LIVE FROM NEW ORLEANS
IN A CITY PREVIOUSLY RESISTANT TO CHANGE, THE STATUS QUO HAS BEEN OFFICIALLY DETHRONED.

BY TANIA TETLOW

Tania Telow is an associate professor of law and director of the Domestic Violence Clinic.

It is a delicate task to describe the status of New Orleans right now. I keep reciting to myself Dickens’ now-cliché description of revolutionary France; it is the best of times and the worst of times. While great parts of the city remain silent, covered in sepia-toned ruin, the rest has come more alive than ever before.

Neighborhood groups have sprouted everywhere, seemingly organized to represent every six-block area. People read the newspaper from cover to cover, and unless the Saints are playing, conversations focus on excruciating details of levee construction and coastal restoration. Those who never had time for involvement in any civic activity are suddenly joining the boards of charter schools and investing in the education of other people’s children.

And the volunteers still come by the thousands from all over the world, not just students, but families and a new brand of public interest tourist. I have met couples on their honeymoons gutting houses in Gentilly. Some of them end up staying. Young people at bars often turn out to be bright-eyed urban planners, thrilled to find themselves at this perfect intersection of Peace Corps-type opportunities and night life.

Before Katrina, the wonderful and horrible thing about New Orleans was that it never changed. Now we have nothing but—terrifying and thrilling change.

The status quo has officially been dethroned in a city where that never seemed possible. A crop of first-time candidates ran for office and displaced a majority of the City Council. Last year a spike in the crime rate resulted in a march of diverse thousands on City Hall. Grass roots movements succeeded in amending the state constitution to reform the levee boards and the city’s unwieldy tax assessor system.

As you would expect, battles also rage over that change. The answers rarely seem clear and resistance can stem both from honest differences of opinion and from self-interested defensiveness. For example, citizens understandably outraged at the loss of their particular neighborhood have squelched ideas about relocation to higher ground, though insurance rules will require safer building codes.

Debates over the future of New Orleans provide fascinating insights into the problems facing all American cities. We have replaced our normal fare of daily trivia with raging conversations about philosophical issues. Where are the lines between government, corporate and individual responsibility for society? Who should provide for the basic needs of housing, food and shelter?

Our scarcity of affordable housing has spawned new awareness of the importance of the working poor to the economy, particularly our tourist-based economy that depends on low-paying jobs. We have all had a macroeconomics lesson in the supply and demand of labor and wages as the salaries of restaurant and hotel workers quickly doubled after the storm. Substantial rent increases still make it difficult for the average resident to return, and more than 100,000 remain displaced. Some will stay in cities that offer more economic and educational opportunity, but most are desperate to come home.

New Orleans has become the forefront of debates on public housing. The Housing Authority of New Orleans has refused to repair and reopen public housing developments, seeing this as an opportunity to rebuild failed projects in the new “mixed income” model of scattered—and hopefully thus more stable—public housing. So we debate the long-term value of improved opportunities for the poor in better public housing versus the spectre of leaving residents scattered across the country, unable to return to their communities. And construction on the new developments has yet to begin.

The storm also revealed pre-existing fissures in the criminal justice system and cracked them wide open. Few urban criminal justice systems could have dealt well with the body blow of a Katrina, but ours was particularly unprepared and
underfunded. During the storm, government evacuated 7,000 inmates trapped in unspeakable conditions in a flooded Orleans Parish Prison, and then scattered them to parish jails and state prisons. Many of those arrested for petty offenses ended up abandoned in the system, serving more than their maximum possible sentences but without a trial, without even an arraignment or any access to a lawyer.

Katrina revealed that our federalist system leaves local criminal justice systems to their own devices after a major disaster, thus imperilling both the social order and civil liberties. Federal law prohibits payment of local government operating expenses, even for crucial functions like prosecutors and public defenders, police and fire fighters. Federal assistance on other fronts came slowly and in trickles. Between physical damage to buildings, staff cuts, and post-traumatic paralysis, the city was unable to begin criminal jury trials for nine months after the storm.

As with everything else, the crisis in the criminal justice system represented both a depressing reminder of typical urban flaws and an unprecedented opportunity to rebuild the system from scratch. The public defenders’ office is being recreated, with great help from law school faculty, into a model system of best practices. Meanwhile, enormous pressure is building on the district attorney and police department to enact reforms.

Tulane itself has a profound relevance to the community, engaging in work that has great educational importance to students and fertilizes the scholarship of faculty. The university has partnered with charter schools and provided technical assistance to the public school system as a whole. The medical school must negotiate the future of health care provision in New Orleans and whether Charity Hospital should be replaced with a decentralized system. Faculty provide policy expertise and personal leadership in every realm, from science to recreating public libraries to cultural preservation.

The law school has particular importance to these efforts, providing student assistance in legal services and faculty expertise on a variety of policy fronts. The law school increased the pro bono requirement for graduation in recognition that our students have unprecedented opportunities to learn from their environment. While law students from all of the nation’s schools flock here on their spring break to be a part of history for a few days, our students get to make a difference during their entire legal education, and they will be forever changed by the experience. Tulane also has created new externship opportunities in housing, criminal justice and legal services.

The clinics have provided particular leadership to the community and thrilling experiences for our students. Professor Stacy Seicshnaydre litigates fair housing issues with the students in the Civil Clinic, negotiates with HUD over the public housing crisis and offers policy expertise. Professor Pam Metzger
and Katherine Mattes, the clinic’s deputy director, worked with tireless students in the Criminal Clinic to free hundreds of wrongly held prisoners. Professors Metzger and Jancy Hoeffel have served on the boards of the local and state public defenders’ offices respectively to ensure the best quality of practice in a new defender system. The Domestic Violence Clinic works with police, district attorneys and judges to protect some of the most vulnerable and overlooked victims of crime.

New Orleans is a lovely, lyrical city. Like any port city at the delta of a river, it sits low and requires modern technology to protect it from floods (as do Sacramento, London, Amsterdam and Venice). Like any old city, it has a byzantine government and strange traditions. But as you know from your time here, New Orleans is irreplaceable, not subject to American notions of planned obsolescence. Its particular mix of African and European, of slavery and immigration, of sin and tolerance, produced music that transformed the world’s culture. For Americans, New Orleans is the syncopation in our step, the spice in our food, the reason that we are more than a collection of our constituent old world parts.

That importance has meant a fierce loyalty to this place, to this people. New Orleanians have always been unusual because we conscientiously prioritize community in a country that has turned towards individualism. We know that our collective culture gives meaning to our lives, so we spend precious time sewing Mardi Gras Indian costumes and learning the trumpet. The storm reinforced those instincts and further shifted our priorities. We have escaped the burden of fretting over trivia, of thinking that our collected belongings define us.

You will remember from your time here that New Orleanians have a habit of looking people in the eye when we pass them on the street, of nodding and smiling. Now that gesture is imbued with an implicit expression of loyalty, of fierce pride. We are in this together. We look to the generations before us who rebuilt after wars, plagues and pogroms, and we simply get to work. In the middle of construction dust and overgrown weeds, we treasure the opportunity to live in the most energized, engaged city in the country.