

Bollinger's Whoppers

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It was unexpected. The Court ruled against Columbia University's use of eminent domain to facilitate its West Harlem land grab, putting that project on hold. New York State Supreme Court Judge James M. Catterson's precise language highlighted objections raised up from the grassroots by organizations (like the one I belong to, Coalition to Preserve Community) and by rugged individualists citywide: this was a project benefiting an elite private institution, an eviction plan with no noticeable public benefit to beef up legal rationales for eminent domain. The Court found that Columbia had acted nefariously and in "collusion" with Empire State Development Corporation (ESDC) to invent a neighborhood's demise by caricaturing it, demeaning it, and labeling the place where we live and work a "substandard or unsanitary area" which "shall mean and be interchangeable with a slum, blighted, deteriorated, or deteriorating area, or an area which has a blighting influence on the surrounding area. A related ruling a week later in a separate case before the New York Supreme Court ordered Columbia to turn over documents from a Freedom of Information request -- info which could have been valuable to those opposing eminent domain. The judgment mandating disclosure of the documents had already been upheld by two lower courts but ESDC failed to challenge the heavy-handed delay tactics by Columbia's lawyers, allowing evidence to remain unconsidered and the condemnation proceedings to continue. The Court's decisions explicitly challenged Columbia's bullying tactics -- their effort to assume complete ownership of a 17 acre area ("all or nothing" as the U's President Lee Bollinger threatened way back in April 2004 when he introduced his eviction plan at the local community board). So for now, Columbia's all powerful -- though maybe not all wise -- pressure-plays, legal and otherwise, have resulted in a decision that calls the basic tenet of their projected expansion "illegal" and "unconstitutional."

Columbia is appealing the Nov. 2009 decision and it continues the ruse of bureaucratic distance from the nastier steps associated with the eminent domain process by insisting it's only supporting ESDC, the state agency which is technically the party doing the appeal and the one judged to have colluded with Columbia. The spin is that it's the state doing the eviction order and takings and the innocents in Low Library (an administration locale, no book dere) are just waitin' on the world to change. This posturing is done with the same deceptive zeal President Bollinger and his political friends -- from Charlie Rangel to Councilmember Robert Jackson -- employ when claiming no residents will be victims of eminent domain -- even though more than 400 tenants must be gone by 2018 according to ESDC notices delivered to all buildings. And even though Columbia's preferred (under-)estimate of 5,000 displaced residents in its own Environmental Impact Statement is never dealt with beyond some chump change designated for West Harlem Local Development Corporation (WHLDC). At best, those empty dollars might take care of a few hundred in some market rate future.

Five WHLDC Executive Board members resigned in Nov. 2007 just before the City Council vote on Columbia's plan, after a year and a half of hard committee work ended with them being completely shut out of the negotiating process. Of the 20 plus seats on the Board, only one is filled by an Hispanic in a district where at least half the residents fit that bill. Columbia has renewed its push in the last couple of months to get rid of the remaining businesses and an arts collective in the expansion area. This is all about Columbia having an enclave in Harlem and its refusal to conceive of a neighborhood's development on anything but its own terms. It's also about a disinformation process that is more and more common nationwide – outright lying to cover up elitist colonization, in this case done with a dash of liberal panache, certified Ivy League respectability but with the same old, same old corrupt pols.

Norman Siegel, the lead attorney for Nick Sprayregen, owner of five properties who has been fighting valiantly against the takings along with the Singh family which owns two gas stations, resists reactions to the ruling that go beyond noting it has left the community pleasantly surprised. Looking back, he argues we all should have been cautiously optimistic after the hearing last May since the judges' questions indicated the issues would not be whitewashed. Still, for Siegel's record, I'd cut the doomiest among us a break for doubting the New York State Supreme Court would do the right thing. After all, most of the judgeships go through the Democratic Party and its selection process is dominated by real estate developers and the banking industry. I don't mean to begrudge Siegel's faith in the System and I've heard (him) tell the effectiveness of West Harlem's grassroots organizations has bolstered that faith. We have a partnership where optimism and realism alternate in frank exchanges that help us all keep fighting against the odds.

