

# **“Fated to Fail? Local Justice versus External Opposition”**

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"City governments are key to the democratic revolution," but "one city alone cannot solve all the problems we are facing . . . because today the economy does not have borders."

-- Ada Colau, incoming mayor of Barcelona, June 2015<sup>1</sup>

We think Colau is right -- city governments can and do push democracy. But to succeed they must overcome powerful constraints imposed by that "economy" beyond city borders, that is, by corporations, higher level governments, and sometimes suburbs.

Progressive initiatives in U.S. cities can encounter difficulties when existing institutions – often rooted at state or national levels – come into play. Selznick described “unintended consequences” that faced the Tennessee Valley Authority in the 1930s when it proposed to extend “democracy” to local farmers, only to find that state university and agricultural lobbies used the new procedures to infiltrate and suborn the agency in favor of local elites, thus further oppressing the poor and unorganized locals.<sup>2</sup> This resistance came despite at least theoretical support from powerful New Deal reformers who had invented the TVA. Progressives then face two challenges: to win and exercise power locally, and also to alter the effects of external agents and opposition.

Candidates espousing reform with redistributive justice have been winning U.S. city electoral victories since about 2010. Their victories, we believe, have come in response to the sudden pain imposed by the 2007-2009 Great Recession, on top of the steady expansion of inequality over four decades. Progressives have promised improvement of public schools, the payment of sick leaves and wage increases, ID cards

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<sup>1</sup> "Democracy Now," June 5, 2015.

<sup>2</sup> Selznick, Philip, *TVA and the Grass Roots*. Berkeley, CA: University of California Press, 1949.

for immigrants, improved transit, affordable housing, and other equalizing efforts. In some cases progressives have won mayors' offices and city council majorities, raising hopes on the left but also setting the stage for disillusion should their proposals fail.<sup>3</sup>

We aim to find areas of reasonable hope. We'd like to see progressive cases replicated, but we know that false hopes can lead to apathy more than a sense of realistic opportunities. Realistic opportunity is what we are looking for in this paper, in hopes of stimulating further research.

## **I. Local Progressive Initiatives**

Local “progressive” movements and electoral success have long been noticeable, if not generally dominant in American political life, and for some local activists and officials “progressive” has included not only improvements in citizen participation and the inclusion of previously marginalized populations, but also a concern with “justice” – meaning a measure of more equal distribution of wealth and incomes.

In this paper we examine progressive municipal governments in U.S. cities, but we would be remiss not to note two remarkable 2015 elections in Spain, as well as leftist municipal events globally. Ada Colau was an anti-eviction and anti-austerity activist in Barcelona who is shown smiling in a news photo as riot police carry her from a bank occupation less than two years before her inauguration as mayor. Crediting the Idignados movement (a precursor to Occupy Wall Street) for generating energy and giving direction, Colau promises that the city will focus on an emergency plan to create jobs and reduce job insecurity, guarantee basic rights, and fight corruption with transparency and the removal of politicians' privileges. She notes the simultaneous election of former judge Manuela Carmena as mayor of Madrid, the power of the political party Podemos and other local left parties throughout Spain, and comparable resistance against externally

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<sup>3</sup> There is need for research, not presented here, that evaluates the effectiveness of local “democratic revolutions” or that suggests how to measure them. See Goetz, Edward, “Expanding Possibilities in Local Development Policy,” *Political Research Quarterly* 47 (1994), 85-209 .

imposed neoliberal depredations elsewhere in southern Europe. Very recently Seoul, South Korea, elected a progressive mayor.<sup>4</sup>

In the past, progressives and socialists held mayoralties in American cities – Detroit in the 1990s, Cleveland after 1900, Milwaukee and others.<sup>5</sup> Leftist governments held power in many European municipalities -- best known may be Vienna after WWI and Bologna after WWII, but the list of socialist and Communist local governments is very long.<sup>6</sup> In Brazil municipal victories went to the Workers' Party in dozens of cities in the late 20th century, the best known being Porto Alegre, with its technique of participatory budgeting, and giant São Paulo.<sup>7</sup> Our international list could go on, but we return to our U.S. sample.

### **Gains in the 21st Century -- a brief sampling.**

New York City Mayor Bill de Blasio won election in 2013 together with a "progressive caucus" that came to dominate the city council. Among other things, the mayor proposed to finance universal enrollments in pre-kindergarten classes (highly unusual in the United States) with a special tax on very wealthy city residents. In the end the New York State governor and legislature acted true to form and rejected the tax, obliging the nation's largest city to make do with a likely impermanent grant in aid. This half-loaf may be enough to support pre-schooling, but obstacles including federal austerity, state and suburban interests, and corporate agendas challenge the city's political

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<sup>4</sup> Myungrae Cho and Mike Douglass, "Toward a Research Framework for Progressive Cities -- the Seoul Experience," Dialogic Workshop on Progressive Cities in Asia and Europe, Singapore, 12-13 February 2015.

<sup>5</sup> Melvin G. Holli, *Reform in Detroit: Hazen S. Pingree and Urban Politics*. New York: Oxford University Press, 1969; Eugene C. Murdock, *Tom Johnson of Cleveland*. Dayton, OH: Wright State University Press, 1994. Also Ernest S. Griffith, *A History of American City Government: The Progressive Years and their Aftermath, 1900-1920*. New York: Praeger, 1974.

<sup>6</sup> Sidney Tarrow, *Between Center and Periphery: Grassroots Politicians in Italy and France*. New Haven: Yale University Press, 1977.

<sup>7</sup> On Latin America see Benjamin Goldfrank and Andrew Schrank, "Municipal Neoliberalism and Municipal Socialism: Urban Political Economy in Latin America," *IJURR* 33.2 (June 2009).

and ideological agenda, including its need to maintain a rhythm of self-reinforcing reform.<sup>8</sup>

At a much smaller scale, progressives in the small city of Richmond, California, outside San Francisco, swept the 2014 election by pushing overtly progressive housing and environmental agendas. Good reason for cheer. But in the future they will again confront their hostile neighbor the petroleum giant Chevron, which has already spent millions on local elections. How much progress can a small city make, against a corporate giant?

