Can the Just City Be Built From Below?  
*Brownfields, Planning and Power in the South Bronx*  
Justin Steil and James Connolly*  
Word Count: 8860 (with notes and references)

Writings on The Just City have advanced theoretical and philosophical justifications for a redefinition of planning priorities, but have not yet examined in detail issues of institutional structure. Governance of brownfield redevelopment in the United States provides one example where active institutional experimentation has in some cases been shaped by explicit articulations of justice. This chapter examines such an effort through a case study of a coalition of grassroots environmental justice organizations in New York City’s South Bronx that has been working to reconfigure organizational relations in their neighborhoods for roughly a decade. While the analysis of the Bronx groups’ experiences cannot be fully developed here, this chapter focuses on the environmental justice organization’s efforts to establish a counter institutional position within an existing organizational field of real estate development as a foundation for producing a functional heterarchic (multi-lateral) governance structure. Their experiences demonstrate that an examination of efforts to realize just outcomes in urban development processes cannot be separated from the analysis of institutional structure.

Community Organization and the Distribution of Power in Planning

With regard to the distribution of power in urban development processes, there is a paradoxical tension within the urban planning field between efforts to achieve more equal

* This chapter was equally co-authored. The order of names is alternated in successive published pieces by these authors.
distribution of economic resources and more equal distribution of decision-making power.¹ The communicative rationalist stream of planning theory generally foregrounds equal participation in decision-making as a prerequisite for just economic redistribution (e.g. Forester 1989; Healey 1992a) while political-economic theorists generally emphasize the need for a reorganization of economic structure before democratic participation can be truly effective (e.g. Harvey 1996). Susan Fainstein’s Just City formulation (see her chapter in this volume), which articulates philosophical and practical justifications for the prioritization of justice as a measure of urban development, focuses on Martha Nussbaum’s (2000) “capabilities approach” as a way of theoretically mediating between these two emphases. While all of these perspectives have given some attention to the questions of institutional form (e.g. Healey 1999; Macleod and Goodwin 1999), a specific focus on the organizational level² has been generally left out and this is especially the case within the more philosophical discussions around the just city.

Distribution of economic resources and decision-making power at the organizational level has been a particularly salient issue for local community groups since the rise of the community development field in the 1960s. Many contemporary community development organizations in the United States can trace their roots to radical calls for local control and self-determination articulated most clearly by the Black Power movement and others in the 1960s (see Ture and Hamilton 1967; Foner 2002; DeFilippis 2004). Since then, however, neoliberal government initiatives emphasizing entrepreneurialism, deregulation and smaller government effectively appropriated the goal of local control and transformed it into devolution of responsibilities from the
federal to state and local governments and to civil society organizations, including community developers. Though claiming to increase local democracy and individual liberty, neoliberal devolution ultimately decreased local control as it served primarily to reduce government’s redistributive role at every scale (see Harvey 2005). As neoliberal political-economic theory took hold, the mainstream community development field and its primary organizational form, the Community Development Corporation (CDC), became increasingly entrepreneurial and professionalized as well as separated from its initial base of grassroots organizing and confrontational advocacy (Vidal 1992; Vidal and Keating 2004; Stoecker 1997).

This historical trajectory has meant that the challenge for community based groups seeking more just urban environments in the context of shrinking government responsibility is not only to realize locally-based participatory democratic forms of urban governance, but also to find ways of leveraging the remaining redistributive power of the state in the name of the insurgent agendas that arise from such processes. At least in part, these insurgent agendas are formulated by organizations working within disinvested and declining communities during periods when there is little interest in the area from capital investors (for instance see the experiences of the Dudley Street Neighborhood Initiative detailed in Medoff and Sklar (1994)). Under such conditions of resource abandonment, the local organizations that remain are relatively free to determine the direction of development. As these groups succeed in improving their neighborhoods and market conditions change, however, developers and growth coalitions gradually reinvest in the area and threaten the self-determined status of local groups (Downs 1981:75; Bluestone
and Harrison 1982:87). John Mollenkopf (1981:331) has summarized this conflicted interdependence between capital and community. He writes, “Most evident is a cycle of growth and conflict in which the accumulation process leads to a growth in communities which it ultimately finds to be an impediment to further expansion.”

