

Norman Redlich

An Oral History Interview
Conducted for the GVSHP Preservation Archives
by
Susan DeVries

New York, New York

March 6, 1997

ABSTRACT

Norman Redlich (born 1925) is the former Dean of the NYU School of Law. This oral history interview serves as a follow-up to a lecture Redlich gave to a preservation course former GVSHP Executive Director Vicki Weiner taught at NYU in November 1996. A transcript of that lecture is appended to this oral history.

In this interview, Redlich expands upon some of the subjects he raised initially in his lecture. He begins by discussing the closing of Washington Square Park to traffic. Redlich recounts the genesis of his involvement with the Joint Emergency Committee (JEC) and identifies the key players in this group. Individuals referenced include: Edith Lyons, Raymond Rubinow, Jane Jacobs, and Stanley Tankel. Redlich also talks about the dissent within the JEC regarding whether to join forces with local Democratic Party boss Carmine DeSapio. Redlich concludes this section by reminiscing about the ceremonies in the summer of 1959 to celebrate the closing of the park, as well as discussing Shirley Hayes' role in the closure.

Redlich continues the interview by discussing his work with other organizations in the Village. This includes his work on the Housing Committee of the Washington Square Association, as well as his role in local politics, managing the 1962 campaign of Bill Passanante. He ends the interview by discussing his work with the passage of the Landmarks Law in 1965.

INTERVIEWEE: Norman Redlich
INTERVIEWER: Susan De Vries
LOCATION: New York, New York
DATE: 6 March 1997
TRANSCRIBER: Susan De Vries

DEVRIES: It is March 6, 1997 and I am speaking with Norman Redlich in his office at 51 West 52nd Street. I was reading over the transcript from your talk with the NYU class, it was wonderful.¹ You covered the Joint Emergency Committee very clearly. There are just a few questions that I have about specific people and events that we are still unclear about. One thing that you mentioned was that your involvement with Greenwich Village really began when your wife saw that article in March of 1958 in the *New York Times*. Were you aware of previous efforts, people trying to organize and work towards the closing of the square? The battle of Washington Square had been going on since at least 1939, the issue kept re-occurring. As a Villager, were you aware of this?

REDLICH: I was not. I learned after we started this that Shirley Hayes had been involved. I had never met Shirley until that time. I remember very clearly that my involvement in public affairs had been in other areas, not the Village, until that article appeared in the *New York Times*.

DEVRIES: When you decided to get involved, did you already know some of the people that were involved with the Joint Emergency Committee [JEC] such as Edith Lyons, Ray Rubinow or Jane Jacobs?

REDLICH: No, I did not know Edith, I didn't know any of them.

¹. See appendix for transcript of talk.

DEVRIES: In your NYU talk you also mentioned that JEC was a very small group of people and then suddenly there were hundreds of people that were attached to the group. Who do you consider made the nucleus, the real work force behind that effort?

REDLICH: As best as I can recall, there was certainly Ray Rubinow, Edith Lyons, Stanley Tankel, Jane Jacobs, and George Popkin. George kind of represented the interests of property owners. He was a substantial property owner in the Village. George also had political ties to the regular Democratic organization. I believe he knew Carmine DeSapio. George, as so often with people involved in real estate, had close ties with political people. I did not.

DEVRIES: Did you see in that group that people were coming together for very different reasons? Some for political reasons, some just seeing the square as important to them? What do you think brought this group together?

REDLICH: I think all of us really had an interest in saving Washington Square Park. George was very concerned about the consequences to people who owned property on Fifth Avenue if Fifth Avenue became a main thoroughfare. The danger of the Moses plan was that Fifth Avenue was going to become the main thoroughfare. Stanley Tankel was a planner. Jane Jacobs was both a planner and a community activist. This was before Jane's book, *The Death and Life of Great American Cities*, came out. Edith and I were certainly interested in saving the square. Ray Rubinow certainly was. I think at that time, in the late 1950s, there was a concern about "cars versus people." There was a concern that if you drew a line graph and showed the continuation of automobile you would show that they would strangle the city. I think a lot of that turned out to be wrong. There was this belief that automobiles were really threatening the life of the city. Indeed, I

remember with the 1960 or 1961 zoning resolution that Jane was very opposed to the idea of requiring that new buildings have garages. The reason she was opposed was that she thought it would encourage more cars. And that was the kind of thinking, so Washington Square kind of became a symbol to some of whether the city was going to be for cars or people. And then there was the concept of preserving the community, saving the square. As far as our politics were concerned, Ray Rubinow was very identified with reform politics, George Popkin with regular politics. Edith, Jane and I and Stanley had no identification with any political group.

DEVRIES: With Ray's identification with the Reform movement was it a difficult decision when you decided to go after DeSapio and make him the hero? Politically Ray was on the other end of the spectrum.

REDLICH: I'm a great admirer of Ray's. I don't think he was ever happy over that, but I don't think we ever had any arguments about it. Ray was always troubled by it, because he really thought that Carmine was a bad influence. When it came to what the goal of the committee was, that never interfered with the way we functioned, and certainly Ray was very much involved in the strategy. Although Ray, as I recall, really did not like to deal with Carmine. He left that with me. I think you've touched upon an interesting thing. Ray was never happy with that, but certainly was very much part of the strategy. Ray was not one of those who thought, as I think Mary [Mary Nichols] did, that Carmine would not do it, and therefore this was a way of undoing Carmine. Ray didn't think that. Ray always hoped that Carmine would do it. Even if it meant that Carmine would get credit for it.

DEVRIES: When I was reading through some newspaper articles, and you certainly talked about the ribbon tying ceremony that happened in 1958....

REDLICH: I'm glad that you reminded me. I said that it was my daughter, and I was going to see if it was Jane's daughter. I think it was her daughter.

DEVRIES: Newspaper articles continue after that and I got the impression, and please correct me if I am wrong, that the City saw that as a temporary closing in 1958. So when you spoke about the Board of Estimate hearing where Carmine brought the key up, was that later?

REDLICH: That was later. I don't have a clear sequence of dates.

DEVRIES: As late as 1960 or 1961 the City still had not made the map change.

REDLICH: Oh yes, the map change was the last thing. My first way to look at how to close a park was the map change. That came at the very end, but we did have a temporary closing, the closing became permanent, and the map change occurred much later. That required much more formal action.

