic coalitions such as LCAN, Imagine New York, and the Civic Alliance. The next chapter examines in greater detail five of these civic coalitions and analyzes whether they generated new alliances and support for alternative conceptions of the public good.

CHAPTER 4
CIVIC COALITIONS AND THE SEARCH FOR THE PUBLIC GOOD

> The thing that shocked me, because I did do a little bit of traveling around the country at that time, and again people were not fighting. I can't begin to tell you how respectful and decent people were to each other. People who, you know, whose personal interests might not have normally intersected were incredible to each other, and one of the main themes, and I think it came out because we asked the question "What have we lost," and most people said "A sense of security." (Hanhardt 2005).

> There still had to be a role for the public, and we saw ourselves both as professionals but also as sort of self-appointed guardians for the public good, if you will… Self-appointed in that we thought that it was important to have sort of a neutral group that wasn't an appointed official, city agency or state agency, or anything else, that represented a certain informed group of professionals, the ones that wanted very much to make sure that the new, larger goals of the public could be defined and agreed on and pushed (Hutton 2005).

INTRODUCTION

The previous chapter identified the multiple conceptions of the public good that stakeholders articulated following the 9/11 attacks. One of the most widely supported positions was the need for an open and transparent process through which stakeholders, including members of the general public, could articulate their vision for lower Manhattan and the World Trade Center (WTC) site. With governmental agencies and non-profit service providers preoccupied with emergency functions, questions emerged about how this would happen. What would be the terrain of political debate? Who would be included? The previous chapter provided a cursory examination of these public processes as formats for participants to articulate their conceptions of the public good. This chapter focuses on civic coalitions as a mechanism through which diverse communities deliberate and forge conceptions of the public good and substantive policies. It analyzes how members of five civic coalitions sought to establish areas of

consensus around multiple conceptions of the public good as a broad set of principles for the systemic agenda and give meaning to those principles by advocating for substantive policies.

Coalitions have received attention from scholars, practitioners, and policy-makers. Coalition building provides groups with greater power to advocate for their positions. They may also function as learning communities, which provide participants with opportunities to increase their knowledge of a given policy area. Sabatier (1988) suggests that advocacy coalitions, which develop around specific policy areas, hold potential for information sharing as diverse members learn from each other's varied perspectives. Recent studies have also focused on coalition building specifically between civic associations or civil society organizations (Putnam 1995). However, some social scientists have raised concerns about just how representative these organizations may be. They argue that civic associations claiming to represent the "public," often mirror the hierarchies of race and class evident in the broader society. Their leadership tends to be white, middle-class and educated, capable of gaining access to decision-makers, but also more vulnerable to being co-opted by decision-makers who may use them to legitimate their decisions as reflecting public input (Piven 1978; Gittell 1980; Mollenkopf 1992; Reed 1999). Others have identified coalition building and networks as a way to overcome some of these problems (Putnam 1995). These exchanges can create increased levels of trust, a negotiated consensus, and policy innovation (Sabatier 1988).

This chapter is divided into four sections. The first section explains the post-9/11 conditions that made collaboration between previously unaffiliated communities of interest feasible, and the importance of the coalitions as a vehicle for that collaboration.

It also introduces the five civic coalitions and provides a brief description of their memberships. The second section describes how the five civic coalitions constructed conceptions of the public good and advocated for substantive policies and processes regarding the agenda for the future of the World Trade Center and lower Manhattan.[71] In the third section, I identify key factors that shaped the construction of the public good by the coalitions, including their internal processes and informal relations, the development of social capital, and their response to governmental decisions makers and their policy agendas. Finally, the fourth section provides a conclusion and analyses of these earlier sections.

PART I: BACKGROUND AND FIVE CIVIC COALITIONS

9/11 Stakeholders and the Potential for Collaboration

As the previous chapter demonstrated, the 9/11 attacks mobilized a diverse set of interests and communities to deliberate the public good. That these perspectives were often in direct competition with each other was evident in public hearings and other official events. There is also evidence that the 9/11 attacks engendered a willingness among diverse communities to work collectively to achieve the "public good." This collaboration through newly formed 9/11 civic coalitions is the focus of this chapter.

Several explanations account for this initial collaboration and the new alliances that emerged out of it. First, the attacks generated a moral discourse that emphasized the importance of pursuing the abstract "public good" and not "private" interests.[72] Second, democratic practice became a good in itself (see Chapter 3). Democratic engagement,

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[71] The author thanks John Mollenkopf, the Center for Urban Research at the CUNY Graduate Center, and the Russell Sage Foundation's Working Group on September 11th for advice and support.

[72] The meaning of the "public good" is, of course, contested; however, arguably the increased public discourse about pursuing the public good indicated an enlarged sense of community.

however, does not inherently result in collaboration. Although the attacks had clearly engendered a discussion about the public good and the importance of democratic participation, these discussions focused on civic engagement as a democratic procedure, which would *de facto* leave it to decision makers to whittle down the countless suggestions made by the different 9/11 stakeholders into some type of policy or programmatic agenda. Instead, the civic coalitions that emerged in this context of moral discourse provided these various stakeholders with an organizational framework through which they could negotiate values and policy preferences, and forge consensus around key conceptions of the public good. Such collaboration was not a given, since many of these stakeholders, even those that appeared to share ideological and professional values, lacked a history of extended collaboration, and tended to be organizationally fragmented.[73] In the civic coalitions, many of these diverse communities found a mechanism through which they could work together. The coalitions were not devoid of conflict, however.

My ethnographic observation and interviews indicate that the attacks created a momentary interest in collaboration because they poignantly elucidated the interconnectedness of human life and the pivotal economic role that lower Manhattan played both in metropolitan New York and beyond. On an emotional and practical level, the attacks created a shared sense of vulnerability among communities that under normal circumstances would not see a compelling reason—ideational or material—to work together. The fact that nearly 3,000 people from unusually varied class and ethnic backgrounds lost their lives clearly played a decisive role in this new level of empathy.

[73] Some of them had collaborated for strategic purposed around specific policy or programmatic initiatives. But some of these organizations had actually competed for resources in the past.

Moreover, from a more pragmatic perspective, "it became quickly clear that it [the attacks] affected [everybody]" (Kallick 2004) because lower Manhattan played such a vital role in the local, regional, national and even international economy. Eva Hanhardt who worked with many of these communities in the Imagine New York workshops also recalled that the shared experience of 9/11 created empathy:

> So you had people who were very affluent, very empowered normally, feeling this empathy for people who were not you know… You had people from Cantor Fitzgerald or people who were great titans of commerce and you had people who were dishwashers in Windows on the World, who died. You had people who were in Chinatown and lost their jobs, you had people who were on Wall Street who lost their jobs. You had people in Battery Park City. So, the transcending of class at that moment was quite phenomenal. And I use the term empathy because I really think you had people who had never empathized with other people suddenly empathizing with them, and I think that was a transcendent moment in that respect (Hanhardt 2005).

Powerful interests that were accustomed to working within and shaping the agenda of the local governmental system found that 9/11 had left the system itself in crisis as agencies, public officials and first responders sought to stabilize the city. Low-income groups that depended on social services found some of those services diverted to the 9/11 response. Yet organizations representing low-income and environmental justice communities recounted that they wanted to take part in the public debate and would not reflexively impede the rebuilding projects.[74] The widespread impact of the attacks, and the impetus for a speedy recovery led to discussions about bringing these diverse communities together in the planning stages of the response to 9/11. The broad emotional and

[74] Of course marginalized communities often use protest politics because they see themselves as excluded from formal decision-making processes. Some social scientists have identified a shifting and more conciliatory relationship between advocacy and government in general, but LCAN members themselves acknowledged a shift in their approach. Compared to these groups, the labor members of LCAN had relied less on these outside strategies, since they had established themselves as important players in policy discussions.

economic impact engendered a more heterogeneous set of stakeholders who descended upon lower Manhattan to offer their time and professional expertise.

Overall, the 9/11 attacks produced an interest on the parts of the empowered and unempowered in working to deliberate and forge a vision for the future of lower Manhattan. These diverse communities rallied around the goal of the public good and the possibility that they could work together to conceptualize and give meaning to it. To do this, they needed a mechanism or organizational framework in which these public deliberations could take place, without the pressure of competing for influence and scarce resources that is inevitable in public hearings and meetings with decision makers.

Civic Coalitions as a Space for Deliberation

The main feat of the 9/11 coalitions and many of the other post-9/11 civil society organizations was that they gave these diverse communities of interest a forum to come together and deliberate. As Rick Bell recalled, the 9/11 attacks galvanized

> civil society, the professional community, and also obviously the Civic Alliance, and Imagine New York, and RDOT, and LCAN, and various other groups that came almost spontaneously out of a cojoined emotional response to how to make the world a better place than it was before, and in so doing, you know, not waving the flag but waving the emotional record of cojoined and collective response to say that we can make the world a better place starting by demonstration at the WTC site" (Bell 2004).

The coalitions both institutionalized this collaboration and produced in participants a personal investment in the developing relationships. Of particular importance, the coalitions often generated trust instead of exacerbating tensions. As Eva Hanhardt explained: "Imagine and many of the coalition activities really gave people the

opportunity to work together with those groups, where otherwise those groups may have been very suspicious of each other" (Hanhardt 2005).[75]

Like most of the stakeholder groups that formed after 9/11, the coalitions began as informal brainstorming meetings or collective expressions of concern about what had befallen the city. In the weeks after the 9/11 attacks, some of the more established civic leaders from around New York City reached out to their friends and colleagues to form coalitions. Coalition participants explained that they began with a grassroots desire to help. Although limited in their capacity to assist with the rescue and recovery efforts, the members of these burgeoning coalitions felt they could contribute significantly to the inevitable discussions about how the city should rebuild (CA 2003).

The Five Civic Coalitions

Literally hundreds of civic associations and organizations engaged in discussions about the future of the World Trade Center site, lower Manhattan, and New York City. Many of these organizations existed prior to 9/11. Other organizations formed after the attacks to advocate around particular issues such as air quality, a memorial, or economic development. I regularly attended the meetings of only five of these organizations, however, that number is misleading because these five organizations were coalitions that included many of the hundreds of organizations mentioned above (also see Chapter Three). The five coalitions under study include the Civic Alliance to Rebuild Downtown New York, Imagine New York, the Labor Community Advocacy Network, New York New Visions, and Rebuild Downtown Our Town.[76] These coalitions share some key

[75] Hanhardt also noted that over time the coalitions found it more difficult to balance these different agendas.

[76] Although many other important coalitions and organizations formed after 9/11, I was not able to study all of them because of limited human and financial resources. I focus on these five coalitions because they

characteristics and their memberships often overlap. Yet, five different coalitions emerged because, despite many similarities, they represented different "publics" with different priorities and outlooks.

The five included in this study were selected for several reasons. First, as I said, they are coalitions. By coalitions, I mean organizations that included multiple organizational members (although some included unaffiliated individuals as well) from diverse communities of interest. Although there were certainly other organizations that referred to themselves as coalitions, many of those organizations focused on a narrow set of issues such as air quality or the memorial. This excluded organizations such as the Coalition of 9/11 Families, which focused primarily on building a memorial and WTC Community-Labor Coalition, which primarily organized around air quality issues. I am not aware of any other coalitions that addressed the breadth of issues taken up by these five coalitions.

Second, these five were among the largest of the coalitions. In particular, the Civic Alliance initially included 85 civic, business, academic, and environmental organizations. Imagine New York had steering committee members from over 35 organizations. The Labor Community Advocacy Network had representatives from approximately 34 organizations. New York New Visions had 21 members. R.Dot initially had over 25 participating or collaborating organizations. As the largest coalitions, they also included major downtown stakeholders such as the Downtown Alliance and Community Board One.

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were actively involved in rebuilding discussions immediately following the attacks, they brought diverse groups and individuals together with the potential of working through some of those differences and forming new areas of consensus, and they were frequently identified as engaged in rebuilding discussions. Not all of the five are "coalitions" in that some, especially R.Dot, have individual members as well as organizational members. Imagine New York also considers itself a "project," not a formal coalition.

Third, these coalitions provided opportunities for public engagement and deliberation around a variety of topics. They engaged in discussions about the future of the city and conducted forums intended to galvanize public deliberations. Moreover, while the leadership was clearly from the middle and upper-middle class non-profit, good government sector, the forums identified public deliberation among diverse stakeholders as an important part of their agendas. This criterion excluded an important coalition the 9/11 Services Group, which organized primarily to provide human services to those affected by the attacks.

Finally, these coalitions emerged as important players who were routinely identified by major newspapers such as the *New York Times, Daily News, New York Post, and Newsday.* With the exception of LCAN, most of these coalitions were also identified as important stakeholders by the Lower Manhattan Development Corporation.

The Civic Alliance to Rebuild Downtown New York (CA)

The Civic Alliance was formed to catalyze unprecedented participation and cooperation from members of the diverse communities of New York City and the region

> from the Real Estate Board to the Straphangers campaign and the Lower East Side advocates to say "Yes, this is an important project and we're all behind it and it has to move forward." And at the same time kind of raise people's sights, saying "This is not just going to be office space but it's going to be this new civic place that has greater meaning and it's going to be a model for environmental sustainability and the best in urban planning and design. All these very high expectations and goals. We thought that was a very honorable pursuit around which the whole city could unite" (Todorovich 2005).

Top staff at the Regional Plan Association initiated the Civic Alliance. The Rockefeller Brothers Fund, the Ford Foundation, the W.K. Kellogg Foundation, and Con Edison provided most of the initial funding. The Civic Alliance had the most diverse and

ideologically differentiated membership base, primarily because it functioned as an umbrella organization for some of the other coalitions.[77] In October, 2001, the staff at the Regional Plan Association (RPA), the Pratt Institute Center for Community and Environmental Development (PICCED), and academics from the policy schools at New York University and the New School convened approximately 80 organizational representatives for the Civic Alliance. Its member organizations included professionals in planning, architecture, environmental and sustainable design, key organizational representatives of the downtown businesses and residential community, as well as from economic and social justice organizations, and family members of the victims of 9/11.

Imagine New York

The Municipal Art Society (MAS) spearheaded Imagine New York. The Municipal Art Society has a long and distinguished history as an elite planning and design organization, but the exchange at this meeting showed the emotional impact of 9/11 on young New Yorkers. At the meeting, the organization's president and executive director emphasized that 9/11 had created an opportunity to re-plan downtown. The younger staff members seemed shocked by this suggestion and argued that organized advocacy seemed an inappropriate, almost blasphemous, response to the loss they experienced on 9/11. The germ of the idea of Imagine New York emerged from this meeting and a subsequent board meeting. It would expand the community-based planning conducted by MAS' Planning Center on a much larger scale. Eva Hanhardt, the director of the planning center, explained that developing Imagine New York through the planning center had important consequences for the project since the planning center had a somewhat different agenda than its parent organization:

[77] Actually, almost all of the coalitions had overlapping memberships.

> The Planning Center is a different entity to some degree than the rest of the organization [MAS]. Because, as opposed to the rest of the organization, whose motto really has been to make New York a more livable city through excellence in architecture, planning and other things, the Planning Center very specifically had a mission of helping lower- and moderate-income communities with community-based planning (2005).

Although there was some precedent for these public deliberations at the planning center, Hanhardt noted that she was not sure how to do it on that scale. The planning center reached out to Gianni Longo, a planner who had considerable experience with reaching out to the public. Imagine New York was never intended to be a coalition that advocated for specific policies as compared to the other coalitions. Its organizers referred to Imagine New York as a "project" to convey its temporary nature.[78] The project was "intended to be different from but synergistic with the work being done [by other civic coalitions formed after 9/11]" (Imagine NY 2001). Through a series of workshops, Imagine New York would "solicit opinions from the broadest possible public."

The Labor Community Advocacy Network (LCAN)

Following the 9/11 attacks, the Fiscal Policy Institute (FPI) and the Central Labor Council (CLC) formed the Labor Community Advocacy Network (LCAN). They received support from the Rockefeller Foundation and the Open Society Institute and recruited member organizations from communities traditionally associated with the Left including community activists, labor unions, and environmental justice advocates. David Dyssegaard Kallick, Senior Fellow at the Fiscal Policy Institute recalled that although he and his colleagues reached out to others in the advocacy and nonprofit world: "We didn't have in mind anything like what became LCAN, later on. We really just wanted to

[78] I have included Imagine New York as a coalition because of its activities as a forum for public deliberation and agenda setting. It should be known, however, that some of the steering committee would likely disagree with this characterization.

understand, what is this going to mean for us? And it quickly became clear that there was no organization, no single organization that had the ability to even begin to piece together what are all the elements here. This was just so massive" (2004).

New York New Visions

New York New Visions, like LCAN, appeared to have a somewhat narrowly-defined membership. The New York chapter of the American Institute of Architects (AIA) started New York New Visions' (NYNV) as a coalition of design and building professionals. Unlike most of the other coalitions, NYNV's 20 constituent organizations received very limited foundation support.[79] These members primarily came from the architecture, planning, engineering, and other design-related professions. The AIA was initially involved in post-9/11 professional assistance; it provided assistance to its constituents in the World Trade Center and the surrounding areas of lower Manhattan. Its members, like members of other organizations also sought to deploy their skills in the 9/11 aftermath by assessing building conditions. This idea of individuals trying to help was also expressed by members of New York New Visions who recalled that initially "it was just individuals…people were not there because of their affiliations or anything else. They were just there because they wanted to try to help and they organized themselves and volunteered for committees depending on their expertise and so on" (Hutton 2005). Over time, these efforts evolved as some participants recognized the need for "some distinct, concerted intellectual approach to the problem of how to rebuild that isn't

[79] Member organizations provided some funds to produce reports and hire an intern. New York New Visions originally had 21 member organizations. The Architectural League withdrew its membership in response to NYNV's involvement in the memorial design process.

predicated just on rebuilding in kind, and a knee-jerk response to what was happening" (Bell 2004).[80]

Expertise was the driving spirit of the New York New Visions' membership and, therefore, significantly affected the way the coalition framed its conceptions of the public good. These groups tried to divorce themselves from the idea of interests or politics. In keeping with its goal of contributing its professional expertise, the coalition often resisted endorsing particular plans and tried instead to generate proposals or evaluate existing plans according to professional standards and guidelines.

Rebuild Downtown Our Town (R.Dot)

Beverly Willis, renowned architect and Director of the Architecture Research Institute, and Susan Szenasy, Editor-in-Chief of Metropolis Magazine, formed and co-chaired Rebuild Downtown Our Town (R.Dot) with the support from the Alfred P. Sloan Foundation and Rockefeller Brothers Fund. R.Dot claimed to be the "voice of lower Manhattan" and drew participants from a cross-section of downtown architects, planners, artists, residents, and business owners. Unlike some of the other coalitions, organizational membership was not a requirement of R.Dot membership. While some participants represented organizations, others were unaffiliated but interested members of the public. The goal was to bring "people" together to pursue the public good, not for personal or organizational gain:

> We had absolutely no agenda except to help… Because if anybody had an agenda or, you know, were trying to prove something or trying to further their career, or

[80] There was a recent if more limited model for this collaboration, however. Several months prior to the 9/11 attacks, members of the design and architecture community had collaborated on a mayoral forum initiated by the Van Alen Institute. According to Bell, this forum served as a precedent for what would become New York New Visions, since participants could see that "If these 5 or 6 organizations can collaborate on something as meaningful as a mayoral election, how much more important is it to talk about a common response or a consensus-building effort to deal with the rebuilding of Lower Manhattan and the World Trade Center" (Bell 2004).

> you know, the sort of things that sort of get in the way of these sorts of organizations, I don't think it would have worked. Because the people in the organization volunteered hundreds of hours, and these were good, top-flight talent people. You know, really top-flight talent, who were making two hundred dollars, two hundred and fifty dollars an hour, so clearly if you volunteer that much time it has a negative impact on your income.

PART II: CONSTRUCTING CONCEPTIONS OF THE PUBLIC GOOD: PRINCIPLES AND ADVOCACY

According to John Kingdon, triggering events do not necessarily create new ideas; they create policy windows through which existing policies re-merge as viable solutions (1995). In the case of 9/11, the civic coalitions brought advocates of diverse and often preexisting policy ideas into communication with each other. When these old ideas were combined or adjusted, they resulted in newly negotiated policy solutions. This aggregation, negotiation and refinement of existing ideas, can generate innovative ideas (Sabatier 1988). In the context of this dissertation, they may produce inclusive conceptions of the public good that limit the problematic effects of a growth agenda. In some cases, however, policy suggestions were seen or justified as being in the service of growth—e.g. the changing understanding of the economy as not just being about FIRE; growth also requires culture, a mixed labor force, and an agglomeration economy. Still, if marginalized and other communities are involved in these deliberations, they can push for policy negotiations that challenge the vague goals of growth with specific accountability measures that benefit a wider range of people. Therefore, while the discourse did not always change, the coalitions often suggested policies that went beyond the basic goals of growth. Furthermore, they often challenged agendas that appeared to primarily benefit affluent communities.

Conceptions of the Public Good: Principles

The best indicator of the coalitions' conceptions of the public good is their principles or statements. After an initial period of internal deliberation and information sharing, each of the coalitions produced a set of principles or a statement, which it used to introduce its key values (conceptions of the public good) to the official public realm.[81] They contended that these values should frame practical policy decisions to create a better future for lower Manhattan and the region.[82] The fact that members with different interests, ideological and professional cultures signed the principles, gave them and the coalitions legitimacy. As Bob Yaro, President of the Regional Plan Association, recalled, creating these principles was a challenging but worthwhile feat, since the principles remained a useful framework over years of advocacy around 9/11 decisions:

> In March of '02 we came out with a set of principles that had taken months to put out together and literally thousands and thousands of hours and lots of negotiation and compromise over the language and that was very important. And then it was rolling that out over the ensuing year or 18th months just to remind people that everybody agreed to it. I think that was helpful just to have people go through that process of seeing where the common ground was. I didn't agree with every sentiment, every word of it and that's fine—neither did anybody else but most people could agree it sounded fine. If 80% of the people in a coalition agreed on 80% of the language, that's where you want to be (Yaro 2004)

This early period during which the coalitions deliberated and created their principles appeared to be one of the most rewarding and creative, perhaps because the options

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[81] By the official public realm I mean to the media and to decision-makers. This is discussed further in the next chapter under venue shopping.

[82] One reason the coalitions' produced principles was because in all of them planners played a key role and planners use planning principles. Planning principles are a standard tool that planning professionals use to establish the primary goals of a project. Planning principles are not inherently democratic. The planning principles of the 1940s-1960s emphasized the revitalization of downtown centers but primarily emphasized the value of high-end commercial and residential development. The planning field has, of course, experienced a considerable transformation as has government in term of valuing public participation and "new urbanism." This transformation in the planning field as well as the membership diversity in the coalitions helps to explain the broad-based nature of the coalitions' principles, potentially a useful way to create more comprehensive and inclusive understanding of the public good.

initially appeared unbounded (Braconi 2005; Hanhardt 2005). When I asked one participant about the coalitions' role in creating an alternative agenda for downtown rebuilding, she remarked that it was not an alternative agenda, it was the *only* agenda (Todorovich 2005).

The coalitions envisioned a lower Manhattan responsive to the needs of its diverse neighborhoods and users. Beverly Willis juxtaposed R.Dot's idea of the public good, framed by how individuals would use lower Manhattan, with the perspective of those seeking to maximize the exchange value of downtown.

> Our battle cry was really, "Let's work at everything from the standpoint of an individual person." You know, let's think of all the different views of all the very different people, and how do they see it, how do they enjoy Manhattan? And we generated four maps, you may remember that, that showed how a truck driver from Brooklyn, a broker from New Jersey, an artist from Lower Manhattan, where they lived and what they did, and how their neighborhood was, and how they used Lower Manhattan. We just took a look at it from all these different points of view. But we were trying to look at everything from the view of the person that was most involved as a human being, who lived and worked in the area, and of course that doesn't serve the interests of people who are essentially trying to figure out how you can use the area to make money (Willis 2005).

Moreover, by emphasizing the need for broad public involvement, the coalitions were able to address myriad issues from the perspectives of multiple stakeholders. New York New Visions' members recognized that interests and politics had an important place in post-9/11 discussions, but they sought to apply professional criteria to evaluate options as opposed to advocating based on political, aesthetic or ideological agendas.[83] The

[83] Balancing independence with access and influence was a recurring issue even from the very beginning. One New York New Visions' participant noted that in the beginning there had been some confusion over whom the coalition represented: "We didn't have a name at that point. And, as a matter of fact, there was some confusion because some of the initial organization came out of this group called "Rebuild New York," which was associated with the Real Estate Board, and we wanted to keep ourselves a little bit independent of that group, and really represent more of a civic group" (Hutton 2005).

principles did, however, try to address the needs of the many stakeholders produced by the 9/11 attacks:

> Some of these things are recognizably intangible, I think. You can't put a price tag on urban space, or a memorial or something. But at the same time, I think that you can define and express the purpose of that to the public… I think the approach that we took in the documents and principles we did, was not to try to prescribe specific solutions, but to step back and look at long-term principles that affected the maximum number of these publics...When I'm doing a plan for a community and having public meetings and working with different stakeholders and so on, when you're trying to define projects that take it forward, you're always looking for those projects that have the maximum overlap of objectives between different stakeholders, so that one project satisfies a number of different multiple objectives, and that's what we're trying to do with the principles that we put together. I guess that's how we define the public good, in that sense (Hutton 2005).