Here are some more examples: Bill Peduto, the mayor of Pittsburgh, won with a majority of progressives on city council, aiming to improve conditions for the city's working class, pushing an expansion of pre-K classrooms, sustainable energy production, and affordable housing. In Minneapolis, mayor Betsy Hodges, elected despite her open discussion of the usually taboo subject of racial disparities, promotes "cradle to kindergarten" health care in addition to universal pre-K, better transit to enable minority residents to get to work, and better monitoring of police (Hodges proposed "body cams" long before "hands up" and "don't shoot" became national bywords). In Phoenix, Mayor Greg Stanton works with a progressive majority on the city council, which includes three Latinos, to resist federal and state immigration policies -- in clear opposition to the right-wing Arizona governor and legislature. In the Seattle area an alliance of workers with support from tech professionals has pushed leftward for higher minimum and living wages, human rights, and environmental protections.<sup>9</sup> In Philadelphia, the nation's fifth largest city, when Jim Kenney won the Democratic Party primary in May 2015, virtually guaranteeing his election as mayor, reports indicated that his stunning victory came from a new coalition including white union workers, high-tech millennials, black neighborhood leaders, gay activists, and "fired-up schoolteachers." The Pennsylvania Working Families Party endorsement mentioned Kenny's efforts on the city council

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<sup>8</sup> New York City registered voters constitute 39% of the state total, a force the governor must contend with, but still the majority reside in the suburbs and elsewhere statewide. Contention between the mayor and the governor and legislature intensified through the first half of 2015,

<sup>9</sup> On the 2012-2015 elections see Harold Meyerson, "The Revolt of the Cities," *American Prospect*, April 23, 2014.

pushing for higher wages, better schools, more accessible housing, and the end of bias in the "justice system."<sup>10</sup> Also in May 2015, Los Angeles, the nation's second largest city, passed a minimum wage of \$15, matching Seattle, in both cases exceeding the statewide standards.<sup>11</sup>

Many other localities of all sizes have tried narrower reforms, such as to expand access to housing, reduce or eliminate drug war damages, improve the nutritional content of food, or fix failing schools – but, despite strong local support, reforms are held back by federal policies, business lobbies, corporate influence on state legislatures, and suburban efforts to maintain privilege.

### **Earlier Examples.**

These 21<sup>st</sup> century examples resonate with earlier ones – most notably from the 1970s and 1980s (as well as from a century or more earlier).<sup>12</sup> After a wave of Post WWII urban reconstruction – urban renewal and highway building, clearing acres or even square miles of inner city buildings and neighborhoods -- protests arose from newly mobilized Blacks and Hispanics, and later from activists as they formed a neighborhood movement in the 1970s. In some cities progressive activists sought and gained local and state public office. Notable were Madison, WI, where former student peace activist Paul Soglin won the mayoralty in 1973; Berkeley where a neighborhood oriented movement of former student radicals (Mario Savio and the "Free Speech Movement" had disrupted the university campus in 1964) and local Blacks gained city council seats and later majority control of the city government. There were enough gains to get national

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<sup>10</sup> Isaiah J. Poole, "Unprecedented Coalition Leads to Progressive Wins in Philadelphia," OurFuture.org, on Portside, May 20, 2015.

<sup>11</sup> State laws vary: in CA municipalities can set minimum wages; in New York State they cannot without special state legislation. In California the minimum wages was set at \$9 in February 2015. The Los Angeles wage will rise annually, from \$10.50 in July 2016 to \$15 in 2020.

<sup>12</sup> Much of this is drawn from research and writing published as Pierre Clavel, *Activists in City Hall: the Progressive Response to the Reagan Era in Boston and Chicago*. Ithaca, NY: Cornell University Press, 2010; and *The Progressive City: Planning and Participation, 1969-1984*. New Brunswick, NJ: Rutgers University Press, 1986. These are supplemented in the website [www.progressivecities.org](http://www.progressivecities.org); and related material is in the Division of Rare and Manuscript Collections, Cornell University Library: [Progressive Cities and Neighborhood Planning Collection, #15-2-3414](#).

attention in Davis, CA, Hartford, CT, Ann Arbor, MI, Cambridge, MA, and Cleveland, where Dennis Kucinich governed as a radical populist 1977-79. These cities saw proposals and popular success with new measures to make housing more affordable -- such as rent control, neighborhood-initiated organizations devoted to housing, and other policies and measures. In 1975 Lee Webb and Derek Shearer compiled the first of several "Readers," compendiums of documents on alternative policies for state and local governments that collected legislation and other measures passed or proposed in dozens of jurisdictions across the United States and Canada, initially distributed at an organizing conference in Madison (hosted by Soglin), that resulted in the creation of the Conference on Alternative State and Local Policies.<sup>13</sup> The "Conference" repeated its national meetings yearly through the rest of the 1970s, with attendance peaking at several hundred. Many of the participants, now drawn into government, went on to national prominence: Mel King in Boston; Barney Frank and Barbara Mikulski in the Congress and Senate; Shearer and others in journalism, the academy, and public office, many of them increasingly prominent over the years.

A number of cities enlarged the progressive experience after the 1970s. These places made progress, perhaps mostly in the provision of affordable housing and the control of rent increases, much broader in some cases. The best known examples were sometimes called "people's republics." The Conference ceased its organizing functions after 1980, though it continued to serve interested governments and individuals on particular policies, on such topics as taxation and finance, food, and the environment. Burlington elected Bernie Sanders as mayor in 1981, thus beginning the longest lasting municipal progressive regime. Sanders was succeeded by Peter Clavelle, who was mayor from 1989 to 2006 with one two-year hiatus in 1993-95, followed by another progressive, Robert Kiss, for six more years. Santa Monica progressives achieved a city council majority in 1981 after passing a strong rent control measure in 1979, and Santa Monicans for Renters Rights (SMRR) held dominant power in the city in subsequent decades, while other California cities also kept progressives in power for long periods – Berkeley

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<sup>13</sup> *Activists in City Hall*; but additional materials collected as <http://ecommons.library.cornell.edu/handle/1813/29731>

progressives generally retained control after 1981, Santa Cruz had a similar run. San Francisco was a notable case. Boston (Ray Flynn) and Chicago (Harold Washington) elected progressive mayors in 1983 all of which resulted in significant changes.

