

## 002 Landscape's Original Sin

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Title: Landscape Architecture's Original Sin

### Recap of the Introduction

Hello everyone! Welcome to the second episode of the Bravely Curious podcast where students from Cal Poly Pomona's Landscape Architecture Department will continue the discussion as introduced by Maci from the Landscape Nerd Podcast about stealing, reclaiming, redefining, and protecting public and private spaces. In this episode, we will be delving into Landscape Architecture's Original Sin which is based around the topic of stealing land.

Previously, Maci defined stealing for us as theft, to take unlawfully or without permission. She also discussed the need for us to talk about, confront, and unveil the truth behind the flaws and injustices of our nation's past. That we can no longer hide behind such topics that are sensitive or controversial, we can no longer worry ourselves with the fear of confrontation and ownership of our faults. We are here to simply present these issues, lie them on the table and say, "here is what we are dealing with, here is how this is still a problem today, and this is what we can do as landscape architects to acknowledge and resolve these issues."

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Through our research we have evaluated major topics and have deemed some necessary for discussion. We have recognized how these issues have had longstanding and resounding effects on society and the built environment. Together, we will reflect upon the impacts these issues have caused, and will look for ways to address these issues and offer solutions.

For this episode, we have broken down the subject of stealing into three distinct topics: *Original Stealing*, *Masked Stealing*, and *Contemporary Stealing*. The first topic *Original Stealing* will be based upon the original settlement of North America and the impacts of the Doctrine of Discovery. The second topic *Masked Stealing* is based upon issues regarding eminent domain within the Chavez Ravine. In our third topic, *Contemporary Stealing* we will discuss more modern issues of gentrification based around the impacts of the High Line in New York City. Finally, we will relate how each method of stealing has influenced the development of what we have defined as Landscape Architecture's Original Sin.

### Original Settlement (Doctrine of Discovery)

To start, we must look back to our nation's history of colonization during the original settlement of North America. Prior to the founding of North America, legal premise was arranged by European Monarchs which justified the seizure of foreign territories. In 1493, Pope Alexander VI issued the Papal Bull "Inter Caetera" which was a foundational decree for the Doctrine of Discovery. This allowed for the political, legal, and spiritual justification for colonization and seizure of land inhabited by non-Christians. "The Doctrine of Discovery is not simply an artifact of colonial history. It is the legal force that defines the limits of all land claims to this day and, more fundamentally, the necessity of land claims at all" (Reid 337). This

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doctrine rendered all non-Christians to be non-human, therefore all non-Christians lacked basic human rights and were viewed as animal-like brutes.

Non-Christians therefore did not innately deserve property rights since they did not utilize their land properly according to the eyes of the church. This is important because this meant that all non-Christians occupying foreign, unclaimed territory lacked any legal or spiritual claim to the land they occupied, and the land could be seized by Christian colonizers. This is the direct opposite of what I had been taught as a kid. Practically all of the US public schooling systems teach the peaceful relations between colonizers and indigenous peoples. However, this is contrary to the truth, as we all know that colonizers sought after land to claim for their own with seeming disregard for the life already occupying that land. This resulted in genocide, the abuse of power, and manipulation of otherwise innocent populations. Such a doctrine was not limited to the US alone, it was also used for incentive to spread the Christian religion across the globe, while at the same time seizing foreign territory by force, resulting in brutal confrontations and exploitation of massive populations around the world.

With the Doctrine of Discovery, we see a one-sided legal and spiritual premise for people within an exclusive demographic being European Christians, to physically steal away land that is already in occupation. This doctrine went as far as making its way into U.S. federal law in 1823 by way of supreme court case *Johnson v. M'Intosh*, which was then used to further dispossess native peoples of their land. Up until 1870, over three-hundred treaties were repeatedly agreed upon between the colonists and natives to establish reservations and allocate territories for the natives living in America. Today, these treaties have been consistently broken with interventions such as the introduction of the Keystone XL and Dakota Access Pipelines. Such projects pose

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huge environmental impacts that threaten the livelihood of Native American tribes and the cleanliness of what is left of their land.

So, we see how our nation was founded upon the seizure of indigenous people's land, and therefore as a country we are responsible for the stealing of their land. With the definition of theft being *to take unlawfully or without permission*, we can analyze how the enabling of theft through religion worked its way into law and legislation so that the United States' seizure of land across North America was legally justified. As theft became permitted by law, the actions of the U.S. government normalized lawful stealing of land, which in turn evolved into a less blatant act of stealing as a form of masked stealing. By maintaining theft of land as legislation over time, more hidden agendas could be played out such as eminent domain.