As the case examined here demonstrates, community development agendas formed during the periods of disinvestment that allow relative self-determination often require new strategies to effectively challenge private market interests during periods of reinvestment. As one activist, interviewed in the course of our research, stated, the effort to change organizational relations between brownfields actors by environmental justice groups is “about changing the way that the city makes decisions about the land and the projects in our communities and… giv[ing] us a voice at the table.” In other words, it is about leveraging community organization against existing state power in order to affect private development. While this has long been a strategy of community groups, academic research, real estate development networks and community tactics have all evolved since the early rise of CDCs. For example, politically focused case studies that detail structural relations between state and private market actors in search of urban growth (e.g. Stone 1989, Logan and Molotch 1988) as well as work on the cultural (e.g. Guy and Harris 1997) and institutional (e.g. Healey 1992b, 1994) aspects of property markets have greatly expanded knowledge on how such networks operate. Additionally, the accumulated experience, both positive and negative, that local organizers have gained has helped them to shape development processes in innovative ways.
Certainly, urban development networks are dynamic and continue to evolve. Neoliberal devolution and changing investment strategies combined with the effects of urban environmental degradation require an increasingly complex organizational field in order to manage brownfield redevelopment processes. Such complexity creates opportunities for innovation in urban development policy (Doak and Karadimitriou 2007:210) as the case will show. However, in order to make that innovation serve insurgent community interests, mechanisms for altering existing network dynamics, and especially for directing the actions of highly connected entrenched organizations, are required. Urban development networks exemplify Perrow’s (1991: 726) observation that “stratification within organizations and between them becomes the central determinant of our class system.” How and if the intertwined race and class inequalities apparent within such stratified networks of organizational relations can be challenged by insurgent interests using institutional strategies is a central concern for those seeking to use brownfield redevelopment to express a community development agenda and for those seeking to create a just city.

The Case: the Brownfield Opportunity Area (BOA) Legislation and the Bronx River

The concentration of contaminated, abandoned land in many low-income neighborhoods such as the South Bronx in New York City is one of the most concrete representations of urban injustice. The areas that bore the brunt of the environmental degradation accompanying 19th and 20th century urbanization and the development of industrial capitalism are now littered with vacant lots that are unremediated environmental hazards.
It seems clear that in a just city this land would at least be cleaned up and protected from re-contamination. Less clear though, is the question of who should have the power to decide the substance and shape of any development that takes place on the restored land.

This is especially the case in New York, where years of legislative impasse made it one of the last states in the country to pass a comprehensive law regulating the cleanup and redevelopment of contaminated former industrial sites. In 1994, when the legislative gridlock looked likely to extend indefinitely, the New York State Department of Environmental Conservation (DEC) created a “Voluntary Cleanup Program” under which property owners agreed to cleanup their land in return for assurances that they would not be sued by the department for future remediation (Hu 2003:B1). The law, however, did not spell out safe pollution levels. The DEC promulgated regulations saying that the goal should be to return the land to a “pristine state,” but that goal and more specific guidelines for each chemical were rarely met. Instead, state officials negotiated deals with each polluter on a case by case basis (McKinley 2002:B1). This let major polluters off the hook and forced community organizations to engage in long, costly battles to ensure the safe cleanup of toxic sites.

A case in point is Starlight Park, a public park along the Bronx River. In 2000, Starlight Park was found to be heavily contaminated from the remains of a coal gasification plant that had been operated on the site by a predecessor of the Con Edison utility company from the 1880s until the 1920s. A local community organization, Youth Ministries for Peace and Justice (YMPJ), spent the following six years mobilizing residents to make
sure that the DEC and the New York City Parks Department (the current landowner) held Con Edison to commonly accepted minimal standards for remediation. The cleanup finally began in the fall of 2006, and included reparations paid by Con Edison to the Parks Department for construction of the park. The rare victory that the community group was able to win in this case came only through constant struggle, and such victories have been the exception, not the rule, for the cleanup program. The voluntary cleanup program essentially let polluters avoid responsibility at minimal costs, resulted in incomplete remediation and had no structures which ensured residents that future development would not repeat the same destructive cycles. When comprehensive cleanups were conducted it was only because of the vigilance and advocacy of local organizations that were able to bring public attention and political power to bear on the landowners and polluters.

Frustrated by fighting continuous battles waged on a site-by-site basis similar to that conducted over Starlight Park, environmental justice groups statewide began to work together to devise a more effective approach. In 1998, funded by the Rockefeller Brothers Foundation, New York environmental justice groups came together with representatives of some of the large polluting industries, city and state officials and other stakeholders to form a Brownfields Coalition to draft and advocate for more comprehensive, rational statewide legislation. As part of the effort, the Environmental Justice groups advocated for a bill that would provide public funding and support for community groups or municipalities to perform area-wide surveys of brownfields and engage in participatory
community processes to establish residents’ priorities for local redevelopment. In 2003 after lobbying and advocacy by local and state-wide organizations, the state senate and assembly passed the Brownfield Opportunity Areas (BOA) legislation based on the model the groups had drafted along with the Brownfield Cleanup Program (BCP) bill which provided tax-credits to developers for brownfield redevelopment.  