In retrospect, while all of these progressive city cases are impressive in contrast to the larger, national bias against redistributive policies or participatory styles of local governance, there were also variations which will be useful to note. One is how broadly, across specific policies, a city exerted a redistributive or participatory bias. A single progressive policy might appear in an otherwise conservative city government: a city could exert a predominantly “growth coalition” bias favoring large scale market rate housing development – gentrification – and yet provide a measure of balance in other areas (as the Richard M. Daley mayoralty did in Chicago with an emerging workforce development policy at the end of the 1990s, or as Tom Menino did in Boston -- institutionalizing some of what Flynn had initiated with affordable housing).<sup>14</sup> Thus we differentiate isolated progressive policies from a progressive city characterized by a broader policy bias.

Progressivism in cities was sometimes distinguished by longevity of tenure -- both of a social movement base and tenure in office. Administrative capacity could then be seen to develop so that progressive policies would extend from one administration to the next, creating a progressive city.

Chicago may have been an extreme case for breadth of policy – though Washington’s death in office after four and one-half years undercuts a claim of longevity. But there had been extensive neighborhood organizing in white and minority neighborhoods, an experience of hope generated by the Jane Byrne mayoralty, immediately preceding Washington, as well as disillusion when she quickly made peace with the machine aldermen at the expense of the movement.

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<sup>14</sup> Greg Schrock, “Remains of the Progressive City? First Source Hiring in Portland and Chicago.” *Urban Affairs Review*, first published June 25, 2014. On Menino’s elaborations of the Flynn housing policies, see Aspasia Xypolia, *Investing in Equity: How Can Urban Development Internalize Social Cost?* MCP Thesis, June 2011, Massachusetts Institute of Technology.



But the movement was also many-faceted: strong civil rights history in some parts, working class opposition to factory closings in others, multi-racial in parts; several overarching alliances. Once Washington announced his candidacy, UIC professor Rob Mier introduced a strong effort to emphasize neighborhood organizations, which ultimately carried into the city's Department of Economic Development. Mier also led a "development sub-cabinet," and a neighborhood orientation spread into other departments like housing, social services and planning. With this support from the city, financial support came to neighborhood organizations – perhaps a few dozen under Byrne, which increased to over 100. The result was a degree of concatenation among policies – for housing as well as for industrial retention; and Mier's research office led to a series of reinforcements that carried through beyond Washington's death.

In Boston, the Flynn administration provided a lesson in progressive housing policy. After failing to resurrect rent control – all but abolished by the previous administration – Flynn resolved to strengthen a linkage policy that would require developers of large downtown projects to contribute fees tied to square footage into a neighborhood housing trust fund that the city could use to subsidize affordable units. Opponents protested on ideological grounds: interfering with market forces in this way could "kill the goose" they argued. Flynn, who controlled the fate of eleven large downtown projects, waited for several months before announcing conditional approval – the condition being each project's agreement to accede to the new linkage rule. Some developers agreed, and once the dam broke, there was a flood of support – after all, the cost would readily be covered by developer gains.

Flynn was then able to follow up with a series of other supports for affordable housing, the most consequential the result of pressure on local banks, who, with research by the Federal Reserve and by the city, were shown to have failed in their obligation to provide mortgage financing within the city's poor neighborhoods as required by the federal Community Reinvestment Act. The result was a \$400 million bank commitment, soon followed by other gains.

Burlington, VT, while a much smaller and less diverse city than Boston or Chicago, was more remarkable than any in its combination of longevity and breadth of

progressive policy. Bernie Sanders' election in 1981 ushered in three decades of nearly continuous progressive administrative control marked by innovations in both housing and economic development. By 2012 the city was able to claim permanent affordability for 17 percent of its housing stock. The city also put into effect economic development supports targeting locally owned business and helped create business associations and supports so that the policies seemed likely to last.

## II. External Constraints

All in all, these innovative, redistributive efforts show that local progress can be made, rather remarkably in light of constraints imposed through state and federal budgets and regulations, added to underlying private-sector resistance. To be sure, some political scientists have long doubted the possibility of local reform, arguing that municipal governments always face severe redistributive limitations. Here we acknowledge limitations resulting from obstacles in four realms -- drugs, schools, immigration, and nutrition -- where externally imposed rules, budgets, political influence, and court decisions powerfully restrain municipal democratization.<sup>15</sup> Hovering over every city, in addition, is the cloud -- sometimes a thunderstorm -- of austerity.

### **Austerity, the Neoliberal Corporate Agenda**

The federal government has exceptional access not only to two principal sources of public income -- personal and corporate income taxes -- but also exclusive access to fiscal and monetary powers to influence the economy. Nearly everyone is now aware of the importance of such powers -- as citizens of autonomous nation states within the European common market discover their lack of public banking powers. In the U.S., *every* city nationwide is fiscally in the minor leagues compared to the federal government

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<sup>15</sup> Two other realms -- retirement benefits and health services -- have over time been largely transferred to federal responsibility. Even before the reforms introduced by the Obama administration, many health services had already been transferred to the federal government from individuals, families, non-profit institutions and local governments. Social Security, established during Roosevelt's New Deal, vastly reduced poverty among the elderly, and despite considerable rhetoric and effort from the anti-tax right, the benefits remain largely intact, with modest extensions.

and at the same time almost totally subordinated legally to its state government. Furthermore, states, unlike the federal government, typically must balance their annual budgets. As a consequence of these arrangements, cities depend necessarily and very heavily on federal allocations and on state legislation and administration.<sup>16</sup>

Allocations to cities have been shrinking for a long time, with direct cuts in federal spending, reduced urban-aid programs, and cuts to state budgets.<sup>17</sup> Anti-progressive pressures from corporations play a role, as does the fiscal imbalance nearly all cities suffer versus their suburbs. Right wing politicians at the national level have had a field day, cutting city-aid budgets and then blaming cities for the ensuing shortcomings, a pernicious self-reinforcing cycle.

