



DOWNTOWN DIALOGUE

FIRST RULE OF REAL ESTATE: VISIT THE SITE

BY LIZ BERGER

By now it is old but happy news that Lower Manhattan spoke, the White House listened and Attorney General Eric Holder has apparently abandoned plans to try Khalid Sheikh Mohammed and four other 9/11 terror suspects here. But it is still amazing to me that the courthouse in Foley Square was considered in the first place.

What were they thinking?

Lower Manhattan did the impossible: We forced the President of the United States to change his mind in public. That he did is a sign of strength, not weakness, and we should all be proud, grateful and relieved that our commander-in-chief—and our local elected officials who originally supported him—are not rigid ideologues but respect the people who elected them. In the ancient Greek from which the word was derived, "politics" means argument, and the businesses, property owners, residents and community leaders of Lower Manhattan made a pretty good one.

Downtown's strong civic spirit shouldn't surprise anyone. It was forged and tested again and again during the trauma of 9/11. We lost lives, we lost businesses, we lost jobs, we lost much of our community—and we almost lost our faith in humanity. But we didn't. We came together and rebuilt with all the tools of a civil society—collaboration, openness and debate.

Now as then, our greatest weapon was common sense and, in the words of legal philosopher John Rawls, a unified conviction that "the fundamental idea in the concept of justice is fairness".

And, justice is what we are after. Not just for the terror suspects, but for the people who live and work in Lower Manhattan. Not just for what happened that day, but for what is happening Downtown now and what could happen in the future. Trying such sensitive cases in one of the nation's most densely packed commercial, residential and tourist districts simply made no sense.

Those of us who live in Lower Manhattan will never forget where we were on the morning of the attacks. I was standing outside PS 234 – it was the fourth day of kindergarten. In a precise, unscripted and extraordinary ballet, parents, teachers and passersby worked together to protect our children, secure our schools, direct traffic and help the first responders on their way to the World Trade Center: New Yorkers at their best when New York was at its worst.

It went on that way all day and all night, and into the long weeks that followed—and slowly, we began to see results. Defying expectation, the markets reopened, the stores restocked, residents and workers returned, and government and private owners began to rebuild their property.

We all know how far we have come from those days, but also how far we have to go. Anyone who lives, works or visits Lower Manhattan knows the challenges of post-9/11 construction congestion and security-related street closures. They know that any more physical reminders of threats to our security—no matter how necessary—will turn Lower Manhattan from a resurgent location of choice to a destination of last resort.

Attorney General Holder flunked the first rule of real estate: Visit the site.

—Liz Berger is President of the Downtown Alliance