One of the early groups to receive a BOA grant was a coalition centered around three Bronx organizations founded by local residents and led by women of color from the neighborhood. The groups were Youth Ministries for Peace and Justice (YMPJ), a membership based community group organizing young people for environmental justice in the Bronx River and Soundview neighborhoods; Sustainable South Bronx (SSB), a non-profit environmental justice solutions corporation developing economically sustainable projects informed by community needs; and The Point, a non-profit community development corporation focused on youth development and the cultural and economic revitalization of the Hunts Point neighborhood, with a strong focus on the arts. These three community based groups worked in coalition with two technical assistance providers: The Pratt Center and the Bronx Overall Economic Development Corporation (BOEDC).

The Southern Bronx River Waterfront BOA (SBRW BOA), as the coalition is known, is currently concluding its survey of brownfield sites and conducting workshops with local community members. Though any conclusions drawn are necessarily incomplete, their experiences point to some of the possibilities and limitations of the approach these actors
have taken to reforming the institutional model of urban development founded upon notions of justice established by the Environmental Justice movement. For the analysis that follows, we supplement two years of participant observation with YMPJ completed by one of the authors with twelve semi-structured interviews performed over a two month period in 2007. We interviewed organization leaders in all of the community and technical assistance groups involved with the SBRW BOA as well as city officials identified by community group leaders or by job description as connected to the actions of the SBRW BOA. Each interview lasted between one and two hours and focused on the type and nature of interactions that each group has with city, state, private development and community organizations as a result of forming the BOA. As well, the goals of the group, the greatest challenges faced by the BOA, alternative institutional structures for brownfield development and additional issues raised by individual interviewees were discussed. Common themes raised within these interviews are contextualized through the knowledge gained from participant observation in the analysis that follows.

[Insert Figure 10.2 Near Here]

**Environmental Justice, Self-Determination and Redistribution**

The actions of the SBRW BOA are deeply rooted in the model of social justice developed by the Environmental Justice (EJ) movement in the United States. In contrast to the larger environmentalist movement, which is often seen as dominated by liberal conservation groups, environmental justice activists begin from a recognition that the immediate
human consequences of pollution and environmental destruction in the US are felt most
directly by poor people of color who live in neighborhoods where environmental hazards
and contaminants are disproportionately concentrated (see US GAO 1983; Commission
for Racial Justice 1987). For example, attempts to site a landfill for PCB contaminated
soil in largely African-American Warren County, North Carolina in 1982 sparked large,
highly publicized protests and gave a name to the concept of environmental racism - the
targeting of communities of color for waste disposal and polluting industrial activity
(Bullard 1990). Shortly thereafter, dispersed EJ struggles coalesced through the
groundbreaking 1991 National People of Color Environmental Leadership Summit and
revived earlier emphases on self-determination and grassroots organizing to realize
redistributive urban development outcomes (for more on the development of a national
Environmental Justice Movement, see inter alia Bullard 1993, Adamson 2002, Bullard et.
al. 2004).

The EJ movement’s founding principles call for “the fundamental right to political,
economic, cultural and environmental self-determination of all peoples” and “demands
the right to participate as equal partners at every level of decision-making, including
needs assessment, planning, implementation, enforcement and evaluation.”6 The
principles of Environmental Justice are similar to the Just City formulation in that both
return to the fundamental philosophical and moral underpinnings of shared
understandings of justice in order to mobilize support for spatially conscious social
change. The two approaches differ in that, while the Just City draws on Western
philosophy, the EJ movement emphasizes the sacredness of the earth and the roots of
collective commitments to justice in our diverse spiritualities. The EJ principles resist commodification, either through the payment of community benefits before development or monetary damages after the fact, seeking instead the transformation of our relations to one another and to the earth. The transformations of these relations in the EJ model must begin at the grassroots, from the particular context of specific everyday lives. Justice for EJ organizers then cannot be defined abstractly, but must be achieved through self-determination of marginalized communities at the local level.

The experiences of residents of marginalized communities of color in the U.S. have repeatedly highlighted the ways in which different oppressions are intertwined. Accordingly, the EJ movement combines emphases on environmental and social justice, understanding the environment to encompass the totality of life conditions, including air and water and access to open spaces and recreation, as well as working conditions and wages and the quality of housing, education, health care and transportation. In order to engender greater equality and health in cities and simultaneously maintain local control, EJ organizations have developed a structure of small community based groups that mobilize active memberships at the local level and form networked coalitions which sometimes then work in dialogue with city and state agencies. This locally networked approach can be seen as an attempt to turn the neoliberal promotion of devolution against itself and leverage the powers of local governments to achieve more just redistribution of resources. The BOA, in the words of one of its staff members, “is about creating a long term change in the nature of the relationships between decision-makers [in urban development] and community members.” Success for the Bronx EJ organizations studied
here would mean simultaneously enabling greater participatory democracy via an accessible infrastructure of local organizations and improved environmental health and economic redistribution gained via inter-connections with public-sector agencies and the regulations over private market actors that they direct. Such a strategy acknowledges that in practice a just city requires that both the redistribution of economic resources and decision-making power be resolved together.