As a result of the recession, as of late 2012 at least 31 states, themselves suffering from federal cutbacks, had reduced municipal aid -- usually for several years, "from straight reductions in aid to localities to funding cuts for specific programs, such as K-12 education, road maintenance and property-tax relief."<sup>18</sup> Without the Obama "stimulus package" of 2009, which transferred about \$135 billion to state and local governments, many municipalities would likely have collapsed fiscally.<sup>19</sup> With few exceptions, cities have encountered serious difficulties, a few, such as Stockton and Detroit, bankrupted. San Jose, the nation's 10th largest city, at the edge of hugely prosperous Silicon Valley, suffered a 27 percent cut in municipal staff in the decade up to 2012, including 490 firefighters and 66 police officers. As the police chief says, "It's no longer 'Do more with less,' . . . 'It's doing less with less . . .'"<sup>20</sup> Comparing Silicon Valley with Detroit, a city

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<sup>16</sup> For an early examination see Pierre Clavel, William W. Goldsmith, and John Forester, eds, *Urban and Regional Planning in an Age of Austerity*. New York: Pergamon Press, 1980.

<sup>17</sup> Federal revenues 61%, states 22%, local 17%. Feds transfer 12% to state governments, 1% to cities, and states 12% to localities. (Tax Policy Center, FY 2009). Many federal transfers go directly to residents. For shrinkage in total federal transfers before 1980 see William W. Goldsmith and Michael J. Derian, "Is There an Urban Pollicy?" *Journal of Regional Science* 19 (1979), 93-108.

<sup>18</sup> Calculations by Jamie Peck, "Austerity Urbanism." *City: analysis of urban trends, culture, theory, policy, action* 16:6 (2012), Figure 4, p. 642.

<sup>19</sup> *Ibid*, 644.

<sup>20</sup> M. Cooper, "Budget Woes Prompt Erosion of Public Jobs, With a Heavy Toll in Silicon Valley," *New York Times*, February 18, 2012.

council member from a low-income San Jose neighborhood says, "It shouldn't be happening here. We're not the Rust Belt."<sup>21</sup>

In small cities, similar things have happened. In Woonsocket, Rhode Island, population just over 40,000, the city budget had a \$10 million deficit in 2012, while its school department, according to the superintendent, "is like an accident patient in an emergency room" after cutting nearly 20 teachers and support-staff. To rescue the schools and balance the budget, Woonsocket voters decided to boost their own property taxes by 13.8%, strong medicine, but self-administered. The state's Senate voted to allow the increase.<sup>22</sup>

But then the state's House of Representatives killed the bill. Woonsocket had already been hurt by "Rhode Island's previous governor . . . [who] balance[d] the state's budget by cutting state aid to the cities."<sup>23</sup> It was two of Woonsocket's own representatives who convinced the House to push the city into receivership, where a state-appointed official can overrule the local government. The representatives followed the lead of the American Legislative Exchange Council, ALEC, an influential far-right, corporate-funded lobby of state legislators, dedicated to the reduction of taxes and the shrinking of public budgets. Other Rhode Island cities, including Providence, the capital, suffered similarly. One of the two conservative representatives who killed the relief bill for Woonsocket, himself a member of ALEC's national board, says he likes enforced austerity: "You never move faster than when you have a piano hanging over your head," he said. ". . . The receiver is that piano."<sup>24</sup>

Under that cloud of austerity, cities attempting reform face various more specific external pressures: The federal government's failure to establish good immigration policy harms city residents. Suburban exclusions and state and federal inaction harm city

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<sup>21</sup> Lyman, R, and M W Walsh. 2013. "Struggling, San Jose Tests a Way to Cut Benefits." *New York Times*, September 23

<sup>22</sup> Dadayan, L. 2012. "State & Local Government Jobs Continue to Decline in Most States." Data Alert, The Nelson A. Rockefeller Institute of Government, February 17; Nadeau, J B. 2012. "Schools hand in \$66.6 million budget." *The Call* (Aug. 2).

<sup>23</sup> According to Nocera, J. 2012. "When ALEC Takes Over Your Town," *New York Times* (June 18)

<sup>24</sup> *Ibid*

schools. Giant food corporations hinder reforms that would improve nutrition for city residents (and for others -- the latest being the three year wait for implementing the trans fat prohibition). And the federal government's moral crusade sustains its drug war against poor neighborhoods of color.

### **Immigration, Federal Power and City Responsibility**

The imbalance of federal power and local responsibility shows clearly with immigration, but the effects are inconsistent. Border policies, regulations, and procedures are set exclusively at the federal level, but many cities end up responsible for dealing with the results -- the needs of immigrants and their communities. It works both ways. Sometimes federal policy is comparatively benign, sometimes hostile, insensitive to the needs of the places where immigrants live.

In many cities the local actions of federal agents and the imposition of state laws add to difficulties, but in other cases, federal laws can help, when a wink and a nod from local officialdom would otherwise encourage aggressive racists to physically attack immigrants. Not infrequently, the police fail to protect immigrants, immigrants fear official contact, and they are blamed for crimes when they may be victims, so federal intervention can help. The situation is similar to that for many persons of color, and their families and communities, who lack power, don't get access, are not respected, and get the short end of the police stick. Many immigrant communities intertwine with their U.S.-born cousins. The largest immigrant communities in the United States -- Hispanics from Mexico, Central America, and elsewhere -- overlap in multiple ways with native-born Latino citizens.

### **City Schools, Suburban Resistance**

Big city school problems are profound -- researchers count about 1,700 U.S. schools that they call "dropout factories," schools from which at least a third of the students don't make it to their senior year. These failing schools are nearly all in big cities, and a great majority of their students are Latinos, African Americans, or immigrants, nearly all poor. Taking college completion as a measure of imbalance -- the top predictor of a successful working career -- the imbalance between rich kids and poor

kids (highly correlated with suburban/urban public schools) has grown dramatically worse since the late 1980s.<sup>25</sup> One might say the entire school problem would be fixed tomorrow were either states or feds to provide truly equal funding for schools.