Following the LMDC's release of several plans, New York New Visions produced a comprehensive analysis of the plans. This document analyzed each plan from the perspective of planning, architecture, landscape design principles.

Table 1. Principles of the Civic Coalitions[84]

Civic Alliance	Imagine New York	Labor Community Advocacy Network	New York New Visions	Rebuild Downtown Our Town
1) Focus funds on infrastructure and civic amenities (**Growth**) 2) Memorial & Site/LM Plan Integration (**memorialization & Planning**). 3) Plan for all of LM (**Planning**). 4) Make it fair (**Equity**). 5) Open, inclusive planning process (**Inclusive Process & Equity**) 6) "Green" building and sustainable development principles. (**Excellent Design & Planning**)	1) To give the public a voice 2) To make sure that those voices were heard by decision makers	1) Broad-based, transparent and inclusive decision-making process (**Equity & Process)**. 2) Rebuilding linked to all (**Growth & Equity)**. 3) Focus funds on infrastructure, not corporate subsidies (**Growth & Planning**). 4) Rebuild for social, economic, and environmental sustainability (**Equity & Planning)**. 5) Public revenues must match public needs, even if this means raising taxes (**Equity & Planning**).	1) An open memorial process/competition (**Memorialization & Process**). 2) A flexible mixed-use future for Lower Manhattan (**Growth & Planning)**. 3) A more connected downtown (**Planning)**. 4) A renewed relationship of Lower Manhattan and the region (**Planning & Growth)**. 5) Design Excellence and Sustainability for New York City (**Design Excellence & Planning)**. 6) An effective and inclusive planning process (**Planning, Process & Equity)**. 7) Immediate action.	1) Transparent planning process. (**Process)** 2) Memorial honoring the dead & families, celebrate the human spirit-- worldwide symbolic meaning. (**Memorialization)** 3) A 24-hour mixed use, connected downtown. 4) Arts and Culture (**Culture)** 5) New business sectors (**Growth & Planning)**. 6) Decentralization (**Process)** 7) Sustainability/green design (**Excellent Design & Planning)** 8) Diverse communities (**Equity)**. 9) Efficient Transportation, but environmental justice (**Growth & Equity)** 10) Pride of Place (**Excellent Design**)

[84] Adjacent to the principles and in parentheses I have included the conception(s) of the public good to which the principle alludes.

The coalitions' principles indicate some important overlaps in their conceptions of the public good. The more diverse coalitions including R.Dot, the Civic Alliance, and Imagine New York had a wider range of participants including planners, architects, downtown residents and business owners, victim's family members, and environmental justice and labor advocates; these coalitions embraced a broader range of conceptions of the public good that included growth, design excellence, planning, memorialization, culture, equity, and an inclusive process. The more homogenous coalitions such as LCAN and New York New Visions emphasized equity, and design and planning-related priorities, respectively. Moreover, over time and due to the relationships that developed between the leadership of the five coalitions, the coalitions embraced a more uniform set of joint principles (see section on joint principles below).

Joint Principles

Once the coalitions had completed their own principles, members of their steering committees worked together to create and mobilize support for joint proposals.[85] Their goal was to create a united front, a cohesive and inclusive set of values necessary to pursue the public good. They argued that "New York's core values must form the basis for the rebuilding of our city. In the wake of unimaginable loss, we should celebrate these core values and the diversity of New York, while creating a city that is fairer and more respectful of the environment" (Imagine NY 2002).

[85] For more on the collaboration between the leadership of the five coalitions see the section below on social capital: bridging.

Table 2. Joint Planning Principles

Rebuild for Remembrance (**Memorialization**)
Rebuild for Jobs (**Growth and Equity**)
Rebuild the Economy of the City and Region (**Growth**)
Rebuild for Housing (**Growth and Equity**)
Rebuild with Exemplary Design (**Excellent Design**)
Rebuild for Sustainability (**Planning and Excellent Design**)
Rebuild for Transportation (**Growth and Planning**)
Rebuild for Community **(Planning)**
Rebuild for Culture (**Culture**)

Although there was one significant absence from the signatories—the Civic Alliance—this united front was an important step.[86] The coalitions faced more difficulty in working together when it came to creating an advocacy agenda.

Conceptions of the Public Good: Advocacy

The coalitions produced their principles within the first year of the 9/11 attack; a time when a spirit of volunteerism and collaboration was still strong. Creating an advocacy agenda proved more challenging because it required infusing conceptions of the public good with substantive policy goals in an evolving political context and with waning coalition participation. Advocacy efforts were by nature more divisive, since they required taking concrete positions. But, they also required significant time and effort to address more sophisticated policy choices. In discussions about whether or not to endorse a particular substantive policy, coalition members occasionally referred back to their original principles (Civic Alliance 2003; 2003a; 2003b; 2003c).

The coalitions engaged in advocacy by producing reports, stating their positions directly

[86] This absence will be further examined in the subsequent pages.

The press through open letters, press releases, and op-ed pieces meant to inform the public and; through meetings or statements sent directly to public officials. The papers reflected the expertise, ideological, professional and personal interests of the coalition's most active members, but they also represented internal deliberations between coalition members. Roland Gebhardt, an architect and R.Dot steering committee member, described the coalition's efforts to produce a series of papers on managed streets, retail, arts and culture, and affordable housing, which captured activities I witnessed in many coalitions meetings: "That was a very fabulous thing to come together, and I think R.Dot needs to be proud of that, that it was such a mixed bag of characters. And I think that was also showed in the results of some of the papers. We can say the writer's responsible and all that, but the mixture of participants was the guiding light of these ideas" (2004).

Many of these reports emphasized priorities that could certainly be related to growth, but were not primarily economic or trickle down. Some of these coalitions also supported substantive alternatives or meaningful additions to growth policies that critics of growth find especially pernicious.[87] For example, two criticisms of growth policies are that they provide subsidies to wealthy developers and businesses with little accountability that the recipients will create jobs in exchange. And, they tend to displace existing tenants in an effort to maximize land values. The coalitions often took advocacy positions intended to challenge these effects.

The World Trade Center

The destruction of the World Trade Center ignited a series of discussions about the values and policies that should undergird city building. In their initial meetings, most of the coalitions addressed fundamental questions such as: Should the Towers be rebuilt?

[87] Those who focus primarily on growth tend use the trickle-down argument.

Should anything be built on the site or was it hallowed ground? Most of them came to the conclusion that the World Trade Center should not be rebuilt as it had been on 9/10/01. Many coalition participants viewed rebuilding the Twin Towers, or rebuilding the full amount of office space in a different configuration, as playing "politics" and not as in the interests of the public good. Ernest Hutton of New York New Visions explained that: "Very quickly there was a consensus that the original World Trade Center, despite the nostalgia, really had problems with how it was designed and how it related to the surrounding community. And we wanted to make sure that whatever happened in the future didn't repeat those mistakes, this was a chance to start some things fresh, and start over. So, our role, I think was to set ourselves apart from the politics" (Hutton 2005). David Kallick also recalled that at a LMDC public hearing one participant had commented that if the terrorists had destroyed the Brooklyn Bridge most would likely agree that it should be rebuilt because it "worked."

> But it's certainly true that part of what caused this profound and interesting debate about what to do at the World Trade Center site was a pretty widespread recognition that it hadn't really worked to begin with, that it wasn't really the best thing that should have been there, and it didn't make sense for a number of reasons just to put it back up again…We could talk about the aesthetics of it, or the safety of putting something back like that, but I think for a totally different reason, just more economic development and urbanistic reasons, that didn't make sense, and that was something that we were grappling with (Kallick 2004).

This was an interesting position because coalition members supported the goal of stabilizing lower Manhattan as an economic engine for the region. They agreed with the general idea that growth was important to advancing the public good, but they disagreed with big business and the Port Authority about how to do this. For most of the coalition members, the World Trade Center had been problematic because it destroyed the

connection between the neighborhoods of lower Manhattan. Focusing purely on the World Trade Center site ignored the way the economy was interconnected.

> The over-riding theme, however, was to look beyond the immediate World Trade Center site to create a sense of connection between the neighborhoods of lower Manhattan. But essentially, taking the basic principles that everybody agreed to, and felt were extremely important, because practically every word was debated, the thing that did differentiate us was that we were principally concerned with the neighborhoods of Lower Manhattan, using the devastation of the World Trade Center site as a catalyst to try to make an overall sense of community connection between the neighborhoods in Lower Manhattan, and that's really happened, that's really happened. Chinatown, which before 9/11 seemed to be totally isolated, I mean, even in their own minds they were not together, since 9/11 they have gotten together and they now are part of the bigger picture (Willis 2005).

Overall, the coalitions argued against rebuilding the original 10 million square feet of office space for economic, planning, and aesthetic reasons. They claimed that there was not enough demand for that much office space and that the Port Authority, Silverstein, and the Lower Manhattan Development Corporation were pushing this agenda based on a lease that represented an outdated planning model and private interests. The coalitions also argued that it simply was not feasible to put all of that office space on the World Trade Center site. It would crowd the space and undermine the memorial meant to honor those who lost their lives on 9/11. The coalitions' position on the World Trade Center site was connected to their advocacy around other related issues such as economic development, housing, architecture. In other words, the coalitions argued that the Port Authority-Silverstein interpretation of "growth" would not advance the public good because it did not take into consideration economic reality, or the values of excellent design, planning, memorialization, or equity.

Economic Development: Office Space and Retail

The Labor Community Advocacy Network focused on the issue of economic development in its advocacy statement "Revitalize New York by Putting People to Work" (2003b). In this statement, LCAN emphasized the importance of growth but sought to recast it as a question of equity and job creation as opposed to the benefits of creating a strong tax base. At an LCAN meeting James Parrott, Deputy Director and Chief Economist at the Fiscal Policy Institute, summarized the intent of the jobs proposal: "we are saying the city should do economic development and workforce development in a new way" (LCAN 2003b). This new approach argued for high-road jobs with high wage and benefit standards, which employers would have to meet in exchange for Liberty Bonds (disaster aid). It also argued for the creation of sector groups, which would bring together stakeholders and experts (e.g. business, labor, and academics) to develop a plan for growth in their sector. The sector strategy was a challenge to the existing growth model in New York City, which used corporate incentives for individual companies and required little accountability (LCAN 2003b).

LCAN used the promise of economic growth to pitch its proposal: "Workers need the jobs, but equally important is the need to preserve a sound business climate, which will surely suffer if there is widespread unemployment, increasing homelessness, and a cutback in city services" (LCAN 2003c). Although LCAN clearly deployed the language of "growth", they challenged the trickle-down model of growth that assumes cities are at the mercy of business.[88] The program emphasized both human development through job training, a clearer link between key stakeholders in a sector, and a qualitative judgment

[88] Kantor and Savitch contend that cities with good market conditions can bargain with big business (es), instead of being at their mercy.

about what kind of jobs should be created and how they can be directly linked to the benefits for job holders and the city: "Conversely, providing public support for low road businesses is bad policy, since it is not only bad for workers, it is also bad for high road competitors, as well as for taxpayers who end up having to subsidize employers who don't provide their workers health insurance or who pay their workers so little that they have to turn to public assistance to make ends meet" (LCAN 2003c). LCAN's approach clearly emphasized the importance of equity as a value. It did not inherently challenge growth as an important conception of the public good, but sought to inject considerable equity requirements.

The question of retail business was closely linked to the office space issue, since the World Trade Center had housed 450 thousand square feet of retail space. Each of the coalitions advocated around the retail issue. Most of them emphasized that some or all of the new retail should be at street level and not in an enclosed mall (NYNV 2004), despite the desires of some residents who liked having retail in one, accessible area. They claimed that the enclosed mall kept people off the streets and therefore did not help to revitalize street life and lower Manhattan. It served the private financial interests of the retailers and not the public good (R.Dot 2003).[89] The coalitions were arguing that "planning" techniques would help to promote the public good by locating retail to create a vibrant street life.

Several of the coalitions also took a position on the issue of subsidizing retail, which was particularly relevant because the Liberty Bond program and the LMDC business retention grants allocated $800 million dollars to encourage retail development

[89] Not everyone agreed. Downtown shoppers and residents viewed the World Trade Center as their convenient shopping mall. This highlights a debate that has continued over the years about the character of the city as opposed to the suburban landscape.

(see Chapter 2). Bettina Damiani, of Good Jobs New York, LCAN, and the Civic Alliance, explained her position regarding efforts to attract retail tenants:

> The retail issue is very iffy. We never say you shouldn't put retail in somewhere. What we're saying is if you're going to subsidize retail, then you have to make sure that it provides good jobs and benefits and fills a need that is not there for the community… Do certain groups care about what happens to low- and moderate-income people in a community? I think a Whole Foods being publicly subsidized would be a very hard sell with labor because they're a big anti-labor company. They work very hard not to have their workers organized. I think A&P is organized, so if A&P went in there, or whatever it was, Gristedes, they could just cruise right in, that would be my sense. They do need a grocery store down there, right? (Damiani 2005).

The retail issue came to a head in discussions about Fulton Street. At one point, the LMDC had discussed a project to revitalize Fulton Street, which would include incentives to improve the aesthetics of the street and to change the *kind* of retail business that went on there.[90] At a Civic Alliance steering committee meeting with LMDC staff, some members expressed concerns about plans to improve Fulton Street, which would likely result in the displacement of existing tenants. Members of R.Dot also expressed concern over the Fulton Street plan and suggested an alternative:

> They had all the names, everything was all there in the plan, except the low-income part of it…And the next thing is, well if we [do] have an allotment for low income, what do we do about shopping because these people can't pay the prices of higher-end stores. So, they say you build another area, like a market, with a bunch of stalls, like many cities have, where you can sell used clothing and you can sell all sorts of off-beat things, like they do on Canal Street, and it would work, it would work. They have to plan that space (Willis 2005).

Of course, not everyone agreed with using the value of equity to drive economic development goals. It is likely that more affluent residents and users of lower Manhattan would be willing to have a Whole Foods even if the company did not advance the values of equity. Perhaps this argument would be more compelling in a low income

[90] Fulton Street is one of the few streets that runs all the way from "river to river" in lower Manhattan.

neighborhood. These positions on economic development are not new, but they do highlight the existence of alternative understandings of economic development that see equity as a key value in addition to growth.

Affordable Housing

Affordable housing was an important, if contentious, topic of conversation in the coalitions. Members of LCAN, the Civic Alliance, R.Dot, and Imagine New York came out in support of affordable housing as both a necessity for growth (an available workforce) and as a form of equity (to address the bias in the market). Ron Shiffman led the way in arguing that that firefighters and others who served the city should be able to live in lower Manhattan (Shiffman 2005; see Chapter 3). Shiffman went so far as to suggest that housing should be built on the site.

Several of the coalitions produced reports that either chiefly dealt with affordable housing, or that included a section on the issue (LCAN 2002; NYNV 2002; Civic Alliance 2002a). The Liberty Bond Housing Coalition (LBHC), a smaller coalition that included the Community Service Society (CSS), emerged from LCAN to address housing issues. Members of this coalition advocated using the remaining funds from the commercial liberty bonds (see Chapter 5) for affordable housing.

The focus on affordable housing was driven by the contracting pool of affordable housing in New York City (see Chapter 5) and the type of funding available in the 9/11 recovery package (see Chapters 2 and 5). The federal government had allocated two streams of federal aid that were relevant to funding including Community Development Block Grant and Liberty Bonds. The Community Development Block Grant program has historically been used to revitalize low-income neighborhoods; it therefore seemed a

logical fit for affordable housing. The Liberty Bond program also had significant funds--$1.6 billion—for housing (see Chapter 2). As Bettina Damiani explained:[91]

> It was almost like Congress said "Here's 2.7 billion dollars, go!" Right? And, what happened was that people in the know just started running after it, and I think what we really wanted to see was that money have a direct benefit, not one of these trickle-down benefits, not one of these ripple effects, a direct benefit to low- and moderate-income people. And that's why when the liberty bond stuff we felt could have a real direct effect, which was you gave bonds, triple tax exempt, cheap financing, to some of the best known and well-equipped developers in the city and they don't have to create any units affordable to the majority of the New Yorkers. That's when it was like, all the lights started going off for a lot of people, that it wasn't just liberty bonds, it was cash grants as well, and the way these programs were established, were not meant to benefit poor or moderate-income residents or workers (Damiani 2005).

The Liberty Bond Housing Coalition argued that using Liberty Bond to fund only luxury development did not advance the public good: "These apartments are out of reach to the vast majority of New Yorkers including New York City police officers, firefighters and teachers" (LBHC 2003). This position was not only a concern of low-income groups and their advocates. The Civic Alliance members seemed to agree that the funds should be used for community development projects and not high-end development: "Part of the problem was that the Congress were looking for funding categories to put things in, they put it as CDBG. CDBG is supposed to be for community development and building multi-million dollar condos doesn't fit with most people's idea of what community development is—right? Or a different kind of community…" (Yaro 2004).[92]

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[91] For more on the discussion of liberty bonds and the CDBG, see Chapters 2 and 5.

[92] By this time the make-up and leadership of the Civic Alliance had changed; equity-oriented members had come to play an increasing influential role, and downtown business interests had left the Alliance. The Civic Alliance does not appear as a co-signer of the statement, at least in the May 2003 version listed on the Liberty Bond Housing Coalition's website (see www.goodjobsny.org).

Not everyone framed affordable housing in equity terms. New York New Visions members generally supported affordable housing, but primarily justified it in terms of growth:

> Real or perceived deficiencies in New York City's quality of life deter companies from expanding or seeking to locate here. The essential ingredients for nurturing human capital are stable and safe neighborhoods, adequate and affordable housing, first-rate transportation, good schools, economic opportunity, and recreational and cultural amenities. The quality of the city's neighborhoods, and the basic public services available there, are key to social cohesion, which is in turn crucial to the investment climate. The city's ability to produce and attract creative talent will fuel the economic future (NYNV 2002, 36).

Several New York New Visions members explained that lower Manhattan, where land was more expensive in comparison to the other boroughs, was not the appropriate place since it would not maximize land values, i.e. it would not promote growth. Several members of New York New Visions referred to their professional knowledge to justify this position (Hutton 2005; Braconi 2005). They claimed that LCAN's goal of pursuing equity through affordable housing on or in the immediate vicinity of the World Trade Center site was unrealistic and a poor use of valuable land. Marcie Kesner of NYNV explained how this issue became a source of disagreement in debates over the joint principles:

> I think that when we stayed on a general, on a more conceptual plateau, we were in great agreement…when you start getting to more specifics, you start bumping into points that are of disagreement, fundamental points that are important to each group that may be unacceptable to other groups, so that I think that we had a real conflict then, with LCAN demanding that affordable housing be a major component in this, and our group saying, "That's very nice, but you can't mandate it, and you don't have the funding for it, and just economically, it's not going to happen." And philosophically, there are questions. Is this the right place for it? Why? Why does it make sense for—I forget one of the examples they were giving—for firefighters should be able to live in Lower Manhattan. Firefighters live in Suffolk. They don't live in Lower Manhattan. They don't want to live in

> Manhattan. Who are we talking about? Does this have anything to do with reality? (Kesner 2005).

Despite these differences, the leadership of these coalitions, particularly Rick Bell of New York New Visions and David Kallick of LCAN, developed a friendship and working relationship through their participation in the Civic Alliance steering committee; however, this did not, as far as I know, lead to candid discussions about affordable housing between other members of the coalitions. This failure to critically explore the possibilities for affordable housing was unfortunate, since the coalitions could have provided such an opportunity. LCAN members recognized that building affordable housing in lower Manhattan would be a challenge—"it would be naïve to say it would be easy to build affordable housing [in lower Manhattan]. It should be, but it's not" (Damiani 2005).[93] Yet they also sought to have a frank conversation about the range of possibilities for lower Manhattan, which recognized that past promises to build affordable housing in lower Manhattan had never materialized. Instead, the money had been siphoned to other projects.

> And so we had to work with people that understood housing policy in the broader sense, how to develop affordable housing to make any kind of argument because we didn't know what we were talking about. So internally the goal was to try to bring people around a table that already had this experience and could understand where the holes were, 'cause we saw the holes just as in equity. Why aren't low- and moderate-income people allowed to live here. So, we're working with people that have the institutional memory of a lot of things, including like all that money that was supposed to go to Battery Park City early on, right, like 300 million? It's like how many times is Lower Manhattan and Battery Park City going to get screwed on the affordable housing front? (Damiani 2005).

[93] Damiani is the Project Director of Good Jobs New York and co-founder of the Liberty Bond Housing Coalition.

Based on conversations with several members of LCAN and R.Dot, there seemed to be a genuine interest in learning more about the obstacles to building affordable housing.

Transportation

There were also important differences on the issue of investing in transportation infrastructure. Whereas the downtown business community pushed for a six billion dollar investment in a 1-seat ride from John F. Kennedy Airport to lower Manhattan, transportation experts in the Civic Alliance saw this as a poor use of public funds to benefit a small number of suburban commuters who did not want to share their commute with everyday New Yorkers. As Yaro noted:

> Sorry fellas—this is a city—we've got all kinds of people here and we want it to be safe and attractive and fast and everything else but we are not going to displace 100,000 subways riders for "those" people. Aside from which it was a 1960s model for how you do economic development, how you do transportation planning because the challenge today is where is the growth going on in the region? It's not going on in Nassau county or western Suffolk… they're built out and the growth in New York City has been in Brooklyn or Queens. We've ended up basically agreeing to support the idea of a new tunnel and a new transit link out to Jamaica because we see it as very different kind of service than [the business community's proposal], which could provide some through service for a while which is fine and could provide a one seat ride from the airport and that's fine but the other 80% of the capacity would be used to improve transit services from central and south Brooklyn and central and south Queens which are not very well served by the transit system. We stopped building subways in those neighborhoods (Yaro 2004).

PART III: EXPLAINING THE COALITIONS' CONSTRUCTIONS OF THE PUBLIC GOOD

Who participates in a coalition, the role they play and the perspectives they bring to discussions clearly has a constitutive effect on an organization's priorities. Even a cursory review of the coalitions' principles and advocacy agendas demonstrates the link between members' interests, professional expertise, ideology and their conceptions of the

public good. Yet some significant conceptions of the public good were not included, despite participation by members who supported them. In all of the coalitions factors such as internal decision-making procedures and rules, internal power dynamics, and less tangible dynamics such as social capital and concerns about maintaining access determined which priorities and specific content or policy goals the coalitions pursued. Because of these factors, the coalitions gave shape and substance to some of the conceptions of the public good and left others a hollow reference to high ideals. Therefore, the particular configuration and expression of these interests, professional cultures and ideological orientations has significant consequences for the way a coalition constructs its conception of the public good.

Formal Procedures Within the Coalitions

Working Groups

During the first year after the attacks, the coalitions were particularly democratic and decentralized, which also accounts for the myriad conceptions of the public good. The coalitions formed small committees or working groups that utilized and maximized the expertise and interests of their members to craft the principles.[94] The committee structure allowed organizational members with different interests to develop policy ideas in smaller groups and dampened potential tensions between traditionally opposed groups. Yet this grouping was important because in some cases it brought together stakeholders who were traditionally at odds to negotiate positions. Through the working groups coalition members were able to develop priorities and suggest goals. This differed,

[94] This was especially important for the Civic Alliance, which as an umbrella organization, had a broad and diverse membership. The Civic Alliance had eight working groups, which addressed areas of economic development; transportation and mobility; social, economic, and environmental justice; the memorial process; green buildings and sustainable systems; civic amenities; urban design; and the regulatory framework.

depending on the committee. For example, I attended several early meetings of the Civic Alliance's regulatory working group. Participants in this group included the president of the Real Estate Board of New York as well as a representative from the Fiscal Policy Institute. Although historically at odds, these participants seemed to agree that they wanted some rebuilding to take place thoughtfully, but quickly (SEE ULURP discussions). Referring to the decision by a 9/11 family group to file suit in order to get information about whether the World Trade Center redevelopment project would go through the New York City codes, Kallick noted: "That is the history in New York [that to get government and developers to respond, a project] gets stopped. At LCAN we have said we don't want it to stop, we want to be at the table" (LCAN 2003b).[95]

General Membership Meetings

After the working groups developed their priorities, the larger membership reviewed and shared their response in the plenary sessions. The review of these positions in the plenary sessions was important for forging areas of consensus through negotiation, compromise, and sometimes tabling of a controversial issue.[96] The combination of these small and large groups allowed people to participate in a meaningful way and allowed the coalition members to endorse a comprehensive set of principles that reflected their conception of the public good.[97]

Large-Scale Workshops

Several of the coalitions, especially Imagine New York and the Civic Alliance,

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[95] LCAN members were clearly interested in working with the players to make the rebuilding process as expedient as possible. However, that cooperation was becoming increasingly difficult to sustain as it became apparent that decision-makers were unresponsive.

[96] For example, the regulatory committee had members from the Real Estate board of New York as well as from activists.