DEVRIES: So, in order to accomplish the temporary closing, that happened in November of 1958, was that then cleared by the Board of Estimate?

REDLICH: The resolution called upon the Board of Estimate to direct the traffic commissioner to close Washington Square Park on a temporary basis.

DEVRIES: But buses were still using the park during that time for a turnaround?

REDLICH: That was something I wanted to correct from the previous talk. They were using it as a turnaround during that period, but they stopped going through the park. For some reason I said earlier that they were going around the park, that was not true. To get south, they turned left on 8th Street and then went south. They were still parking in and circling the square.

DEVRIES: So, when DeSapio went to the Board of Estimate meeting, was that to accomplish getting the buses out of the Park for the final closing?

REDLICH: I believe so. That's my best recollection.

DEVRIES: There was a wonderful *Villager* article about a community celebration, a masquerade ball in June of 1959.

REDLICH: That came after Carmine's appearance before the Board of Estimate. The parade in which we had the key, that must have been in early May of 1959, after the ribbon tying. That was followed very shortly after by Carmine's appearance before the Board with the key. Then shortly after that, when the Board voted, we had this celebration that Jane helped organize. It was on the site where a playground and temporary theater were, maybe where the Tisch School of Business is. That's where we held that celebration in June.

DEVRIES: The article mentioned that an automobile was burned in effigy.

REDLICH: It was a big party. It was a big masquerade. Carmine made an appearance.

DEVRIES: And keys were handed out to "Square Savers" like you and Carmine?

REDLICH: I remember Ray joking about “Save the Square” had a double meaning since he was rather square. I still have that key.

DEVRIES: Another person that was given a key was Shirley Hayes who you mentioned back in 1952 started the campaign.

REDLICH: That’s right. Shirley certainly deserved a key. Shirley was not an easy person to work with.

DEVRIES: So she was not involved in the Joint Emergency Committee efforts?

REDLICH: Not really. I think we always tried to keep her posted and informed, but she was kind of a loner. Shirley liked to work on her own. I can’t really say that Shirley was part of this group that I described, although we all gave her a lot of credit. She and Edith had been very involved in Washington Square issues before this. I had not; I don’t know whether Ray or George had. The sense that I had when I got into this was that Edith and Shirley had a long history together. Edith had lived in the Village a long time. I moved into the Village in the July of 1956. It was just two years after that, so that’s why I was not particularly involved in Village issues before that.

DEVRIES: Now at the same time the Joint Emergency Committee was going on, it seems the Village was full of different committees for different things, and a lot of people were involved in more than one committee. Were you involved in any of the other groups, or do you remember groups sharing information?

REDLICH: Not really. With Save the Village, the zoning resolutions were coming on and involved Doris Diether, who at the time with her husband was living on a building on Greenwich. There's now a big apartment house as you're going up Greenwich from Sixth Avenue on the left. There was a brownstone on that site, where Doris and her husband lived. Her husband was a poet I think. Everybody was kind of interested in the issue. We held that big meeting in the New School. We had Charlie Abrams. I mentioned that before; it was "New York City is a City of Communities."

DEVRIES: Now was that with the Greenwich Village Association?

REDLICH: It may have been. We always tried to involve as many people as we could. There was the Greenwich Village Association, the Planning Board, a lot of these groups were completely new to me. I had not been involved with them. I met Tony Dapolito at that time, but Edith would have a much better fix on that.

DEVRIES: Vicki Weiner actually met with Edith a couple of weeks ago, and had a wonderful talk with her.

REDLICH: Yes, I spoke to Edith. I said that I hoped our recollections were the same, but I was sure that she would be much more in charge of things in her recollection than in my recollection.

DEVRIES: I have a copy of the letterhead, that I think Mary Nichols gave us, and I wanted to see if any of the names brought back any memories of some of the people we don't know a whole lot about....

REDLICH: [Apparently reviews letterhead.] The only name that I think was actually part of the work force that I didn't mention was probably Carol Boyd. Carol Boyd was one of those workers. She would gather petitions, she was a very nice, sweet young woman and I remember Carol working. The others, I remember them all, Harold Edelman was an architect, Ed Fancher I remember was with the *Village Voice*, Gruen was an architect, Fanny Hurst, Jane of course, Trude Lash who I don't remember actually meeting, Edith, Margaret Mead, she spoke at that "City of Communities" event.

DEVRIES: When did that take place?

REDLICH: That took place in the spring of 1958. We were in the midst of the fight; this was designed to energize the community. We packed the house. There aren't any names on the letterhead except Carol.

Now some of these are good friends of mine, like Adrian De Wind, but I don't recall his attending the constant meetings that we had. So, I've mentioned all of them. Room 1229, I remember that.

DEVRIES: That was at the Fifth Avenue hotel?

REDLICH: We got that for nothing, George arranged that.

DEVRIES: They were concerned about the traffic at that point? Was Fifth Avenue at that point one way?

REDLICH: Two ways.

DEVRIES: Do you know at what point it became one way? Was that involved with the closing of the square?

REDLICH: I think it became one way when Sixth Avenue became one way, because the two were tied together. I remember very vividly that at one time, Fifth Avenue was going to be one way running north. That's what energized the Washington Square Association. The plan was for traffic to come off the Lower Manhattan Expressway, ramps leading on to West Broadway and heading north through the park. That is what really terrified the Washington Square Association.

DEVRIES: Was the Washington Square Association involved with JEC?

REDLICH: They were allies, we all had a common interest: to defeat this crazy plan, and to close the park. I think a lot of people at the start thought we were never going to get the park closed. At one time a proposal was put on the table to simply get rid of this whole plan of the semi-depressed road, and have a simple two lane road through the park. So, there were a lot of things put on the table, but we were very steadfast that the park had to be closed. I think people really doubted whether it could be accomplished.

DEVRIES: Were there some groups that were ready to take that compromise, a two-lane roadway rather than the depressed highway?

REDLICH: I don't remember any real differences over that. If there were such people, no one was going to say so. Certainly once the park got closed, no one was going to say so.

DEVRIES: I read that you were involved with the Greenwich Village Association Housing Committee. What can you tell me about the Greenwich Village Association and how they were involved at that point.