Clarence Stone and his associates examined city school problems, looking at “civic capacity” in a dozen of the nation's biggest cities. They predicted that more effective involvement of elites in city politics would enhance a school district's capacity for reform. Unfortunately, they were able to confirm their hypothesis in only the most limited circumstances -- yes, elite involvement had some influence, but that positive effect was overwhelmed in every case by the much more powerfully negative urban/suburban divide. Everywhere the set of failing city schools compares poorly with the surrounding suburban schools.<sup>26</sup>

The next task on Harold Washington's list for Chicago, following his second election as mayor, was to improve the city's schools. But after his tragic death, early in his second term, progress stopped. We cannot know whether Washington would have succeeded. What we do know is that Richard M. Daley, who served six terms as mayor soon after Washington, 1989-2011, announced school improvement as a top priority and appointed a tough schools chief, one who made big waves and then went on to head President Obama's Department of Education. Daley did not advocate a progressive city; he did not focus on the neighborhoods, except to use clientelism to keep the city council in line; and he favored real estate and downtown interests. Under these limitations, Chicago's school reforms had minimal results. After more than a decade, by the school year 2012-2013, the graduation rate was still only 65.4%. Chicago's public schools enroll 400,000 students, 85% Latino or African-American, 87% from low-income homes. Absent a big push from a progressive administration focused sharply on redistribution, the city missed its school-improvement goal.

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<sup>25</sup> Tavernise, S., " Education Gap Grows Between Rich and Poor" *New York Times*. February 9, 2012.

<sup>26</sup> Clarence N. Stone, *et al*, *Building Civic Capacity: The Politics of Reforming Urban Schools*. Lawrence: University of Kansas Press, 2001. On *Building* and other studies see William W. Goldsmith, review article, *Journal of Urban Affairs* 25 (2003), 107-112.

Had Harold Washington survived for a longer term as Chicago's mayor, his administration might have cracked the school nut. Washington brought a political program aimed explicitly at the neighborhood have-nots. And Chicago, with the economic power of the nation's third most populous city, might have found ways to overcome the externally imposed obstacles. Real improvement of the schools would require a deep, radical shift in philosophy of government, of ideology, of the sources of political support (neighborhoods vs. business, working class vs. upper middle class). We have to hope that had Harold Washington survived for more terms, the schools might have been democratized. We will see if De Blasio and the New York City progressive caucus, with a similar ideological program and perhaps even better situated to overcome externally imposed austerity, can push far enough to repair the failing schools.

Even in the best of circumstances, fixing city schools will be an uphill battle. Four decades ago, the Supreme Court's July 1974 decision in the crucial *Milliken v. Bradley* case disallowed the imposition of busing beyond the boundaries of a single school district, to prohibit imposition *across* district boundaries. The plan the Court rejected would have mixed the mostly Black Detroit pupils together with the mostly White suburban pupils in 53 school districts. As Justice Thurgood Marshall wrote then, despite "widespread and pervasive racial segregation" in Michigan and Detroit schools, "the decision . . . guarantee[s] that Negro children in Detroit will receive the same separate and inherently unequal education in the future as they have been unconstitutionally afforded in the past." As Justice William Douglas wrote in a separate dissent: "If this were a sewage problem or a water problem, or an energy problem, there can be no doubt that Michigan would stay well within federal constitutional bounds if it sought a metropolitan remedy." The disparity has only gotten worse. As David Kirp observes: "In theory it's possible to achieve a fair amount of integration by crossing city and suburban boundaries or opening magnet schools attractive to both minority and White students. But

the hostile majority on the Supreme Court and the absence of a vocal pro-integration constituency make integration's revival a near impossibility."<sup>27</sup>

### **Healthy Cities, Food Corporation Resistance**

Many city governments have attempted to tackle problems with food, nutrition, and health. This set of issues has been a major target not only in progressive cities. Cities have established food policy councils, they have attempted to regulate restaurants and grocery stores, and they have tried to guarantee more good food and better nutrition so as to improve the health of the poor. Difficulties arise when city efforts conflict with corporate interests at two levels. First is the restraining power of campaign finance donations and food corporation lobbyists on general federal food policy. Second, particularly for cities, state preemption of local laws also poses significant restraint on nutritional reform.

Sometimes, the city wins. After Cleveland banned the use of trans fats by restaurants, in April 2011, as part of its "Healthy Cleveland" program, the conservative Ohio Senate reacted by prohibiting municipal regulation of ingredients used by fast-food restaurants. But then lawyers for the city of Cleveland discovered that the lobbyist for the Ohio Restaurant Association had written by email to the state's department of agriculture. The lobbyist wrote that this sort of local regulation "is exactly what we want to pre-empt *with the attached amendment*." Cleveland food advocates had their day, as another court found the preemption unconstitutional.<sup>28</sup> In other states, food-related decisions have gone differently. While New York City, San Francisco, and Chicago have instituted what are seen as rather strict reforms, imposing requirements for posting salt and sugar content, the Arizona legislature did what Ohio tried, prohibiting local governments from limiting the use of fast-food consumer incentives like give-away toys.<sup>29</sup>

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<sup>27</sup> D. L. Kirp, "Making Schools Work," op-ed, *New York Times* (May 20, 2012). On slight increase in inter-district enrollment in federally funded magnet schools, see Genevieve Seigel-Hawley and E. Frankenberg. 2012. "Reviving Magnet Schools." UCLA Civil Rights Project. February.

<sup>28</sup> S. Strom, "Judge Rules Restaurant Law Stifles Ohio Cities," *New York Times*, June 12, 2012.

<sup>29</sup> E. Broad Leib et al. *Good Laws, Good Food: Putting Local Food Policy to Work for Our Communities*. Harvard Law School Food Law and Policy Clinic. July 2012, p. 11



In December 2006 New York City's Board of Health was more successful, as it required the posting of calories for fast-food outlets and many other restaurants. The new regulations also bar trans-fats from *all* restaurants. According to then Mayor Michael Bloomberg and his health commissioner, New York took these extraordinary regulatory steps because of the city's "exceptionally high rates of obesity and heart disease," which were getting worse, and they wanted to reverse the direction of change.<sup>30</sup>

Sometimes, the interests of food corporations conflict more directly with the nutritional needs of poor city residents. Rochester, a city of about 300,000 in Upstate New York, has a food bank called Food Link. Most of the food it distributes is pre-packaged, salty, high calorie junk, which may be doing more harm than good.<sup>31</sup> Foodlink's board of directors includes representatives from such food giants as ConAgra, Kroger, MARS FOOD, Walmart, and Procter and Gamble.<sup>32</sup> They get their food through Feeding America's Leadership Partners, which includes General Mills, Kellogg's, PepsiCo, Cargill, ConAgra, Kraft, Kroger, Target, Walmart, and Sam's Club. Even food activism is problematic: According to one Food Link employee, helping to run a 99% White volunteer-led program in 80% Black communities, "It's troubling."<sup>33</sup>

### **The Drug War, a Moral Crusade against Poor Neighborhoods**

States and localities manage most law enforcement and justice administration. Federal and state authority combined massively outweighs city authority in the drug war. The feds and state governments make the rules, yet the cities must deal with the results.