[97] In the case of R.Dot, individual members signed, not just organizations.

organized large-scale workshops for the public. Between March and May of 2002, Imagine New York organized an initial round of 230 workshops for 3,000 people (Imagine NY 2002). These workshops were very much a normative experiment in "imagining" how the city ought to look. They were conducted in Cantonese, Spanish, and American Sign Language, often in the neighborhoods where participants lived. The workshops brought together individuals from different backgrounds and communities of interest to foster deliberation among them.[98] They yielded 19,000 ideas, which Imagine NY's steering committee separated into 49 themes or "visions." Imagine New York sought to provide public information that non-experts could understand and to elicit public responses without manipulating support for a particular agenda. Steering committee members deliberated carefully over how best to pose questions in the workshops so that participants would think "qualitatively" about the options for planning Lower Manhattan and the WTC instead of just selecting an aesthetically appealing architectural design. From the workshops I attended, I observed people to be particularly respectful and careful to consider other perspectives.[99]

The Civic Alliance also organized a major public workshop known as Listening to the City in July 2002,[100] which convened 4500 people at the Jacob Javits Center in Midtown New York to discuss their vision of the future of New York City and the region. (A virtual meeting was also conducted online.) Referred to as a 21st Century Town Meeting (Report Proceedings), "Listening to the City" was a turning point in the

[98] For more on the Imagine New York workshops, see Francesca Polletta and Wood (2005).
[99] I did, however, witness one tense interaction between a family member and another individual who emphasized the importance of economic revitalization. This interaction came at a much later workshop and, I believe, was primarily provoked by the participant who strongly emphasized economic growth.
[100] The Civic Alliance organized a smaller scale Listening to the City in October 2001, which mainly included planning, architecture, and other related professionals.

rebuilding process and, some have said, in the Alliance's relationship with the LMDC (see Chapter 5).

Steering/Executive Committees

All of the coalitions had a steering or executive committee that created the meeting agendas, although often with the input of other coalition participants. The steering committees also played an important role in choosing which substantive policies the coalitions would pursue and support. Roland Gebhardt recalled that R.Dot's steering committee culled an advocacy agenda from the myriad discussions of participants and by soliciting additional perspectives or technical information regarding a policy or program that it found most interesting:

> Although the active members made proposals of what we should take a position on, then very soon we formed a steering committee that took on this task of, number 1, to see what was discussed in the general meetings, and then what to vote on, what to take a position on. And that had an awful lot to do I think, with whom we invited to speak. Remember, each of the meetings had a topic or we had a speaker, and they really ran the gamut…the only ones we didn't invite was the police (Gebhardt 2004).

These committees were drawn from the organizational membership and met regularly.[101] The power and influence of the steering committees ranged from making an actual decision in the case of New York New Visions, to focusing the agenda and inviting speakers in the case of the Civic Alliance.

Funding and Internal Coalition Dynamics

In addition to formal procedures, resources such as available time, expertise, and funding also affected how the coalitions constructed their conceptions of the public good. These factors affected who participated in the coalitions and for what length of time,

[101] Although their participation lent legitimacy to the coalition, these organizational members often had to clear their positions with the organizations before supporting a position within the coalition.

whether they could formally and effectively advocate for the substantive policies their memberships supported, and who had power to set the agenda.

Resources gave the coalitions the opportunity to organize their meetings and large scale workshops and events, which gave the general public opportunities for civic engagement around a variety of issues that usually extended beyond the narrow agenda of formal public hearings. Although the professional leadership of the coalitions clearly had an agenda, these workshops and public events often gave members of the public an opportunity to express their values and learn about and deliberate technical issues.

For all of the coalitions, resources were necessary to produce reports, conduct meetings, and perform other administrative tasks. Resources made it possible for coalition members to actually develop policy proposals. This stage was important in that it meant going beyond deliberation as an end in itself. As Robert Yaro noted "our ability to get this done will depend on Civic Alliance members supplying staff and resources. Some issues may fall off if we don't have the resources to pursue them" (Civic Alliance 2002). Funding is always an issue as the resource mobilization literature has demonstrated, but for coalitions formed in the wake of disaster, it is especially significant. This initial post-catastrophe period is one of potential breakthroughs because willingness to collaborate is particularly high, which makes the potential for learning and negotiation across previously unaligned communities a possibility. Even mainstream coalitions that have the resources to contribute some of their efforts pro-bono find it difficult to sustain these efforts over time. The challenge is exponentially truer for resource-strapped organizations representing marginalized communities. As a result, a

growing cadre of leaders who were sometimes supported and sometimes volunteered their own time began to play an increasingly significant role in creating policy papers.

Funding was especially important for the Labor Community Advocacy Network, which its founding members viewed as a "a progressive caucus within the Civic Alliance, as well as a way of bringing people together around the issues that the Civic Alliance might not address" (Shiffman 2005). LCAN members generally included resource-strapped organizations and advocates representing environmental justice, immigrant advocates, as well as labor. The foundation support that LCAN members received provided the funds to participate, and even a location at the Rockefeller Foundation for these coalition members to meet and contribute their skills and ideas to downtown rebuilding discussions. Funding had important consequences for leadership and power dynamics within LCAN as well. Those with an active leadership role in the coalition seemed to acknowledge this themselves and expressed concern about how to bolster the coalition and make it more representative: "We have been fairly open, but the strategy group is not systematically representative of the groups. Expanding it will take resources and LCAN will be better positioned if it has a more formalized structure. As much as he, David [Kallick], and Ed Ott [Public Policy & Worker Education Director at the Central Labor Council] have been involved, it is important for others to step forward and take more responsibility" (LCAN 2002b).

David Kallick took on the full-time work of LCAN and ultimately worked with the other coalitions as well. Much of this was timing, Kallick noted, but it was also because he was able to devote virtually all of his time to rebuilding discussion. By the Fall of 2002, approximately one year after the 9/11 attacks, some participants alluded to

the decreased participation by labor organizations in LCAN. As one participant asked in October 2002, approximately a year after the 9/11 attacks: "Are we keeping the L in LCAN. It seems that the later meetings have had less labor participation?" (LCAN 2002b). In response, other LCAN participants said that they heard some of the labor organizations including DC37 and SEIU were still interested in participating and would support a joint statement with some of the other coalitions. Another participant noted that some of the labor organizations had less time to focus on LCAN activities because of the impending gubernatorial election (LCAN 2002b). Kallick recognized that this participation was important, but also that the most active LCAN members, like himself, lacked certain skill sets, such as the time and ability to organize a large-scale campaign. (This will be discussed further in subsequent sections.)

A smaller group that formed and participated as a subset of LCAN was the Liberty Bond Housing Coalition, which included participants from Good Jobs New York, Community Service Society (CSS), Women's City Club of New York, and others. This group played a leadership role in developing a housing plan for LCAN. Furthermore, while labor was decreasing its participation, some of the other groups were becoming more active. Community Voices Heard became increasingly involved in helping to organize rallies and protests, especially for affordable housing.

For New York New Visions, lack of foundation funding allowed them to maintain a more professionally-oriented membership, but it also meant that participants were pro-bono, providing their time on a volunteer basis and that they did not include organizations that had fewer resources. This coalition was fairly exclusive in that it

mainly included established design professionals.[102] Resources still affected New York New Visions "as an entity, [the coalition] was housed within the AIA, staffed by AIA, Rick Bell was the only person who was getting paid for his time and had the time and effort to put into things" (Kesner 2005). The leading role that AIA played in New York New Visions often led the coalition to focus on excellent design over other values and priorities.

The case of the Civic Alliance is particularly instructive to understanding the significance of funding for coalition participation and internal coalition dynamics. As Petra Todorovich, a planner at the Regional Plan Association (RPA), explained, "foundation funding, has shaped the dynamics of the Civic Alliance" (Todorovich Interview 2005). According to Todorovich, the RPA played a leadership role in the Civic Alliance because "we were able to raise funds for our work before anybody else did and then we were in the position of distributing funds to other groups to sustain their work and so we were in a position of influence through the money that we could give to other people" (2005).[103] There were some limitations on RPA's influence, which stemmed from the basic goal of diversity. The goal of the Civic Alliance was to bring together diverse interests and communities and the grant they received reflected this mission. One stipulation of the grant was that the Civic Alliance would include organizations such as the New School University.[104] Although internal dynamics of the Civic Alliance leadership evolved in a different direction (see below), these initial funding divisions

[102] Yet some members of New York New Visions preferred the collegial nature of their coalition, which was partially attributable to the fact that they were not accountable to the requirements that accompanied foundation funding (Bell Interview 11/2/04).
[103] Todorovich started as a receptionist at the Regional Plan Association, but slowly took over most of the responsibilities for the Civic Alliance. Although RPA clearly played a significant role in the Civic Alliance, its leadership was not unchecked and I often witnessed RPA staff yield to significant pressure from the other coalition members.
[104] Of course foundation resources may have other consequences and stipulations as well.

resulted in a two-tiered form of coalition participants—those who received funding and those who did not.[105]

Inclusiveness had been an important part of the post-9/11 public discourse, but some expressed concern that it would not translate into real opportunities for marginalized communities. Leaders in the coalitions exercised their power formally through the steering committees and informally through their participation in discussions with the general membership to reach out to marginalized communities and to address issues that might normally be ignored by the civic community. These leaders were in a position to fight for the inclusion of other voices and they sought to use their influence to this end either by creating opportunities for public participation or by directly recruiting members of low-income and communities of color. Ron Shiffman, Director of PICCED, noted:

> I was very concerned that they'd been locked out and were not at the table in some of those discussions. So, when we were invited to the meeting that Bob [Yaro] convened around what we should do in the aftermath of 9/11, we immediately staked out that position, that it immediately needed to be broadened to include people of color in the neighborhoods surrounding the city. We also, quite frankly, were very much concerned that it not be dominated by the traditional civic organizations, and we had felt that since a lot of the people that were affected were people who were workers and people who lost their lives came from low- and moderate-income communities and lived outside of Lower Manhattan, that we really had to find ways of engaging them (Shiffman 2005).

Eva Hanhardt who played a leadership role in Imagine New York also explained that she used a network system to attract diverse participants and give them a space to articulate

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[105] Initial funding sets the tone for coalition dynamics, but that does not mean that they cannot change over time. After the first two years, the funders required that the coalitions formalize their collaboration. This change reaffirmed the RPA's leading role, but it also strengthened the working relationship between the coalitions and their diverse memberships. Todorovich recalled that in 2003, "the funders finally said to us, 'Okay, I don't want to get different grant proposals, from FPI, RPA, RDOT, you guys all should get together and RPA should organize it'… it was constructive in that we had to actually get together, put together a plan and really cooperate. It was also incredibly time-consuming and had its pitfalls as well (Todorovich 2005).

their vision for the future of lower Manhattan and the city. Through this networked outreach system, the steering committee was able to generate workshops that were surprisingly representative:[106]

> We did it by making sure that the steering committee incorporated enough people from different [communities]—so there were people who were involved in low-income housing who had networks there, people involved in the education community, health, all the architecture. So, we never closed up. We had one at NASDAQ. And, we had one in a homeless shelter. But, these were all groups that came to the table and said "We would like to have one," and we either gave them a facilitator, and it was the three questions, totally open-ended: "What have we lost?" "How have we changed?" "How should we move forward?" (Hanhardt 2005).

Key organizers such as Shiffman, Hanhardt, Kallick and others provided an important link between more mainstream organizations such as the Regional Plan Association and the other more community-based members. Through outreach, they recruited these other participants who did not receive funding for their participation, but contributed their perspectives and skill sets to rebuilding discussions. Lack of funding is a significant deterrent to this participation, however. For example, Shiffman invited the West Harlem Environmental Action (We Act).[107] Peggy Shepard, the Executive Director of We Act, agreed to participate and co-chaired the social, environmental justice committee and was on the steering committee of the Civic Alliance. Between these multiple roles, there were meetings virtually every week. Shepard did not receive any funding for her participation and time in the coalition. Through her contribution, the Civic Alliance advocated for – and included – in its principles, but Shepard was unable to sustain this level of participation because of lack of funding. After a year and a half, she stopped going to meetings (Shepard 2006). Many Civic Alliance members chose to participate despite

[106] There was, however, a higher than average education level among participants
[107] We Act is the only community-based environmental justice organization in the city.

limited or no funds because they hoped to develop and realize a public policy agenda that would promote their conception of the public good. Over time, however, civic volunteerism was simply not a sustainable option for organizations that were already struggling to address the needs of their constituents.[108]

Building Social Capital

In addition to financial resources and "civic capacity, this study found the creation of social capital within and between the civic coalitions to be an important component of creating conceptions of the public good.[109] In part, this social capital was rooted in the shared experience of 9/11 and the extended collaboration through the civic coalitions. Marcie Kesner put it best when she observed that "you work with people for a while and you become bonded. You understand each other and you become committed, and you actually become invested in a process and in a group of people" (Kesner 2005). Social capital also developed between coalition participants who shared the position that the World Trade Center simply had not worked; it was the product of politics, not the pursuit of the public good. Since recreating the pre-9/11 conditions was not their primary goal, they were free to explore other options. The alliances and social capital that developed out of the experience of 9/11 and the shared position on rebuilding priorities affected leadership informally and, in some cases, formally. Again, the Civic Alliance provides a useful example.

The Civic Alliance initially made decisions based on consensus and allowed unaffiliated individuals to participate in these decisions. Over time and as members

[108] Shepard may have found more influence in the Labor Community Advocacy Network, but she was already stretched beyond her limitations and was reluctant to commit more time to downtown issues
[109] Social capital is generally referred as the trust that develops between individuals or communities. For more on this term see Coleman 1988; Putnam 1993.

sought to develop an advocacy agenda, the coalition distinguished between voting members—who represented member organizations—and non-voting members—usually unaffiliated participants.[110] The Civic Alliance also began to make decisions, especially regarding policy advocacy, based on majority votes of voting members. Non-voting members would contribute to the information-sharing and deliberation process, but would not have a formal vote in the development of an advocacy agenda. This change was preceded by growing tensions within the Civic Alliance over the coalition's position on key site plan decisions and its relations with decision makers. In response to a Civic Alliance event rallying around the Libeskind design, several organizational members representing business, the real estate industry, and the local community board in the financial district staged a walk-out to express their displeasure with the Civic Alliance's advocacy. This growing division led the Civic Alliance to formally distinguish between information-sharing participants and voting members.

> It was clear that the vast majority of [Civic] Alliance members strenuously disagreed with some of the things that LMDC and Port Authority were doing –it became clear that we were going to have to start taking adversarial kinds of positions and not everybody agreed. We had a celebrated walk out by some of the business groups and Community Board 1. It got our attention-some of it was theater and some of it was…they were willing to go along [with decision makers] and we really weren't agreeing with the powers that be. They were all playing an inside game with the battle of rules. Carl Weisbrod [President of the Downtown Alliance] managed to be appointed to the LMDC so they were very much on the inside of things. So there was a parting of the ways but it became clear that in order to avoid that kind of misunderstanding in the future that we ought to codify who was voting and what the procedures were and stuff like that. Everybody felt that it was a good idea so we did it (Yaro 2004).

This change had significant consequences for the Civic Alliance's agenda in that it created opportunities for advocacy and environmental justice oriented members to play a

[110] Sometimes these individuals were still affiliated with the member organization, but they were not the official representatives.

greater role on the steering committee and in general meetings. The 9/11 attacks and the creation of the Civic Alliance accelerated coalition building that was in the works, but certainly not yet actualized between these more mainstream organizations and the social justice/advocacy and environmental justice members (Shiffman 2005; Yaro 2004). The influence of the social justice-oriented organizations increased as the businesses organizations left the Civic Alliance:

> The coalition began to disintegrate some and then in gradual increments over time and adopted a more advocacy orientation and one that was more focused on the goals of sustainability and equity and public participation and openness, which is something that was always there, but there were a whole slew of groups that were involved in the beginning like the Building Congress and the Real Estate Board and the Downtown Alliance that I'm not sure how committed they were to the goals of equity and sustainability and public participation (Todorovich 2005).

While LCAN members would normally take these positions, by advocating for them from within the Civic Alliance and working with members of R.Dot, these policies also became part of a broader agenda that was supported by organizations that would not usually try to mandate this level of accountability. These efforts were noted by more mainstream members of the Civic Alliance as well:

> Some people yes-are probably looking for a gentrifying model and a lot of the push back from the Civic Alliance has been … this is where I think LCAN and the left wing of the Civic Alliance has been incredibly effective and powerful and I think the fact that it's been the whole Alliance that has been an advocate for affordable housing and social programs and neighborhood services and so forth.. I think it's been… it's made a difference (Yaro 2004.)

Bonding or Cohering of Relationships

Another important part of this social capital was the cohering of relationships between organizations of similar professional cultures and ideological values. Coalitions such as the Labor Community Advocacy Network and New York New Visions embraced a narrower set of conceptions of the public good than the more inclusive coalitions. For

example, LCAN focused on the importance of equity, process, and environmental justice, but it also emphasized the need to invest in infrastructure. In New York New Visions coalition members embraced good design, planning, memorialization, and several positions related to growth. These positions are clearly related to each other but they are not identical. Even within these coalitions, there were important differences in their members' priorities.

Although LCAN's membership shared a leftist ideological orientation, there were important historical and substantive differences in both the practices and priorities of the labor and advocacy communities.[111] As Kallick noted: "There's this history in New York, where, in a way, the groups we brought together were all unions and progressive groups and you would think are all a pretty natural fit. They're certainly all people we had worked with lots over the years, but not people who necessarily come together very often and work together and in fact, in terms of the big development issues, they're often on opposite sides of an issue" (2004). These two communities of interest have often been divided over development issues in cities across America. Labor tends to support development projects because they create jobs for their constituents. By contrast, community activists and environmentalists often challenge development projects that they view as destructive to their neighborhood either because they negatively affect the quality of life or because they displace residents and local businesses.[112] Furthermore, while labor and immigrant advocates potentially share an interest in fighting for higher wages, they often view each other as competition, especially since unions often accuse

[111] This was especially true with advocates representing immigrants who were seen as undercutting union labor.
[112] When necessary, these groups have used law suits to challenge and sometimes stop development projects (see below).

immigrants of undercutting union labor. Despite these potential points of tension, these communities formed an alliance following the 9/11 attacks. In addition to its focus on jobs and affordable housing, LCAN also took positions on many of the rebuilding issues including site plans and the memorial. Ron Shiffman and Peter Marcuse, both long-time activists in New York's progressive political and social movements, were some of the few LCAN members with a background in planning and architecture. They, especially Shiffman, played an important leadership role in discussions about land use and memorialization, particularly the early discussions about which site plan to endorse. Their participation was also important because it extended the scope of LCAN's focus beyond the immediate expertise in economic development, affordable housing, and environmental justice.

Participants in New York New Visions agreed that they wanted to contribute their shared professional expertise to post-9/11 rebuilding discussions. At first blush, it appeared that they were natural collaborators. As with LCAN, however, there was not an established history of collaboration between these groups, and there were significant points of contention that stemmed from their professional priorities (Hutton 2005). At least some members felt that the coalition focused too heavily on architectural design. The question of design was not simply about aesthetics, it was often about how a space would function and buildings would relate to each other. Yet these questions were still considerably more specific than the broad-stroke questions posed by planners. The planners involved in New York New Visions were more likely to focus on process and the need for a comprehensive and "rational evaluation" to identify the conditions in lower Manhattan and determine what type of redevelopment program was needed. Marcie

Kesner of the American Planning Association (APA) explained that the APA's position was that the redevelopment discussions should be:

> …based on a market analysis of what really was needed there, and what was appropriate there, and we always said that it was backwards that they went straight to design at the site, because they accepted the notion that everything that was there had to be rebuilt. It had to be ten million square feet of office space. Why? What are the needs of the city? What are the goals for Lower Manhattan, shouldn't that be studied first? So, our position was also one of, our interest was always one of process. We wanted to be advocates for a planning process and also advocates for public input, and for a New York City government role that had some teeth from the very beginning. At the very beginning if you remember, the LMDC didn't even have a city representative on there. So, that's also been one of the interests of the APA (Kesner 2005).

For Kesner, the architects' and planners' immediate focus on design was premature and problematic in that it essentially accepted the September 10, 2001 vision of lower Manhattan as a given. Despite these concerns, Kesner and other participants seemed to develop a genuine appreciation for the contributions of their colleagues.

The Bridging Effects of Social Capital: Coalitions Working Together

The social capital that developed had bridging aspects, which also affected the coalitions' conceptions of the public good. Leadership within the coalitions was seminal to this bridging. Key leaders within the coalitions created these broader bridging effects by taking what they had learned in the other coalitions back to their steering committees or general membership, thus broadening and deepening the focus of their coalitions.[113] For example, this bridging was important for LCAN members. David Kallick attended meetings of the Civic Alliance and developed relationships with Rick Bell of New York New Visions and other design and planning professionals. Based on these experiences,

[113] Some of these leaders included Rick Bell, Petra Todorovich, Roland Gebhardt and Beverly Willis, David Kallick, Ron Shiffman, Eva Hanhardt and Holly Leicht to name a few.

Kallick shared his technical perspective with LCAN members and used it to help the coalition take positions on site plans and the memorial.[114]

Bridging efforts also led coalitions to see the benefits of supporting a united front as in the signing of the joint-principles (see above). This work did not result in long-term agreements over specifics, but it did reflect a united front on a broad range of principles that some of the coalitions would not likely have addressed on their own. In general, the coalitions recognized that "none of us benefit if it looks like the civics are fighting in the media. We don't want to fall into that trap" (NYNV 2003).

Knowledge of what the other coalitions were doing sometimes led to a strategic decision to engage in complementary activities. For example, New York New Visions' members felt that the public should play a significant role in rebuilding discussions, but that the Civic Alliance and Imagine New York were providing a forum for that.

> No, New York New Visions made decisions, and Civic Alliance was going to do one thing, and we're going to work with them in a lot of ways, and cooperate, but that they're going to address one aspect of the public and the civic issues that face the redevelopment in Lower Manhattan, and that we were going to try to focus ourselves as being the representatives of the professional community. And so, so we've left that to them. And I think that that's appropriate, and I think that they then, sometimes when it comes to some things they defer to us. But I think that there was an acknowledgement. You know, they're doing it, they want to do that, they do that well. We're not. What we did do one time was we provided facilitators to the—there was a design talk that was organized by the local council member (Kesner 2005).

The other coalitions also began to coordinate and recognize their contributions to different parts of the process.

[114] This bridging became more significant over time as those with technical training in architecture and planning, like Ron Shiffman and Peter Marcuse, had less time to devote to the coalitions.

The Significance of Place

Finally, place played an important role in the prospects for deliberation and collaboration. Although the ripple effects of the attacks were far reaching, the physical destruction and the potential sites of redevelopment were localized to the affluent financial district, which meant that race and class sensitive issues of gentrification and displacement of the poor did not seem to be an immediate concern.[115] This meant that marginalized communities that would normally be at odds with development interests could consider working with labor because they were not as concerned about displacement issues of redevelopment: "There were plenty of people who had fought before about urban economic development, but it was always in, you know, in areas that were the opposite of downtown Manhattan, it's in the areas that were poor or underdeveloped for whatever reason" (Kallick 2004). The fact that post-9/11 rebuilding discussions did not immediately exacerbate latent tensions over jobs and place, at least not between these communities of interest, made some of this collaboration feasible.[116]

Government Relations and an Evolving Political Context

The coalitions were important in terms of deploying multiple strategies to gain access to institutional venues and decision-makers. Some of the more established coalition members had relationships with decision-makers in the public authorities. Others suggested using their relationships with more local officials including city council members and borough presidents (LCAN 2003a).

[115] Although they would become a concern for some, particularly those in Chinatown and the Lower East Side. This would be an interesting comparison to the destruction in New Orleans, especially in the lower 9th Ward, which is predominantly low-income and African American.
[116] They were more concerned with the ripple effects on the larger society and economy

Through coalitions, members of LCAN in particular, gained access to decision-makers. In some cases this access was direct, such as when they also were able to attend early meetings with the LMDC executive staff such as Patrice Derrington, Stefan Pryor and Kevin Rampe.[117] As Kallick recalled, he and other members of LCAN met with decision makers, although it was usually through policy people or labor leaders, "Ed Ott [of the Central Labor Council] would get on the phone and call Hillary Clinton's office and we'd get a meeting with her, which was internal to LCAN of course, but there were various different things going on" (Kallick 2004). Furthermore, LCAN members organized several protests that appeared to improve their access, probably because LMDC leaders did not want them marching around the lobby of their building with protest signs.

Together, the different approaches created increased access over all; yet there were limitations to this access, which reinforces the findings of existing studies about the relationship between decision-makers and marginalized communities. Most of the meetings with key staff were with white, professional/policy men, with the exception in these early meetings of Ed Blakely, who is an African-American professional. One participant noted that there were advantages and disadvantages to this:

> I think that I mean, it's sort of a good cop-bad cop thing in some ways I guess but I think that the LMDC staff that we met with by and large feels more comfortable having a kind of professional policy kind of discussion and you know, even though I say the same things as other people might, I think it's sort of presenting a bunch of policy documents or something. I think in a certain way if we bring members of the different groups there I think there's also a clear class and race bias. People are almost uncomfortable, like these black people from the housing projects are coming to tell us how to do something? But I think they're more comfortable having a discussion with me about that kind of thing, in that way. Now on the other hand, I mean, and this was the obvious downside of that, is part of the reason they're more comfortable with it is that it's less challenging to them.