REDLICH: Tony Dapolito and I became good friends, and I still regard him as a close friend. Tony used to alternate between being chair of the Planning Board and chair of the Greenwich Village Association. One year, I think it was in the mid-1960s, he became chair of the Greenwich Village Association and asked me to chair the housing committee. Which I did. I wasn't too familiar with what the Greenwich Village Association did; I was doing that as a favor for Tony. We organized a pretty active, effective housing committee. Shortly after that, Lindsay got elected and I went into the city government. So, I got into housing issues. Barbara Reach, who I also met at this time, worked for the Community Service Society, and was the staff person who ran their housing committee. Barbara asked me to be on that committee, so I found myself in housing issues.

DEVRIES: Was that something completely new for you?

REDLICH: Pretty much. It interested me. There was some big talk at the time about trying to get some middle-income housing in the Village. Our primary agenda was to see if we could get a Mitchell-Lama project. Then through Barbara Reach, I served on this housing committee of the Community Service Society. The committee was pretty active in legislative matters, I guess because I was a lawyer. Greenwich Village is the sort of place where if you want to do some work there's always somebody who would be happy to use you.

So, actually it was as a result of the Community Service Society that I met Judah Gribetz who at that time was Housing Commissioner or Buildings Commissioner under Bob Wagner in his third term. We became very good friends

in connection with the regulation of cellars. Some of the friends I had in the Village, a woman named Leticia Kent, who was a good friend of Jane Jacobs, was living in a cellar apartment and the City was adopting a set of regulations that would have made cellars unlawful. A cellar had to be below a certain ground level. I started to get into that issue, and then Judah, whom I had never met before, called me and said, "Have you ever seen some of these cellars?" And I said, "Only one." He said, "Well, come up so I can show you." We've always joked that we met in a cellar. He took me up to lower Harlem and some of the bad areas of the city and showed me what some of these cellars were like. It made me rethink my position on it. He said, "You're thinking of a couple of well-maintained cellars in the Village and you ought to see the conditions under which people are living."

So I was doing a variety of things. And remember, all that kind of came to a screeching halt in November of '65.

DEVRIES: Previous to this you were already at NYU?

REDLICH: Yes, I started teaching full time in 1960 something. Also I was very active in the fight to abolish capital punishment. I'd met Bill Passanante in connection with the battle to save Washington Square Park. Bill at that time was a young protégé of Carmine DeSapio. Bill was very helpful in getting the death penalty abolished. He was a very effective assemblyman. There were a lot of issues I was involved in. That was one. Another was the abortion issue, which was just starting to surface then. Liberalized divorce laws were starting to surface. I was impressed with Bill because he had a conservative constituency and was a protégé of The Boss, but he was very helpful to me on a lot of liberal issues.

So in 1962, when the reform movement tried to get rid of Bill Passanante, that was my one foray into politics because I was manager of Bill's primary campaign when he defeated Ed Koch. A lot of people never forgave me for that.

But I thought it was just very unfair because I had a very high regard for him. The only thing they had against him was that he refused to break with Carmine.

DEVRIES: But he did, eventually?

REDLICH: I don't think he ever broke with him, no. Bill always was loyal. Bill won that primary. That was Carmine's last successful campaign. It was the regulars against the V.I.D. That was in the fall of '62.

DEVRIES: Was that the election where he was able to use the saving of the square to help him?

REDLICH: No, that was when *Carmine* was running for District Leader. That was, I think, in '59 when he was running for District Leader. But this was in '62, and at that time the V.I.D. was already kind of the regular club, and they were angry at Bill and Bill had nobody because at that time the reform movement had kind of taken over all the clubs and Bill had no one to get his petitions or to help him with his campaign. He asked me to help, so I did. He was running against Ed. Ed was fairly new to the Village.

I was very upset over it because the V.I.D. offered to support Bill if he'd run for the Senate, and that would have been an impossible race because MacNeill Mitchell was our Senator, a Republican. No one was going to beat him. So, they magnanimously said, "We'll support you for the Senate, but if you want to run for the Assembly..." which was a safe Democratic seat, they wouldn't. So there was a primary. I remember it very well; Bill and I always used to discuss this. We were once sitting in the eating club, Tiro A Segno, the one on MacDougal Street, a very well-known eating club. Bill was there and I was there and there was some judge, I'm not sure, and just then the Citizens Union had come out saying "Passanante

Preferred” for the primary. I said, “You know, that has a lovely ring to it. Why don’t we make up thousands of little stickers saying ‘Passanante Preferred to Koch’.” The judge said, “Professor, there’s a fundamental rule in politics—you never mention the opponent.” I said, “Well, I don’t know anything about politics, but how about I put so many of these stickers up that everybody will walk into the voting booth and say, ‘I know this Koch. He’s the one Passanante is preferred to.’” To cut a long story short, Bill won that election overwhelmingly, by two-thirds of the vote in the primary. That was my one foray into elective politics.

DEVRIES: Lindsay came in ‘65. Earlier in the sixties there was kind of a pre-law Landmarks Commission. I was wondering if you knew about that or you got their involvement. In ‘63 there was a gentleman named James Grote Van Derpool who came to Greenwich Village and he asked Villagers, “Help me document your neighborhood.” Do you have any remembrance of that pre-Commission?

REDLICH: Before I ever came into city government I had one conversation on the phone with someone whom I got to know very well once I came into the government. He was one of the outstanding lawyers in the law department. His name was Bernie Friedlander. He had been the principal draftsman of the Landmarks Preservation Law that the city enacted. For some reason, since I was teaching constitutional law, there were issues that were raised at the time all over about whether these laws were constitutional. I had occasion to talk to Bernie. He had a fine sense of humor and he started the conversation by saying, “I specialize in drafting unconstitutional laws.” He drafted the statute that became the law. I remembered that because, when I came into the Corporation Counsel’s office he was someone I worked with every day. I remember saying, “You’re the only one around here I’ve ever had contact with.” But that must have meant that somehow, in the Village, there was concern about this statute, whether it was going to be

constitutional. And somebody must have asked me to talk to Bernie Friedlander about it, and I did. I was satisfied that certainly the law department knew what it was doing and they were in good faith trying to draft a good statute. I think there was always suspicion in the Village of anybody in the government. I think there may have been the feeling among some people that the city may not have been wholeheartedly behind the landmarks concept, and I may have called Bernie to talk about it, and I was satisfied that the city was drafting a good statute. Then when we came in, it was in the early days of Landmarks, which was adopted as a provision of the city charter. When was the law passed?

DEVRIES: It was passed on April 19, 1965, it was signed into law by Wagner. The Greenwich Village Historic District was not designated until 1969.