So what do we expect now? What are we up against?

Well, a bully campaign by a liberal wagon that just keeps rolling along. You got all the Democratic politicians (with the exception of State Senator Bill Perkins) backing the road-show by cowardly refusing to comment in depth on the language of the ruling. And now Bollinger is selling his book on the First Amendment, slickly painting himself as the hero of a free press on Charlie Rose's PublicNon TV program, side-stepping the question about eminent domain with no reportorial challenge from the Pink Man (is he still Amanda Burden's - the City Planning Commissioner who backed the Columbia expansion - boyfriend?). And, in this corner slightly to the right, you got all those developer connections – twas Jerry 'oh he owns new york' Speyer who had Bollinger installed as one of nine current members of the Federal Reserve Bank of New York. Finally, on the right and the left, you have the built-in censorship of the press which obscures opposition to the expansion – all but eliminating coverage of it. And since the student hunger strike in November 2007 on behalf of the community's alternative plan which would share the Harlem expansion area (and which got some press attention), the administration has managed to badmouth Coalition to Preserve Community (CPC) members to the point where the students no longer even sponsor events that bring community voices onto the campus. Low Library spinners have convinced students to remove themselves from the bomb throwers and upgrade to Nuance, so now most students seem intent on getting their young proactive groove on by climbing on the

wagon driven by compromised thinkers with color-coded bona fides – searching for the implementation of a community benefits agreement and keeping it real, scrapping away for a few of those politically controlled slush fund dollars.

So let's take a little ride on the stagecoach and see how this works:

Bollinger reports to the University Senate on November 13, 2009, immediately after the ruling against eminent domain. According to the minutes:

Sen. Mark Cohen (NT, Bus.) said the recent ruling had cast Columbia in a terrible light in the court of public opinion, raising the specter of 1968. He asked if Columbia should be taking steps, despite the impending ongoing litigation, to reframe its position.

Bollinger's response, again, according to the minutes:

The president said he had to disagree with Sen. Cohen's characterization. He said many bad things had been said about Columbia during the 7 or 8 years of its quest for approval of the Manhattanville project. But they had all come from a very small minority. He said the range of support for Columbia's expansion into Manhattanville had been extremely broad, even in the surrounding community. He recalled that Community Board 9 ultimately voted in favor of the project...

Community Board 9 voted 32 to 2 against the plan. It was front page news on the Columbia campus. The resolution came with ten conditions Columbia had to meet, including not using eminent domain, before the Board would reverse its position. So here is the author of just released *Uninhibited, Robust, and Wide-Open: A Free Press for a New Century* (Inalienable Rights), - a constitutional scholar at a "world-class institution" (a phrase he loves to flaunt in all its imperial splendor), a man cloaked in the integrity of authors etched in stone on campus buildings and statues, presenting the facts to the University Senate. His misrepresentation amounts to much more than simply conflating a no vote into a yes one, because he implied there was some learning curve Board members had undergone: those who were hesitant and watchful in the beginning, or even outright opposed, "ultimately" saw the light. Now Bollinger was addressing scholars and teachers who have dedicated their lives to intellectual pursuits and the search for truths, so the fact he is telling them a great goddamn whopping lie is hard not to notice. He is clearly confident the hicks from harlem wouldn't be around to call him on his contrickery.

Bollinger went on to list the politicians who backed the plan to support his claim about the "very small minority" in opposition, but he refused to make mention that at every public meeting and hearing for years and years, a huge and varied opposition always expressed heartfelt objections to his "all or nothing." Consider the unprecedented denouncement in a ULURP (land use) hearing in August, 2007 - the very meeting which

precipitated the NO vote Bollinger claimed was a YES. At a packed Manhattanville Center, a half block from the proposed expansion zone, Bollinger and David Dinkins, the city's first black mayor, got booed for minutes on end (youtube here: http://www.youtube.com/results?search_query=Bollinger+booed&aq=f) A response that must have shocked both of them given that Dinkins would normally get respect even from those skeptical of his mayoral record in such a venue.