[117] Rampe and then Pryor were ultimately appointed President of the LMDC.

Sometimes the coalitions were willing to challenge decision-makers and the dominant rebuilding agenda, even at the high cost of valuable political capital. Some of these organizations, such as the members of LCAN, were accustomed to confrontational strategies and, therefore, seemed less concerned about maintaining insider access. Others found that they could not ignore what they viewed as a disregard for the public good: "We need to look at diversification of resources so they benefit other parts of the city. We need to remember that we represent the civic body and that we are touching base and reflect the values and aspirations of the body politic. We can't talk about being a civic alliance and then become a front for the government agencies (Ron Shiffman, Civic Alliance 2002). Beverly Willis, recalled that the willingness to challenge the status quo was liberating for R.Dot members:

> And, because number one we were not afraid to step on anybody's toes. We were not protecting territory. We really didn't care if we were seen as people who challenged or squeaky wheels or that type of thing. We just simply wanted to see good done. And that gave us a sense of freedom in what we did, that I don't think any of the other organizations had (Willis 2005).

In some cases, however, the desire to maintain access to decision makers did affect how the coalitions constructed their conceptions of the public good. This particularly became an issue with New York New Visions, partly because the coalition did indeed have some access and partly because its institutional culture was to refrain from direct advocacy.[118] Although many New York New Visions' members felt strongly that the Port Authority and the LMDC needed to create a new and better program for the World Trade Center site and lower Manhattan, how vigorously they should criticize the authorities became a

[118] This access was mainly the result of Rick Bell's relationship with Alex Garvin, the Vice President of Planning at the LMDC. It also stemmed from Garvin's efforts to build legitimacy for the LMDC by having a professional coalition support the authority's projects. I discuss this issue further in the following chapter.

recurrent source of debate within the coalition (NYNY 2003; NYNV 2004a); it also occasionally led other coalitions and stakeholder to criticize NYNV's activities.[119] New York New Visions members regularly struggled with the issue of "how [they could] be involved, and be linked and hooked into the process and avoid being co-opted?" One member of New York New Visions recalled thinking that it was "really inappropriate" for Alex Garvin, the Vice President of Planning and – at LMDC, to ask the coalition to be involved in setting up a design competition. Another noted "I am concerned about [us] being used [by decision makers]. But also about continuing the role for the public, which counts on us" (NYNV 2004)

Other coalitions also found it difficult to gain active support from members who did not want to risk their relationships with politicians or the resources they received. When discussing their strategies for mobilizing their members for a rally, one LCAN member noted that UNITE was unlikely to participate in a rally because the union had recently endorsed incumbent Republican Governor George Pataki for the impending gubernatorial election (LCAN 2002b). This also appeared to be an issue in reaching out to faith-based organizations: "the religious groups have tended to not be very good on these issues, for example, TANF [Temporary Assistance for Needy Families], because they have their own funding and don't want to attack Pataki. Maybe we should work on relationship building for the long-term, not necessarily with rallies over the next 3 weeks. We haven't had much luck moving them in the short term because of their funding sources" (LCAN 2002b).

Coalitions exist within an evolving political context, which may lead them to

[119] Some members of the other coalitions actually expressed support for New York New Vision's success at maintaining access and recognized that that access was complementary and useful for the other coalitions.

modify their positions if they perceive that their agenda is unrealistic given the current political context and climate. Although most of the coalitions were willing to criticize decision makers, over time, they began to shape their advocacy agenda so as to respond to issues that were already on the table.[120] Imagine New York member Eva Hanhardt recalled that there were consequences to this shift in Imagine New York's focus. Imagine New York had primarily focused on giving the public a voice, even when the public(s)'message was contradictory. The coalition's initial workshops had resulted in 49 "visions," which Imagine New York published instead of trying to shape into a coherent goal or policy agenda.[121] Imagine New York's later workshops, however, were organized to address the evolving political and programmatic agenda: "Once we began using the Imagine framework for evaluating things, it became evaluating somebody else's proposal not generating ideas. And so, decision-makers find that much more comforting. You then become reactive again, rather than proactive" (Hanhardt 2005). Hanhardt's point is important, although the workshop provided one of the few opportunities for the public to comment on the memorial designs, Imagine had provided a process for which the end result was already circumscribed.

Coalitions: The Effect of New Alliances on Existing Ones

The social capital developed through the experience of the 9/11 coalitions and the responses of the coalitions vis a vis decision makers sometimes threatened existing alliances within and outside of the coalitions. Some downtown interests that had perhaps

[120] One example was the waste transportation by rail, which the Civic Alliance dropped when it became clear that the Port Authority and LMDC were simply unresponsive.

[121] According to Eva Hanhardt, the 49 visions were not necessarily contradictory if decision-makers looked beyond the constraints of the World Trade Center site. This lack of a coherent agenda did create an obstacle to influencing the decisions, which will be addressed in the next chapter on the decision-making and policy adoption process.

expected support from the more mainstream Civic Alliance members were disappointed, and even angered, when the coalition did not support their priorities. These critics challenged the Civic Alliance's credibility, questioning for whom the organization spoke. They argued that the public good could not be imposed from above but must reflect the needs and priorities of the affected community. The downtown community was not monolithic, however. These groups were sometimes depicted as concerned mainly with NIMBY [Not In My Backyard] issues, instead of with the broader public good. As a result, organizations such as the Regional Plan Association and the Municipal Art Society, which had long-term relationships with advocates of growth were not completely in agreement with their usual partners.[122]

These tensions were particularly visible in the Civic Alliance because it began with such a diverse membership. Two examples of interactions within the Civic Alliance exemplify these tensions. The first was the debate over the Libeskind master plan, which caused downtown business interests—the Alliance for Downtown New York and Wall Street Rising—and the Community Board 1 to officially withdraw from the Civic Alliance (see above). The second interaction came much later in 2005 over whether to support the Hudson River Park conservancy's request for CDBG funds from the Lower Manhattan Development Corporation. The Conservancy had already developed miles of open space along the Hudson River. This was a prime example of a solution waiting for a problem. The project was ready to be implemented, it just needed additional funding. The Hudson River Park Conservancy brought this issue to the Civic Alliance to solicit its support. Although the Regional Plan Association (RPA) had supported the project, other

[122] This was also partially due to the selection of Robert Yaro as the new president of the Regional Plan Association in 2001.

members of the Civic Alliance, especially those from LCAN expressed concerns about it including: (1) it was an authority with little accountability; (2) it used Dow welfare workers, who received sub-minimum wages and; (3) it planned to build on the River, which concerned some environmental groups. This project was contentious enough that it was tabled, since it seemed unlikely that the coalition would be able to get clear support for the project (CA 2003d). When the LMDC was making its final decisions about which programs it should fund, supporters of the Hudson River Park project returned to request support from the steering committee. The exchange was quite heated. Supporters of the project pushed the representatives of the Regional Plan Association to advocate for the project arguing that it had been in the works for 10 years and had broad community support. One member responded that although RPA supported the project, it could not just "steam roll over the Civic Alliance" (CA 2005). LCAN members, who had been some of those concerned about the project, also expressed frustration noting that they had expressed their concerns to the conservancy and were willing to discuss them, but had not really received any response.

Limitations and Caveats

Despite the successes these coalitions had in aggregating diverse communities, creating social capital, and creating alternative conceptions of the public good and negotiated policy solutions, there are some limitations and caveats, particularly regarding representation and potential for influence.

The proactive efforts of the steering committee leaderships compared to the declining efforts of the general membership poses an interesting dilemma regarding how the coalitions pursued conceptions of the public good. Although the coalitions certainly

became more hierarchical over time, participants still represented different communities of interests and these representatives often sought to negotiate compromises around some potentially explosive issues. Yet even if it included representatives of diverse communities, could the steering committee adequately represent the interests of the broader public? This was clearly a point of conflict and concern that many of the coalition members recognized.

Some participants stated that the coalitions' leadership should not substitute its efforts for the internal deliberations of the general membership or for the voices of the public. Regarding the question of general members, the issue of the joint principles elucidates the ambiguity of the representation issue. Members of the Civic Alliance steering committee had helped to draft the joint principles and argued that they would create a united message among the coalitions. However, other Civic Alliance members expressed concern about signing joint principles that went beyond the general consensus of the Civic Alliance's own principles (Civic Alliance 2002).[123] In the end, the Civic Alliance chose not to endorse the joint principles (see above). These principles demonstrated solidarity around a set of principles that reflected diversity and inclusiveness, yet they would have gone beyond the consensus among the general membership.

Many downtown interests expressed a general concern about the limited influence of the "public" and especially locals in the coalitions. Paul Epstein, a downtown resident and member of the Civic Alliance steering committee, expressed frustration with the

[123] This kind of obstacle was one of the reasons the Civic Alliance also chose to distinguish between information-sharing members and voting members and move from consensus-based decisions to majority rule.

professional planners' view that some of the later rebuilding discussions were too technical for the public: "All these very professional organizations that have a big interest in protecting the professional expertise and the aura of the expertise of their members. They don't necessarily want to say the public community, public participants, should muck around too much in the technical details. They should leave it for our planning experts. The planning experts made a mess of things in this country" (Epstein 2004). Other residents felt that the Regional Plan Association and other civic organizations were too focused on the broader effects of 9/11 and were not adequately addressing local downtown concerns. As one resident expressed in the first year of the Civic Alliance, sometimes "the focus is too broad, [for example] we have an immediate problem with Park Row being closed." The participant went on to explain that she felt the Civic Alliance members did not seem to be aware of the day-to-day problems downtown or that other downtown local organizations had been advocating to improve downtown prior to the Civic Alliance (Civic Alliance 2002). Even some planners expressed concerns about the civic coalitions:

> But, the difficulty was, in my mind, that the civics were a stakeholder, they weren't the whole picture. And the civics, like MAS, or a regional planner, were very used to speaking for the public, and what I was saying was, "Now's the time to let the public speak for itself, the way we do with any community-based planning. This is too important a place, this is a place that belongs to too many people for it just to be treated like another business-as-usual real estate deal. This was no longer a piece of real estate. It's had to meet too many goals. And, to do that, to find out what those goals were, you couldn't just trust a very narrow spectrum. The civics really do reflect, on the whole, a relatively narrow spectrum of, or a relatively narrow perspective. And this was very early on, but it was very much, you know, the architects, the transportation planners, the urban planners, "We know how it should be done better." And every generation of us believes that we know how it should be done better and the next generation was mopping up the damage we've done, but that's not to say that the public necessarily comes up with perfect solutions either.

These concerns echo the traditional critique of planners, which argues that they impose abstract ideas on an existing community (Jacobs 1961). While there is certainly some truth to this, I found that many of the planners involved in these discussions valued public input. Furthermore, some felt that mainstream planning organizations that had long been accused of being out of touch with the public had actually improved their public outreach efforts, in reality and in terms of perception, which gave them some legitimacy to speak for the public (Leicht 2005).

Another issue is whether these coalitions have the potential to influence decisions. The coalitions consist of multiple organizations with preexisting relationships with governmental institutions and multifarious advocacy strategies. Therefore, one of the coalitions' strengths is that they employ different strategies and tactics and seek to influence different venues. Yet even LCAN, the more protest oriented coalition, was limited in its ability to build a long-term movement. As Kallick recalled: "I feel comfortable knowing how to pull a policy agenda out of that. I'm less confident of myself being able to figure out how to crack that into a campaign or into political influence. So, that's partly my own, the lack of LCAN, having somebody who could take on that perspective" (2004). Thus, even with the combined strengths of the organizations, there were still some deficits, which are common to organizations that do not evolve into a movement or do not engage in organizing efforts. In the case of the coalitions, they were often stretched beyond their available time and energy.

PART IV: CONCLUSION

The 9/11 attacks ignited a sense of shared fate and a willingness on the part of diverse communities to work together to forge a better future for lower Manhattan and,

possibly, beyond. The five civic coalitions examined in this chapter successfully created forums and spaces for participation and deliberation about the public good because they had the ability to attract foundation resources, the connections to build broad-based relationships, and the experience to organize large-scale public meetings and events. Moreover, participants were able to deliberate and construct conceptions of the public good outside of the pressures of the official public sphere.

Within the first months of their existence, the coalitions created principles and statements, which identified their key values. These documents are an initial manifestation of their conceptions of the public good. In this early stage, the coalitions embraced conceptions of the public good that represented the diverse perceived interests, expertise, ideologies and professional cultures of their participants. Although the more heterogeneous coalitions produced more comprehensive principles, even the more homogenous coalitions such as the Labor Community Advocacy Network and New York New Visions developed principles that reflected the diversity of their membership. On-going participation in the five coalitions provided an important validation of the commitment of participants, increased their knowledge of rebuilding issues, and created new relationships and alliances. With this learning and maturing came new focal interests for each coalition. The coalitions even endorsed a set of joint principles that reflected their different foci.

Of course, these civic leaders held their own conceptions of the public good. By temperament, they were inclined to address broad questions about the future of lower Manhattan and create general principles to guide responses to the technical issues of planning, architecture, sustainable and equitable community development, and economic

revitalization. Yet it is also important to remember that the emergence of these organizations was driven by a strong collective spirit arising from below, especially in the first months after 9/11. That spirit, which stemmed from enthusiastic and sometimes broad-based public participation in their events, gave the civic organizations, many of which had been criticized in the past for being out of touch, with a new level of energy and legitimacy (Leicht 2005).

The coalitions faced greater difficulty in giving substance to all of these conceptions of the public good. The advocacy positions they undertook demonstrated which conceptions of the public good their members favored, how decision-making processes augment the influence of some members over others, the influence of social capital within and between the coalitions' leadership, and the pressures of responding to an evolving political context. To successfully create an advocacy agenda and expeditiously advance that agenda, the coalitions distinguished between their information-sharing or deliberation functions and their advocacy role. They institutionalized this distinction through a variety of mechanisms such as requiring organizational membership to vote, changing their voting structure from consensus to majority rule, and creating a steering or executive committees that created meeting agendas and invited speakers. Although there were clear power dynamics in the coalitions, these were sometimes outweighed by the commitment to a democratic process of deliberation and a sense of trust—what Putnam and others have referred to as social capital. This was especially true and meaningful in explaining interactions within and between the coalitions' leadership. However, as the leadership became more active, some coalition members expressed concern about the declining participation of the

general public and thought the coalitions could improve their outreach efforts. This raises an important question of whether or not leadership can represent the general public if it is inclusive of different perspectives.

These coalitions may or may not be able to survive in the long run. It will take significant compromise as with the CDBG funds. By 2005, four years after 9/11, it was increasingly obvious that those funds were disappearing quickly and it was uncertain whether or not there would be enough money for public realm improvements, the memorial, or even a new signature commercial tower. Yaro surmised that this could be a potential point of contention between Alliance members who supported equity as the public good and those who supported memorialization and growth:

> I think you might find the Civic Alliance divided on this one: if the choice is putting affordable housing money into Chinatown or drilling the hole in the ground, which one of these two things do you do… go back to the Congress and the American people [to request more money]…where did you think [they thought this money was going?] (Yaro 2004).

As it turned out, equity-oriented members seemed to be aware of this political pressure and helped to negotiate a compromised position regarding how these funds should be allocated.

The 9/11 civic coalitions provide an important model of the potential major triggering events hold for new forms of inclusive deliberation and alliance building that can lead to a meaningful alternative to growth as the dominant conception of the public good. Several factors and procedural undertakings were especially important to the success of these coalitions. First, the creation of principles appeared to be a particularly useful endeavor because it allowed for the diversity of the coalition to be represented and it allowed participants to negotiate on a more conceptual level, which may not pose a

threat to material interests as immediately negotiating substantive details. Second, a sense of shared fate, a willingness to challenge the status quo, a willingness to deliberate and negotiate policy position that perhaps extend beyond a purely strategic relationship, and an active and diverse membership and leadership. Funding is also key since it makes participation feasible for those communities of interest that have limited resources.

In the following chapter, I analyze whether these coalitions had any affect on the broader agenda-setting and policy-adoption process. Specifically, I examine how the political and institutional context described in Chapter 2 interacted with the conceptions of the public good described in Chapter 3 and this chapter to produce particular policy and agenda priorities for the post-9/11 rebuilding and revitalization efforts. I examine concepts such as moral authority, venue shopping, coalition building, political contingency, interagency conflict, institutional rules, and symbolic politics.

CHAPTER 5
IN SEARCH OF THE PUBLIC GOOD?
PATTERNS OF POLICYMAKING POST-9/11

> I've been in this business for 35 years and I'm in this line of work because I really care very deeply about what I make the public interested in and what the right thing is …I always expect until they prove otherwise that these elected officials are going to do the same thing. It was very clear by the spring of 2002 that we [the Civic Alliance] set out to bring back lower Manhattan and build a great new city. It was democratic, equitable and sustainable and all those things and these guys [decision makers] were out to re-elect Governor Pataki. It was a very different set of goals. It was really hard to influence that because these are the things that the Governor wanted to do to be re-elected-it had nothing to do with the public interest as we saw it…certainly nothing to do with this almost utopian ideal that we started with which was that we were going to build a better city (Yaro 2004).

INTRODUCTION

In the wake of catastrophe, civil society actors find new discursive spaces in which to articulate new conceptions of the public good that challenge the dominant position of the growth or market investment paradigm. These alternative conceptions of the public good have the potential to mitigate the negative effects of growth. However, the 9/11 case illustrates that they face many obstacles to getting on the institutional agenda and being translated into public policies. While catastrophes create an interest in the public good, the institutional and informal arrangements described by urban politics scholars (Bachratz and Baratz 1962, 1963; Mollenkopf 1992; Stone 1983) still constrain the parameters of public policy. Furthermore, there is a tenuous and ambiguous relationship between ideas about the public good and actual policies that are claimed to advance those ideas. As a result, some stakeholders—e.g. those who enjoy a privileged structural position, or can wield moral or professional authority—are better able than

others to define the content of conceptions of the public good and usher their policies through the policy-making process.

While virtually all 9/11 stakeholders made claims about the public good, some were more successful at shaping the agenda and advancing their substantive policies and programs. Several factors affected which claims became more influential or dominant. First, legal arrangements constrained the parameters of agenda setting both explicitly and implicitly. The Port Authority and Silverstein's ownership of the site[124] clearly meant that they would play a significant role in defining growth as restoring high-density commercial development to the site. Their efforts to define the public good in these terms stemmed from the goal of maximizing their revenues, and extracting the maximum amount from insurers (see Chapters 2 and 3). Second, the governance and decision-making structure was so complex and seemingly fluid that it was often difficult for stakeholders to identify, target, or access the real sources of power, which were the Port Authority, the Governor, and the Mayor. Therefore, stakeholders such as the civic coalitions and the public at large often targeted their conceptions of the public good to agencies or public officials who had limited power to respond to those priorities. Moreover, those who did have power could use this behemoth web of governmental authorities to either to hide behind or take a leadership position when they believed it was politically advantageous to do so. This also led agencies with limited influence, such as the LMDC, to engage in symbolic politics. Third, initial decisions about programmatic

[124] In August 2002, the City proposed a swap of the land under John F. Kennedy and LaGuardia Airports, both in New York City, for the World Trade Center land. Supporters of the proposal, many of whom felt the City should oversee the redevelopment of the site, faced several obstacles. First, New Jersey, which controlled half the votes on the Port Authority Board, was unlikely to approve a deal that did not benefit it. Second, it was unclear whether the City would actually benefit financially from the swap. Ultimately, however, Governor Pataki rejected the proposal, which would increase the City's influence over the site and decrease his own influence (Sagalyn 2005, 56).

rules for the federal aid package also shaped the parameters of agenda setting. These funds were often explicitly designed to promote growth or the guidelines were so loose that those in power could utilize the funds to promote their conceptions of the public good, especially growth. Finally, some stakeholders were clearly better skilled at navigating this complex authority structure because they were appointed to a board, had access to the media, had informal relationships with decision makers, or commanded some other type of authority (e.g. the moral authority of the families or the professional authority of the civic coalitions). These savvy stakeholders were also able to capitalize on the tenuous relationship between conceptions of the public good and the substantive policies (see Chapter 5) by successfully defining the content of these conceptions to serve their agendas. Together, these factors enabled some stakeholders to advance their conceptions of the public good and specific policy agendas, and limited others in their ability to do so.

This chapter analyzes how these factors played out in key decisions about the rebuilding of the World Trade Center site and the surrounding neighborhoods of lower Manhattan. In doing so, it illustrates both the potential for and limitations on challenges to dominant conceptions of the public good.

PART I: THE WORLD TRADE CENTER SITE

In 1961, David Rockefeller's dream of building a World Trade Center came true. With the assistance of his brother Nelson Rockefeller (then Governor of New York) and the Port Authority, he successfully ushered the billion dollar project through a contentious public process. Just as the decision to build the World Trade Center over the former H and M rail lines in 1961 had significant repercussions for Radio Row, lower

Manhattan, the city, and the regional economy (see Chapter 2), so too will the decisions about the site and lower Manhattan following the 9/11 attacks.

Yet the fight for the public good following the 9/11 attacks involved a much more heterogeneous set of stakeholders and values than the original building of the World Trade Center. Within months of the 9/11 attacks, community groups, civil associations, and newly formed civic coalitions met to deliberate the future of lower Manhattan and the city. Participation in these coalitions resulted in new alliances between previously unaffiliated and sometimes previously polarized communities of interest (see Chapter 4). It quickly became clear, however, that not all conceptions of the public good would make it to the governmental agenda. Those that did were boldly endorsed by political sponsors or quietly assumed through "non-decision making." Between 2001 and 2005, the LMDC, the Port Authority, the Governor, and Silverstein made and, in some cases, subsequently unmade a series of key decisions (see table below). These decisions allocated billions of dollars of public funds. In particular, the LMDC's use of Community Development Block Grant funds for growth[125] marked a significant departure from the program's ostensible mission of promoting equity by providing assistance to low-income and minority communities.

[125] Of courses the funds were also used for memorialization, and cultural institutions and activities.

Table 3: Major On-site Decisions

MONTH/YEAR	GOVERNMENTAL ACTIVITY
April 2002:	LMDC issued a Request for Proposals for Land Use Plans.
May 2002:	LMDC & PA Release Six Land Use Plan Options
July 2002:	Public Rejects All Six Plans at "Listening to the City"
August 2002:	LMDC conducts "Innovative Design Study" and Calls for New Proposals
February 2003:	Governor selects Studio Libeskind as the master planner
April 2003:	Memorial Design Competition
January 2004:	LMDC Memorial Jury selects Michael Arad's Reflecting Absence Design
June 2005:	Childs/SOM releases Revised Freedom Tower Design

Over the four years following 9/11 stakeholders established growth, memorialization, excellent design, and public participation as worthy conceptions of the public good. The Port Authority's and Larry Silverstein's efforts to uphold the lease agreement, the misleading role played by the Lower Manhattan Development Corporation, and the insurance suits filed by Silverstein all had an enduring impact on the parameters of agenda setting. The Port Authority and Silverstein sought to define growth as the dominant conception of the public good and the development of 12 million square feet of office, retail, and hotel space as the content of growth. The Silverstein-Port Authority model of growth also received support from those wishing to reassert the skyscraper as a symbol of U.S. economic and cultural resilience (see Chapter 3). Yet another conception of the public good quickly emerged—memorialization.

LMDC's Blueprint for Lower Manhattan

Governmental documents spell out the conceptions of the public good underlying the governmental agenda. When, in April 2002, the LMDC planning division released its

Principles and Preliminary Blueprint for the Future of Lower Manhattan (2002), it was signaling that in addition to rebuilding commercial office space, it deemed other priorities to be worthy of attention. The document identified 11 principles that should guide downtown discussions:

- Make decisions based on an inclusive and open public process
- Create a memorial to those lost while affirming democratic ideas attacked on Sept. 11
- Assist the rapid revitalization of Lower Manhattan so as not to preclude desirable future development
- Coordinate and encourage infrastructure improvements to trigger private investment in Lower Manhattan
- Support the economic vitality of Lower Manhattan as the financial capital of the world with new office space.
- Develop Lower Manhattan as a diverse, mixed-use magnet for the arts, culture, tourism, education, and recreation with residential, commercial, retail and neighborhood amenities
- Plan for transit access to Lower Manhattan that expands regional and local connections and improves transit facilities
- Connect the neighborhoods of Lower Manhattan and improve the pedestrian experience
- Expand and enhance public and open spaces
- Preserve Lower Manhattan's historic and cultural character
- Promote sustainability and excellent design

Many of these values are commonplace in the planning literature and, in fact, are traditionally the responsibility of the Department of City Planning, which has the resources and institutional authority to oversee them (Sagalyn 2005). In the case of large-scale projects, the state, particularly New York State's large and well-staffed Empire State Development Corporation (ESDC), also tends to play a significant role (see Chapter 2). Compared to the City's Department of City Planning and ESDC, however, the LMDC had a small planning staff, limited resources, and considerable exposure to public pressure. The LMDC also played the role of bringing together the other relevant agencies. Finally, the LMDC staff had to contend with the stringent program laid out by

the Port Authority and a limited official role established by a Memorandum of Understanding with the Port Authority (see Chapter 2).