The results for cities are terrible. We should begin by making clear that there exists no war on *drugs*, but rather a war on impoverished, underserved minority neighborhoods. Although rates of drug use are roughly the same for all ethnic and racial groups, rates of arrests, prosecutions, and convictions of African Americans and Latinos

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<sup>30</sup> Marion Nestle, *Food politics: how the food industry influences nutrition and health*. Berkeley: University of California Press., 2007, 385-393.

<sup>31</sup> York, E B. 2010. "How Feeding America Became the Go-to Cause for Marketers," *Advertising Age*, May 3, 2010; M. Warner, "Feeding America One Snickers at a Time: Mars' Ridiculous Anti-hunger Promotion," *Moneywatch*, August 16, 2010.

<sup>32</sup> Gershon, R. personal communication, 2013.

<sup>33</sup> *ibid.*

are greatly disproportionate compared to Whites. Their prison sentences are longer, too. Three prominent Americans -- Presidents Bill Clinton, George W Bush, and Barak Obama -- all admit to having smoked marijuana. The authorities ignore sometimes flagrant evidence of stronger drug use in “good” parts of town. Police and prosecutors, who decide whom to arrest, what charges to levy, and what sentences to request, focus instead on targeted wholesalers, a certain class of retailers, and users in select neighborhoods.

One result: jails and prisons in the U.S. work as giant holding tanks for darker skinned men. And in the steady cycling of men from neighborhood to prison and back, the neighborhoods are diminished and damaged. Drug warriors inflict massive "collateral" damages in run-down minority neighborhoods. "The authorities take down drug lawbreakers by real war, not like the federal War on Poverty, where authorities use words and budgets, and not like local zoning wars, where planners use public meetings and zoning regulations to thin out liquor stores. The war on drugs is fought with troops in uniforms. They carry weapons, ride in attack vehicles, engage in battle, and send survivors to prison. The warriors who fight against drug traffic in poor neighborhoods are not rogues. They operate with popular support. The war generates its own internal growth dynamic, enriches profiteers, and demonizes an enemy. Federal zeal, training, and financing increases local police enthusiasm. One tactic involves seizure of property, which is then used to finance local cops. Another tactic is to stop and then search pedestrians, who when told to empty their pockets sometimes reveal traces of drugs. In New York City in 2011 the police conducted more than 685,000 such "stop-and-frisk" operations, 87 percent involving Blacks or Latinos. In the end hardly any of the persons stopped were prosecuted and convicted."<sup>34</sup> Federal tactics include prohibitions against residence in subsidized housing, or use of college scholarships.

It is the illegality, not the drug use or drug sales that delivers most of the troublesome effects to neighborhoods. Actual battles do occur on occasion between the police and drug distributors but more often among rival distributors themselves. Drug use

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<sup>34</sup> In response to criticism, the New York police chief claimed stop-and-frisk was the only option for keeping the streets safe. Yale law professor Forman Jr. and Stutz (2012) note neighborhood-friendly and effective options. The City ended the vigorous arrest policy late in 2014 with drastically lowered marijuana penalties.

does feed irresponsible behavior, just the way alcohol does -- but it is the illegality, and the war, that brings most of the violence.. For local leaders and outside volunteers, "those who would hope to improve neighborhoods and assist" residents with jobs, housing, schools, and social services, "the violence poses insurmountable barriers."<sup>35</sup> The much milder side effects of Prohibition led to repeal.

### III. Comment and Reflection

#### The Dilemma

Our plan in writing this paper has been to make sense of two research trajectories – on “progressive city” experience that sometimes has succeeded, and on a national atmosphere that in some ways is downright anti-city. Not only our efforts, but also the literatures we drew upon, have seemed incommensurate. Pierre Clavel -- writing *The Progressive City* and *Activists in City Hall* from local experience starting with participant interviews, and seeking reinforcement from similarly locally sourced research -- looked for and found a set of exciting situations in which social movements, neighborhood politics, innovative planning, and inspired leadership managed to take political power and make notable progress in city affairs. Democracy did expand, and resources were shifted to help those in need. The number of cases is relatively small, compared to the number of big and small cities across the country, but the achievement is noteworthy and encouraging, and lately the numbers have been growing. Bill Goldsmith -- writing *Saving U.S. Cities* -- looked for and found evidence that in most cases, often even including the exceptionally progressive cities, crucial needs remain almost totally unmet and inequalities remain unacceptably large. The unfortunate results in nearly all cities mean that schools fail (for literally millions of children), neighborhoods are beset with violence, and large numbers of people must put up with inadequate and unaffordable

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<sup>35</sup> Paraphrased from William W. Goldsmith, "The Drug War and Inner-City Neighborhoods," chapter 11 in *The Oxford Handbook of Urban Economics and Planning*, eds., Nancy Brooks, Kieran Donaghy, and Gerrit-Jan Knaap. Oxford University Press, 2012.

housing, lack of recreation space, and poor nutrition. City residents who suffer most are African Americans, Latinos, and poor recent immigrants.

The upshot: good results under progressive city governments have been limited mainly to housing and some economic development and employment. We have speculated above whether in the very biggest of progressive cities things could be different. Had Harold Washington served more terms, might he have succeeded with school reform and perhaps even police reform? Bill de Blasio and the Progressive Caucus in New York City have moved some in these directions, and in a number of other cities wage increases, nutritional protections, police reform, and other changes have been put on the agenda. But the jury is out.

While we had hoped to provide full accounts of both local experience and external intervention for or against various policies, we have unbalanced cases. Rather than a partially complete empirical report, what we present below is instead a reflection, with some empirical basis, on what seem to be serious issues for policy makers: how do external constraints impinge on local progressive efforts? and how can we resist or modify them? Our aim is the same as what we began with: to help local officials and activists avoid unrealistic hopes, but also avoid despair. It's just a longer range job than we have done so far.