Back to those minutes. Bollinger's revisionist history was enough to turn the discussion away from what could have been a democratic moment of candor. Senator Cohen backtracked from his initial point that the expansion should be "reframed," proposing only that Bollinger take additional steps to deal with public opinion in light of the "terrible light."

So back comes Bollinger killing it softly with his words (again from the minutes):

The president agreed completely with the idea of bringing voices forward to reaffirm the extensive process Columbia had undergone, along with its commitment to rebuild relations with surrounding communities. He said this process was already under way, with extensive outreach over the past 24 hours that would continue.

The president said that issues like this can be difficult for journalists, who need some time to grasp the full context. The university was doing its best to clarify that context, and so were ESDC lawyers. He was optimistic that within a week or two, there would be a more balanced understanding of this situation. The president decided not to say more on this subject.

Clearly Bollinger saw this ruling as one that was severely jeopardizing Columbia's land grab. The level of desperation impelling "extensive outreach over the past 24 hours" is a lot higher than the cool, calm and collected president suggests. He was absent at the December Senate session due to "honest miscommunication of schedules" (as opposed to dishonest miscommunications the President is usually a party to) – according to Sharyn O'Halloran, chair of the Senate Executive Committee (and community benefits agreement SPY extraordinaire). An inside source in Columbia's PR department reveals that officials were scrambled by the Court decision – shoulda listened to Siegel – but they rushed out right away to spend and spend, to reverse and "rebuild".

When Bollinger talks of a reinvigorated targeting of the press and says he is "optimistic that within a week or two, there would be a more balanced understanding of this situation," can you feel the godfatherly outreach reaching out? The Coalition to Preserve Community (CPC) had a protest on 1/28/10 outside the offices of ESDC and Gov. David Paterson on Madison Avenue to urge them to drop the appeal of the eminent domain ruling. But not even the *Columbia Spectator* (the student newspaper) sent a reporter!

Long arms hard at work.

(CPC members have been urging *Spectator* to follow up on a story Jimmy Vielkind broke from a FOIL request in 2005 which revealed a \$300,000 deposit Columbia provided ESDC to pursue eminent domain. Question is, since then, how much more has been paid to ESDC? It's a touchy subject. Former PR man Warren Whitlock got in hot water with his bosses for simply reacting to the revelation at a meeting in 2005 with the words "it's not Columbia's finest hour." There are many important expansion-related stories that the *Spectator* does not pursue like it used to, and as for the other press...well, longer arms.)

Now lack of coverage in the press of grassroots actions, and the lack of response to press releases, faxes and phone calls, can always be attributed to media business as usual. But what Bollinger was saying to his Senate was that his PR department was going full force to counter both community opposition and the bad press the ruling was generating. He had already poured buckets of duckets on Bill Lynch Associates to exploit Lynch's long established link to Harlem pols. Lynch, smart and treacherous, must have been conscious of how bad that big pile of Bollinger bills looked (he probably barely greased the palms of the "leaders" of the overnight community coalition that he assembled before that ULURP meeting where Dinkins was booed – most of his people left the scene early or joined ranks with CPC members once they saw what was going down). He didn't even declare hundreds of thousands of dollars in income on that score as required by lobbying rules and ended up getting busted, paying a fine and agreeing to be monitored for all future lobbying work. (Lynch has always been a close adviser to David Paterson but should have recused himself from all contact with the governor due to conflict of interest since the issue of eminent domain lies very much in Paterson's hands.) Bollinger's guys and gals have been in it to win it for years to make sure the Columbia version is the story that can't be refused.