Facing these pressures and limitations, the LMDC appeared destined to play a more procedural than substantive role; however, some LMDC staff members, particularly Alexander Garvin, the Vice President for Planning, Design and Development, envisioned a more robust and entrepreneurial role for the authority (Sagalyn 2005). If the LMDC was to do more than provide political cover for the Port Authority and the Governor, it would need to establish itself and its priorities. In the expertise and professional authority of the civic coalitions, Garvin saw an opportunity to enhance his influence and that of the LMDC vis-à-vis the Port Authority. Well known and respected in the planning and architecture communities, Garvin met regularly with the New York New Visions executive committee and routinely identified them as helpful to the process (LMDC 2002a, 2002b, 2003b). The LMDC's *Principles* drew heavily on New York New Visions principles in establishing conceptions of the public good that went beyond simply rebuilding 10 million square feet of office space (see Chapter 4). Garvin's point was clear, a "disinterested" group with professional authority had created these principles, so they reflected the interest of the public, not "political" interests (this would be a recurring theme).

The LMDC's *Principles* identified growth, memorialization, excellent and green design, inclusive planning, and neighborhood connections as key to realizing the public good. The value of equity, which the Civic Alliance, Imagine New York, the Labor Community Advocacy Network, and Rebuild Downtown Our Town included in their planning principles and other statements (see Chapter 4), were virtually absent from the

document. The "Blueprint" part of the document identified key actions and goals for these principles although it left the specific content of these conceptions of the public good undefined. For example, the memorial was identified as the first principle, yet there was no mention of preserving the footprints of the Twin Towers, which would become a key rallying point for family members (LMDC 2002, 4).

Memorialization: From Idea to Design

In 2003, tensions erupted over Daniel Libeskind's interpretation of the WTC site as a sacred, as opposed to a profane, space. But there were early indications of this underlying tension even before the decision that the memorial should occupy four acres of the 16 acre site. On March 5, 2002, the Lower Manhattan Development Corporation circulated a press release stating that Fritz Koenig's sculpture "the sphere" would be a temporary memorial to those who lost their lives on September 11, 2001 as well as to the victims of the 1993 bombing of the WTC (LMDC 3/5/02). The badly damaged sphere had stood in the World Trade Center plaza as a monument to world peace through free trade since 1971 (see Chapter 2). Another announcement explained that "Tribute in Light," two beams of light illuminating the sky from March 11 to April 13, would also provide a temporary memorial.[126] For the most part, these temporary memorials attracted praise; however, some downtown residents and businesses expressed concern about how memorialization would be symbolized and what role they would play in these discussions. In a March 2002 Letter to the Editor of the *New York Times*, Julie Nadel, Democratic District Leader representing Lower Manhattan, explained that

> For many, the towers of light and "The Sphere" may help people recover from what happened on Sept. 11. If so, that's a good outcome. But for a permanent memorial, people should be given a choice about whether or not to visit it;

[126] Con Edison would supply the nearly $10,000 worth of electricity.

> downtown residents should not have that experience imposed upon them. Many of those living in Battery Park City opposed the placement of "The Sphere" in their neighborhood park, not because they objected to a memorial to victims, but because they wanted a choice about whether to visit it or not. The towers of light present the same issue—and in addition, the two light beams appear distorted to many residents living close by, so we can't even get the full effect unless we watch it on TV. Most people come to see ground zero or the memorials and then go home. But we can't go home -- we live here (Nadel 2002).

Nadel's remarks foreshadowed the growing polarization between family members who saw the site as a graveyard and downtown residents and business owners who preferred a less somber interpretation of memorialization.[127] While it was clear that memorialization was a dominant conception of the public good, it was equally clear that stakeholders disagreed about how to implement this value. The sophisticated mobilization efforts of family members, and the decision by key leaders to take on the issue, transformed memorialization from simply another conception of the public good to a dominant one, defined as preservation of the Twin Tower footprints. In the five years after 9/11, there are few examples of strong leadership from key players who might be expected to guide the process including Governor George Pataki and Mayor Michael Bloomberg. In fact, the media and key stakeholders, including the civic coalitions routinely criticized Pataki for his lack of leadership in post-9/11 rebuilding (Sagalyn 2005). Most of the approbation for leadership was directed at then-Mayor Giuliani. Serving out his term as mayor at the time of the attacks, Giuliani established himself not only as a leader, but as a hero. Following the search and rescue period, Giuliani emphasized that memorialization,

[127] Many of the downtown inhabitants who lost friends and family members expressed ambivalence about which understanding of memorialization on the site—sacred or profane—best served the public good.

not growth or private interests should set the tone for the rebuilding discussions and for the redevelopment of the site.[128]

> The reason why many of the designs have failed so far is that they have the concepts in reverse order. The major dominating concept is replacing office space or some other purpose like that and the memorial is an afterthought in the design. And the reality is, if this is going to work, if the primary focus of this is the significance of the place, meaning the memorial. For me, the design should be dominated by that statement (Neuman and Haberman 2002; Haberman and Gittrich 2003; Haberman 2003).

Giuliani argued that nothing should be built on the site. After leaving office, he had little to lose by taking this position.[129] He also seemed to have a genuine relationship with first responders and their families.

On June 29, 2002, approximately one month before the Port Authority was scheduled to release its site plans, Governor Pataki announced to a group of family members that he supported their position (see Chapter 3) that the footprints of the former Twin Towers were sacred ground. The Governor vowed to prevent development, particularly commercial development on the footprints (Fries 2002; Santos 2002). In doing so, he gave credence to memorialization as a key conception of the public good and he also affirmed the moral authority of the families to define the meaning of memorialization.

The Governor's actions created a quagmire for the LMDC staff and board who were responsible for overseeing downtown projects. The site had to meet two contradictory constraints—the full amount of commercial space had to be rebuilt and the footprints had to be preserved—on a 16 acre site. According to one planner involved in New York New Visions, "the only leadership he [Pataki] showed was to say, 'The

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[128] This same mayor had pushed to privatize New York by selling off its assets had also previously taken a strong stand on moral issues—the cases of pornography and the *Sensation* exhibition at Brooklyn Museum (Kirtzman 2000).

[129] New York City's two-term limit prohibited him from running for Mayor again.

footprints are sacrosanct.' But you're going to put the same amount of bulk on the site? With half the site to use? What are the implications?" (Kesner 2005).

Presenting to the Public/Listening to the City

In July, 2002, the Port Authority and LMDC completed Phase 1 of the planning process and released six land use designs. The six designs met the basic technical requirements of the office space and the left the footprints untouched[130]. These six plans were rejected, first by the experts and the media, then by participants in the *Listening to the City* event.

In proposing projects, it is routine for developers and city officials to face negative responses from neighborhood residents and local businesses.[131] The New York City Uniform Land Use Review Process (ULURP) institutionalizes opportunities for public input by requiring public hearings for land use decisions. Such hearings tend to attract neighborhood residents, businesses, and organizational representatives; that is, those whom the project would likely affect.[132] Catastrophes, such as 9/11, that generate a profound public discourse about values, tend to attract considerably more attention from the public at large. Joseph J. Seymour, Executive Director of the Port Authority, seemed to recognize the broad array of stakeholders and the need for a public process. On July 16, Seymour announced:

> The memorial and the buildings that rise at this site will be a symbol of the rebirth of Lower Manhattan, and of the strength and determination of all Americans. Planning for the site calls for careful coordination involving the Port Authority, the LMDC, other public agencies, representatives of families who lost loved ones

[130] With the exception of the PATH train which would be rebuilt on the edge of the Tower .
[131] These reactions are usually caused by fears of displacement, declining property values, or negative environmental and aesthetic effects of the project.
[132] Participants in several meetings were critical of the ULURP process, which rarely resolves disagreements in the planning stage and therefore tends to produce in heightened tensions and sometimes legal actions to stop development projects. It is, however, an important institutionalized opportunity for the public to express comments and concerns.

> on September 11, elected officials, community and civic groups, leaseholders and the general public. Today, with the presentation of these six options, the dialogue can begin (Listening to the City 2002)

When the Port Authority and the LMDC worked with their civic and private sector partners to organize a 4500 person public meeting on the project, they got more than they bargained for. The Civic Alliance convened the 4500 participants at the Jacob Javits Center in Midtown New York to discuss their visions for the future of New York City and the region. Entitled *Listening to the City,* this event sought to involve a broad swath of the public in the complex technical issues surrounding the project and to enable them to express their views on the six original site plans. It is not surprising that a developer would want to maximize revenues by maximizing density on a site, but the six designs did not convey any of the hope or creativity that the public expected. In fact, many Listening to the City participants asserted that the six plans reflected the LMDC and PA's lack of sensitivity to a public that expected something spectacular.

Listening to the City participants echoed the press and architecture critics by uniformly criticizing the six plans. Memorable comments included "it looks like Albany" and "nothing here is truly monumental" (Listening to the City 2002, 10). The report on the event identified two major goals: (1) Create a vibrant, mixed use downtown community, which included a balance of commercial, cultural and residential uses; (2) Create a "serene and dignified memorial" (Listening to the City 2002, 8). Additionally, 70 percent of respondents said that "Improving the Ability to Cross West Street" was very important.[133] More than 70 percent also identified restoring the Manhattan skyline

[133] West Street is a multi-lane highway that separates Battery Park City and the World Financial Center (WFC) from the rest of Lower Manhattan. Prior to 9/11, a pedestrian bridge connected the WTC to the WFC, but the street was extremely dangerous to cross.

to its pre-9/11 splendor as "very important." No effort was made to calculate the cost of such decisions.

Listening to the City became a watershed event in the framing of priorities and processes for post-9/11 decisions. First, informal meetings organized by the civic coalitions and other stakeholders prior to Listening to the City had given people an opportunity to imagine what was possible (see Chapter 4). These forums generated public interest in the rebuilding discussions and established networks of engaged communities that could be tapped to participate in the Listening to the City event.

Second, the media and "experts" helped to set the stage through their critique of the architecture and the underlying assumptions about the program requirements for the site. The architectural press mercilessly denounced the designs prior to Listening to the City. Their verdict: Mediocre, at best. Herbert Muschamp, the architecture critic for the *New York Times*, was especially critical of Beyer Blinder Belle's plans: "Mediocrity, the choice of this firm reminds us, is not a default mode. It is a carefully constructed reality, erected at vast public expense. Ignorance is the brick from which this wretched edifice is built. Secrecy is the mortar holding it together" (Muschamp 2002). Muschamp's attack resonated with members of the public who wanted to see something spectacular on the site, a sentiment common among Civic Alliance participants.

Not everyone agreed was willing to turn the focus to a question of architectural design. New York New Visions' member, Ernest Hutton, argued:

> [Muschamp] would seemingly have us renounce rational urban planning in favor of an unrealistic approach to city design in which an architecture of narcissism trumps all other considerations of program, use, context and public interest. The firm Beyer Blinder Belle has been properly charged with defining a plan that incorporates complex and often contradictory considerations of memorialization, underground and surface transportation, flexibility for yet-to-be-determined users

> and tenants, and its relationship to the waterfront, the fabric of Lower Manhattan and the skyline of the city. The firm has enough on its plate without demands for a premature architectural solution bearing no resemblance to reality—a bold risk, perhaps, but with no potential for return, a true waste of public time and money (Hutton 2002)

Hutton emphasized that a land use plan was not an architectural design; a distinction that LMDC officials had failed to convey to the public (Sagalyn 2005). The Port Authority and LMDC intended that the six plans establish the basic placement of commercial, retail, cultural, memorial, and other uses on the site. But, the tall buildings framing the perimeter of the site illustrated how difficult it would be to do much else with the site. As one stakeholder commented on several occasions, "It's the program, stupid!" Such overt criticism by elites is somewhat unusual. Elites are often unwilling to challenge other elites, particularly their colleagues because it can cost them valuable political capital. Key to the Listening to the City event, however, was the willingness, even initiative, taken by civic leaders to force "non-decisions" onto the public agenda.

Third, dissatisfaction with the Port Authority's redevelopment priorities led entrepreneurs within the LMDC to encourage public participation and even public criticism. As one observer reminded the author: "It wasn't LMDC, it was Alex Garvin and some people at LMDC; they really did want some pushback" (Shiffman 2005). Garvin and other LMDC staff hoped to expand the role of the LMDC in creating a vision for lower Manhattan. Creating that vision required rethinking the Port Authority's commercial and retail program. Garvin was willing to work with civic professionals in the hopes of getting some external critique that he could use as leverage within the LMDC and against the Port Authority. The LMDC had worked with the Civic Alliance and particularly Bob Yaro of the Regional Plan Association and Rick Bell of New York New Visions.

Finally, Listening to the City shifted the debates about the public good because organizers engaged in heated negotiations over the format of the event and public outreach efforts. The Listening to the City event was designed to encourage public debate beyond the focus on site configurations and architecture.[134] Civic Alliance members, especially from the Labor Community Advocacy Network caucus, concentrated on how questions were posed and whether or not they forced growth onto the agenda at the expense of other considerations. Shiffman compared the July Listening to the City event to a much smaller Listening to the City forum held in October, 2001.

> At the first one [Listening to the City] a lot of the questions that were asked pitted the set priorities between things that had no relevance, or you knew you were going to lose. Like, what's more important, housing or the memorial? I mean, give me a break. You know what I mean, it's not funny but it's funny. And so we wanted to make sure that the structuring of the other one, the questions really led us to a new place and led us to an understanding of what was important to people and how do you really tease out that participation, and working very closely with LCAN we dealt with all of the issues around labor issues, and issues of equity and those issues, and they were basically the group that was the progressive caucus. There were other issues that we worked in but we spent a lot of time helping forge the questions and the order of things that went through at the large Listening to the City, which should have had an impact and did I think give us a body of information that at least changed the direction a little bit until it was hijacked by the political process and the Republican Party last year to what was going on in Lower Manhattan, and I still think has some influence (Shiffman 2005).

These efforts indicate two important dynamics in the connection between diverse members of the civic coalition and their relationship to decision makers. Weeks before Listening to the City, Yaro attended an LCAN meeting in which he sought to allay fears that this was simply a symbolic event. At the meeting he and Ron Shiffman encouraged LCAN members to participate in the process because LMDC staff wanted to "push back" against the PA's rigid program requirements (LCAN 2002a). It also became an opportunity for LCAN members to push Yaro to use his influence to get their issues on

[134] The lack of attention to architectural design did help to mobilize the public, however.

the table in the planning for the Listening to the City event. Shiffman recalled that "what made this pushback a real opportunity was how it was specifically organized. In part what was happening behind the scenes is that on one level a lot of us were putting pressure on Bob [Yaro]" (Shiffman 2005).

The promise of open deliberation spurred members of LCAN to conduct outreach campaigns to their networks, particularly to labor, low income communities, and communities of color. As David Kallick explained, these efforts to incorporate other priorities into the Listening to the City deliberations were not without tension.

> There was a lot of tension about that stuff. But we did help them to be able to get people of color and union members and low-income people to Listening to the City and that was one of the things that made the first Listening to the City in February not seem so legitimate, was that there wasn't a good representation of people (Kallick 2004).

Event organizers recruited a broad cross-section of participants, including those from the many victims' families in New Jersey. Even with these recruitment efforts, low-income and minority communities were underrepresented.[135] In spite of these limitations, participants identified issues relevant to low-income and minority communities, including affordable housing, job training and development programs, and childcare.

Although it is likely that Garvin hoped the event would mobilize the public against the six plans, it would be misleading to suggest that Garvin envisioned the kind of lower Manhattan or priorities prescribed by LCAN (see Chapter 4). Nevertheless, there can be unforeseen consequences to "widening the scope of conflict," including the creation of hope and empowerment that leads participants to engage in a participatory

[135] Whites and Asians participated in rough proportion to their presence in the general public, 67 percent and 12 percent respectively, but African Americans (7 percent) and Hispanics (10 percent) were under-represented (each accounts for 20 percent of the metropolitan population). Participants also tended to be higher income than the population as a whole (Listening to the City 2002, 7).

process (Schattschneider 1960; Piven and Cloward 1978). One member of a civic coalition who expressed doubts about the long-term efficacy of Listening to the City, acknowledged this galvanizing effect on participants:

> Without exception I think it was an important event…I do not think it killed the six plans, I think they were used by the City and other decision-makers who wanted to kill the six plans, and didn't want to take the heat themselves, and they let the public do it. And that's the only reason I think it happened the way it happened…I think it had other benefits that had nothing to do with killing the six plans, and if people who participated think that they killed the six plans, then it empowered them to believe that they had some sense of power, and I think that's good. But I don't think that's what actually happened, because the other issues would have made it onto the table if that were the case (anonymous).

Ultimately, there were two main effects of Listening to the City. First, decision makers intensified their use of symbolic politics by emphasizing process and architecture. This marked a shift in their practices, but not a real shift in the substantive elements of the site program. Second, the shared experience of protest at Listening to the City appeared to reinforce the potential for future collaboration among those participants who were most concerned about the Port Authority's program.[136] This collaboration was most evident in the increasing advocacy efforts of the civic coalitions (see Chapter 4).

The Innovative Design Competition

Listening to the City had a critical impact on the aesthetic, if not the substantive, elements of the site plan development. The LMDC and PA responded to the overwhelmingly negative response to the six plans by starting the process anew. The LMDC released a Request for Qualifications (RFQ) to conduct an "Innovative Design

[136] Protest politics, often used by marginalized communities, is much less common among mainstream organizations. Piven and Cloward argue that such outright rejection is more likely to lead to real social or policy change than conciliatory negotiations (1978, 1993).

Study," essentially calling for new proposals.[137] Renowned American and international architects submitted designs. The Design Study resulted in nine (new) site plan finalists submitted by six teams. Not only were the new designs considerably more interesting and inspiring, the design teams gave compelling presentations and many actively courted the public and the coalitions. The designs varied significantly, although all included between 6.5 and 10 million square feet of office space. Some, like a plan by London-based architect Norman Foster, included towers that soared to over 100 stories, like the original World Trade Center. A "dream team" that included world famous architects Richard Meier, Peter Eisenman, Charles Gwathmey, and Steven Holl presented a set of giant interlaced buildings. All of the designs were tremendous architectural spectacles, but two submissions—Daniel Libeskind's *Memory Foundations* and the "THINK" team's *Towers of Culture*—differed from the others in that they made the memorial, and thus memorialization, the defining element of the design concept.[138] The LMDC site plan committee selected these two teams as semifinalists.

The selection of the THINK team and Studio Libeskind established memorialization and excellent design (architecture) as leading contenders, along with growth, as dominant conceptions of the public good. Several factors explain these outcomes including the public focus on memorialization (see Chapters 3 and 4), the families' and the civic community's support for the plans, the marketing campaigns of the architects, the efforts by members of the site plan committee within the LMDC, and Governor Pataki's political "leadership".

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[137] Again New York New Visions played an important role, this time by providing LMDC with a shortlist of good candidates to submit designs.

[138] Libeskind had designed the Jewish Museum in Berlin. The THINK team included Fred Schwartz and Rafael Viñoly.

The civic coalitions wholeheartedly endorsed the Libeskind plan.[139] The plan appealed to the general public because of Libeskind's deftness in using architectural symbolism. His 1776 foot tower paid tribute to American independence and the birth of American democracy. The plan appealed to family members and the coalitions because it seemed to resolve the dilemma of locating a memorial in the center of a 16-acre commercial space. Libeskind's plan allocated the entire "bathtub" area for the memorial and sunk the memorial space 70 feet below ground. This allowed him to create a buffer between the bustling city streets and the dignified and solemn memorial space. All of the coalitions had suggested that the site and the memorial should be planned together instead of through parallel processes and the Libeskind plan incorporated site development and the memorial in tandem, even if it did not resolve the tensions between them. As Marcie Kesner reflected:

> Earlier on we said the processes should be handled concurrently, and should inform each other. You know, be iterative, and inform each other, and that never happened, and everyone went off in separate ways, so you ended up with Libeskind having I guess the most emotionally satisfying memorial that anyone in the memorial competition came up with, and they were in conflict. So, I think that we should have more strongly argued that the design competition and the memorial competition should be more closely tied into the planning process, and that the planning process shouldn't rush ahead before the memorial (Kesner 2005).

Furthermore, the initial version of Libeskind's plan reduced the total commercial (office, retail, and hotel) space on the site from 12 to less than 10 million square feet. It also added housing on the site. These changes were important to the coalitions who were concerned about both creating too much density on the site and flooding the downtown area with more office space when there was limited market demand.

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[139] New York New Visions did not officially endorse any of the plans. The coalition produced an in-depth analysis of each of the plans, which indicated that the Libeskind plan worked well given the objectives.

Most of the coalitions endorsed the Libeskind plan because of its vision, but also because he made it clear that he was interested in their input. In a meeting with LCAN members, Libeskind began by saying: "I'm here to listen to you. I believe in a public process" (LCAN 2003). Rafael Viñoly of the THINK team also met with the civic coalitions. By contrast, some of the other architectural superstars seemed less accessible.

Finally, the LMDC's own site committee, led by board member Roland Betts, narrowed the field to the two semi-finalists. The LMDC committee actually endorsed the THINK team, but it soon became clear that they would not have the final say, as Mayor Bloomberg and Governor Pataki made their preferences known. In a final viewing of the two semi-finalists, Governor Pataki rejected the LMDC site committee's recommendation and selected Daniel Libeskind as the master planner. Several recent studies provide a detailed description and analysis of the politics of this decision-making process (Sagalyn 2005; Goldberger 2004). Each claims that it was Governor Pataki who, after reviewing the two designs, chose Libeskind. One person who attended the meeting recalled that Pataki said, "I hate these towers, skeletons of death. I will never build them" (Anonymous, quoted from Sagalyn 2005, 51).

Figure 1. Father with Picture of His Son at Libeskind Announcement

Taken by the author

Libeskind's victory ultimately intensified the tension over how the site should be used…Was the site sacred or profane?[140] Prior to the Libeskind selection, the families had focused on the footprints, which consisted of two acres of space. Downtown

[140] The former view saw the site as the final resting place of the victims of 9/11. The latter view saw the site as space to be utilized and accessible to the general public.

residents (and perhaps others), did not initially feel comfortable contesting the families' position. At a meeting with Battery Park City residents and Tara Snow, several residents expressed these concerns. One resident explained that he was concerned about the guidelines for the memorial which seemed "pro-cemetery; too solemn. Some of us are worried that what is there has to fit with downtown. It needs to be vibrant." Another participant in the meeting explained that "at public hearings the families organize and go to the meetings. We aren't that well organized. Together we can talk and know that others present understand this position. In a public forum, this commonality doesn't come out…We are victims too, but we don't want to say it and be insensitive to family members (Battery Park City Residents Coalition 2002). Snow responded by assuring participants that she would be meeting with Community Board 1, and reminding them that Madelyn Wils was on the LMDC board.

Figure 2. Libeskind Responds to Questions about *Memorial Foundations*

Taken by the author

The selection of the Libeskind memorial several weeks later confirmed the fears expressed by these Battery Park City residents. The Libeskind plan went beyond preserving the footprints; it set aside the entire bathtub area as a memorial space. While memorialization was a powerful conception of the public good, its manifestation through a four-acre sunken space was clearly contested, both by those who wished for a soaring memorial and by residents and businesses in Battery Park City who would have difficulty crossing the former World Trade Center site.[141] As it turned out, Libeskind's *Memorial*

[141] The sunken memorial of the Libeskind plan (raised from 70 to 30 feet below grade level) required those west of the site to go around the four-acre memorial instead of crossing the site directly.

Foundations did not remain the interpretation of memorialization on the site; its signature elements did not survive even another year of site plan negotiations.

Arad Memorial: The Memorial Design Competition

The Libeskind plan was chosen, in part, because of its emphasis on memorialization. Yet while it created a profound memorial setting, *Memory Foundations* was not the official memorial design. In April of 2003, the LMDC announced a separate International Competition for a World Trade Center Site Memorial Design and a 13-member jury to review the entries and pick a final design. According to some, the site plan process had been politically tainted by the Governor's seemingly unilateral choice of Libeskind. Anita Contini, Vice President for Memorial, Cultural, and Civic Programs at the LMDC, felt strongly that the professional integrity of the memorial competition must be above suspicion both in terms of the influence of public officials and the broader public (NYNV 2003). She and many other design professionals were leery of design by committee, fearing the result would be a lesser quality design. The public and stakeholders could discuss the mission-statement and memorial program, but would not participate in the final decision. Instead, as Young explains (2005), the memorial selection would be made by an unbiased jury.

New York New Visions, the Civic Alliance, and Imagine New York participated actively in the memorial discussions. In a joint memorial committee, the Civic Alliance and New York New Visions met with and served as informal consultants to Contini. Members of the joint committee suggested names and recommended the ratio of professionals to non-professionals for the jury. They wanted representation by family members, a downtown resident, and others, but stressed that design professionals should

make up the majority of the jury. Some coalition members suggested that the LMDC hold a two-stage competition with public feedback after the first round. By doing so, the jury would control the final selection, but the LMDC could also receive public feedback. When the LMDC balked at this idea, Imagine New York conducted memorial workshops to provide public input. Initially unresponsive to the workshops, the LMDC came to recognize that they would allow the public to voice their concerns without jeopardizing the LMDC's professional authority (2003).