REDLICH: We then came into office on December 31, 1965. Then the litigation began.

DEVRIES: I don't want to take up any more of your time, but there were a few corrections you said you wanted to make?

REDLICH: Yes, I'll have to give those to you. Some of the names are wrong, but I will live with the grammar and everything else. But I have no real substantive changes. I think one mistake I did make, and I learned it when I talked to Nina Gershon, was that she did not argue before the Supreme Court; she argued it in the New York Court of Appeals and someone else argued it before the Supreme Court. I think it may have been one of Ed Koch's Corporation Counsels, one of the Schwartz's. The case was decided by the United States Supreme Court in 1978, so that would have been in the Koch administration, and the name of the case was Penn Central Transportation Co. against New York, so that meant that Penn

Central in the Supreme Court was the appellant and New York must have won it in the New York Court of Appeals. So I'll make that correction.

DEVRIES: Thank you for your time. This is wonderful. It certainly will add to our project.

REDLICH: Edith has an excellent memory, so if there is any contradiction, I'm willing to accept Edith's version.

[End of Interview]

Appendix

INTERVIEWEE: Norman Redlich
INTERVIEWER: Vicki Weiner
LOCATION: New York University, New York, New York
DATE: 19 November 1996

WEINER: Tonight we are going to talk about events of the fifties and sixties. Norman Redlich is with us tonight to talk to us a little bit about the Washington Square struggles that we have been reading about and hearing about. Mr. Redlich is an attorney and also—you're on the faculty of NYU?

REDLICH: I was the dean of the NYU Law School for 13 years and I am Dean Emeritus. I now practice law, but I still teach a course at the law school in the fall semester.

WEINER: So, I'll turn it over to you.

REDLICH: Okay. What's my topic—the fifties and the sixties?

WEINER: Just a small topic.

REDLICH: I might extend it a bit into the seventies. First, let me tell you that I have a long history of involvement with Greenwich Village. It really started in 1958, and it probably did not end until 1988. During that time I was at one time a great friend of all the activists in the Village since I was one of the leaders in the fight to save Washington Square which I will talk about. Then I entered the city government when John Lindsay was elected in the fall of 1965 and served for the two Lindsay terms, and ended up being Corporation Counsel of New York City,

which as you know is the chief legal officer of the city. In that capacity, by and large, I was also very much on the side of the Village in terms of the landmarks bill and the historic district, and while at times people in the Village did not view us as friends we really were, and I'll try to explain that.

I think my love affair for the Village never ended, but I think that the amicable relationship started to end with the battle over the library. My dear friend Jane Jacobs, whom I will talk about at greater length in a moment, I thought was leading the wrong side. By that time I was in the city government, and of course was then a faculty member at NYU. But it wasn't the NYU affiliation, it was my feelings about the library that had me taking a position in favor of what is now the Bobst Library. Then in 1975, I became dean of the law school and we embarked on a rather extensive building program. As you know, in Greenwich Village if you move a twig let alone try to build two massive dormitories and an underground library, renovate an existing loft building on the corner of Sullivan and 3rd Street, which unbelievably got described as one of the treasured landmarks of New York that couldn't be altered.

We had battles over all of that, so I must say my last four or five years as dean were almost completely involved with a running battle with people I still regard as friends, people who were on the Community Board. That was not a pleasant experience, it ended up okay. We ended up with our underground library, with the residence hall which is known as Dagostino Hall. We did renovate what is now known as Fuchsberg Hall. We redesigned the open space on the corner of 3rd Street and Sullivan Street, and it ended up okay. It was a difficult experience, but it has not cooled in any way my great attachment to the Village and all that it stands for.

In 1988 I left the deanship at the law school, decided I wanted to do the one thing I had not done in my career as a lawyer, which was practice in a law firm, and I did that. I'm doing that now. Then, by virtue of the rules that I helped to write

when I was a dean, after I retired as a full time faculty member, which I did, I had to give up my university housing. So, it was actually two or three years ago we moved from the Village. However, I am still on the board of Greenwich House, an active board member. My wife is on the board of the Village Center for Care, the nursing home, and she is at a meeting right now, as a matter of fact. So, we are very much involved with the Village although we no longer live there. Let me go back now, and rewind the clock.

One day in March 1958—remember, I’m taking to you from memory, we’re going back over periods that may be close to 40 years ago. While my recollection is accurate in the sense that an impressionistic painting is accurate, one should not view this as, or I wouldn’t want it to be viewed as, a precise photograph. All of our memories, all of our recollections are dimmed somewhat by memories, by events that we would like to think take place, and after awhile, anybody who deals with a witness knows that the witness is convinced that they did take place. So, with all that as a discount, I will say that in March of 1958, I am sure of that, my wife picked up a front page copy of the *New York Times*, and there was an article about a group of Villagers who were fighting to save Washington Square Park from Robert Moses’ plan to run a four lane semi-depressed highway through the park. And she said to me “you have to get interested in this.” We’re now married 45 years, but even then if she said I had to get interested in it, I got interested in it. And I made a few phone calls and I can say that I practically devoted most of the next two years of my life to this effort to save Washington Square Park.

People simply cannot believe that at one time there were two roads going through Washington Square Park, one leading to what was then called West Broadway, now LaGuardia Place, the other to Thompson Street. And buses went through Washington Square Park. Buses that held an irrevocable franchise. The Fifth Avenue Coach Company was then privately owned. It held an irrevocable franchise granted by the state legislature, to run buses down Fifth Avenue, which

was then a two way street, through Washington Square Park to Houston Street. An irrevocable franchise.

I forget who I called, it may have been Ray Rubinow who was listed in the *Times* as the chair of this committee called the Joint Emergency Committee to Close Washington Square Park to Traffic. Among Jane Jacob's many brilliant organizing techniques, one of them was always put what you're trying to achieve in the name of the committee, because most people will read no further than that. So it was called the Joint Emergency Committee to Close Washington Square Park to Traffic. There I met Ray Rubinow, since passed away, who was running the J. M. Kaplan Fund. I met my dear friend Edith Lyons, I think she had the title of vice-chair of the committee. Ray was chair of the committee, I think they gave me the title of counsel, it really didn't make any difference. We met at the Fifth Avenue Hotel. Stanley Tankel was on the committee, a famous city planner, whose widow is still with us, and, of course, Jane Jacobs.