If Bollinger's new disinformation campaign can start with a lie as big as fudging support for the expansion by Community Board 9 and demeaning the opposition, imagine the load he is laying on the press out of the public eye -- the heavy weight of the powerful, closeted boardroom stuff worthy of his membership on the board of the Federal Reserve Bank of New York (FRBNY). Oh, those connections! In a *New York Times* article (1/19/10), "Lesson on Limits of Eminent Domain at Columbia," writer Terry Pristin quotes another FRBNY member (also a Speyer protégé) without identifying that significant bank board link of the lesson-giver:

Kathryn S. Wylde, chief executive of the Partnership for New York City, a leading business group. "I think it's frightening because there are few more important investments in our city's future than that which Columbia is making."

Just another independent source on the New York street who represents a "business group" (what? bodega owners perchance?). A *Times* article a week later describes the

Partnership for New York City as “a research and lobbying group that represents some large banks and companies.” That at least hints at her close ties to Bollinger and company. Recent *Times* reporting on the Columbia expansion has been marked by the same lack of integrity displayed in their editorial excoriating the Court ruling, which failed to note the *Times* too had acquired its new building through eminent domain, driving out over 50 businesses in the process.

Given Columbia’s (1) vast real estate connections (and who knows about financial contributions those boys promised in pursuit of knocking off Sprayregen since eminent domain takings are often a key to big profits – yo, no source here) (2) links to the banks (3) coziness with the *Times* (4) huge, amped up lobbying force, how does Bollinger finesse his own faculty and student representatives in his Senate address? He resorts to old school and tells them whoppers! Some example he’s setting for his professoriat and the cream of the crop who may be destined to lead our country. Though they weren’t exactly a tough crowd. Sure, many in the University Senate are removed from the details of Columbia’s dirty business, but it was telling how quickly Senator Cohen’s inquiry morphed into a call for a collaborative effort to get Columbia back in the good light – a fade-out that would not happen in Harlem venues if the public had a chance to speak out. This is precisely why Harlem and its history and culture of honest resistance must not be replaced by an Ivy League enclave of twenty story walls protecting the imperial elite.

(And the selling point that there will be some stores on the street level? Yeah, sure. Both transparency and community guaranteed by some glass windows – where “everyone” can go shopping – a topic of discussion in a recent fireside chat between Bollinger and his students. Just another example of a great divide being cynically ignored.)

In-house critics of the Honorable, Robust and Open Lee Bollinger need to pick up on the urgency of messages from the grassroots. At the Senate meeting in December, a senior representing the Student Coalition on Expansion and Gentrification (SCEG) noted an error in the November minutes, advising Senate members, to his credit, of the actual CB 9 vote count in opposition to the expansion. But to his extreme discredit (and he will remain nameless because the point here is not to jump on a student grappling with significant and complicated social issues), he too jumped onto the “we all in it together” bandwagon. He was quoted in the (2/1/10) *Spectator*:

“I just want to urge transparency and academic honesty going forward in this attempt to raise University and community awareness about the benefits of the plan.”

Well, thanks but no thanks. This is hardly the path to go down when contending with Bollinger’s thuggish ruggish bald-faced in-house lie campaign. A call for academic honesty and buying into the concept of a campaign to raise “community awareness about the benefits of the plan” is only good for the out-house. It ain’t no way to confront this

level of collusion and corruption. The community does not need students telling the GodfatherPresident how he can better make the benefits clearer to us dumbos.

By the way, the SCEG organization used to be a good community ally but it's now pretty much at the mercy of the Low machine. That rep of theirs who held forth at the December Senate meeting is now SCEG's major mouthpiece. And he's done everything possible for the past two years to keep the CPC from talking to students, which the group had been enabling us to do since 2004. Why? Well, read how he responded to criticism that he was actually aiding the eviction plan with his weak comments at the Senate. He wrote, in part, in a recent email to our CPC action group:

I think students like nuanced arguments, and I think nuanced arguments have much more bite to them. And when we last had an organizer, we were holding large events for nuanced issues, so in my experience it is the ONLY way to organize at Columbia right now. I'm sorry but that's the way it is. Contexts change. I am going to try to place things in context, which I know is always hard. Yes, I am aware of the PR assault against the CPC.