In January of 2004, the jury chose Michael Arad's *Reflecting Absence* from an initial pool of 5201 entries. The selection of the Arad design demonstrates that support for the Libeskind site plan was far from universal. The signature elements of the Arad design—sunken footprints, while the net of the bathtub area remained at grade level—conflicted with the key conceptual element of the Libeskind design. Since Arad's memorial would permit people to cross the site instead of going around the memorial, it would have a significant impact on the spatial organization of lower Manhattan and the connection between Battery Park City—home to the neighborhood's most affluent residents and the World Financial Center—and the rest of lower Manhattan.

As Young explains, by the time the LMDC announced the competition, "we jurors had already concluded that part of our announcement would include, unbeknownst to the LMDC, an invitation to potential designers to break the rules and challenge the site-plan design, just as all the great buildings and monuments of our era have had to break the rules of their day" (Young 2005, 150). In fact, each of the eight semi-finalists submitted designs that were in some way inconsistent with the Libeskind vision. In the

end, Michael Arad's design, selected by the jury, truly seemed to reject the Libeskind plan. As a result, Libeskind's master plan was taken apart one component at a time.

The outcome of the memorial competition was difficult for the coalitions. They had orchestrated a memorial process that yielded results that challenged the Libeskind plan, which most of them had supported. New York New Visions especially had reaffirmed its support for the jury process only the day before the decision was announced. In the first general meeting of New York New Visions after the memorial semi-finalists were announced, many constituent members who had not been involved in the memorial discussions expressed their disappointment. Like the participants in "Listening to the City," they felt the designs simply were not inspiring enough. Some suggested installing a new jury or having the jury select a broader spectrum of semi-finalists. Libeskind himself did not attack the memorial design. Instead he indicated that he had begun working with Arad and his landscape architect collaborator, Peter Walker. Libeskind's unwillingness to fight for his own design ultimately convinced the coalitions to let the issue rest.

The Freedom Tower

Disputes over the signature office tower proved another blow to the Libeskind vision and to the dominance of memorialization. Silverstein had his architect David Childs redesign the Freedom Tower, also a signature element of Libeskind's master plan.[142] The planning for the Freedom Tower was also marred with controversy. In 2005 the New York Police Department expressed concerns that the Freedom Tower was not safe (Collins and Dunlap 2005). Stakeholders had expressed concerns about security all

[142] The reference to Freedom was pushed by Governor Pataki and President Bush to concur with the War on Terror, which Bush depicted as a war for Freedom.

through the post-9/11 deliberations, but now security and safety had emerged as conceptions of the public good that would limit the decisions about the commercial tower. The Police and the Fire Department had the moral and professional authority to push security and safety as issues from the systemic agenda to the institutional agenda. In part, the need to halt and review security issues for the Freedom Tower so late in the game stemmed from the lack of public and City input into the planning and design process.

For many of the coalition members and other stakeholders, the debates over the Freedom Tower indicated that the project in which they had invested considerable time and energy had been hijacked by business and politics as usual.

> I have to back up and say there was another reason in the last year that I stepped back to be totally honest. And that is, once we attacked Iraq, and once I began seeing what the administration was doing, I think I got burned a little bit by it. I felt a lot more cynical about the rebuilding of lower Manhattan, that a lot of the symbolism, the Libeskind tower being a reciprocal vision of the statue of liberty really came into question, and the idea of it being a place of common understanding, really was I think undermined by the attack and sort of the misuse of lower Manhattan as a symbol during the Convention and thereafter (Shiffman 2005).

Shiffman was not the only one to express concerns about the final decisions about the site.

Decisions about the commercial and memorial space on the former World Trade Center site indicate that memorialization, growth, excellent design, security, and process emerged as dominant conceptions of the public good. Yet decision-makers embraced each of these conceptions as discrete choices. In doing so, they created a chaotic decision-making process, which perhaps could have been avoided had "planning," which would have established the relationship between these different priorities, also gained

prominence as a conception of the public good. Instead, each set of decisions undermined a previous one and often, private or "expert" negotiations undermined decisions resulting from a public process. Therefore, a process that LMDC officials referred to as one of the most inclusive decision-making processes[143] ultimately led members of the general public and the civic coalitions to question the efficacy of their efforts, since there seemed to be little connection between the process and the final decisions.

PART II: OFFSITE SITE DECISIONS/THE ALLOCATION OF FEDERAL FUNDS

The previous section analyzed how debates over the public good shaped decision-making about the future of the World Trade Center site. The allocation of the federal funds is also an important indication that a conception of the public good became dominant after 9/11. There is, however, a rhetorical component to this claiming and framing process (see Chapters 3 and 4). The relationship between conceptions of the public good and the policies or programs that are claimed to advance them may be open to competing interpretations.[144] As a result, those in power may co-opt a policy that is generally associated with one value to further a different set of values. Taking this problem into consideration, this section seeks to shed light on the impact of post-9/11 deliberations by analyzing the allocation of two types of Federal aid—Community Development Block Grant funds and Liberty Bonds.

[143] Of course this was true in the sense that process became a conception of the public good and their were many outreach efforts.

[144] For example, even with memorialization, not all agree. In fact some may argue that economic revitalization is a better way to memorialize lost lives.

The range of possible uses was much greater for the Community Development Block Grant funds than the Liberty Bonds. The Liberty Bonds, triple tax-exempt development bonds, were intended for economic revitalization in commercial, retail, and residential development (see Chapter 2).[145] In contrast, two billion dollars of Community Development Block Grant funds were available for general downtown redevelopment without strict limitations on how they were to be spent, despite the fact that the program's mission is to serve low-income populations.[146]

Some conceptions of the public good and the policies that claim to advance them were clearly better funded than others. These well funded conceptions include public participation, memorialization, growth, excellent design, and culture. Other conceptions of the public good such as equity received some funding, e.g. through affordable housing.[147] To highlight the relevance of these decisions, I will briefly analyze several programs that correspond to the areas of memorialization, growth, culture, architecture, process, and equity.

Public Participation

The LMDC's funding of public participation matched the public discourse that participation was key to advancing the public good (see Chapter 3). These processes ranged from the large-scale public events such as Listening to the City ($500,000), and the public hearings on the site plan and memorial, to smaller outreach efforts including several neighborhood workshops organized in the summer of 2003. It is difficult to determine the exact amounts because these costs were folded into the general categories

[145] Given the focus and scope of this dissertation, I will not address Federal aid for transportation or compensation for loss of life. For more on these issues, see Dixon and Stern (2004).
[146] There were several expectations, however. For example $700,000 was allocated for utilities.
[147] Even this policy, however, was subject to considerable negotiations. The original version of the program clearly promoted growth, not equity.

of "administration and planning," which also includes salaries for LMDC staff and in-house planning. The LMDC also invested in hiring staff and consultants who were particularly competent in conducting such public forums including Holly Leicht who had helped to orchestrate the Imagine New York neighborhood workshops (see Chapter 4). Stakeholders used public hearings and meetings about the WTC site and the memorial to articulate their more local community concerns as well as other priorities.

The notion that public participation is a public good or end in itself raises the question, was it simply a symbolic exercise or how does this public input relate to policy outputs?[148] The allocations are made through Partial Action Plans, which LMDC staff explained were the result of these public participation processes. Amy Peterson, promoted to Vice President of Memorial, Cultural, and Civic Development at the LMDC (after Contini left), viewed these public hearings, forums, and meetings as opportunities to learn more about what the community wanted:

> Most of this stuff, by the time it gets to the Partial Action Plan, has gone through this huge public process. We don't just come up with something and put it in our Partial Action Plan that hasn't already been discussed. It's huge, multiple waves of having conversations with the public. And it's reflected, I think. When we send out Partial Action Plans, we send those everywhere. Every community, every community board, the libraries, basically we flood the Lower Manhattan community. Elected officials, and a lot of them we don't get a significant number of comments, because I think the people have already commented, they've already talked about what they want and what they don't want and I think that they see, a lot of times that being the last step, no it's not, you still have to go through public comments on that and then we review those and then we revise them and then we send them to HUD … And there's been this whole process beforehand. We try to talk about that in the Partial Action Plan, somewhat, about all the outreach that's gone into it prior to that. We have a Chinatown Advisory Council that meets on a regular basis. We have all sorts of records from that (Peterson 2005).

[148] Policy outputs include the decisions about the site, described in the previous section, and the allocation of federal funds, the focus of this section.

According to Peterson, there is a clear link between these public input efforts and the policy outputs, although "obviously not every one can get everything they want" (2005). The LMDC's public hearings focused primarily on the site plan and the memorial, and the smaller scale meetings pitched proposals to the community boards and key stakeholder organizations. The LMDC's neighborhood workshops in the summer of 2003, however, dealt directly with the question of how to spend the remaining $1.1 billion in CDBG funds.[149]

The summer outreach meetings included neighborhoods that differed significantly in terms of income and ethnicity or race, with Battery Park City and Financial District residents having median incomes way above the average, and Chinatown and the Lower East Side way below. The priorities identified in these meetings reflected these differences as well as some areas of overlap including parks, schools (LMDC 2004).

The following pages identify which conceptions of the public good and which substantive policy outputs were advanced through CDBG and Liberty bond funds. The first table (Table 2) includes memorialization and growth, the conceptions of the public good that received the most money.

[149] By that time nearly a billion had already been allocated to other projects, not including the $700,000 for utility repairs.

Table 4: Community Development Block Grant Allocations

	PAP #	AMOUNT
MEMORIALIZATON		
Interim & Permanent Memorial	1 & 7	$207,467,180
Memorial & Memorial Center	8	$48,580,000
Tribute in Light	8	$3,500,000
Story Corps WTC Story Booth Project	8	$500,000
Living Memorial Project	8	$296,900
Tribute Visitors' Center	9	$3,000,000
Memorial & Memorial Museum	11 & 12	$175,000,000
Total:		**$438,344,080**
GROWTH		
Incentives		
Residential Grant	1	$280,500,000
Business Recovery Grant*	2	$350,000,000
Business Recovery Grant	4	$84,000,000
NY Firms--Disproportionate Loss	S1	$33,000,000
Utility Restoration & Infrast. Reb	S2	$750,000,000
New York Stock Exchange	10	$15,000,000
Beautification Fulton Corridor	12	$38,000,000
Tourism & Marketing		
ADNY Streetscape Program	4	$4,000,000
LM Communication Outreach	4	$1,000,000
Chinatown Tourism & LM Info	5	$2,300,000
LM Public Information	9	$1,270,000
Explore Chinatown Campaign	10	$160,000
Chinatown Development Corporation	10	$7,000,000
Transportation		
West Street Pedestrian Bridge	4	$22,955,811
LM Ferry	10	$9,000,000
Total		**$1,598,185,811**

* Includes $9,500,000 reallocated from the Employment Training Program.

Memorialization

There were several indicators that memorialization emerged as a dominant conception of the public good. First, the officially selected site (Libeskind) and memorial (Arad and Walker) plans both allocated over four acres for memorial programming. Second, other stakeholders including downtown locals, business interests, and even civic coalitions initially demurred in their critique of the memorial plans and often deferred to

family members in discussions about the site.[150] Finally, the allocation of nearly a quarter of the CDBG money for memorialization is a clear indication that memorialization emerged as a dominant conception of the public good. By 2006, before the actual construction of the memorial was underway, the LMDC had spent $438 million dollars, roughly a quarter of the total Community Development Block Grant (not including the money for utilities), on memorial-related efforts, not including cultural facilities, which are included in the "culture" category below. This investment in memorialization limited the possibility of funding other projects. The support for memorialization was not limitless, however. Even with the considerable public outlays, the memorial was expected to cost roughly one billion dollars. A memorial committee charged with fundraising for the project had only succeeded in recruiting half of the target amount. By this time, however, the influence of memorialization as a dominant conception of the public good had already significantly shaped decisions about the future of the WTC and lower Manhattan and the trajectory of federal allocations. The emergence of both memorialization and growth as dominant conceptions of the public good led decision makers to expand the scope of the WTC site so it could accommodate all of the commercial space and the four acre memorial. One result was that the LMDC, thus the public, purchased and was responsible for the deconstruction of the Deutsche Bank building which sat south-west of the site and cost approximately $64 million.

Growth

Growth also received considerable funding in the form of residential grants, transportation infrastructure investments, business retention and attraction, marketing campaigns, and beautification projects. The LMDC allocated nearly $1.6 billion, over

[150] Another is the ultimate decision to remove cultural facilities from the immediate area of the memorial.

half of the total $2.78 billion in CDBG funds, for these programs. A review of the funding for off-site projects and programs suggests that several factors were important including the general priorities of economic growth, the specific projects of interest to the mayor, the downtown business and residential community (particularly Community Board 1), Chinatown, and the civic coalitions.

The residential grant program allocated $280,500,000 to stabilize the housing market in lower Manhattan (LMDC 2002c, 1). The program, which provided rent subsidies to tenants who signed two-year leases, had two primary goals: "provide financial assistance to lower Manhattan residents in recognition of the personal, family, and living expenses they may have incurred as a result of the disaster" and "significant incentives to encourage individuals to renew existing leases, sign new lease agreements, or purchase residential units" (LMDC 2002c, 7). Therefore, while one goal of the project was to subsidize the losses experienced by victims of the disaster, the other goal was clearly to restore property values and promote growth (LMDC 2004a).

This first version of Partial Action Plan One (PAP 1) primarily benefited those in the more affluent areas of lower Manhattan, since it only applied to residents and property owners residing in the immediate area of the World Trade Center. In response to comments from stakeholders in the surrounding areas of lower Manhattan, LMDC staff revised the program to reflect the interests and values of other constituents as well.[151] Several of the revisions actually promoted increasing property values (growth). For example, under the revised program, new construction and residential units that had recently been deregulated (they were no longer subject to rent stabilization requirements)

[151] The public process for the Partial Action Plans includes a twenty-day period in which stakeholders may write, or email comments concerning the proposed program or project. For comments, see Partial Action Plan 1 at LMDC's website: www.renewnyc.com.

were exempted from the criterion that landlords charge no more than 90 percent of pre-9/11 median rents (21). Yet there were some important adjustments to the program that addressed the values of equity and inclusiveness, which I will briefly describe.[152] In particular, the original residential grant program created two zones, which primarily included the Financial District and Tribeca. In response to pressures from local elected officials and other representatives of Chinatown and the Lower East Side, these boundaries were redrawn and a third "zone" was created to include a greater portion of Chinatown and the Lower East Side (LMDC 2002c, 18).[153] The LMDC also revised the plan to prevent landlords from raising rents in response to the subsidies (LMDC 2002c, 20). One LMDC staff member expressed concerns about broadening the scope of the residential grant program to address "social ills":

> Opening the residential grant program to the Lower East Side and Chinatown opened the door to the expectation that we were going to address the social ills that exist in this community such as housing and jobs. And had we never opened that door, I think it would have been more difficult for them to attack us because we wouldn't have set up the expectation. So that was a difficult thing to deal with on a daily basis. And then I used to argue "You opened this door. It's your own fault. Now you've got to address it" (Anonymous).

The residential grant program raises a larger question. While the use of funds to enable existing tenants who have lost their livelihood or ability to pay their rents or mortgages may make sense on moral, political, and economic grounds, is it also reasonable to artificially bolster property values? Furthermore, should people have been living there? While there were clear indications that living downtown was a health risk, the LMDC enticed individuals and especially families to move there temporarily to promote growth.

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[152] Other discussions of "equity" as a conception of the public good can be found below in the section by that name.

[153] These neighborhoods have a significantly lower-income population.

Second, if it is healthy to live there, should millions of dollars be used to protect real estate prices without creating long-term stabilization? Should government funds be used to stabilize an area where pre-9/11 median income was $125,000, roughly double the median income for Manhattan (LMDC 2002c)? These questions make more sense if they are explored in conjunction with a discussion of the limited availability of affordable housing in New York City (see section on affordable housing below).

A large sum of the federal aid was also used for business retention grants, despite the fact that the mayor himself admitted that this was not how businesses made decisions about where they would locate. Some have argued that large business and property owners were the main beneficiaries of these grants. Small businesses, in particular, expressed frustration claiming that these allocations were skewed toward large businesses (Goodman 2005). According to a study by the *New York Times*, "commodities traders and brokers at the New York Mercantile Exchange, a few blocks from the World Trade Center site, received grants totaling $54 million, while the 669 small businesses that were in the trade center itself received $38 million. Unlike the businesses whose offices were obliterated, however, the Mercantile Exchange was operating again three days after the attack" (Wyatt and Fried 2003). In part, this is due to the fact that the legislation defined businesses as having less than 500 employees. These allocations to create incentives to retain and attract major property owners and large corporate businesses suggest that the dominant model was growth.

Table 5: Community Development Block Grant Allocations

	PAP #	AMOUNT
PLANNING		
Long-term Studies		
LM Transportation Planning-JFK-LM	4	$5,260,000
West Street Planning Study	4	$2,705,848
East River Waterfront Study	4	$4,129,000
Parks/Open Space		
Columbus Park	3	$998,571
Neighborhood Parks	4	$27,481,689
Hudson River Park	4 & 10	$72,600,000
PACE Green Roof Project	9	$100,000
East River Waterfront	10	$150,000,000
LM Parks & Open Spaces	12	$19,500,000
Total		**$282,775,108**
CULTURE		
History & Heritage	3	$4,664,000
WTC Performing Arts Center	8	$16,360,000
WTC Museum Complex	8	$33,460,000
River to River Festival	8	$700,000
Tribeca Film Festival	7	$3,000,000
Splendor of Florence	7, 10	$476,000
On-site Cultural Programming	11	$94,000,000
Total		**$152,660,000**
EQUITY		
Affordable Housing	6	$50,000,000
Employment Training	1	$500,000
Education		
Millenium High School	4	$3,007,500
East Side k-8 School	10	$20,000,000
Fiterman Hall Reconstruction	10	$15,000,000
Total		**$88,507,500**

Although the civic coalitions criticized the LMDC and Port Authority for failing to create a good planning process for the WTC site, the LMDC certainly invested CDBG funds for off-site planning studies and projects. The LMDC allocated over $280 million to long-term studies and open-space projects, such as parks.

Culture

Although I have treated culture as separate from growth as a dominant conception of the public good, supporters of cultural investments clearly viewed it as an economic development tool (McKinsey & Company 2002). The LMDC allocated $152.6 million in CDBG funds for cultural projects including $3 million to the Tribeca Film Festival, a project spearheaded by Robert De Niro with the support of LMDC board member Madelyn Wils. These projects raise the question of need. As one LMDC staff member commented we do not "always make the best decisions in terms of how the money is spent. Personally, I didn't think giving $3 million to the Tribeca Film Festival was necessary. They would have had the festival anyway" (Anonymous).

Although LMDC did conduct an extensive outreach project, there seems to be a much more direct relationship between a seat on the LMDC board and federal aid allocations. Local "downtown interests" were primarily represented by Carl Weisbrod, president of the Alliance for Downtown New York, and Madelyn Wils, the Chair of Community Board One (See Chapter 2). Through their influence on the LMDC board, Weisbrod and Wils established the affluent, high end development vision as the dominant one for lower Manhattan (Damiani and Greenwood 2004). Such an alliance is unusual in that development projects are often marked by antagonism between residents and businesses who perceive themselves as having opposing interests. Whereas businesses hope to generate revenues, residents tend to see the neighborhood in terms of its use values (Logan and Molotch 1987).[154] According to Jennifer Hensley of the Downtown Alliance:

> By and large, residential interests after 9/11 were commercial interests in a lot of ways, because many of the people that stayed downtown after 9/11—not talking

[154] This is especially true for large property owners who do not rely on residents for their livelihood in the way that small business often do.

> about the sort of transients that came in when the grants came. But like, the people who had been downtown and who were committed to remaining downtown—were people who had been here when it was a ghost town.

Hensley distinguished between those who had earned a right to shape lower Manhattan's future because of the time they had invested and because they had sought to make lower Manhattan.

> They've had their co-ops for twenty years or whatever, and they want to stay downtown and they view it as their community and they came here because of the whole walk to work financial district aspect of the lifestyle, and that's something that they want to sustain. And so, I think after 9/11 because of the situation, because of the way that planning moved forward, there was a sort of natural alignment there that I think benefited both sides (Hensley 2005).

Hensley's account echoes the more recent claims in other cities and by urban planners about agglomeration economies and "cool" or "creative" cities (Florida 2002) that see cultural vitality and open spaces as a good economic development lever (Kantor and Savitch 1993).[155]

Wils and Weisbrod often challenged the authenticity of others who sought to represent the interests of lower Manhattan (Rogers 2004). When I raised the issue of their board membership, I got the response that "Madelyn Wils was the chair of Community Board One, and Carl Weisbrod was the head of the Downtown Alliance. They were on our board because they were active in the downtown community. They represent the community, and they have been working in the community for years. So I think that it makes perfect sense that the Downtown Alliance and Community Board One projects are projects that we moved forward with" (Peterson 2005). However, Weisbrod and Wils clearly represented a certain segment of the lower Manhattan community.

[155] Although Hensley noted that after four years, this alliance weakened somewhat with the mayor's push to encourage residential development, possibly to the detriment of financial services. This effort appears to be linked to the mayor's effort to promote the west side of midtown Manhattan as the main hub of commercial development, including his bid for the Olympics.

Discussions about the post-9/11 rebuilding process have generally emphasized the limited role played by New York City in general, and Mayor Bloomberg in particular.[156] The role played by the Mayor in on-site WTC negotiations remains unclear. The perception that the Mayor (and Governor) played a limited role in overall discussions about the future of lower Manhattan is somewhat misleading, however. As Amy Peterson explained, this was not the case:

> I think that both the governor and the mayor put together an agency and put together a board and manage all these other agencies that are also doing all of this work. Dan Doctoroff was actively involved. The mayor was involved. [Louis] Tompson and Kevin Rampe reported to the Governor's office, and there were all of these other agencies that were involved. So I would say that they've been supportive and involved. And they appoint the board. And they're responsible for them individually. I think they're definitely involved and through their staffs (Peterson 2005).

The final policy outcomes also indicate that the mayor played an important role in shaping offsite priorities. On December 12, 2002, Mayor Bloomberg released *New York City's Vision for Lower Manhattan*. The Mayor's introductory comments warned against over reliance on the World Trade Center's economic contribution:

> We cannot afford to assume that a grand design for the site will solve the problems of Lower Manhattan. *We've done that before*...But if we are honest with ourselves, we will recognize that not everything about the World Trade Center was good. The Twin Towers' voracious appetite for office-space demand weakened the entire Downtown market. The underground mall, while popular, detracted from the vitality of the streets that surrounded it (Bloomberg 2002, 2).

Bloomberg argued that in addition to the impact of the WTC, the failure to invest public funds in basic amenities and infrastructure also had contributed to the decline of

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[156] Both Moss and Sagalyn claim that the City government played a limited role in the decisions about the rebuilding of the WTC (2005). This lack of city involvement was a regular topic of conversation among 9/11 stakeholders, particularly at civic coalition meetings. Some stakeholders, like David Kallick of LCAN, expressed their concerns publicly: "the time has come for the corporation to step aside and put the control where it belongs: with the elected government of New York City. LMDC was conceived by Pataki and Mayor Rudy Giuliani after 9/11 as a game of keep away [influence] from Mark Green, the mayoral candidate then leading in the polls. Now that the political show is over, the right place for city planning to be is in city government" (Kallick 2003).

lower Manhattan. He suggested remedying this long-term trend by making public investments in three areas. First he emphasized the need for improved connections between Lower Manhattan and the surrounding airports, especially a "one-seat ride" to John F. Kennedy Airport, a project strongly supported by downtown business interests. Second, he argued for the development of new residential neighborhoods. Finally he emphasized creating public spaces that would make lower Manhattan appealing on a global level (2002, 3). Overall, Bloomberg's plan emphasized growth through public investments in infrastructure and open spaces, transportation connections, and culture.[157] Equity was certainly not a main focus. Although there were references to affordable housing, the definition of affordable housing was primarily geared towards the middle class. In part this lower Manhattan plan was connected to Bloomberg's goal of developing the Far West Side and making a bid for the 2012 Olympics.[158] As evident in Table 3 above, the LMDC allocated over $260 million to projects identified by the Mayor including the East River Waterfront, the Fulton Street Corridor, and the Hudson River Park. The civic coalitions also supported several of these projects including the East River Waterfront.[159]

One aspect of the Bloomberg vision that did not receive Community Development Block Grant funds was the connection to John F. Kennedy Airport. It was actually the Governor who suggested using CDBG funds for a one-seat rail link between

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[157] Overall, Mayor Bloomberg has taken a very different approach to growth than his predecessors. His approach has emphasized public investments in infrastructure and the public realm as opposed to a strategy of austerity. For more on Bloomberg's approach to "growth," see Julian Brash's doctoral dissertation (2006).

[158] Alex Garvin of the LMDC was also Chair of the New York 2012 Olympics committee. The international Olympics committee ultimately chose London as the site of the 2012 Olympics.