The South Bronx, with its recent redevelopment (e.g. large-scale projects such as the Bronx River Greenway, Bronx Terminal Market, and Yankee Stadium) and incipient gentrification (e.g. its rebranding as “SoBro”), has been a key area for environmental justice organizing. Despite a recent spike in real estate development, the area continues to have one of the highest unemployment rates in the nation and includes some of the US’s poorest congressional districts. It also contains hundreds of contaminated brownfield sites. The correlation of race, class and high levels of contamination is not accidental. Cycles of industrialization and deindustrialization and investment and disinvestment of capital have followed the logic of profit maximization and political expediency, which suggests that pollution should be concentrated in those areas with the lowest property values and wages and the least political resistance (see e.g. Squires 1994; Harvey 1997).

Thus brownfields are revealed not so much as a liberal issue of “sustainability,” but as a product of social processes that benefit some groups while adversely affecting others. After more than a decade of struggle, Bronx EJ groups won tremendous victories in the allocation of land and funding for the creation of the Bronx River Greenway, a network
of public parks providing access to the water and recreational and economic development opportunities for the neighborhoods along the Bronx River that currently have a deficit of open space but an abundance of serious environmental health hazards. However, just as groups were celebrating the groundbreaking of the greenway, a city commissioned consultancy report was leaked identifying the Bronx River as a site for rezoning of existing industries and brownfields for high-end residential use (see Garvin Report 2006). As land prices have increased, South Bronx brownfields are becoming a locus of conflict between, on the one hand, the interests of long-standing community-based organizations seeking to maintain what hard won self-determination they have with regard to neighborhood growth and, on the other hand, the interests of private developers and property owners seeking to maximize the profits that inner city post-industrial land offers.

In this context, a director of one of the BOA groups summarized her understanding of environmental justice as the recognition that if you do not want to repeat the disinvestment and environmental destruction that tore apart the South Bronx:

“…you have to address the inequalities that created the problem in the first place and yes that is disparate environmental burdens, but even more so it is communities that didn’t have the knowledge and the power to make sure that this environmental contamination doesn’t happen to begin with. For some people coming in and giving me a park or a clean river or removing a highway is enough, it’s eliminating a burden or giving me a benefit. But the spirit of environmental justice, which I learned from
people who came before me, has always been about this power and knowledge and self-determination…For me, the BOA is extraordinary in as much as it is…about…ensuring that people have a say in their community.”

**Redefining Community as Counter Institution**

The SBRW BOA has sought to create the systemic power that community members need to ensure that contamination does not happen again and that redevelopment helps to ameliorate inequality by first altering the institutional definition of community. BOA groups seek to infuse themselves into the land-use decision process, expanding the formally recognized organizational identity for local neighborhoods. As one BOA member asks, “How do we define who the community is? Who gets to decide that? That’s a major issue with the BOA.”

Existing outlets for community representation in New York City grew from advocacy for greater participation in land-use decisions in the 1950s and 60s and led to the creation of Community Boards. The Boards represent neighborhoods in the Uniform Land Use Review Process (ULURP) for zoning changes, special permits modifying zoning controls, site selection for capital projects, urban renewal plans and the disposition or acquisition of city owned property. Community Board members are all appointed by the Borough Presidents and largely serve at their whim. As a result, rejection of proposals is
rare and the Boards have taken on a predominantly system affirming role in land-use processes.\textsuperscript{7}

The community based organizations that comprise the SBRW BOA often work with their Community Boards, but they differentiate themselves from these appointed bodies. The Bronx River/Soundview Community Board, whose district covers much of the area the SBRW BOA is active in, is largely made up of home and business owners with higher incomes and educational levels than the neighborhood median, and with some connection to the Borough President or local City Councilors. Members of the grassroots BOA groups are more representative of the majority of neighborhood residents who are lower-income renters, the many residents who are more recent immigrants, as well as young people excluded from the formal electoral process.

This close connection to the segments of the population with less formal representation in land-use processes often generates a willingness to challenge those in existing positions of power with regard to development and in turn has provided grassroots organizations with a base of support that is distinct from the Community Boards—their legitimacy has historically been based upon their oppositional stances, not their connections to decision-making. In conjunction with their members and other community residents, the BOA groups have consistently challenged proposals that represent the neighborhood as a clean slate in need of market-rate housing and big box retail and emphasized instead the need for local economic development that supports existing small businesses and creates healthy jobs with decent wages for local residents, as well as housing that guarantees
permanent affordability. For example, instead of advocating the wholesale eviction of auto-repair shops and other small industries along the Bronx River as the Garvin Report did, the BOA groups have been researching ways these small businesses can operate more sustainably for their employees and the neighborhood, perhaps by accessing state and federal financing to become leaders in servicing alternative fuel-based transportation.