Hey it's the wave of the future – let Bollinger's lies sit out there and turn the battle for Harlem's soul into some “context” that we can't quite wrap our Malcolm X rhetoric-filled, impractical, conga banging, guiro scraping, revolutionary throwback, dreamy on the road minds around.

At least he admitted to familiarity with the “PR assault” against CPC. Still, this new highly insulting “nuance” rap doesn't hold up logically. If we did not have nuanced arguments, we would never have gotten student support to begin with. Neither students, nor the community, are that stupid. But this student and Bollinger are going to put it all in context for us hajjis. What we ignorants are spozed to be occupying ourselves with now is spending time bowling for dollars, lobbying for Columbia to pay into the slush fund for the WHLDC, procuring benefits that were already part of the General Project Plan and then re-negotiated with the WHLDC so the pols could save face (and a small corrupt-ass face it is) for selling out Harlem. Jess lay down and learn to love block after block of huge ugly buildings that may look like air cooling systems (check out the new building on 120th and Broadway on top of the gym, and say it don't look like a huge air conditioner – just take a gander at it from inside Riverside Park.) Many decades ago, corporate America got more friendly in order to keep dropping bombs, busting the ozone with cow dung, and exploiting workers, and Columbia, with the politicians standing by its side, continues to update this not so fine tradition of “public relations”.

The “context” here is bigger than the consequences of the post-modern urban removal promoted by Columbia the developer and gentrifier. It even goes deeper than the attendant racism and Bollinger's failure to understand that this “Harlem mystique” thing (to which he gives occasional lip service) can't be comprehended from an angle of elitist self interest. Sorry to beat that drum again, but what really counts is the history of dignified resistance from the Hispanics in Washington Heights, black folks from the

projects to Central Harlem, the crazy mix of working class people, musicians, students, teachers, and lovely nutcases of every persuasion that have always lived in West Harlem. Not to mention all the resistance of all those New Yorkers all over who want neighborhoods not gated communities with biohazard labs established through collusion of blight-finder profiteers.

Columbia's institutional racism, ingrained deceit and hardcore meanness toward those up against its Ivy Walls (no nuance here) has already resulted in panic, pain, depression and even death. Yet New Yorkers in my neighborhood continue to exercise their fundamental democratic right to stand up honestly, and cleverly and humorously and with great spirit and a down-home belief consistent with the best of what an uptown Ivy League school should be showcasing: independent, imaginative thinking, free from whatever *context* is in control. After all, that's what's behind all them great books, *si o no?*

Well finally, in the beginning of the Spring 2010 semester, some students not affiliated with an organized student activity group decided they wanted to have a panel on the expansion. They figured it made sense to have an independent moderator. This author was selected to share time with four other panelists. But Columbia refused to participate, so the moderator refused to moderate, not wanting to be tainted with presiding over an unobjective discussion. Despite hearing from more than one of the very diverse panelist group (albeit one very lean on the community position) that Columbia was sabotaging the discussion to avoid having to make an on-campus showing in light of the court ruling, the event was stalled. The students finally got a commitment from a representative from the architect firm that designed the Manhattanville master plan and the moderator sent an email to panelists suggesting that her need for Columbia to be represented was satisfied. This author suggested he was more than willing to be on the panel no matter who was on it, but again advised that Columbia was spending millions of dollars a year to sell the expansion and that it surely had plenty of means to send someone – and, furthermore, that the architect firm which had for years denied any accountability beyond talking about their building ideas, could not be considered by the moderator as a Columbia stand in. The architect firm then bowed out, and the moderator was unwilling to accept an empty chair solution for Columbia, so the great blond padrino with the \$1.3 million salary ate some more canoles and his undetected censorship reigned once again. So, U.S.A., that's what were up against.

Tom DeMott is a member of the West Harlem Coalition and the Coalition to Preserve Community. (note: the last paragraph and another sentence were not included in the version published in First of the Month)