[159] The Civic Alliance did not endorse the Hudson River Park project because of concerns about the use of poorly paid welfare workers and several other concerns. For more on this issue, see Chapter 5.

lower Manhattan and JFK Airport.[160] This project was supported by the downtown business community including Carl Weisbrod, who was on the LMDC board. At a cost of $5.2 million (see Table 3), the MTA, Port Authority, LMDC, and ESDC studied several options for the link including ones that would use existing subway train routes or building a new underground tunnel.[161] According to the LMDC's Lower Manhattan Transportation Strategies Report (2003c), the option to use an existing subway tunnel would cost between $2 and $2.3 billion but would further strain overcrowded subway trains, while building a new tunnel would cost between $4.7 and $5.3 billion. Either would cost far more than the remaining $1.2 billion in CDBG money. The Regional Plan Association (see Chapter 4) and the NYPIRG Straphangers Campaign,[162] often supporters of transportation investments, viewed the Governor's proposal as siphoning money from far more important projects into one that would benefit only a few business travelers, Long Island commuters, and downtown land owners. Such a project should not, they felt, be financed with community development funds.

Concerned about the allocation of the remaining CDBG funds, and specifically the Governor's push to use the funds for the JFK link, the civic coalitions hosted a series of public forums entitled "Beyond 16 Acres" to explore what the top priorities should be for programming to revitalize the downtown community. Each forum in the series addressed a key programmatic issue up for discussion.[163] One of the highlights of these forums was a March, 2004 panel on "How Can $1.2 Billion Best Revitalize New York

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[160] Currently, those wishing to get from lower Manhattan to JFK Airport can either take a subway all the way to Jamaica Queens, or the subway to Atlantic Avenue in Brooklyn where they can get the Long Island Rail Road, and then change for the Air Train, which goes directly to the Airport. Of course, many business travelers also take a taxi or a "black car" car service to and from the airport.

[161] The study alone cost the LMDC $5.2 million. See Partial Action Plan 4.

[162] The Straphanger's Campaign is an advocacy group for New York City transit patrons

[163] In November, 2003 R.Dot and the Pratt Institute held a "Neighborhood and Housing Roundtable." The Municipal Art Society also held a series of workshops when the memorial semi-finalist were selected.

After 9/11," held after LMDC finally released its workshops report. Forum participants would explore and rank their preferences for using the remaining 1.2 billion dollars of Community Development Block Grant funds.

Despite chilling winds and snow, the event attracted over 70 participants. Like the forum participants, many other observers criticized the Governor's plan. Organizers gave each participant gold coins that represented $1.2 billion. David Kallick of LCAN and Jeff Zupan of RPA opened by summarizing the CDBG situation, describing the alternatives, and asking participants to put their coins into transparent cylinders at the front of the room standing for different investment targets. Participants could put all of their money in one cylinder or divide it as they saw fit. All together, participants put 39 percent of their money into housing, 23 percent into local economic development, 17 percent into community services and facilities, 15 percent into arts and culture, and only 6 percent into JFK/LIRR link (Beyond Sixteen Acres, 2004).

Figure 3. Roland Gebhardt Decides Where to Put His Coins

Taken by the author

The majority of the forum participants disagreed with Governor Pataki's intention to use the CDBG money to provide a one-seat rail link from Lower Manhattan to Kennedy airport. Just as organizers had hoped, the participants had challenged the Governor's anticipated endorsement of the new tunnel option. Although it is difficult to measure the actual impact of this particular event on the decision-making process, the forum was well attended by the press, brought transportation specialists, downtown residents, family members, and even homeless and jobless individuals from the Lower East Side together to demonstrate how different their priorities were from the Governor's.

Equity

Although LMDC funded some equity-related projects, equity clearly did not emerge as a dominant conception of the pubic good. The LMDC initially funded two equity-related programs including the Employment Training Assistance Program (ETAP) through Partial Action Plan 1, and the Affordable Housing program through Partial

Action Plan 6. Under Partial Action Plan 1, the ETAP program allocated 10 million dollars for job training in lower Manhattan. The program was sub-granted and administered by the State's Empire State Development Corporation, which was also responsible for allocating most of the business retention grants. In August, 2003, however, the LMDC transferred $9,500,000 of the original $10,000,000 ETAP funds into the Business Recovery Grant (BRG) program claiming that

> Businesses in the area have oversubscribed to programs such as the BRG program and undersubscribed to ETAP. Therefore, LMDC is reallocating all remaining funds for ETAP to the BRG program through this Partial Action Plan. This will allow alternative sources of funding to be used for employment training assistance and allow HUD funds to be targeted where there is an immediate demand for funding and limited alternative sources of funding. The total estimated saving for the reallocation of ETAP is up to $9,500,000.00 (LMDC 2003d)

The LMDC action plan made the argument that since other funds were available for job training, nearly all of the $10,000,000 allocated for job training should be used business recovery. Given that there were many other significant sources of funding for business as well, this claim seems unconvincing. The low-income neighborhoods of lower Manhattan, particularly the Lower East Side, had hoped to use for ETAP funds to help train their residents; however, the transfer of ETAP funds left only $500,000 for CDBG funded employment training.

Given that LMDC used the vast majority of the ETAP funds for growth instead of equity, the affordable housing program became one of the few equity programs funded by LMDC. The LMDC's Partial Action Plan 6 allocated roughly 50 million dollars for affordable housing projects. It is highly unlikely that LMDC would have pursued affordable housing without the persistent pressure of low income communities and civic organizations such as the Labor Community Advocacy Network (see Chapter 4). Even

getting this money for investment in affordable housing took considerable effort. Mayor Bloomberg, for example, had suggested using a fee from market rate development to create an affordable housing pool instead of directly allocating funds for affordable housing (LBHC). Affordable housing advocates felt this was risky given that the fees which were supposed to be generated from Battery Park City development never materialized for affordable housing (City Project 2000; Lander 2004).

Partial Action Plan 6 (PAP 6) allocated 50 million for five separate projects in the more diverse and lower income neighborhoods of lower Manhattan including Tribeca, the Fulton Corridor area, Chinatown and Lower East Side. The final PAP 6, approved on November 18, 2005 differed considerably from the first proposal submitted by LMDC on January 22, 2004. The original proposal earmarked all of the 50 million primarily for moderate and middle income housing on Site 5B in Tribeca.[164] In response to comments on the initial plan, the LMDC allocated more of the money for low and moderate income households and for preservation of low and middle income housing. The formula is based on an Area Median Income of $62,800 (LMDC 2005).

The notion of affordable housing immediately raises the issue of what is meant by affordable. In the original PAP 6, the LMDC framed affordable housing priorities in terms of filling in the gaps and addressing the previously neglected needs of the middle class. The PAP states that "In contrast to the availability of housing opportunities for low-income [through established government programs] and high-income families [supplied by the market], housing opportunities for moderate and middle-income families are limited" (LMDC 2004a). The same staff member reflected on the consequences of framing affordable housing in this way:

[164] This is a city-owned building.

> I would say, "This just doesn't look right. They're using the term 'affordable housing,' how can you use the term 'affordable housing' when you've got clearly low-income families using the term 'affordable housing' and meaning completely different things…And you've got this new community usurping the language and the vocabulary and turning it into something else. And it's really unfortunate, because then they can make the argument that this is affordable housing when it's really not" (Anonymous).

It is certainly true that there is a dearth of affordable moderate and middle income housing in lower Manhattan. Much of it is only available in the "outer" boroughs of Brooklyn, Queens, the Bronx, and Staten Island and even that is disappearing. Recent studies of the housing situation suggest a contraction of affordable housing for low and moderate income households (Van Ryzin and Kamber 2002; Scott 2006). This contraction is due to several factors including a retrenchment in federal aid for programs such as Section 8, the decline in *in rem* units, once available for purchase to community organizations. Furthermore, significant numbers of affordable housing units will be rented as market rate because the tax abatements and other incentive programs utilized by developers that made them affordable either through rent control, rent stabilization, or other protections governmental regulations have a sunset date, many of which are coming due.

Partial Action Plan 6 created some affordable housing for low and moderate income families in lower Manhattan. Yet the level of community organizing that this outcome required seems unreasonable and considerably more challenging in communities where low-income communities are poorly organized or receive inadequate political representation. Moreover, the issue of the residential grant program raises a question about the role of government in promoting growth. On the one hand, the LMDC has allocated money to prevent a decrease in property values through its residential grant

program. Yet such a decrease would likely reduce rents and make lower Manhattan more affordable to those seeking housing in New York. In fact, several respondents, speaking on the condition of anonymity, expressed support for the idea of simply letting prices drop. None of these respondents felt that they could state these opinions publicly.

By September 2004, three years after the attacks, the LMDC had allocated $2 billion of its $2.8 billion allocation on a piecemeal basis. By March 2005 the Governor had presented a framework for spending the remaining funds; the JFK project was no longer included in his list of CDBG priorities.[165] Many of the projects described above were included in Bloomberg's vision; they were supported by key stakeholders, particularly Carl Weisbrod and Madelyn Wils on the LMDC board, or were endorsed by the civic coalitions. In fact, the LMDC worked with the civic coalitions in producing the final CDBG categories. Although there clearly were some equity promoting programs, and programs that addressed the needs of the lower-neighborhood of Chinatown (see Table 2), the vast majority of the funds advanced memorialization, growth, and public participation as dominant conceptions of the public good. Therefore, while participants in Listening to the City successfully got equity on the agenda (see above), the dominance of memorialization and growth were considerable obstacles to getting funding for equity related projects.

Liberty Bonds

The Liberty Bond program is a good example of how funds will be channeled to promote high-end growth if there is little pressure to do otherwise. The program allocated $8 billion in loans for commercial, retail, and residential development (see

[165] Supporters of the project turned to other sources of funding instead. In 2004 Carl Weisbrod participated in event that sought to rally support for the project. This time, the speakers targeted $2 billion in 9/11 Work Opportunity Tax Credits for the project (Municipal Art Society 2004).

Chapter 2). Unlike the well publicized and well attended public hearings about the site plan and the memorial, and even the CDBG funds, liberty bond allocations were poorly monitored by the public and civic community. With the exception of the Liberty Bond Housing Coalition, the civic community and the public at large paid considerably less attention to the allocation of Liberty Bonds. This is most likely due to CDBG program's original mission of assisting low-income communities, and especially the form of the CDBG money—unencumbered cash as opposed to loan proceeds. Still, the point is that very few challenged the use of $8 billion dollars to promote luxury development.[166]

At a time when the reservoir of affordable housing has steadily contracted, a logical question might be why provide 8 billion dollars of triple tax exempt bonds for development projects without mandates or incentives to develop affordable housing or other investments in public infrastructure. Instead commercial bonds were used to assist developers including Larry Silverstein to underwrite the redevelopment of 7 World Trade Center and as incentives to attract anchor tenants. In fact, Speaker Silver pushed to secure these incentives for large commercial tenants (property owners) such as Goldman Sachs (Pataki 2005).

City and state legislation does require public hearings for the allocation of public resources, but these appeared to be *pro forma* more than substantive opportunities for comment. Bettina Damiani of the Liberty Bond Housing Coalition described several of her experiences attending a public hearing. She noted that at the New York State Housing Finance Authority (HFA), they

[166] Members of the LMDC board did, however, join downtown interests in criticizing the City's allocation of $2 billion in Liberty Bonds for projects outside of lower Manhattan including $650 million to the Durst/Bank of America building in Midtown and projects in downtown Brooklyn (Rogers 2003; Powell and Garcia 2004).

> were completely shocked that people actually came to their public hearings, [it was] like they didn't know what to do. We got up and said 'Where do you want us to testify?' They had no idea, they had never had anybody that they didn't know [come to a hearing]. They had the developers come and get on the record and say that they were going to do good things when they got this money. They had no idea how to integrate public opinion into their hearing process (Anonymous 2005).

Damiani recalled a similar experience at HDC when she and several other members gave testimony opposing an $82 million allocation to a luxury housing project at 90 Washington Street in lower Manhattan. The HDC staff who conducted the hearing failed to turn over any of the testimony to the HDC board members, none of whom attended the actual public hearing (LBHC 2003).

PART III: WHO BENEFITS?

To look at the state of lower Manhattan nearly five years later is to scratch your head and wonder what has happened over the past five years. Decisions have certainly been made and money has been allocated. A steady stream of staff members, particularly influential senior staff members, have come and gone at the LMDC. The perception of outcomes and beneficiaries is mixed.

The LMDC's mandate included developing and funding projects to revitalize Lower Manhattan. Most were funded with HUD Community Development Block Grant (CDBG) money, but HUD eliminated the standard public hearing requirement for this allocation. Did the LMDC seek to encourage public input even though the requirements for public input were limited? The LMDC's website states: "LMDC selects activities based on needs as articulated by the public including residents, businesses and workers, elected officials and government agencies, and community based organizations" (www.Renewnyc.com). The LMDC allowed the public a 20-day comment period on its

proposed partial actions plans, but announced them only in local newspapers and its website, leaving many members of the public and even the civic coalitions initially unaware of them. One LMDC staff member confirmed that these important initiatives, involving millions of dollars, rarely get public comments (Anonymous 2004). LMDC spent CDBG money on business and residential retention grants, tourism and communications, cultural and community development, short-term capital projects, long-term planning, and memorial and cultural projects.

Although family members have recently expressed concern about the memorial—the design and the declining budget—memorialization clearly emerged as a dominant conception of the public good after 9/11. Not only did the memorial itself take up a quarter of the site, the initial memorial process cost $438 million, approximately a quarter of the $2 billion in available CDBG funds.

The 9/11 attacks also clearly reinforced support for growth as a dominant conception of the public good. Some felt that the response to the 9/11 attacks had reinforced a model of growth that emphasized the role of a central business district with large office towers without dealing with any of the underlying assessments of market demand.

> I think the decisions about planning the site crystallized again this decision that Lower Manhattan had to be the Central Business District, and you had to have offices and somehow these offices were going to get filled. But, who's going to fill them? And I think the question's still in my mind unanswered, as to who are all these transportation routes for? Are there really going to be any tenants in these buildings? And is it realistic to think that this is going to still serve as a major central business district in the city, particularly when you have the former site, and my personal interest which is encouraging growth, development. So, I don't think it changed anything but I think it may be an interesting example of what is this question that hasn't been answered about how the city should grow, if that makes any sense (Kesner 2005).

This again raises the question of who benefits from growth as it is currently defined.

> I mean, my concern is that this is again 9/11 money being used to gentrify an area. For example, the public hearing that they did have, what was it? Two months ago? One of the guys gets up there, one of the CB1 guys, and goes, "You know these 99 cent stores just are not adequate for the type of residents we want to have in Lower Manhattan." It's like, "Oh, you could say anything more blatantly classist?" Well, guess what? The predominant people that use those 99 cent stores are people of color that work for the city, they're down there and those stores can pay the rent just fine. And you want to move them out to subsidize the Anne Taylors of the world. It's just…. So I don't know. I could be wrong because I haven't looked at the Fulton Plan very carefully. I was sort of skimming through it. I don't know if there's anything in there that would make me feel better about the fact that the guys that own those 99 cent stores are going to be pushed out by big conglomerate types with tens of thousands of square feet (Damiani 2005).

While market demand, public and expert analysis all suggested that the commercial market downtown could not absorb another 11 million square feet of office space, the LMDC, Port Authority and others continued to comport themselves as though that were the most logical path to pursue. For example, in October 2004, the Regional Plan Association released a report on the status of the rebuilding. Among other things, the report expressed concerns about the LMDC's and Port Authority's pursuit of high-density development on the site, and their failure to encourage diversification of the residential and economic base in lower Manhattan (Todorovich 2004). When a reporter raised a question about the report at an LMDC board meeting, LMDC President Kevin Rampe sarcastically queried: "well, what does RPA stand for anyway?" (LMDC 2004b).

This position led many key LMDC staff, including Alex Garvin, to leave the authority. It also left civic stakeholders and the public in a constant quest for the right institution to address its concerns. As Marcie Kesner of New York New Visions explained, meeting behind closed doors with Alex Garvin gave the coalition credibility

and an opportunity to raise their professional concerns without tempering them for the press; yet

> The problem is that we were raising them to Alex Garvin and to his people, and over time it became clear—and it wasn't clear in the beginning—that Alex Garvin didn't have the power to effectuate anything either. So, he was using us as a way of trying to put pressure on his internal organization to do what he felt was right. It was sort of this mutual process. So, he would let us know what was happening, we would then write a letter, or do a protest or raise certain issues. That was his way of trying to create pressure on LMDC, which didn't care about some of those issues, to think that, "Well, there is a public outcry about this," and then have him work internally. I don't know if it worked. He was out pretty soon, so I don't know how successful it was (Kesner 2005).

Moreover, symbolic politics, and return to an expert driven implementation phase, meant that LMDC officials made significant changes without the level of public input in the earlier phases. Ironically, the final site resembled the original six site plans: "If you look at the final plan that is now the LMDC plan and compare it to one of the Beyer Binder Belle site plans, they're not a whole lot different. I mean, they were dealing with constraints that don't leave you a lot of choices. And those are the constraints that were set out once you have that much stuff to stuff onto a site. So, I'm not sure. I'm not sure" (Kesner 2005). In other words, the Port Authority's program proved resilient.

Many of the civic coalitions, including members who were downtown residents, supported the Bloomberg vision. Once implementation began, however, some of these downtown interests expressed concern that the Mayor's vision was being implemented with little regard for public input. As one resident explained:

> As good as the Mayor's vision looked from 30 feet—in terms of a broad based idea of what lower Manhattan could become, could be developed into—its actual implementation on the ground as it's being carried out using liberty bond money, federal inducements such as liberty bonds money, things the city's trying to do, plans the city is trying to put forth, is hideous, irresponsible, trying to avoid any

> voice or participation by people who already live here, who already made this a 24/7 community (Epstein 2004).[167]

As David Kallick commented at a Civic Alliance steering committee meeting: "There is a reversion to politics as usual. There was a great connection in it (the Libeskind plan) that is lacking in others. I am concerned about reaffirming the Master Plan since much of it is gone, e.g. the slurry walls, no cultural institutions" (CA 2003dnew).

Some felt that "equity" related issues had made it to the systemic agenda, even if they had not been effectively pursued as public policy. Eva Hanhardt said she thought that "the notion of economically-integrated neighborhoods had sort of almost dropped off as a value. As a political, social, American value, it had almost dropped off the discussion plate. And somehow it came up" (Hanhardt 2005). Yet she also explained that many of those issues that were embraced by the public had not been implemented as public policy. Shiffman, also a long-time equity advocate, explained that there seemed to be a shift in the discourse that led stakeholders to critically examine the idea that growth is a value-neutral concept: "I think it's always been the dominant discourse that you continually grow. I think what the discourse has to be is that you grow qualitatively, as opposed to quantitatively. And part of that emerged in the rebuilding of lower Manhattan and in the planning of it. How do we deal with it from a qualitative point of view, and what were the things that we could put there, and think about in the planning process (Shiffman 2005).

Other issues that had emerged on the societal agenda, such as peace, also did not make it to the governmental agenda.

> We talked about really, a progressive redevelopment of Lower Manhattan in different ways. But how can you call for a Center for Peace when we're a warmonger? It's, it's… And one realizes, the closer you got to putting bricks in the ground, the more divisiveness there is going to be. Cause where should the

[167] Epstein was a member of the Civic Alliance.

> priority be? It would separate some of the labor unions from some of the immigrant groups. It would separate those who want the large-scale capital investments and program investments. And it was never really enough money, and the money was a sham to some degree (Shiffman 2005).

Participation also emerged as a dominant conception of the public good. As Eva Hanhardt mused, "yeah, I think it [9/11] emboldened people to feel that they really had a right to take on things that seemed too big to take on…. I think decision-makers to a great degree, have been more accustomed to broader, citywide groups, groups from outside just a neighborhood having a concern about something" (2005).[168] Still, Hanhardt cautioned that making participation meaningful and effective in the long run requires sustained effort.

> you have to have these participatory moments very very frequently. You have to interject them very often, because—and government has to make sure that that happens—because otherwise you lose control. It's like we put out the 49, and so what? Go to it, Larry Silverstein, if we want. I mean, that's in some ways what's going on, but unless government says to Larry, "You know, we've had this process and we're gonna hold you to it." For government to do that it's very hard if they don't have the numbers and the people and the momentum, and I do believe, it's one of the things I used to say that democracy was a verb, not a noun. That's it's in the action of doing, of participating that you actually have a democratic system. It's not the name… but it's actually in doing that. And I think that we tend to still allocate too much power to the decision-maker, and don't hold them accountable enough in that broader process (Hanhardt 2005).

As Hanhardt suggests, a healthy democracy requires sustained public effort. The final decisions about the World Trade Center site and the surrounding neighborhoods of lower Manhattan suggest that public and civic input had some impact. Although downtown business interests clearly benefited, e.g. from the business grants and Liberty Bonds, they are not the only ones who benefited. The families will get one of the most expensive memorials in U.S. history. Downtown residents will get significantly improved parks,

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[168] She identified the uproar over development on the West Side and the Campaign for Inclusionary Zoning as examples.

cultural facilities, and other amenities, although all who live, work, and visit will have to bear the cost of construction in daily interruptions, noise and air pollution. The civic coalitions also got some of what they asked for in the form of cultural investments, parks and open space, and affordable housing. Chinatown also received considerable investments in traffic studies, community development, and marketing campaigns. Even low-income communities will benefit somewhat through affordable housing investments and the early expansion of the residential grant program. Overall, however, this last group of stakeholders will benefit on a much smaller scale compared to the multi-million and in some cases billion dollar investments in other priorities. Moreover, because the efforts to preserve affordable housing and create jobs for low-income people have been so limited, the investments in making lower Manhattan attractive for private investment will likely result in the continuing displacement of these low-income communities.

CONCLUSION

Although a particular value or set of assumptions about the public good may shape the parameters of decision making, other conceptions of the public good often co-exist, even if they are achieved on a piecemeal basis. Destabilizing events may elevate alternative conceptions of the public good and undermine the authority of a dominant conception. The 9/11 attacks had such an effect. They generated public discourse about fundamental values and mobilized a multitude to articulate alternative conceptions of the public good. These values included growth, but they also included conceptions such as memorialization, public participation, equity, excellent design, and public safety and security.

Nevertheless, there were considerable constraints on realizing a new agenda for lower Manhattan and New York City. Some of these constraints stem from the complex system of NYC governance, which includes many overlapping and unclear sources of authority. The complex system of governance and authority helped to promote some conceptions of the public good and hindered the advancement of others. When those in power, especially the Governor and the Port Authority, chose to promote a particular conception of the public good, they could. When they chose not to, they were able to hide behind the Lower Manhattan Development Corporation which took the brunt of public displeasure. The LMDC was also able to dilute some of this public dissatisfaction by engaging in symbolic politics, which created interesting architectural designs but did not actually challenge the basic premises of the Port Authority's program.

The unraveling of the Libeskind plan is evidence of the strength of downtown business interests, especially the Port Authority, Silverstein, and downtown real estate owners like Brookfield Properties. It also reflects the outcome of a problematic process in which the site plan and the memorial were developed in parallel, but distinct processes, as well as Larry Silverstein's successful move to re-assert the private status of the World Trade Center site. It is also, however, indicative of the lack of consensus around the Libeskind plan, which the vocal claims of family and coalition members did not reveal. As a result, some were able to uses these separate processes to pursue their own desired outcomes.

Members of the public, coalitions, and the press sharply criticized Governor Pataki for his lack of leadership throughout the rebuilding project. The broader public had been most captivated by decisions about the design of the commercial space and the

memorial on the 16-acre site. Libeskind's claim that the public was his client was undermined by the fact that final decisions about both issues undermined his original design plan. Although setting aside a four-acre memorial site roughly on the footprints of the original towers was a victory for the families, the Port Authority and Mr. Silverstein decided almost every other important aspect of the site. Compared to the Port Authority, the LMDC did make a considerable effort to solicit public input, but the final decisions did not reflect it.

The coalitions sought to communicate or advocate their emerging visions to shape the decisions that officials were making about the site and the surrounding area. Coalition members helped the LMDC's growing staff to organize their own public meetings and offered formal and informal comments on their work. They acted as watchdogs and gadflies, prodding the rebuilding agencies to make their decision-making more transparent and gather more public input. However, at times the coalitions played another, perhaps more significant role by providing opportunities for public deliberation.[169] In this capacity, the coalitions seemed to hold real potential as generators of new ideas and consensus.[170] They functioned as a quasi public sphere, and decision-makers used this to their advantage. For example, LMDC officials routinely referred to Listening to the City as part of their good process. But, later in the process, when the coalitions challenged the LMDC, the authority sought to discredit the coalitions.

Land use decisions raise many questions, particularly about development, but also about other issues as well. What kind of development? Commercial or residential?

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[169] Civil society organizations, such as Safe Horizons and the 9/11 United Services Group, also played an important role in providing basic social services.

[170] Of course whether they were really part of the "process" would be determined by how much influence their meetings would have on decision makers. I discuss this dynamic in Chapter Five.

What kinds of employment opportunities—low or high road, service or manufacturing? What type of workforce—well educated, or with limited skills? What other types of spaces should be made available? Public spaces? What about transportation? Therefore, decisions about land use almost always require public officials to make decisions that affect related policy areas. While it is important to examine policy areas and advocacy coalitions, this chapter shows that it is also important to understand that catastrophes provide opportunities to uncover how these policy decisions are interconnected.