### Masked Stealing (Eminent Domain)

Theft and stealing are ever changing and adapting actions, as these actions are carried out overtime in the same form, they tend to become noticeable by the public as a cause for concern. Once the method of stealing is identified it becomes easy to fight against or stop. Original settlement had to morph into a new form in order to continue, especially because there was less and less land to seize or stake claim to. This gave birth to a form of stealing that we have defined as masked stealing. One way to mask theft is within policy; policies that allow for the seizure of both private and public property for the "greater good." The most well-known of these policies is Eminent domain. Now, whether this policy is beneficial to the people is still up in the air for many. But what is eminent domain?

Eminent domain refers to the U.S. government's power to take private property and redevelop it for public works (Kelly 1). This gives underdeveloped cities a chance to grow and

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keep up with larger cities in providing parks and schools to the community or establishing government buildings like offices for officials or post offices. It is even used to acquire space for building establishments that will help stimulate a community's economy, such as shopping centers and event halls. Another lesser-known use for eminent domain is public safety, which grants the government the ability to acquire private property in the case of a sudden pollution event. An example of this are homes or properties that have been polluted by oil pipeline leaks such as the Kalamazoo River in 2010, in which 843,000 gallons of oil were discharged causing 154 river side properties to be abandoned. Aside from the city development and public health aspects, one bright side of eminent domain is that no seizure of private property can be done without fair compensation, this is thanks to our 5<sup>th</sup> amendment.

With all that being said, in the current state of the U.S. most people are uneasy about the mention of Eminent domain. This is a bit strange being that the policy was put in place to help the greater good. The darker side of eminent domain is that often times larger corporations are able to persuade officials in making the decisions to use the policy. It is events that started from those persuasions where we start to see the evil in abuse of eminent domain. We saw this abuse numerous times like with a Texas mall in the year 2000, where 127 homes were seized during its expansion. Or the 1999 Chrysler Manufacturing plant of Toledo, Ohio where 86 homes were seized on the promise of providing 5000 jobs when in reality only 2000 were created, and one of the most infamous Los Angeles cases surrounding the construction of Chavez Ravine.(Bailey Purdy, LLC.)

Being that we are so close to Los Angeles I think that Chavez Ravine deserves a deeper look. For those that don't know, Chavez Ravine is the home of the beloved Los Angeles Dodgers

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and although the city's loyalty is with the team, many will never forget what happened when they first arrived. Over the span of 8 years there was a battle fought between the residents of Los Angeles and the city of Los Angeles over properties wanted for a new housing project. This battle ended with the use of eminent domain to seize these properties. This history takes a mysterious turn when after the legal battle but before the evictions, the housing project dissolved, and the land was given to the Los Angeles Dodgers (Lopez 458). For a number of generations, Chavez Ravine was home to over 1100 families. Although it had rocky origins, the community was up and coming, even showing significant decreases in overall crime and an increase in school attendance. Even with these strides in the right direction the city still deemed this area a sore in Los Angeles and approved the site for redevelopment (Lopez 459).

Displacing 10 families or even 100 families seems to be an enormous disservice, but to disrupt an entire community of over 1100 families is almost unimaginable. Reasons like this are why eminent domain has developed such a negative connotation. Even without large displacements, the policy was not set up for success. No matter what the reason for its use, the policy will always cost someone their property or livelihood. At the end of the day, the things previously stated don't even make up the worst of eminent domain. These events helped form the public's stance on this policy.

Again, the actions of theft and stealing can only function for so long before needing to go through a metamorphosis. This time the change stepped away from government policy and fell into the hands of private ownership and design. This change marks the transition from the masked form of stealing we're talking about and into a new contemporary form of theft and stealing.

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### Contemporary Stealing (Gentrification)

Today, contemporary theft and stealing can be known as gentrification. Gentrification is defined as the process of renovating and improving a district or neighborhood for the purpose of increasing the economic value of the neighborhood. From the 1930s-1970s, rules set by the federal government and carried out by the banks, labeled neighborhoods that mostly housed low-income families, as “risky” and “unfit for investment” which created the term redlining (Zuk 15). Because of such rules, people of color were denied access to loans that would allow them to buy homes in their neighborhood. Other housing policies further increased the growth of white suburbs in a trend often referred to as “white flight.” The FHA, or the Federal Housing Administration, required that suburban developers agreed not to sell to the black community (Shapiro 1). Today, in many U.S. cities, the renting market has increased and has become more expensive where many people are looking for relative affordability. While increased investment in a neighborhood is a good thing, the inevitable effects of gentrification displace previous residents of invested neighborhoods. Thus, the new infrastructure built for these communities are not being enjoyed by the communities they were built for.