The counter positions that emerge from the connection of these groups to the majority of neighborhood residents excluded from formal decision-making processes and which define the identity of the EJ organizations in the Southern Bronx Waterfront BOA are consistent with the principles of environmental justice in that they reflect the idea that the just exercise of power is characterized by the participation of those most affected and most marginalized in decision-making. The approach explicitly recognizes the interdependence of life as well as the right to self-determination and is congruent with Iris Marion Young’s (2000) theorizations about the conditions that can create inclusive democratic communication in spite of structural inequality and cultural difference. Young has called this approach a “democratic theory for unjust conditions” that establishes the “institutional conditions for promoting self-development and self determination of a society’s members” (Young 2000: 33). As one interviewee said:

“…the hope for the BOA was to have not just one group pursuing its own agenda or projects but a strong coalition of groups that come from different perspectives and ideologies but are united in their key concerns about the harm that speculators are doing by tying up key sites and the need for more city action on brownfields. The hope was that these groups could reach out to other stakeholders - to other
regular folks in the neighborhood, to local businesses, churches and tenants’ associations - and with a unified vision backed with state money become recognized by the city and the state agencies making land-use decisions.”

Such just exercise of power within the context of urban development requires that those most affected by development have a mechanism at their disposal for empowering their own plans for their communities as well as the power to make those plans actually guide development. The BOA seeks to create this mechanism for planning and empowerment via an adaptation of the existing organizational field of land-use decision-making for brownfields. BOA groups, along with city and intermediary organizations, are lobbying the New York state legislature to amend the brownfield cleanup law such that receipt of a percentage of the state brownfield remediation funds available to developers is contingent upon approval of the proposed project by the local BOA based upon their area-based strategy for redevelopment. This “linkage” requirement would be a financial carrot encouraging landowners and developers to work with BOA groups and opening some of the state’s economic capital to contestation and negotiation within the organizational field. In the words of one interviewee, “We hope that the linkage would help create a meaningful connection with land owners and developers and encourage them to collaborate with BOA groups, encouraging them to buy into the process for their own goals and being able to access money from the state as a part of it.”

In essence, the linkage requirement is an effort to give institutional power to the alternatively defined community that the BOA represents. This institutional power is not
only provided by economic capital from state level government agencies. BOA groups are looking to the city to back up the carrot of extra money from the state with the stick of withholding city development approvals unless private brownfield developers first consult with BOAs for the project they are proposing.10 “Almost every major development site within the BOA area would need a zoning change to maximize its potential,” one of the BOA groups’ staff members pointed out, “and even the most hardened neoliberal would acknowledge that government needs to be a player in brownfield redevelopment because of the contamination and infrastructure issues and the risks and costs involved….That should be a point of entry for people in all parts of the city that have brownfields to say, ‘if public money is going to be spent, a commensurate public benefit must be delivered.’ And the planning process is about what are those benefits.”

This somewhat incongruous movement by the BOA groups toward institutional power as a means of challenging the existing institution embodies what has sometimes been referred to as a “counter institutional” position (see Fainstein this volume; Marcuse this volume). The counter institution has been described in reference to Jacques Derrida’s work as a “with-against” movement—at once a part of the established order while simultaneously a seed of change within this order (Wortham 2006: 1-24). Beyond simply a reform effort, counter institutions supplement the existing institutional context “by more adequately fulfilling its goals, that is, the goal of collective working-together on the basis of some kind of consensus. At the same time the counter institution brings into the open what keeps the institution from ever fulfilling its goals.” (Miller 2007: 284) Using
tools such as “counterpublic discourse” (see Wolf-Powers this volume), a counter
institution reveals institutional shortcomings by maintaining an alternate vision for
existing institutional forms towards which it is working, a vision which “must
respond…to an infinite demand for justice.” (Miller 2007, 292) In this sense, the counter
institution that the BOA creates is utopian realist - utopian in that it holds up an alternate
vision for organizations that are relevant to land-use decisions and realist in that the
alternate vision builds upon the existing organizational structure. This approach has a
great deal of resonance with the means by which Henri Lefebvre sought to realize his
“Right to the City” concept. Lefebvre argues that planners (and everyone else) should
always have in mind a utopian vision of what urban space can be, but root their actions in
what urban space is (Lefebvre 1996). Thus, the BOA groups’ work to realize their vision
of justice by re-ordering organizational relations and capturing some of the state’s
redistributive power in order to give agency to those seeking a redress of fundamental
inequality demonstrates the crucial role of institutional development and
interorganizational mechanisms as means for realizing the “right to the city” and creating
a more just urban environment.