And that was kind of the nucleus. Like the hundred thousand people who were there when Don Larsen pitched the perfect game, I mean I actually was there. There are now some five thousand people who were part of the Joint Emergency Committee to Close Washington Square Park to Traffic, but believe me, it was a small group. We met regularly in a room at the Fifth Avenue Hotel that was given to us by the owners of the Fifth Avenue Hotel. They had a real interest because Fifth Avenue was a two way street in those days, and the notion of Fifth Avenue being one way with massive traffic going down and through the park was something that property owners along Fifth Avenue objected to. One property owner was George Popkin, who owned apartment houses.

We were a varied political group, we came from all different backgrounds, and we had a rather startling agenda. It was to close Washington Square Park to traffic, not just to defeat the Moses plan.

Now what was the Moses plan? At that time, Washington Square Village was being built. Washington Square Village was not owned by NYU, it was owned by real estate developers, Tishman and Wolf. They were the developers and Robert Moses was running what was called the Slum Clearance Committee. If you've read Robert Caro's book [*The Power Broker: Robert Moses and the Fall of New York*], which except in the respect to which it once described me, it seems to be accurate; that was in connection with the transportation battle that occurred in 1966, when I took on Robert Moses in the Lindsay administration. In 1958, however, Robert Moses was running the Slum Clearance Committee. He was running most everything, and he had made a deal with the developers of Washington Square Village, which was a Title One Project, that they would be given a Fifth Avenue address.

Now in those days, the name of the street was West Broadway. They were going to be given a Fifth Avenue address, and a four lane semi-depressed road was going to be put through Washington Square Park, enlarging the existing road. So, the buses would go down Fifth Avenue, and run right into Washington Square Park and West Broadway would be renamed Fifth Avenue South. So, central to this whole idea was this plan to widen Fifth Avenue, to widen these roads through Washington Square Park, depress them, and really, run a highway through Washington Square. It was appalling, just appalling.

We evolved a strategy. Now, the following strategy is one that was unbelievably successful. I became the kind of enemy of a lot of people who had a political agenda. I had no political agenda. We had one objective. And Jane was just brilliant. Our objective was to close Washington Square Park to traffic. What was our strategy? We had a simple strategy. There was a boss in those days, and he lived at 11 Fifth [Avenue]—Carmine DeSapio. In those days, a boss was a boss. Carmine ran the Democratic Party in New York, and he ran a lot of the politics. The Village Independent Democrats were starting to come to the front, the reform

movement was starting in Greenwich Village. A lot of things were happening demographically. Carmine's base was the South Village, the Italian community in the South Village was his political base. He could count on them. You had in the fifties, an influx of a great many people who were not part of the South Village. You had the apartment houses built on lower Fifth. You had younger people moving into the West Village. A great many things were happening, and these were not Carmine's people.

At the same time, you had the reform movement being born, led by Eleanor Roosevelt, Herbert Lehman, Thomas Finletter. I mean the patron saints of the reform movement organized, and these were all people I admired. They organized the reform movement, and the V.I.D. was an essential ingredient of that movement. Ed Koch was one of the leaders of the V.I.D., he moved into the Village just around that time.

Our strategy was a simple one, you make Carmine DeSapio a hero. You put a lot of pressure on him. You say, "You're the boss, you can close Washington Square Park to traffic." He's not elected to anything, but "you can close Washington Square Park to traffic." It doesn't make any sense to fight the bus companies or anybody else. We had one simple objective: to close the park to traffic. And we were lucky enough that the guy who could do it was living right in our neighborhood. You don't persuade Carmine DeSapio to do something if you're his political enemies. So, my job was to act as a liaison between the Joint Emergency Committee and Carmine DeSapio. And I must say I performed it brilliantly. [Laughter]

We had a whole strategy. We would hold rallies. I remember we did this around May or June of 1958, we organized a function at the New School called "New York City: a City of Communities." We just brought in all kinds of prominent people. This was going to be the first battle of people versus cars. No one believed that we didn't have a massive public relations firm working for us. We didn't. We had just ourselves. We learned very quickly that Monday is a dead day in New

York newspapers, so if you could schedule events for Sunday the reporters loved it. We'd always have something to say on Sundays. We also learned, of course, the park is mobbed with people on Saturdays so if you could hold a rally in Washington Square Park on Saturday, it looks as if there are thousands and thousands of people around. We would organize our rallies in Washington Square Park and we started a campaign of signatures. We had a lot of young people going around getting signatures. We ended up with something like 35,000 signatures, all said one thing "close Washington Square Park to traffic." We had to persuade Carmine to do it.

Now you're going to hear my version of events. My version of events is that there were some very well-meaning people, including one very capable woman whom I had a lot of respect for, and that's Mary Nichols, who died recently. Mary once said to me, "If I ever would have known that Carmine would do it, I wouldn't have asked him." Because this was Carmine's last hurrah. What we persuaded Carmine was that, "If you do this, this is going to win your next primary." And that was right, it was the last election he ever won. But he ran for the election on the ground that he saved Washington Square Park from traffic and he saved Washington Square Park. And it was true, he did save Washington Square.

Now how did it happen? We, of course, had to make a hero out of Carmine. Carmine, for those of you who remember him...dark glasses, he was the personification of the boss. You know, the backroom boss. He never campaigned. If you had to create a caricature of a political boss, it was Carmine. Try as hard as Carmine would, and he often would, to try to mingle with the crowd, well, that was not his thing. He was a boss. I always found about Carmine that whatever he told you, like many bosses, whatever he told you he would do, he would do. Whatever he told he couldn't do, he wouldn't do. You could always be straight out with him.

Of course, we enlisted the support of Eleanor Roosevelt, which was very important. There was one particular hearing that took place at the Board of Estimate which I tell you because it's a great story. It occurred during this time.

The Board of Estimate was going to vote on a resolution as to whether Washington Square Park should be closed. This resolution, I must say I wrote, and Carmine DeSapio handed it to Hulan Jack, may his political soul rest in peace, he ultimately was sentenced to jail. Not for this, but Hulan Jack was the Borough President of Manhattan. In those days the Democratic Party picked the Borough President of Manhattan and Hulan Jack was picked. He was an Assemblyman, and he was Borough President. Carmine handed the resolution to Hulan at his apartment and said, "I need this."