A prominent example of gentrification is the infamous Manhattan landscape architecture project, The Highline, a once abandoned railroad track used for the transporting of meats, dairy, and produce into NYC during the 1930's has been retrofitted into a 1.4-mile-long continuous greenway featuring over five-hundred species of plants and trees. The Highline has become a thriving part of New York City, but what is not evident are the impacts of its renovation and its relations to increased property values surrounding the project. Robert Hammond, who is now the executive director of Friends of the High Line, the nonprofit that funds, maintains, programs, and

built the space has said, “Instead of asking what the design should look like, I wish we’d asked, ‘What can we do for you? Because people have bigger problems than design.’” (Bliss 1).

Since the building of this park, the impact of housing and business costs has risen. Recent research indicates that within two miles of the High Line Park the properties nearest to the park saw a dramatic increase in home values of almost 18% at the wake of its opening and the impact dissipates as properties get farther from the park (Levere 17). After the opening, there has been an increase in number of businesses near the park which mostly include fashion boutiques and full-service restaurants, resulting in a surge of tourism to the community. Increased property values pushed out many small businesses and were replaced by the new upscale retail stores.

The city recently completed its own study that stated how the High Line had created \$950 million in real estate value (Bliss 1). After the opening of the second section, The New York City Department of City Planning reported twenty-nine projects that have been built or are under construction in the neighborhood surrounding the High Line including: residential units, office space, and art gallery spaces. It has increased tourism significantly, filling the many hotels that are sprouting up on the West Side. Because of the economic impacts the High Line has created, the term “The High Line Effect”. The has inspired other cities to investigate the possibility of developing similar projects within their cities as well. However, cities such as Atlanta have recognized the negative effects of gentrification and displacement from projects like the High Line and are aiming to mitigate these effects with their own projects.

In Atlanta, a new project called The Atlanta BeltLine will link more than 40 neighborhoods, multiple public parks, and mass transit stations in a planned 33-mile trail network throughout the city. The BeltLine is a loop around the city, with a spur trail that ties into



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neighborhoods and parks. The BeltLine promises to encourage equitable development and to include a strong, affordable housing strategy to prevent displacement. The Atlanta BeltLine Incorporation is a public-private partnership launched in 2005, that empowered a new Atlanta BeltLine Tax Allocation District to fund both the parks and affordable housing. When the Beltline was established, there was no affordable housing requirement, but due to the Housing Justice League, government officials passed approval of what would require the construction of 5,600 affordable housing units (ABL 1). Housing has since doubled from 2000 in 2018, and within half-a-mile from the BeltLine development, housing prices rose by almost 80%. Programs like The Westside Future Fund created an Anti-Displacement Tax Fund that would help pay qualifying homeowners' property tax increases in communities that are affected by the Atlanta BeltLine (HJLR 2). The Atlanta BeltLine's fiscal 2020 budget includes almost \$12 million specifically for affordable housing developments. The communities surrounding the Beltline value the green space and the other amenities the Beltline provides, but they also want family-owned businesses, affordable shops and restaurants, grocery stores, jobs, public transportation, and affordable housing.

These two parallel projects have brought new life to areas of the city that are needed for economic growth; however, the Beltline differs from the High Line project as it aims to incorporate the existing community rather than drive them away.

We have seen how theft and stealing have played a pivotal role in the formation of our country. One way or another our actions have been justified and many have gone without question. It is important to realize that although these actions have helped form the place, we call home, these actions cannot be ignored.

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### Seneca Village (The Original Sin)

With a foundation now established for various methods of stealing within the landscape we can fully understand and identify landscape architecture's original sin. From the introduction of legislation in the US which justified the stealing of land during the original settlement of America, to the practice of eminent domain and gentrification, we can see how such methods of stealing have compounded together to justify the construction of Central Park on top of the communities of Seneca Village and Little Africa.

While the building of Central Park was framed to provide much needed park space for the health and well-being of the city's residents, respite from industrialization, and a democratic space for all classes within New York at the time; these were not the only intentions behind the motive for the park or implications for what the park would ultimately provide. Other than the much-needed benefits that the park was anticipated to provide, white New Yorkers aimed to capitalize on the potential for parks to additionally offer exclusive ornamental space for promenade and profit, "on evenings as well as Sundays after church, New York's high society participated in an elaborate theatrical spectacle that involved parading slowly up Broadway or through a park in their finest clothing" (McNeur 99). These acts were moves to enforce hierarchies within the city, as promenaders would acknowledge those deemed worthy to high society with a nod or the tip of a hat, ignoring those deemed unworthy. Central Park, in the eyes of high-class society, would serve as a prime space for continuing this tradition (McNeur 100). "However, other New Yorkers repeatedly challenged these rituals and spaces. Rowdy, working-class militiamen and their families caused a ruckus near the promenade in the battery. African American women and men conducted their own promenade to the bemusement of other

promenaders” (McNeur 100). Elite white promenaders often wrote to politicians and the media to call for segregation and security in order to protect and control an exclusive space for the preservation of upper-class values (McNeur 100).