**Empowering Heterarchic Governance: Lessons from the Loral Site**

The goal of creating a counter institution premised on inclusive decision-making in urban
development processes requires that community based organizations not only advance a
definition of community within the land-use decision-making process different from the
appointed community boards in order to legitimate their insurgent agenda, but also that
they effectively connect this agenda to larger fields of policymaking. In order to do so, they must incorporate their counter institutional position into a viable heterarchic governance model. Heterarchic governance has been described most prominently as “neither market nor hierarchy” (Powell 1990). It is a model applied to efforts which rely heavily on dialog between organizations and individuals to achieve multi-lateral decision-making processes that downplay both hierarchic power and individualistic action. The concept has been applied to the study of regional economies, industrial districts, transitioning national regimes, and urban planning processes, among others (see Powell 1990, Stark 1996, Jessop 1998, Stone 2006).

Importantly for the case examined here, heterarchic governance is especially suited for situations where established institutional arrangements are in the process of being altered (Stark 1996, Jessop 1997). In processes of urban development, it characterizes periods where private market actors give up some of their autonomy in decision-making and state actors give up some of their top-down authority. In order to bring this about at the inter-organizational level, Jessop (1998: 36) argues, “the ‘added value’ that comes from partners combining resources rather than working alone” must be evident to all involved. From this, an inter-organizational capacity that is greater than that of any individual member arises. However, Jessop emphasizes the dangers of uncritically celebrating heterarchic forms of governance since they do not change market principles (1998: 39). Rather, it is simply a new, if more complex and wider, arena where the antagonisms created by competition for capital are expressed. The earliest test of the SBRW BOA at a large brownfield known as the “Loral Site” demonstrates this point well.
The Loral Site is an abandoned industrial waterfront manufacturing facility near the intersection of the Bronx River and the East River, where the Loral Corporation had formerly manufactured electronic components for the Air Force during the Cold War. The site is immediately adjacent to several low- and middle-income Mitchell-Lama subsidized housing developments mostly occupied by long term residents. The majority of the site is privately owned and the revelation in 2006 that it was for sale sparked a contested debate about its future described by several of our interviewees, who provided the details below.

Tenants in the housing development got early word of the sale and contacted Sustainable South Bronx (SSB) and Youth Ministries for Peace and Justice (YMPJ). SSB discovered that Peter Fine, a New York based developer, was the leading contender for purchasing and developing the site. Upon researching Fine’s track record, the Pratt Center found evidence of poor labor practices, low levels of affordability and poor quality construction. Though the BOA organizations had not yet begun the Brownfield Opportunity Area community planning process and no legislation creating the “linkage” described above had been passed, the groups drafted a letter from the BOA and sent it to the site’s owner, potential purchaser and local elected officials. They asserted the planning function of the BOA, identified the Loral site as a key part of their area and stressed that new development must respond to community concerns. Shortly thereafter, the deal with Peter Fine fell through. The exact reason why Fine backed out was not known by our interviewees, but it seems clear that BOA played at least some role.
The next potential purchaser of the Loral site came with the general approval of the community groups. Carlton Brown of Full Spectrum Development is an African-American developer with strong environmental health and justice credentials who was already known to leaders in several of the BOA organizations. Though he had not worked with all of the BOA groups and some remained skeptical, Brown gave early recognition to the BOA approach and substantially engaged BOA groups in the project development phase. Full Spectrum’s staff arranged several face to face meetings with all the stakeholders and delivered prompt answers to questions posed by the group members about levels and permanency of affordability, public access to open space and the water, mitigation of runoff into the river and other green design elements. Soon, though, the deal with Brown fell through when Apollo Capital, the financier of the nearby Mitchell-Lama houses encouraged the tenants’ associations not to give up the covenant they hold over the height of future development on the Loral site.

The tenants’ associations largely opposed more housing construction and workshops and discussions with the BOA groups failed to convince them that Brown’s proposal was the best option. This setback effectively undid Brown’s ability to develop his vision of affordable housing and public open space along the river. As it turns out, Apollo Capital may have had motives of their own in encouraging the holdout since they were named as the finance group behind the new purchaser, an international investment group, who bought the property without any consultation with the BOA groups and currently holds it in a speculative manner.
This example demonstrates both the alternate institutional vision for brownfield development that the SBRW BOA seeks as well as the indivisible nature of just urban development outcomes and a functional heterarchic governance model which can incorporate counter institutional positions. The BOA groups must connect with the larger field of policymaking within the context of an existing entrenched interconnection between the state’s political capital and private developers’ economic capital.\textsuperscript{11} Such a pre-condition of the organizational network has a strong effect upon the ability of these groups to realize just outcomes. Their failure to affect the outcome of the Loral Site is premised upon the disadvantaged organizational position of the BOA groups and the lack of a functional heterarchic governance structure, which would enable the recognition of added value that comes with BOA consultation. This recognition is enabled in part from the mechanical creation of value demonstrated in the linkage and approval requirements sought, but also from the residual trust and recognition of roles that comes about with the incorporation of these mechanisms into a re-formed network of brownfield development actors.