### **External Opposition Is Decisive Now**

For a pessimist, or perhaps a realist, success in expanding city democracy, redistribution, and progressive policies generally will not come without substantial improvement beyond the city borders, that is, in federal and state politics, and in the ways corporate operations are regulated. As Zephyr Teachout and many others point out, formal, explicit political bribery is passé, because our electoral system at the state and federal levels (and often of course at the municipal level) is so thoroughly and now fully corrupted by money paid out legally by wealthy individuals and giant corporations.<sup>36</sup> These generous donors fund political campaigns, make "revolving door" jobs available to

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<sup>36</sup> Zephyr Teachout, *Corruption in America: from Benjamin Franklin's Snuff Box to Citizens United*. Harvard University Press, 2014.

officials leaving public service, oppose taxation quite generally, support "think tanks" for lobbying, and more directly influence affairs by drafting legislation together with Congressional and state legislative staffers.

This corrupt political system is being driven by its beneficiaries to abet expansion of inequality and enforce austerity. For cities and poor suburbs the shrinkage of state and federal fiscal support has been very painful. But to make things worse, cities end up managing the settlement of immigrants without help, endure schools that fail their children, foster obesity through poor nutrition, and live with the drug war. These municipalities are deprived of resources and discouraged from using their own energies and ideas. Federal and state budgets, regulations, and programs stand in the way of progressive reform, as they operate in line with the interests of corporations and privileged citizens. There are few and limited exceptions.

The story for middle class suburbs and wealthier areas is just the opposite. Suburbs and their residents typically find themselves topside of the inequality fallout, and they can organize themselves to live well and govern locally. Through zoning, subdivision control, building regulations, real estate practices, and other means, suburbs exclude poor Americans and poor immigrants for the most part, and they segregate not-poor people of color. They can get to markets to buy groceries that provide (relatively) good and nutritious food. Their children attend schools that teach at acceptable or even very high international standards. They keep out the drug warriors -- their kids smoke pot, but they do not go to jail, and there is little if any violence on their streets or in their parks. Even broad national austerity policies tend to bounce off typical suburbanites and their local governments -- austerity imposes some suburban pain, but not so much, not so often, not so long. Relatively good property tax receipts based on decent levels of wealth, higher incomes, and more recent investment in housing and infrastructure make for resilience.

What to do? The options for policy regarding the most prominent obstacles introduced from the outside are pretty clear, even though they may (at the moment) be political pie in the sky. We should end the drug war, for example, with drug use decriminalized and limited through regulation and intervention, drug sales regulated and

licensed. Punitive, racist federal law and justice administration might change first, then state laws. To fix city schools the nation must see education as a human right, invest more in teacher training, support school autonomy, and -- this is key -- eliminate the unequal funding of schools. To reduce the immigration burden on cities, the Congress must legislate a sane national policy and allocate funds for its implementation, so cities and other localities can help immigrants adjust and prosper. Food policy must address nutritional deficits and food insecurity generally, lessening the bad health effects of junk foods and improving access to fresh foods, especially in so-called food deserts.<sup>37</sup>

The opposition to such reforms will continue -- the drug war lobby is informal, but real, with tangible benefits to the justice-system establishment such as jobs in police departments, prosecutors offices, the courts, and for prison guards. Benefits go to private providers of para-military and other police equipment, builders and operators of prisons, public and private alike, suppliers of prison food, clothing, and other materials, bankers processing funds, politicians relying on simplistic emotional and moralistic appeals, and various others. In areas of drugs, policing, and prisons, historic and current racism plays a considerable role. The lobby to protect the nation's unequal school system is more complicated. The main problem is the almost total isolation of decent-quality schools in exclusionary suburbs where there are relatively small numbers of poor households (or none) combined with adequate tax bases. In contrast, poor quality city schools are short of funds and enroll needier children with language and health deficits. The different school systems are maintained and largely financed locally, operating in the suburbs as though the schools were private, with school fees paid indirectly as premiums for housing. These divisions are fostered by jurisdictional separations that in the end are enforced by state laws and Supreme Court rulings. National (and state and local) food policy has long been held hostage by the financial-political power and lobbying activity of a very few giant food corporations. The problem, as Marion Nestle has so clearly stated, is that these corporations make money by selling food -- and they sell it best through advertizing and ingredient manipulation, both of which make us eat too much of

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<sup>37</sup> Most of these arguments appear in Goldsmith, forthcoming, *op cit*

junk, but with too little nutrition.<sup>38</sup> The nation's failure to enact reasonable immigration laws stem in part from historic roots of racism and xenophobia.

### **Overcoming External Opposition in the Longer Run**

Do we see external opposition as hegemonic? Perhaps, but we can list a half-dozen or so dents in the armor of the external opposition.

- We begin with a challenge to city planners, who normally -- and understandably -- focus attention on land use controls, housing, transportation, and economic development. We agree that these issues are important, but we find that cities need also, perhaps first, to solve crucial problems with schools, drugs, food, and immigration and to get relief from top-down austerity. Solutions to these deep problems are critical to urban policy but neglected, even by the progressive cities, largely because they are problems imposed from outside. That, of course, is the case we've just made.

What are the possibilities for reducing these external impositions? Goldsmith's forthcoming book argues that policies on city schools, the drug war, food, and even austerity are "ripe for reform." We can elaborate:

- Despite the power of conservatives who support the status quo, popular movements are struggling to support schools, worrying about food problems, opposing the drug war, and challenging austerity. If we compare news headlines and topics of popular discussion today with a decade ago, we note that more and more evidence circulates today about the needs of failing schools, corporate responsibility for nutritional deficits is at least on the radar screen, the drug war and closely related policing and prison issues fester like open sores, and some people recognize that Wall Street and billionaires are somehow connected to inequality and

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<sup>38</sup> Nestle *Food Politics*. Berkeley: University of California Press, 2007.

austerity. Even the conservative Chief Justice of the Supreme Court, aligning with the four liberals, seems to have sniffed the air by June 2015 - - ruling clearly to support Obamacare. The Court's majority also acknowledged the racist effects of "indirect" housing discrimination and racial segregation.