You see, the Board of Estimate in those days consisted of five borough presidents, each had two votes. There were three citywide officials, the mayor, the comptroller, the president of the city council. Each had four votes. That was twelve, there were twenty two votes. If you had the five borough presidents, you had ten votes. Borough presidents were a club. Anything that happened in one borough, all the borough presidents would vote for. So, if you got Hulan Jack, you got ten votes. You only have to pick up one more. We did have Abe Stark, he did really care, and he was prepared to vote with us. We were really pretty well set up. So the trick was to persuade Carmine. Carmine was going to be a hero. Carmine then told Hulan Jack what to do, and it got done. Now that was the end result.

There used to be a May Day Parade on May 1st and it was called Village Day or something like that. We had a huge float, the Joint Emergency Committee to Close Washington Square Park to Traffic, and we created a key, the symbol of the key that would lock Washington Square Park. We had this key, it was made of cardboard, and it was immense. It was a huge key, and this was our float. This key that was going to close Washington Square Park to traffic.

A few weeks after that, there was a hearing at the Board of Estimate on the resolution that we knew was going to pass. We certainly hoped it was going to pass. And Carmine agreed to speak. I wrote the speech, it was a good speech. This was around 1958, '59 and he had a public relations person who was really trying to build

Carmine into being a national figure. Which was not easy to do, but he was going to build Carmine into being a national statesman. And I wrote a speech which had at the end a line in which Carmine said, “Two weeks ago there was a parade in Greenwich Village and the parade featured a key, the key to close Washington Square Park to traffic and my constituents have given me this key.” And we were going to have the key underneath the front seat in the Board of Estimate room—this huge key. “And I would like to present this to the members of the Board as a symbol of the determination of my community to close Washington Square Park to traffic.”

The PR man who listened to this speech said, “You can’t do that, that’s beneath what we’re trying to do.” I said, “Look, if Carmine just goes down there and makes a speech no one’s going to pay any attention to him. If he goes down there and hands up this key—and we’ll give him the key, it’s a huge key, but it’s not heavy, we’ll help him—if he hands the key up to Bob Wagner, this will be on the front page of the *New York Times* the next day.” Carmine listened to both arguments and he said, “I like what Norman wants to do, we’re going to do it that way.”

So, he delivered that speech and if you could have been in the Board of Estimate chambers. He got to that and Edith Lyons and I, several of us were in the front row, we handed Carmine this huge key. And he walks up in the Board of Estimate room and hands the key up to Wagner who doesn’t know what the hell to do with it. And Wagner takes the key and this is the key that’s going to close Washington Square Park to traffic. The resolution passed.

Now, I want to say a word about Jane [Jacobs]. I’ll back up a bit, because one of my first assignments with Jane was when I was asked to do was to research the question of how you close the park. How you close a park legally. So I did what a lawyer would do, I started to look at the statutes. How you close a park. You’ve got to get a map changed, the City Planning Commission has to approve it, the Board of

Estimate. Everywhere you went there was Bob Moses. And it would really be pretty impossible to get the park closed following the route that you're supposed to follow.

I reported back and I always remember Jane's words. I've told this to my students ever since. Jane said, "That's not the way you close a park. You haven't asked the right question. What I want to know is under the city charter, who has the authority to direct the traffic commissioner to put a sign in the middle of the road saying, 'This park is closed?'" Of course, in those days there was so-called residual power of the City resided in the Board of Estimate not with the mayor as it did in the 1962 charter. But it resided in the Board of Estimate, which then gave rise to our strategy, that you really had to get the Board of Estimate to vote, that was our resolution. Our resolution directed the traffic commissioner to put a sign in this roadway that, "This road is closed to all but emergency traffic." It was called a temporary closing, a temporary closing.

What to do about the buses, which is another very interesting story. The buses had an irrevocable franchise from the state legislature. You couldn't take it away from them. One day we had a meeting with the head of the Bureau of Franchises, a man named John Thornton. I got to know a lot of these people after I went into the city government. We used to reminisce about these stories. The buses were owned by the Fifth Avenue Coach Company, which was a private company. They had not yet been taken over by the City. We asked Mr. Thornton, "What can we do about this franchise?" Thornton said, "Oh, don't worry about the franchise." "What do you mean, don't worry, it's an irrevocable franchise from the state legislature, even the state can't repeal it." He said, "Oh, that's simple. Next time they come to us for a fare increase, we'll ask them to give up their rights to go through the park." So, there went the franchise. There was nothing to stop them from voluntarily giving it up.

Now, Robert Moses used to claim that if you ever closed Washington Square Park to traffic, traffic would line up bumper to bumper all the way to 34th Street. It would create such a traffic jam. And, he said, "There's absolutely no way you can get buses down to Houston Street except through the park."

Now what did we do? On the Monday morning after the Board of Estimate voted its vote to temporarily close Washington Square, the buses were still not out of the park. They went around the Arch for a couple of years. We got one of those old Fifth Avenue buses, you know with the double-deckers that you now see a lot of. We got one of those, and we invited all the newspaper people in town to come on that bus. By this time our committee had now grown. Now that we were successful, there must have been a hundred leaders who were part of this team, and they were all invited to this bus ride. The whole purpose of the bus ride we had mapped out was to show that there were at least six, seven, eight, ten ways that you could get down Fifth Avenue and down to Houston Street without going through the Park. Of course, we had the bus going down Fifth so you could see that the traffic wasn't tied up. And that there were a slew of ways that you could get down to Houston Street without going through the park.

So, two of the issues that were thrown up to us, evaporated with that bus ride. One was the tie up of traffic, and the second was that you needed buses to go through Washington Square Park in order to get to Houston Street. We established there were plenty of ways, and, of course, you see it now. They turn left on Eighth Street. There are lots of ways people go down to Houston Street. And that was before they built some of these big turn arounds on Houston.

Once the park got closed, we did stage a ribbon ceremony. You know we really had all of these imaginative ideas. You know most of the time people cut ribbons, we had the idea of tying ribbons. Jane Jacobs' daughter and my daughter, I still have a picture of it, had a ribbon tying ceremony. Stanley Tankel had an old station wagon, we put all kinds of decorations on it, this was going to be the last car

ever to go through Washington Square Park. So that went through, all the pictures were taken, and then the two little girls came with the ribbon and tied it together. Edith Lyons had a wonderful expression, she always said, “You know what we have to do is get our politicians to open their mouths wide; and as long as they keep opening their mouths, they will put their feet in it.” You give them so much credit. We kept giving one function after another. We praised Hulan Jack. We praised Carmine DeSapio. We praised everybody, and it became impossible after awhile for these people to turn back on what they had been praised for. And Carmine won the next election because of this. The temporary closing of course, became indelible. There was no way that you could undo what had been accomplished, and for which all these political figures were getting all this credit that we were heaping on them for what had been done. After awhile of course, they got to believe it.