While a full network analysis cannot be developed here, an outline of a few characteristics of the organizational field that the SBRW BOA is working in demonstrates some of the as yet unmet demands of heterarchic governance highlighted by actions around the Loral Site. The field of organizations concerned with brownfield redevelopment in the South Bronx is made of community-based groups, political intermediaries, city and state agencies, and private development interests. Connections
between these groups result when organizations meet formally to plan and develop projects, share and hire staff from among one another’s ranks, or maintain informal open lines of communication to sort out and prioritize goals.\textsuperscript{12}

Our analysis of the network shows that three of the five organizational types, specifically city, state, and intermediary organizations, are connected in some way to all other organizational types in the network and city agencies have the strongest connections, and thus the central position, with all other groups. The only two organizational types not connected to all others are community groups and private development interests. Our interviews indicate that these two organizational types are not yet connected to one another in any substantial way with regard to brownfield development processes in the South Bronx. The disregard with which Apollo Capital and the new purchaser of the Loral Site treated the BOA groups demonstrates this structural hole, or missing link, between community groups and private developers. While Full Spectrum and the BOA groups attempted to span these two sides in the major contestation within the organizational field that the SBRW BOA is trying to affect - that is the struggle between non-state institutions for access to public capital, largely political and economic, needed to get projects built in the South Bronx - they were ultimately thwarted because the mechanisms for establishing trust\textsuperscript{13} had not been developed sufficiently to reach the tenants’ organizations who remained suspicious and the city government played no active part in bringing them together, such as mediating between the stakeholders or publicly recognizing the BOA in ways that would strengthen its legitimacy and negotiating power.
Intermediary organizations are working to create such mechanisms by aligning themselves closely with community groups, even while reaching out to state, city, and private market organizations to form bridges across structural holes in the organizational field. In the words of one interviewee, the primary intermediary for SBRW BOA, New Partners for Community Revitalization (NPCR), “speaks everyone’s language.” The interviewee was referring to the fact that NPCR representatives have a technical engineering and planning background, spend time advocating for new policies at the state capital and have a long-established relationship with local community groups allowing them to communicate freely with all organizational types in the network. They are “political buffers” who can go out on a limb on an issue without any specific community group having to take the risk of being attached to it.14 NPCR navigates this politically sensitive position by mirroring the structural role that the city plays within the organizational field but, where city agencies’ connectedness within the network has been stronger with private development interests, NPCR focuses its connectedness on strengthening the position of community organizations (see Figure 10.3).

[INSERT FIGURE 10.3 NEAR HERE]

Ideally, this effort in conjunction with the ongoing outreach on the part of the BOA groups themselves will lead to a more balanced organizational position for BOA groups, giving them greater leverage in directing actions during circumstances such as the sale of the Loral Site because they would be connected to the active organizations and have access to an established base of resources that is understood by all actors within the
network. Such balance is achieved by leveraging the connections created across structural holes against the fulcrum of state power as shown schematically in Figure 10.3. This outcome is premised on the “added value” of community organization involvement in the land-use decision-making being visible to all actors in the network. This is a key to establishing the alternate institutional form that the BOA counter institutions seek to bring about and it is the required condition for a functional heterarchic governance model.

Conclusion

As the Loral example demonstrates, despite the fact that land owners literally ran away from the idea of individual responsibility for the South Bronx during the long years of disinvestment in the 1970s and 1980s, the notion of individual development rights in search of the highest profits is now being asserted by those same developers as a universal value underpinning justice. Now that the groundbreaking Bronx River Greenway is well-under construction and there is increasing market pressure on local renters and local landowners, how can cash poor community groups maintain a level of self-determination for their constituents? Without the development of an empowered counter position nurtured by a functional heterarchic governance structure, a strong emphasis on individual owners’ property rights will be the sole value that guides development in the South Bronx. That is, the existing norms reinforced by the current structure of real estate development networks will remain.
Representing different segments of the community than those currently seen on local community boards, the BOA groups are articulating an insurgent planning agenda and seeking institutional power in the process. As planners, the BOA groups are not acting in the Habermasian sense of mediators seeking truth through ideal discourse, but as Gramscian organizers locating themselves within the institutional field and intervening strategically to create new forms of local accountability and more redistributive outcomes. These strategic interventions require negotiating the conflicts that emerge between the diverging definitions of values that different actors bring to the table and questioning the assumption that a universal value must be static. The “right to the city” that EJ groups seek is continually determined based upon local conditions and what the city is, but it is asserted within the context of a vision for The Just City which tells us what the city may be.