- External institutions are not necessarily in opposition. Some can be supportive, as is Obamacare for poor residents in every city, or as when the Vermont legislature helped in the Northgate case, or when the Ohio court was obliged to support Healthy Cleveland's ban on trans fats in restaurants. Ann Markusen has made this case clearly when comparing the state governments of progressive Minnesota and reactionary Wisconsin.<sup>39</sup> Other well known positive external institutions that have historically helped cities would include the New Deal reforms of Social Security and the GI Bill, the North Dakota development bank, the food stamps program, even Nixon's negative income tax. But the tax-cutting, tax-expenditure right wing in recent decades has worked to eviscerate these national progressive programs.
- While we should look at "progressive cities" for their ideological and political momentum, we must also note that progressive reform can mean stand-alone policies, even in "normal" cities that are overall not "progressive." Greg Schrock argued this for Chicago workforce development policy that emerged under Daley, not Washington. Same for Ducharme and the small factory policy— Daley appointed her for three years before pulling the rug out.
- Cities just as other political systems may run in cycles, so that the momentum of maintenance of earlier progressive reforms can be crucial. Certainly New York City despite several highly conservative governments (e.g., Giuliani) never dropped (though it weakened) programs established in response to much earlier socialist-inspired European immigrant

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<sup>39</sup> Ann Markusen, "The High Road Wins," *American Prospect*, spring 2015.



demands -- massive public housing, rent controls, public transit, the public universities. There is the question whether policies concatenate so there is an overall progressive policy bias. This seems usually to be associated with overall progressive mayoral or council leadership, but it may carry over.

- If there is concatenation, does one type of policy tend to lead others? In Boston, Dreier argued that linkage led to a series of other housing support policies. There was similar aggregation in Burlington – though typically, Davis downplayed any one magic policy bullet. But it seemed to be there in the Community Land Trust device, as with linkage in Boston. This is why the "progressive city" is so important, to reach some turning point when the energy of reform pushes for still more. On the other hand, the steam can run out, as the practice of politics requires compromise.
- In progressive cities, leading policies vary. Thus linkage led to other housing reforms in Boston. In Chicago it was very different, “Jobs not real estate” was Mier’s theme, and one sector (steel) led to another. This is one instance of the importance of techniques and clever technocrats, as seen in the plans designed for Berkeley, Cleveland, and Chicago. This claim about technique is of course parroted by the mainstream about participator budgeting. Various global institutions (e.g., the Interamerican Development Bank) have suggested PB as a means of improving city governance generally, for example, ignoring the fact that its emergence with the Workers Party in Brazil came only after decades of very serious political work.
- Progressive alliances may be possible with local business owners. Perhaps it depends on strength of unions, which may be national not local, and on other factors. In Chicago and Burlington, progressive mayors had more luck with smaller manufacturers than with multinationals and branch plants. In Burlington they codified this advantage with a series of plans.

Each progressive city success was a matter of defeating the real estate/growth coalition. Mollenkopf argued that growth coalitions were on their last legs as early as the

1980s. Why did they survive? Perhaps because they had a vertical dimension in the federal system through HUD and other agencies, with state-level counterparts. Progressives succeeded as much by finding dead spots where the growth coalition was not mobilized, as by creating their own alternative coalition. Progressive coalition building needs more than one dimension. The question is, where to find external support for challenging the growth coalition – at the state level, perhaps, should we look at this vertical dimension, which tends to be ignored in the literature.

### **A Progressive Solution?**

We have suggested here a greatly uneven tableau: progressive cities, and progressive cases (including local justice movements) on particular topics within otherwise diversely normal cities that seem both “progressive” and “conservative” on different things. And in all cases the movement toward local justice – broad or narrow – is subject to external constraint. At least on the matter of external constraint, what evidence is there? Well, a little:

Consider four possibilities:

**Government Partnerships.** Any progressive reform initiated locally needs government partnerships at state or federal levels: a governorship, as in Minnesota; or in key offices in state or federal agencies. Hegemony is not required, but some level of balancing interests is. When such partnership is missing, progressive programs may halt. In New York City, de Blasio must constantly spar with Governor Cuomo, much of whose support would seem to come from the very real estate lobby against which de Blasio must do battle, as well as private school interests. The governor can erect obstacles involving huge budgetary allocations and influence on the state legislature. As we write, in early summer 2015, there is a temporary truce, but it would appear that the governor is not supportive of the city's need to maintain rent controls over the long term, insists on heavy subsidies to private developers, and at the same time would like to shift massive funding (with tax credits) from public schools to privately supported charters.

**Civil Society and Social Movements.** Some kind of civil society presence is also needed. Just as the National Rifle Association, the NRA, helps stifle local efforts at gun

control, convincing a compliant conservative judiciary to overrule cities, a complementary (if unlikely) empowerment of the Giffords anti-gun lobby would also be required. One can go down the list.

The new civil rights movement -- in response to the New Jim Crow, as Michelle Alexander puts it -- has focused on prison and repression, violence, and police killings of unarmed Black men. Here and there, this movement connects with electoral politics and with legislation. For example, Zephyr Teachout, who challenged Cuomo in the New York Democratic primary election in 2014, is pushing for public financing of statewide elections as well as for voting rights for ex-convicts (note: in Maine prisoners can vote). New York City already provides public funding for candidates; the idea is that disenfranchised residents might vote, were there to be candidates to more fully represent them.

**Internal Agency Reform.** Complementary to both of these would be the general emergence of internal agency reform. Proposals were rife at one point – starting perhaps in the 1960s there was a revival of proposals to reform the hierarchical structure of private and public organizations – these had gone back to earlier in the twentieth century with the work of such theorists as Mary Parker Follett and promoted by groups like the “New School for Democratic Management, and still find expression in a Public Administration Theory Network and its journal, *Administrative Theory & Praxis*.

**Support from the Academy.** One would also want an academic backup for all of this – Journals, professorships, foundation support. Count this as a dissent – a constructive one – from the overweening influence of neoliberal public administration thinking such as was proposed by Herbert Simon and others as long ago as the 1940s, but took over the field later. We do not say that good ideas for institutional reform are lacking – only that they have been overwhelmed by top-down tendencies in federal and state bureaucracies; exacerbated by attacks on government *in toto*, putting bureaucrats in too defensive a posture.