CHAPTER 6
CONCLUSIONS

INTRODUCTION

Dominant conceptions of the public good shape the parameters of agenda setting and policy-formulation by affecting what is considered possible and desirable in the policymaking arena.[171] In successfully defining the dominant conception of the public good, powerful actors are often able to reinforce their own influence over the policymaking process. Over time, we begin to take ideas about the public good for granted. Although public discord may exist over the meaning of the public good, it is often muted because powerful actors ignore, co-opt, and even punished those who challenge their values and interests.[172] Moreover, the high cost of personal and collective participation poses a significant obstacle to sustained deliberation and action.

This study uncovered many forces that press cities to pursue economic growth. Growth has support from those who receive jobs, from communities that benefit from increases in property values, and from those who may benefit from the amenities that are a critical part of the contemporary growth model. Although there is widespread support for the conception of growth, downtown business interests were best able to define the content of growth. These stakeholders are often successful at extracting resources, tax benefits, and other incentives from government (and therefore from neighborhoods) to pursue their agenda. Therefore, pro-growth policies become problematic because often those who have most effectively defined the content of growth strategies and policies

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[171] Sometimes policies are very different from public rhetoric, but conceptions of the public good certainly seem to play a critical role in legitimating governing coalitions and their ability to construct and implement a policy agenda.

[172] In the case of Koch, challengers to a pro-growth agenda were co-opted (Mollenkopf 1992), while challengers of the Giuliani Administration were often punished by withdrawal of funds or policing of neighborhoods?

promote a particular model of growth—the luxury city, which is inherently and *de facto* exclusive. According to Paul Peterson these are details because "growth is in the unitary interest of the city" (1981). Yet these details are the cause of contention and significant transformation in neighborhoods.

While urban scholars, community activists, and others have argued that growth policies hurt neighborhoods and displace low-income people, these concerns and the values that undergird them often remain latent in the discourses of urban public policy, particularly since the 1970s fiscal crisis in New York. Those who express concerns about the effects of growth are often labeled as being "anti-growth." Twenty five years after Peterson's claim, growth remains a fundamental priority in urban politics and scholarship. At a conference held at Columbia University to honor Susan Fainstein and to probe her notion of the "just city," Dennis Judd posed the question of whether we can talk about the just city and not support growth (Judd 2006).

On the eve of the 9/11 attacks, growth was a dominant conception of the public good as it had been since the 1973-75 New York fiscal crisis. Yet the widespread impact of the attacks, including the loss of 2,749 lives, the destruction of over 34.5 million square feet of office space, as well as the symbolic challenge to American capitalism and democracy, mobilized diverse state and civil society stakeholders, including the public at large, to engage in discussions about the public good. These deliberations took place in formal public hearings, in smaller meetings with decision-makers, and in public forums organized by civil society organizations. The outcomes of the deliberations will be addressed in the subsequent pages. I revisit the five claims presented in Chapter 1 of this dissertation to address the content of these deliberations, whether they challenged growth

as the dominant conception of the public good, how powerful actors sought to constrain the post-9/11 agenda, and the alliances that developed from these civic activities.

Claim 1

This dissertation claims that catastrophic events generate widespread discussion about the "public good." These discussions reveal that the public good is a contested concept; state and civil society stakeholders define the public good differently. In doing so, alternatives to the dominant conception of the public good emerge. The 9/11 case shows that New Yorkers care deeply about normative questions. Chapters 3 and 4 explain that state and civil society stakeholders also identified values such as memorialization, public participation, security, excellent design and planning, culture, and equity, in addition to growth, as public goods. Even when the LMDC and Port Authority organized public processes to concentrate discussion on specific aspects of rebuilding the World Trade Center site or the memorial, stakeholders used these opportunities to contemplate fundamental values.[173] The call for public input, for democratic practice, was a critical component of public demands. These public deliberations revealed not only the range of conceptions of the public good, but also the range of ways stakeholders defined the content of these different conceptions.

While some stakeholders continued to identify growth as a conception of the public good, it was clearly not the only conception. Some stakeholders identified memorialization, equity, culture, security as clear *alternatives* to growth[174]; they cast growth imperatives as crass preoccupations with private interests or as an inappropriate

[173] Of course some simply presented their preferences with little contemplation of other conceptions of the public good.
[174] Sometimes these same conceptions were also identified or justified as being compatible with growth (see Claim 3 below).

symbol of the response to the 9/11 attacks (see Chapter 3). Given that a major symbol of American capitalism had just been destroyed, the willingness of stakeholders to engage frankly in these discussions is indicative of the uneasy support for growth both as a practical priority and as a symbolic representation of New York values.

Nevertheless, the question remained: would decision makers move these alternative conceptions of the public good to the governmental agenda and adopt policies that advanced them?

Claim 2

Drawing on existing theoretical and empirical studies, this dissertation claims that powerful actors will try to use their privileged structural positions, non-decision making tactics, and framing of the public good to advance their values and interests. This study found that these actors, including representatives of private organizations such as the Downtown Alliance, the Real Estate Board of New York, the World Financial Center, as well as the Port Authority, the Governor, Sheldon Silver, and the ultimately the Mayor, used several tactics to identify their preferred values, particularly growth, as the public good. First, as Chapter 2 explains, they used their influence to create a federal aid package that primarily promoted growth (see Claim 4 below).

Second, rebuilding authorities engaged in "symbolic politics" and used "process" to legitimate their decisions, even when they did not reflect public input. Stakeholders identified public participation as a conception of the public good. Rebuilding officials at the Lower Manhattan Development Corporation (LMDC) responded to this demand by conducting an extensive public outreach process including public hearings, the formation of advisory councils, workshops and meetings with key stakeholders. The LMDC

frequently referred to its public process as a success. Yet public participation in these public processes was not always efficacious (see Chapter 5).

During the Listening to the City event, the public rejected the Port Authority's initial six plans, which all had the same program. The "program" which required all designs to include the original 12 million square feet of office, retail, and hotel space was presented as a *fait accompli* or "non-decision." In response to the public's rejection of its plans, the Port Authority withdrew from public dialogue and the LMDC initiated a new process—the innovative design competition. In this process, the public weighed in on the architectural designs and the configuration of the commercial development on the World Trade Center site. Although the competition guidelines said the "program" was flexible, it soon became evident that this was not the case.

After the selection of the Libeskind memorial, the Port Authority and Larry Silverstein re-established their priorities for the site, which included restoring the commercial space. The program constrained the options for the site considerably, by making the World Trade Center model the content of a growth agenda. When traditional allies of the Port Authority, such as the Regional Plan Association, sought to force a discussion of the program onto the systemic agenda, they were partially successful in that the boundaries of the site were extended to include the Deutsche Bank building. While this change created greater potential for alternative uses of the site, it did not change the effect of building so much office space in an area where demand had declined considerably.

The reversion to business as usual also illuminated that although the LMDC was conducting a public process, the Governor, the Port Authority, and Larry Silverstein were

the real decision makers. The LMDC either lacked the will or the authority (or both) to protect the integrity of its decision-making. Some LMDC staff, especially Alex Garvin, used public and civic input to try to gain leverage over the Port Authority and to legitimate their decisions. During several key decision-making processes, the LMDC staff identified the civic coalitions as playing an important role (see Chapter 5). However, LMDC staff and civic coalition members found it difficult to shift the priorities for lower Manhattan away from the Port Authority's program. This complex authority structure buffered those with the most influence, such as the Governor and the Port Authority, from direct public pressure.

Finally, representatives of large commercial property owners and major financial institutions in lower Manhattan, as well as affluent residents dominated the LMDC board. These Board members approved the allocation of federal aid dollars to promote growth, and policies related to growth, in lower Manhattan. This is not to condemn all of the allocations made by the LMDC. The LMDC funded many projects that will likely improve the amenities in the area including local museums and parks. Still, as board members, these stakeholders were able to encourage program development and funding in areas that were of interest to them. These projects were heavily weighted towards high-end growth including infrastructure investment, cultural institutions, marketing of the lower Manhattan business and cultural amenities. Tom Johnson, who represented family members, on the LMDC board, also supported projects related to memorialization, and a large portion was used to fund memorialization projects.

Claim 3

Policy scholars often focus on the "framing" of a particular policy (Goffman 1974; Benford and Snow 2000). This dissertation pushes the idea of framing further by exploring three facets of the "public good"—the multiplicity of conceptions of the public good, the relationship between the different conceptions of the public good as values, and finally the distinction between conceptions of the public good as values and as policy solutions. The first facet, the multiplicity of conceptions of the public good, was already addressed in Claim 1.

The second facet emphasizes that even on the level of values, many conceptions of the public good are compatible with each other. This is particularly the case with those conceptions that are tied to "growth." That advocates of other conceptions often invoked the language of growth to justify their conceptions of the public good is an indication that growth remained a dominant conception of the public good. As Chapters 3 and 4 explained, some advocates of culture, excellent design, security, and even memorialization justified these conceptions as alternatives to the priorities of growth; however, others justified these same conceptions by claiming that they would encourage private investment as the neighborhood became more attractive.

There is an important distinction between viewing conceptions of the public good as compatible with each other and viewing them instrumentally as a means to achieving economic growth. In an effort to distinguish between these two lenses, this dissertation examined each of the post-9/11 conceptions of the public good as discrete entities. Stakeholders viewed these other values as advancing the public good in their own right,

although they strategically deployed the promise of growth to get their issues on the agenda.

Finally, a main claim of this dissertation, which addresses the third facet of conceptions of the public good, is that conceptions of the public good as values have a tenuous relationship to public policies designed to carry them out. This is most significant because powerful stakeholders are often successful at defining the content of conceptions of the public good. As Chapters 3, 4, and 5 showed, the relationship between conceptions of the public good as values and as policy solutions is, in fact, weak. Stakeholders are likely to support many different policy solutions to advance the values of growth, equity, security, memorialization, culture, and public participation. This theme is extremely important when the same powerful players routinely define the content of conceptions of the public good (e.g. the content of growth is regularly defined as high-end development).

Powerful stakeholders can co-opt policy solutions that are often widely associated with one conception of the public good by the general public, to promote a different set of values and interests. In the 9/11 case, co-optation of policies occurred with off-site affordable housing initiatives, as well as some cultural institutions that were intended to be on the site. Chapters 3 and 4 describe the efforts of advocacy communities to get affordable housing on the governmental agenda to promote equity. Initially, rebuilding agencies responded to these pressures by co-opting the policy of affordable housing to promote growth. They did this by defining "affordable" as equal to or above the area median income as opposed to assisting those below the median income (see Chapter 5). Affordable housing advocates, with the assistance of local political officials, successfully

challenged these definitions in Partial Action Plan 6 and the LMDC revised the program to address the needs of lower-income people and the goal of equity.

This was also the case with the cultural institutions, although it led to a much greater confrontation. In early discussions about culture, stakeholders regularly identified the need for institutions that created a space for public deliberation and expressed the values of peace and tolerance. Later discussions about the cultural institutions on the site became more complicated. President Bush and Governor Pataki co-opted the symbolism of these cultural centers to promote the idea of freedom, which seemed to work better with the wars on "terrorism" in Afghanistan and Iraq. Thus, the idea of culture shifted from peace to freedom. These cultural facilities also faced criticism from family members who saw them as attacks on American patriotism? Excellent design was also co-opted as symbolic design for those wishing to develop tall, "iconic" towers.

Claim 4

Federal aid packages include a series of rules and stipulations that could reinforce dominant conceptions of the public good, or facilitate challenges to these dominant conceptions. In fact, federal aid packages reflect the interests and values of the dominant governing coalition, and make it difficult to advance alternative conceptions of the public good even when they have public support. As Chapters 2 and 5 explain, the legislation of post-9/11 federal aid package promoted growth as a dominant conception of the public good by targeting funds to (1) transportation infrastructure investments and (2) residential and commercial development with few requirements for affordable housing or mixed-use commercial. Another portion of the federal aid package, in the form of a Community Development Block Grant, was much more flexible, but also did not include the

program's usual criteria of public hearings and low-income requirements that ostensibly promote the value of equity.

It is understandable that the federal aid package would include some funds for transportation given that the collapse of the World Trade Center damaged the subway and PATH stations running below site. Investing in transportation infrastructure is also a common focus of pro-growth advocates. Following 9/11 the federal government allocated over $4.5 billion dollars for transportation repairs and infrastructure development. Another $8 billion of the federal aid package was prescribed as "Liberty Bonds" for office, retail, and residential development with few requirements for affordable housing or diversity in commercial development. Those seeking to develop luxury housing and expensive office development could tap those funds. As explained in Chapter 5, much of the residential funds were, in fact, used for luxury housing. A large portion of the commercial funds used were given to big developers, including Larry Silverstein to redevelop World Trade Center 7 and to attract commercial tenants.

Some of the CDBG funds—generally the more flexible portion of the federal aid—was also targeted specifically for growth. $750 million was prescribed for utility repairs, since the falling towers destroyed a Con Edison substation. Another $500 million was set aside for business grants. Therefore, the 9/11 aid package targeted over $1 billion for growth-related projects; this does not include the additional CDBG funds that were also used to promote growth. Consequently, those seeking to advance alternative conceptions of the public good were limited by lack of available funds. Another consequence is that it may set a precedent of using CDBG funds for development in an affluent community.

Claim 5

Finally, catastrophic events may result in coalition building and increased social capital between previously unaligned communities of interest. These new alliances may challenge ties between members of the dominant governing coalition and erode support for the dominant conception of the public good. As Chapter 4 shows, the civic coalitions that formed post-9/11 brought together previously unaffiliated communities of interest. This was most apparent in the Civic Alliance, which also functioned as an umbrella organization for some of the other coalitions. Several of these diverse organizational members concluded that the World Trade Center version of growth was inadequate and even destructive to the public good. This shared concern over the public good and rejection of the WTC model of growth created social capital and increased the influence of marginalized groups within the Civic Alliance. However, it also created tensions between pro-WTC members of the Civic Alliance and those who questioned that model.

The effect of this split within the Civic Alliance over the merit of the WTC model was apparent in the trajectory of the Civic Alliance over the four years of this study. Within the first two years, key pro-growth interests such as the Downtown Alliance and the Real Estate Board left the Civic Alliance. This allowed equity-oriented members such as David Kallick to gain more influence within the coalition and to recruit other members who also prioritized equity to the steering committee. Over time, these interests played a more active role in the steering committee, which reinforced their formal organizational role, but also created opportunities for social capital to develop between members of the steering committee who met on a regular basis. At the same time, the

Civic Alliance's energy and influence regarding on-site discussions waned. This was true for the other coalitions as well.

There were two main consequences of this coalition building in general and the changes within the Civic Alliance more specifically. First, the coalition as a whole took on more equity-oriented advocacy positions that continued to exacerbate its relations with members of the larger pro-growth coalition. Second, these alliances gave low-income communities (slightly) more access to the decision makers and power brokers. For the most part, this access was indirect in that representatives of low-income communities had increased access to powerful civic leaders from the Regional Plan Association, the American Institute of Architects, the American Planning Association, and the Municipal Art Association. Before business interests from the Alliance for Downtown New York, Wall Street Rising, and the Real Estate Board left the Civic Alliance in protest, marginalized communities also had some access to them through Civic Alliance working groups; however, there is little indication that these working groups produced any new alliances.

In some cases, representatives of marginalized communities also gained access to actual decision-makers because LMDC staff continued to meet with the Civic Alliance steering committee to discuss its off-site rebuilding priorities and to gauge public response. But, as I explained above, members of the LMDC staff were also limited in their ability to influence the agenda.

Beyond 9/11

The findings of the 9/11 case are particularly meaningful in the wake of the Tsunami in South East Asia, and the more recent devastation caused by Hurricanes

Katrina and Rita along the Gulf Coast. These catastrophes upset the status quo and raised public concerns about race relations and poverty in the South. They led the broader public to engage in questions about the public good, and to question whether the displacement of hundreds of thousands, and the poverty that was allowed to persist in New Orleans undermines the public good. Already, discussions about the importance of growth, security, and even equity have emerged, whereas a focus on memorialization seems surprisingly limited given the complete devastation of entire neighborhoods and the loss of lives.

Overall, the 9/11 case suggests that catastrophes may create the conditions for shifting the focus of agenda setting in ways that may affect a series of interrelated policy decisions. In policy discussions, stakeholders inevitably claim that their policy solutions reflect or advance the public good; however, discussions about the public good are rarely elevated to the level of importance reached in the aftermath of 9/11. The 9/11 attacks brought people together to a degree that would be unlikely under normal circumstances. Individuals from all walks of life sought to articulate their conception(s) of the public good by participating in official hearings and informal meetings about the rebuilding of the World Trade Center and lower Manhattan. The public debate identified that while growth is a cogent conception of the public good, it is far from the only conception. In exploring other values, there was the potential to consider an alternative set of priorities for rebuilding lower Manhattan specifically and rethinking New York more generally.

While alternative conceptions of the public good emerged on the systemic agenda, stakeholders faced greater difficulty in transforming them into policies and programs. They encountered the challenges of infusing abstract values with concrete policies,

determining the best place to focus their advocacy efforts in an unusually confusing decision-making structure, continually fighting to re-open non-decisions such as the program, identifying and advocating for funding sources that were often targeted to growth. Efforts to overcome such obstacles and maintain pressure over the course of a protracted decision-making process would be tiresome and trying for any stakeholder, much less the general public. Yet, the post-9/11 deliberations are cause for hope as well. As Eva Hanhardt explained, "9/11 emboldened people to feel that they really had a right to take on things that seemed too big to take on" (2005). As a result, post-9/11 deliberations got issues such as equity that had virtually disappeared back on the agenda. They also produced new networks of dedicated civic actors who will continue to contribute to discussions about the future of lower Manhattan and New York City long after the current mayor and governor have left office.

Catastrophes are clearly unwelcome, tragic events with a horrific human, financial, and environmental toll. How we respond to them, however, affects the potential for challenging dominant actors and their conceptions of the public good. Ultimately, this may affect the parameters of agenda setting and policy formulation if previously marginalized conceptions are forced onto the governmental agenda. The post-9/11 case reveals that there is potential for such changes as the public becomes directly engaged in discussions about the public good. The 9/11 stakeholders were reluctant to accept the status quo as defined by those in positions of power.

APPENDIX

Survey Instrument for Civic Coalitions and Other Organizations

Background & Internal Decision-making

1. Some background on the organization. How long have you been at this organization?

2. How did you get involved with the coalition (which ones?)

Coalition Goals & Strategies

3. Whom does your organization represent?

4. What were you (your organization) trying to accomplish in the rebuilding? (why through different coalitions?)

5. Why were you trying to accomplish these things

6. What impact did 9/11 have on you and your organization? Did the symbolic importance of 9/11 affect

(a) the way people discussed strategies and goals for the rebuilding—(e.g. development priorities for the city?)
(b) the policy suggestions of the coalition members

7. What were the main obstacles you faced?

Coalition Participation

8. In participating in a coalition, were you (your organization) working with groups you would not have worked with in the past? Whom or which organizations in particular?

9. How did participating in a coalition affect the goals and strategies (inside/outside) of your organization? Do you think it produced any new policy ideas? For example? (Reconciling economic growth with affordable housing and environmental justice?)

10. Do you think your organization had a lot of influence on the strategies and goals pursued by your coalition and the other coalitions of which you are a member?

11. How did your coalition balance the different interests/perspectives of its members? Especially the broader perspective of, e.g. planners & architects with those directly affected such as residents and downtown businesses?

12. How did your coalition seek to transform ideas into concrete strategies/policies? (Principles versus advocacy?)

Access and Influence

13. How often did you or members of your organization meet with or talk to decision makers? E.g. the LMDC, Port Authority, City agencies? Has this access increased or decreased over the past three years? What factors influenced these changes?

14. How much influence do you think your coalition has had on the rebuilding process? Example? What factors affected the level of influence? Types of strategies—changes over time? Interagency competition around certain decisions?

15. Did participation in a coalition increase your level of access and influence compared to other projects?

16. What kind of relationship do you think civics should have with: (a) decision makers; (b) the public

Rebuilding Process & Outcomes

17. Process: Do you think the post-9/11 rebuilding process has been inclusive and transparent?
    a) Compared to your previous experience with community-based planning?
    b) What aspects were more inclusive or democratic?

1) site
2) memorial
3) general off-site
4) CDBG
5) Liberty bonds

18. It seems that since the 1970s fiscal crisis a pro-growth doctrine has dominated economic develo9pment policies in NYC. Do you think this is true? What do you think are the specifics of this doctrine prior to 9/11?

19. Do you think 9/11 challenged the growth discourse?

20. How important were the institutional dynamics and interagency competition in determining the type of process we have had and the outcomes—the site, the memorial, the off-site decisions?

21. What values do you see in the decisions made by decision-makers? Who are the main benefactors?

22. What outcomes would you liked to have seen?

23. What kind of process might have led/could still lead to such an outcome? What were the obstacles to achieving this?

24. Why do you think changes were made to Libeskind? Is this a problem for you and your organization? Why? Why not?

25. General feelings about the future of the coalition and the future of the rebuilding project?

Lessons Learned?

Additional Comments?

Survey Instrument for Decision-Makers

Background

1. Some background on the organization. How long were you at this organization? What was your role?

Organization's Goals & Strategies

2. In your opinion, whom does your organization represent?

3. What were you (your organization) trying to accomplish in the rebuilding?

4. Why were you trying to accomplish these things?

Public Outreach

5. How does your organization address the concerns articulated by members of the public?

6. What types of public outreach were you required to do? By whom? E.g. HUD, Governor?
   a) Site
   b) Memorial
   c) Offsite

7. HUD waived its requirement for (a) public hearings and (b) low-income people. What were the advantages and disadvantages of doing this?

8. What effort has the LMDC made to address the needs/concerns of low-income and minority communities? If not much, why? Do you think low-income communities influence over decisions? Are they more influential joining with coalitions or, e.g. protesting?

9. When and why did the LMDC go beyond what it was required to do?

10. In the first year LMDC held advisory council meetings. Why did LMDC stop holding advisory council meetings?

11. Who did you work with? How often did you meet with:
    a. family members?
    b. residents? Which residents?
    c. Chinatown representatives?

d. Lower East Side reps?
e. Others?
f. civic coalitions versus other civic associations?

12. What is your process for deciding which input would affect LMDC's goals, strategies, and policies? Do you think it produced any new policy ideas? For example? (Reconciling economic growth with affordable housing & environmental justice?)
    a. General public
    b. Families
    c. Professionals
    d. Property owners, e.g. Silverstein.

HUD

13. Several people have commented that LMDC has received very few comments on its partial action plans. Why do you think this is the case? What can be done to improve/increase public comments

Policy Outcomes/Decision Making

14. Who makes final decisions? Board? Staff? Governor?

15. What is the process/the steps for making off-site decisions at the LMDC?
    a. How does the LMDC establish priorities for its projects?
    b. Making decisions?
    c. Does public opinion seem to play an important role in decision-making/
    d. Is the LMDC considering affordable housing?
    e. Does the staff have real influence, e.g. summer outreach programs versus—how decisions are made?

<u>Institutional cooperation/competition</u>

16. With which other decision-makers do you meet and how often? the LMDC, Port Authority, City agencies, ESDC/Governor's office, mayor's office?

17. How much influence do you think your organization has had on:
    a) Decisions affecting the WTC site? For example?
    b) Decisions affecting the rest of Lower Manhattan? the

18. What are the areas of agreement and disagreement:

19. Has this communication increased or decreased over the past three years? What factors influenced these changes?

20. The press has talked about a leadership vacuum downtown? Do you feel you have had clear leadership throughout the project? From whom? Did the rebuilding project change following Pataki's reelection?

21. How did LMDC decide to spend the CDBG money? Why?

22. Which projects do you expect will be adopted and why?

23. What values do you see in the decisions made by the rebuilding agencies? Who are the main benefactors? LMDC's projects and the allocation of funds?

24. What outcome would you liked to have seen?

25. What do you think might have led/could still lead to such an outcome? What were the obstacles to achieving this?
    a. lack of consensus?
    b. Powerful economic interests?
    c. Institutional arrangements?

26. Why do you think changes were made to the Libeskind master plan? Is this a problem for you and your organization? Why? Why not?

Growth

27. It seems that since the 1970s fiscal crisis a pro-growth doctrine has dominated economic development policies in NYC. Do you think this is true?

28. What do you think are the specifics of this doctrine prior to 9/11, e.g. office space, mixed-use sustainable development?

29. With the many voices of family members, affordable housing interests, etc. Do you think 9/11 challenged the dominant pro-growth discourse? Do you think the discourse remained the same, but the content changed? Why or why not?

30. What kind of growth do you envision for lower Manhattan? What policies would best achieve this kind of growth?

31. What is the relationship between the West Side development project and the Lower Manhattan project?

Civic Coalitions

32. What role do civic coalitions play in the rebuilding?
    a) Do they help to legitimize?
    b) Do they help with technical decisions?
    c) Are they considered members of the public?

33. How would you describe the relationship between the civic coalitions and the LMDC (or other organization)?
    a) technical assistance
    b) represented the public
    c) legitimized decisions

34. Do the coalitions help generate public deliberations between traditionally polarized communities that lead to policy innovation?

35. Does working in a coalition give the public more influence? Or are these elites?

36. What impact did coalitions have on actual decisions/processes?

37. How can the civic coalitions and other members of the public be more effective?

Lessons Learned?
Additional Comments?

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