

Hunter College
Department of Urban Policy and Planning
Fall 2017

URBP 787.1B
URBAN SPACES
AND THE PUBLIC SPHERE:
DEMOCRACY, DESIGN, AND LAW

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Monday, 7:35 – 9:25 PM
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Course Description:

New York City has played host to multiple, competing expressions of “public space.” For example, designers and environmentalists from around the world celebrate the architectural ingenuity of the High Line, the Low Line, the City’s matrix of parks and privately-owned public plazas, where citizens gather, socialize, seek repose and simultaneously act as consumers at pop-up food courts and cultural festivals of varying kinds. Activists, on the other hand, tout their uses of city streets, sidewalks, parks, and other quintessentially public fora as vitally important sites of political activity, such as recent protests against the presidency of Donald Trump, rallies on behalf of women’s rights, “Black Lives Matter,” and others.

Question: Which examples of citizen assembly truly represent *public space*?

Relying on theoretical, historical and legal frameworks, this course asks students to examine different values and contests surrounding public space in an urban milieu. It proceeds from a view that the very meaning of public space is under-determined; that its definitions and sanctioned uses need to be inspected—particularly in the 21st century city. While the subject of public space has become central to the work of urbanists during the last decade, especially, the role it plays in animating opportunities for popular participation in cities remains problematic among advocates of self-government. Generally speaking, the course will consider polemics and criticism related to public space, while providing students with an opportunity to envision models of public space design that embody core democratic values and help catalyze an active public sphere (though this is not a studio course).

We will pose the following question throughout the semester: *Can we create urban public space through design and rules of usage or does practicable public space transcend design parameters and the laws that govern its use within built environments?* In other words, *do we make public space or must we take it?*

Course Objectives:

Major learning objectives for students include: 1) to think and write about the relationship between embodied spaces and the public sphere they inhabit or wish to; 2) to evaluate different forms of public space and the circumstances under which urban ecosystems and political considerations change over time.

Guiding Questions:

In order to pursue these objectives as a group, we will explore the following questions throughout the course, along with many others likely to surface during the semester:

- What is the difference between creating urban public space architecturally and practicing it politically? Who makes an urban space public: builders or insurgents?
- What are the impacts of privatization and regulation on public space? Does privately owned public space catalyze a commercially oriented public sphere or does it merely reflect one?
- What is the role of law in mediating uses of public space? How does surveillance and policing of public space impact those uses?
- Do architectures of public space *and* public sphere exist within modern urban environments?
- What overlaps and/or tensions characterize community and publicity within urban spaces we share today?

Required Texts:

- Don Mitchell, *The Right to the City: Social Justice and the Fight for Public Space*
- Kristine Miller, *Designs on the Public: The Private Lives of New York City's Public Spaces*
- Ron Shiffman, et al., *Beyond Zuccotti Park: Freedom of Assembly and the Occupation of Public Space*
- Anthony Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First Amendment*
- Additional reading materials to be posted on Blackboard

Course Assignments and Grading:

- 1) *Class Attendance* (You gotta be in it to win it!) – **10%**
- 2) *Active Class Participation* (You don't want me doing all the talking, trust me...) – **15%**
- 3) *Midterm Essay* ("Polemics of public space?" Take-home assignment, to be distributed) – **25%**
- 4) *Project Presentation* ("Visioning public space *and* sphere") – **20%**
- 5) *Final Paper* ("Reconciling urban spaces *and* the public sphere" Assignment to be distributed) – **30%**

Course Outline and Reading Assignments:

- August 28 --- Student/Faculty/Course Introductions and Expectations
- September 4 --- Labor Day. Class does not meet
- September 11 --- Urban Spaces and the Public Sphere: A Theoretical Overview

Required Reading:

* Anthony Maniscalco, Chapter 1, "Built Environments and the Public Sphere" (in Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First Amendment*)

*Jürgen Habermas, "The Public Sphere." (On Blackboard)

- September 18 --- Urban Public Space: Historical Designs, Practices, and Democratic Conflicts

Required Reading:

*Lisa Keller, "The Grass is Always Greener: A Brief History of Public Space and Protest in New York City and London." (In Shiffman, et al., *Beyond Zuccotti Park: Freedom of Assembly and the Occupation of Public Space*, pp. 187-96) [Hereafter, "Shiffman, et al."]

*Anthony Maniscalco, "Public Space as Democratic Practice: A History" (in Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First Amendment*)

Recommended Reading:

* Marshall Berman, "The Romance of Public Space." (In Shiffman, et al., pp. 197-206.)

* Lance Jay Brown, "Public Space Then and in the Future." (In Shiffman, et al., pp. 236-53.)

- September 25 --- Political Geography and the Public Sphere

Required Reading:

*Don Mitchell, *The Right to the City: Social Justice and the Fight for Public Space*, Introduction and Chapters 1-2.

- October 2 --- Urban Planning and the Right to the City

Required Reading:

*Don Mitchell, *The Right to the City*, Chapters 3-4.

Recommended Reading:

* Don Mitchell, *The Right to the City*, "The Illusion and Necessity of Order: Toward a Just City." (Conclusion, pp. 227-37.)

- October 9 --- Columbus Day. Class does not meet.