By the time the park got permanently closed, the map changed, all of that, Jane’s prediction was right. There was practically no one in the Board of Estimate chamber. It was empty. Edith was there, I was there. The final vote was taken to close Washington Square, legally, to traffic, it was no longer an issue. Because it had been accomplished on the ground, and it was simply no longer an issue. Everybody knew it was going to happen, and it happened legally. By then, it didn’t make the front pages, it was all over. Now that is my biased, prejudiced view as to how Washington Square Park got closed.

There were a lot of other people that were involved. There was the Fifth Avenue Association, which had one great interest—they were determined not to make West Broadway a one way street heading north. Because, there was then the rumblings of the Lower Manhattan Expressway. Under the original plans, the Lower Manhattan Expressway was supposed to have ramps coming off with traffic going north on West Broadway. The Fifth Avenue Association viewed that as an enormous threat and they became great allies in this effort to close Washington Square Park. They foresaw that an avalanche of traffic coming north off the Lower

Manhattan Expressway would go through the park, would go into lower Fifth Avenue, and really destroy the whole character of the area. They became allies.

We had the Greenwich Village Association; there were others who were certainly were participants in this. We had only one group that was opposed, and for years they paid a terrible price for it. That was NYU. My own university, I had just joined the faculty. They, for reasons that I can never explain, they were supporting the Moses plan. There were all kinds of allegations about ties with the university to the developers, I don't know whether any of that is true. But they were supporting the plan. It was interesting when I would see Carmine at his office. He had an office that was in the Biltmore Hotel and the lawyer for the Democratic County Committee, I forget his name, the lawyer for the Democratic County Committee had an office right next to Carmine's. He was also the lawyer for the Washington Square Village Project. You'd have to pass through his office to get to Carmine's office. It was really an anomaly that there I was, basically to the developers of Washington Square Village, they were very much opposed to the closing of it. Of course, they didn't realize how stupid they were. Can you imagine what it would have done to the value of their property to have buses coming down, and heavy traffic? The best thing that ever happened to them was the closing of Washington Square Park, but they certainly didn't look at it that way.

So, that is kind of the end of my abbreviated story, if you want to hear about the designation of the Village as a historic district, I would be happy to talk about that.

Lindsay got elected in November of 1965. There was a threatened subway strike at the time, and therefore the first people who John Lindsay swore into office were the lawyers. We had to get an injunction to try and stop it. So we got sworn in on midnight of December 31st. Lee Rankin was the Corporation Counsel, was my boss, a great man, a former Solicitor General of the United States. And I had worked for him also, I was his Chief Assistant on the Warren Commission. He was

General Counsel on the Warren Commission, I was his Chief Assistant. A year later, Lindsay got elected, and we both came into the city government. I was Executive Assistant to the Corporation Counsel and I ultimately succeeded him [Rankin] in the second administration as Corporation Counsel. Lee Rankin was a person from Nebraska, was a Republican, a dying breed, a liberal Republican. Had left Washington after holding the post of Solicitor General of the United States and opened a one person law office on 44th Street in New York. He wasn't even a member of the New York bar, he had to wait for admission.

I met him back in those days, we struck up a friendship. When he was asked to be General Counsel of the Warren Commission, he asked me to come. When Lindsay asked him to be Corporation Counsel, he asked me if I would come as Executive Assistant. Much to the surprise of all my colleagues at the NYU Law School, I accepted what was then the number three job in the law department. My colleagues couldn't understand why anyone who was a professor of law would want to take the job as, not the Corporation Counsel, which they possible see, not the First Assistant but the Executive Assistant, which was the number three job. I saw that this could be a very exciting job. Lee Rankin was one of those non-New Yorkers who actually had a great love affair with the city, as often happens with people who don't come from New York.

He was very attracted to the whole idea of landmarks. The landmarks law had just passed, and the General Counsel of the Landmarks Preservation Commission was Frank Gilbert, you may have heard of him. Frank was, I think, a grandson of Justice Brandeis. He was a very skillful person, and he had a great dedication to landmarks preservation. He managed to do what was a very difficult job for a city agency. We were the lawyers for all city agencies. And Frank Gilbert, in his way, managed to get the agenda of the Landmarks Preservation Commission to be like the personal agenda of the Corporation Counsel. And Lee Rankin took a personal interest in the cases.

Frank Gilbert, I think aroused some of the enmity of the strong pro-landmarks group, because Frank was a very knowledgeable lawyer. He knew that the landmarks law and ultimately the historic preservation history rested on not very firm legal foundation at that time. This was before the Penn Central case. And the idea of designating a building, you know as they used to call it, spot zoning. Spot zoning is unconstitutional and the idea of designating a building as a landmark is new. And then the whole concept of a historic district, particularly as you applied it to Greenwich Village, was new. So, we had to pick and choose our cases. And there were cases that sometimes we lost and we didn't appeal.... We were under great pressure from the Municipal Art Society and others that we ought to appeal these cases. Why didn't we want to appeal? We wanted to make sure that only the strongest cases reached the highest courts. We were very much afraid that this statute [the landmarks law] would be declared unconstitutional. So, we picked our cases. We won all of our cases, because we picked them and we won. And we had Sailor's Snug Harbor, we had a variety of those cases which became landmark cases. These cases really became the basis of landmarks law in the United States including, finally, Penn Central.

We worked with Frank and created the idea of transfer of development rights, because we were concerned that you had to compensate people for why you were basically taking their property rights away. In all of that, people could not quite understand, so they viewed us, as people always view the government, as the bad guys. So, we were often viewed as people who were not sympathetic with the goals, but we were very sympathetic and we were very successful.

Now the great test came with the designation of the Village, and that one really worried me. Because this was not the Vieux Carre in New Orleans. You couldn't point to a whole series of buildings that had architectural distinction. Greenwich Village was an idea, it was a concept. It had a tremendous historic value. If you looked at it in traditional historic district terms, people thought

architecturally and this was not an easy sell. Those of you in the room who were here at the time will remember that the Landmarks Commission waited for a long time before they designated the district.