Not only could the park provide promenade space, but it could also serve as an ornament to the young city of New York as the city's current parks were often compared negatively with those of Europe (McNeur 100). Simultaneously, real estate developers and local land owners such as Samuel Ruggles, who worked to transform marginal land into elite neighborhoods, held high ambition to profit from the ornament that would be Central Park. These developers and land-owners could reap reward from the increased property values and property tax revenues once the park was built (McNeur 100). The building of the park would ultimately accomplish these goals as, hundreds of middle-to-lower-class African Americans and immigrants were evicted and displaced, regardless of their efforts of opposition and retaliation. “What is now an expansive and remarkably beautiful city park teeming with life and enjoyed daily by millions, was once a thriving African American community that served as an oasis of acceptance from the overwhelming racism that dominated Manhattan” (Cooley 8).

Before the construction of Central Park, from 1825-1857 the communities of Seneca Village and Little Africa provided haven from the existing racism within the US and Manhattan for immigrants and recently emancipated African American slaves. “Seneca Village was the first prominent community of African American property owners in Manhattan, with a population of roughly 225 people, two-thirds of which were the first freed African Americans” (Javaheri). The village only contained one percent of the city's black population, but the village also contained twenty percent of black property owners and fifteen percent eligible black voters (Staples). These

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statistics were ignored and outright disregarded since the space the community inhabited was chosen as prime location for Central Park because the media at the time portrayed Seneca Village as a wasteland full of impoverished squatters, not rightful property owners, creating a narrative that Central Park would be a revitalization and powerful transformation from blight to beauty (Cooley 9). This was a flat out lie. With such a narrative informing this major decision for the city of New York, government went ahead with the purchasing of the private land for future public use through the power of eminent domain. Throughout this process, hundreds of people were evicted, forced to move into the confines of other centralized, racist American city centers of the 1850's. For two years the people of Seneca Village and Little Africa fought back in protest and retaliation against the police and the courts, petitioning for the courts to save their homes, churches, and schools – but this proved to be unsuccessful as the majority of black Americans were still unrecognized as citizens under the law (Davis 6).

The instance of Seneca Village and Little Africa serves as the first of many examples of what has occurred within communities of color across the United States. The power of eminent domain had been used to gentrify and steal land away from those groups that have consistently been in positions of disparity. Landscape architecture's founding father Frederick Law Olmsted thus partook in the many issues we are dealing with today and have been discussing within this podcast episode. Central Park was envisioned by Olmsted to be used peacefully by all classes, but fell short because of the nature of the intentions behind the park and its location. In order to accomplish a democratic park, Olmsted thought to incorporate a plan of strict policing and the enforcing of park rules to restrict former uses of the park viewed as incompatible to the park's image (McNeur 106). "With the park having previously been home to a range of evicted communities including the African American Seneca Village and a variety of Irish-and

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German-owned market gardens and piggeries, park administrators felt they needed to delineate clear restrictions on the appropriate use of land” (McNeur 106). In the end, this vision led to the very opposite of Olmsted’s vision, “By closely regulating how people used the park, Olmsted preserved not only the beautiful landscape but also elite New Yorkers’ control of the space” (McNeur 106). Thus, the profession of landscape architecture was coined and founded upon unjust decision-making and rule-making, false portrayals, eminent domain, gentrification and, ultimately, the stealing of land. We must wrestle with this conscious, understand our roots and make real equitable progress within the profession. This starts with policy making, raising awareness of issues, and maintaining an empathy for those who are being or have been affected and forgotten.

### Conclusion

By highlighting accounts of stealing within the landscape throughout the history of the United States of America, we unveiled the truths of our nation's past. Moving forward, we must do the work to understand where we come in as landscape architects. With much if not all of the makeup of America’s built environment being taken on the basis of stealing land, we must now look at how our role as designers can influence the reclamation and protection of land for those from whom it was stolen in the first place. In our next episode, we will do just this. We will apply our research-based understanding of stealing within the landscape to inform means to reclaim and protect our land.

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