As Iris Marion Young (1990) proposes, socially just urban planning requires mechanisms for incorporating difference into decision-making processes, but as Susan Fainstein reminds us, it also requires a vision for what just urban development might be. Collectives of individuals such as the EJ groups can only negotiate their differences with other urban actors, however, when structural holes in organizational networks which define the major stratifications of power, often along race and class lines, have been bridged (unlike the case of the Loral Site). Without such connection, their dialogue has no outlet and their interests will likely be forced to become short term and insular, as the tenants’ associations near the Loral site demonstrated. In order to achieve a just city, then, it is required to have a vision for just outcomes that can inspire and motivate these
bridges to be formed. A balanced organizational field premised on redistribution of organizational powers can serve as such a vision because it allows for counter institutional perspectives, such as that of environmental justice, to be incorporated. Thus, such an institutional form addresses both process and product, and can be an essential aspect in articulating a model for The Just City.

1 See, for instance, Fraser (1995) on the related issue of redistribution and recognition, and Beauregard (1998) and Sandercock (2003) for an analysis this tension in urban planning theory and practice.

2 For an especially good analysis of the importance of the organizational level of analysis to the question of urban social justice, see Marwell 2007: 1-32. Marwell (2007: 7) argues that, “When community-based organizations work to improve the conditions of poor neighborhoods they essentially attempt to reshape economic and political fields.”

3 The notion of organizational field is employed here in the sense that Marwell (2007: 3) defines it: “a set of organizations linked together as competitors and collaborators within a social space devoted to particular types of action.” This notion is differentiated from an organizational network in that a network is comprised solely of collaborators. For more on the institutionalist perspective on organizational fields, see Dimaggio and Powell (1991).

4 For more about the conflicts and compromises involved in the legislation see: Baker, Al. (2003) “Senate approves plan to clean polluted sites, ending 10-year impasse.”

The BOA program mandates the Department of State and the Department of Environmental Conservation to provide financial and technical assistance to local governments or community organizations to conduct comprehensive assessments of brownfield sites. The BOA program sets out a three phase process for community groups or municipalities that want to undertake brownfield studies: pre-nomination analysis, nomination study and implementation strategy. Groups or municipalities can then partner with the state to market the brownfield sites to developers for reuse consistent with the plan prepared by the community group. For more information see:
http://www.nyswaterfronts.com/grantopps_BOA.asp

See the full “Principles of Environmental Justice” at:
http://www.ejnet.org/ej/principles.html accessed 6/05/08. Other relevant principles adopted at the Summit state that environmental justice: “1) affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction. 2) demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias. 3) mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things….5) affirms the fundamental right to political, economic, cultural and environmental self-
determination of all peoples…. 7) demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation….”

While the Community Boards were created to foster local participation and control over land-use, they have been increasingly critiqued for their lack of independence, as evidenced for instance by the politically motivated purging of members from Brooklyn Community Board Six who opposed the recent Atlantic Yards development plans and from Bronx Community Board Four who opposed the taking of public parks for a new Yankee Stadium. While some of New York’s Community Boards, such as East Harlem’s, are known as participatory bodies that do actually ensure that residents have a meaningful say in local development, the level of democracy and effectiveness in others is less certain.

Young premises her argument on the claim that deliberative democracy, along with inclusion and political equality “increases the likelihood that democratic decision-making processes will promote justice” (Young 2000: 6).

Between the completion of this chapter and its publication, the New York State legislature passed bill S.8717/A.11768, which provides a 2 percent Brownfield Tax Credit bonus for projects built in and conforming with BOA plans. This makes future analysis of the impacts of this “linkage” program especially pertinent with respect to the interorganizational dynamics that effect use of the linkage bonus.

The Mayor’s Office in New York City announced on June 9, 2008 that it would create a new Office of Environmental Remediation. One of the stated goals of the office is to “enhance the brownfield opportunity area program to provide community groups the
planning resources that they need.” This could be an opening for community groups to
get the backing that they need from the city in terms of project approvals.

11 The connection between local bureaucracy and private development interests has long
been catalogued within urban political science. See, for example, Stone (1989), Logan

12 Culled from interview data.

13 For more on the role of trust in networks of organizational governance, see Powell
(1996); see also Granovetter (1985); Ring (1997).

14 From interview notes.
References