Why did they wait for a long time? We insisted, I personally insisted, that if we were going to defend this designation I wanted them to conduct a building by building survey on every single building in the district, every one. I wanted for every building a description made, when it was built, what its unique distinctions were. I felt that if the City would ever lay a book this thick on the desk of a judge and say, "No one can say we acted irrationally and arbitrarily," we would win this case. It interested me that when we [my wife and I] moved out of the Village, and we would occasionally look at co-op apartments in the Village, invariably the real estate agents would dig out and show us this study that had been made all of those years before. A study in which every single building was described, every single building was described.

Frank Gilbert, to his credit, was able to resist the pressures that were brought to bear. Understandably so, people with great attachment to the Village and to the district felt that it was kind of obvious. How could we lose this case? But, we were very much afraid of losing this case. We would have lost an awful lot. We developed this big thick book, and when the case was litigated, we won an award. No judge was going to say that this agency didn't have a rational basis for doing what it did, when we analyzed every single building, not just areas, blocks, but building by building. They went through methodically. If you haven't seen that volume, it's in the library. It is quite a volume. You'd be amazed if you lived in the Village and lived in that district how interesting your building is. I was surprised, I lived at 29 Washington Square I didn't realize what a great historic building it was, until it got described in that volume.

We won that case. I remember it got won, it got appealed, it was never a big deal. It was one of those things that to me was a historic case, but it didn't get like

the Penn Central case. Penn Central, of course, was the case that was argued in the lower court when I was Corporation Counsel, and we lost. Judge Sepal, there are things that I wouldn't even talk about. One of them was about Judge Sepal's involvement in that case. He ruled against us. We had a difficult decision to make as to whether we were going to appeal that case. Judge Sepal was trying to get us not to appeal, not to appeal that case. We knew in advance of that decision that he was going to rule against us. He wanted to know whether we would appeal that case, and we said we would.

I did follow the case when I went back to NYU, and by this time the whole thing had become a great cause celebre. It was the whole issue of transfer of development rights that saved the designation, because we were able to show that the city was making reasonable compensation. All of that really had to be tested, and went to the United States Supreme Court.

Nina Gershon, who argued the case on appeal in New York, just had her swearing in a couple of weeks ago as a Federal District Court Judge. It's kind of one of the stories that's always told around the Corporation Counsel's office; when the case was being appealed, the *New York Times* ran an editorial saying that some of the best law firms in the city were prepared to assist the City in this case. The assumption was that the City simply didn't have the talent, the ability to argue this case. Nina, who was a great lawyer, and just a wonderful person, argued this case by herself, without anybody's assistance and won it. It was a great triumph for the City and for landmarks preservation, and particularly for my old office. The Corporation Counsel's office could demonstrate that we really didn't need all of those high-priced law firms to help. That they could win this case by themselves. I had hired her originally.

I'll tell you an amusing story about Nina. When I had left the Corporation Counsel's offices, I received a call from the judge who was chair of a committee that appointed magistrates, and he asked me if I knew some people who I worked with

in the Corporation Counsels' office who might be good magistrates. I recommended two people, one was Lenny Bernikow and one was Nina Gershon. He called me about three or four weeks later and said, "They are both very good people, we're recommending Bernikow." I said, "He's very good, what was your reason for the choice?" He said, "Well we didn't quite think that Nina would be tough enough." Nina's a very quiet woman, but gentle she ain't. She was very tough. Then, they appointed her, and she ultimately became Chief Magistrate. They're both terrific people. Then she was just recently nominated a Federal District Court Judge. She was the last one, last Democrat to get through the Senate before the election. The Republicans shut down the confirmation process. She was the last one to be confirmed, and she argued the Penn Central case. She was in the Corporation Counsel's Office Appeal Division.

That was really a very important case, the Penn Central case, because without the transfer of development rights, landmarks preservation never would have survived. You had to give something to the owners. The concept of giving them the benefit of development rights was really an essential ingredient of success. It shows the value of good lawyering, because we worked with Frank Gilbert every inch of the way in amending the statute to provide for the transfer of development rights. What we were trying to do was to preserve a statute and a concept which as strange as it seems now, in those days was revolutionary. It really was. The notion that you could take somebody's property, and not related to smoke or to the physical effect on the neighborhood, health, noise, but simply because it is of historic value and take that and say to a person, "We're going to put a plaque on this thing and you can't do what you would otherwise do with it."

It is a very unusual concept in a society that says that you don't take people's property without compensation. So, we thought of this idea of compensating by saying, "We would give you adjacent development rights," and that became, of course, what is done all over the country.

This concept, which really started, I think, with the landmarks law, was extended to a lot of things. Don Elliot, who was Chair of the City Planning Commission, came in to see me one day with an idea. The idea was to encourage people to build in Times Square, and to preserve the theaters that they would otherwise tear down, we would give them extra development rights. They would get three more floors, whatever it was, in exchange for that, they would have to build a theater. Now, the standard shibboleth in those days was, "You can't sell the zoning power." But of course, that's what we were doing. We were selling the zoning power. We were saying, "We want a theater so if you'll agree to build a theater, we will give you more development rights."

That concept got extended to a lot of different areas. Down at the Appellate Division, on Madison Avenue and 25th Street, next to it is a big office building. That's the tall building built by Rudin. The developers of that building wanted to use the air rights above the Appellate Division Courthouse, and we got money for it. We were the owners of the property, we sold, or leased, I think we leased for twenty years or something, the development rights which would exist above the Courthouse. We sold them to the Rudins, and they were able to build their building much higher.

An amusing anecdote. A lawyer in our law department who had done the legal work decided he'd write an article for the *New York Law Journal* on this novel transaction. It was a novel transaction for the time. As was policy, he had to clear the article with me, or someone at the top of the law department to see that it was an appropriate thing for a lawyer in the law department to write. He wrote the article and at the end he asked the question, it was an open question as to what's going to happen at the expiration of the lease, as the lease for the air rights was for a set time. I was feeling whimsical that day and I just wrote on the bottom, "They'll cut off the top of the building." I wrote this in handwriting, and a few weeks later I got the proof, fortunately I got the proofs of the article. Because this lawyer, seeing

that the boss said, “Cut off the top of the building,” put it in the article. That almost ended up in print. He said, “Mr. Redlich, that’s what you wrote.”

[End of Transcript]