- October 16 --- The Legal Geography of America's Public Forum Doctrine

Required Reading:

* Anthony Maniscalco, "The Public Forum Doctrine Versus Public Space" (in Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First Amendment*)

- October 23 --- Privatization Versus Public Space in Post-20th Century Cities

Required Reading:

* Margaret Kohn, *Brave New Neighborhoods: The Privatization of Public Space*. Chapter 4, "The Mauling of Public Space." (On Blackboard)

* David Harvey, "The Political Economy of Public Space." In Setha Low and Neil Smith, *The Politics of Public Space*. (On Blackboard)

Recommended Reading:

Anthony Maniscalco, "Closing the Commons in American Shopping Malls" (in Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First Amendment*)

- October 30 --- Commerce, Community and Publicity in a Millennial Metropolis: A New Urbanism?

Required Reading:

- * June Williamson, "Protest on the Astroturf at Downtown Silver Spring: July 4, 2007." (On Blackboard)
- * Anthony Maniscalco, "Toward a Second Chance for the First Amendment in Third Spaces" (in Maniscalco, *Public Spaces, Marketplaces, and the Constitution: Shopping Malls and the First*

Recommended Reading:

- *Douglas Kellner, et al., "New Urbanism Defined and Debated." (On Blackboard)
- *Anthony Maniscalco, "Essay: A Right to the Suburb? New Urbanism, Public Space, and the Law." *Metropolitica*, December 8, 2014 (On Blackboard)

- November 6 --- Privately Owned Public Spaces? Lunch Time and Publicness in Post-Whyte Plazas

Required Reading:

- *William Whyte, *The Social Life of Small Urban Spaces* (Video on Reserve)
- *Kristine Miller, *Designs on the Public: The Private Lives of New York City's Public Spaces*, Chps 1-2, 3-6.

- November 13 --- POPS in the 21st Century: Neoliberal Spaces and Public Exclusions in New York City

Required Reading:

- * Benjamin Shepard and Greg Smithsimon, *The Beach Beneath the Streets: Contesting New York City's Public Spaces*. Chapters 1-3. (On Blackboard)

Recommended Reading:

- * Julian Brash, "Politics Out of Place: Occupy Wall Street and the Rhetoric of 'Filth.'" (In Shiffman, et al., 61-66.)

- November 20 --- Occupy: Talking Back on City Streets and Squares: Laws, Designs, and Movements

Required Reading:

- * Arthur Eisenberg, "Some Unresolved Constitutional Questions." (In Shiffman, et al., pp. 74-86.)
- * Peter Marcuse, "Occupy and the Provision of Public Space: The City's Responsibilities." (In Shiffman, et al., pp. 265-70.)
- * Signe Nielsen, "Designed to be Occupied." (In Shiffman, et al., pp. 339-50.)
- * Ron Shiffman, "Developing the Public Realm: A Conversation with Jonathan Rose." (In Shiffman, et al., pp. 364-70.)

- November 27 --- New Urban Insurgencies and the Public Sphere

Required Reading:

- * Jeffrey Hou, "Making Public, Beyond Public Space." (In Shiffman, et al., pp. 89-98.)
- * Michael Rios, "Emplacing Democratic Design." (In Shiffman, et al., pp. 133-40.)
- * Michael Sorkin, "The Sidewalks of New York." (In Shiffman, et al., pp. 143-45.)
- * Lynne Elizabeth, "Openhearted Cities." (In Shiffman, et al., pp. 170-77.)

- December 4 --- Student Project Presentations

Required Reading:

Group B Prospectuses

- December 11 --- Student Project Presentations

Required Reading:

Group B Prospectuses

- December 18 --- Final Written Projects Due

Important information for students about the consequences of cheating and plagiarism

Academic dishonesty is unacceptable and will not be tolerated. Cheating, forgery, plagiarism and collusion in dishonest acts undermine the college's educational mission and the students' personal and intellectual growth. Students are expected to bear individual responsibility for their work and to uphold the ideal of academic integrity. Any student who attempts to compromise or devalue the academic process will be sanctioned. Depending on the infraction this could mean reprimand, grade of F on course work, grade of F for the class, official notice on transcript of academic dishonesty, and/or suspension from the program.

Definitions of Academic Dishonesty: Cheating is the attempted or unauthorized use of materials, information, notes, study aids, devices or communication during an academic exercise. Examples include:

Plagiarism is the act of presenting another person's ideas, research or writing as your own:

- Copying another person's actual words without the use of quotation marks and footnotes.
- Presenting another person's ideas or theories in your own words without acknowledging them.
- Using information that is not considered common knowledge without acknowledging the source.
- Failure to acknowledge collaborators on homework and laboratory assignments.

Obtaining an Unfair Advantage:

- Stealing, reproducing, circulating or otherwise gaining prior access to examination materials.
- Depriving other students by stealing, destroying, defacing or concealing library materials.
- Retaining, using or circulating examination materials that clearly indicate that they should be returned at the end of the exam.
- Intentionally obstructing or interfering with another student's work.
- Engaging in activities that intentionally create an unfair advantage over another student's academic work.

Academic dishonesty in all its forms will be taken seriously and could lead to a failing grade in this course.