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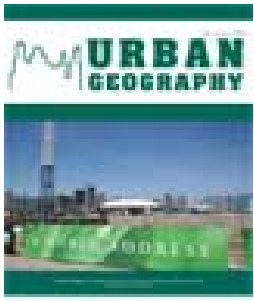
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To cite this article: Naomi Adiv & Laura Wolf-Powers (2018): User fees and the permeability of public space at municipal pools and bathhouses in New York City, 1870 – present, Urban Geography, DOI: [10.1080/02723638.2018.1524193](https://doi.org/10.1080/02723638.2018.1524193)

To link to this article: <https://doi.org/10.1080/02723638.2018.1524193>



Published online: 09 Oct 2018.



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# User fees and the permeability of public space at municipal pools and bathhouses in New York City, 1870 – present

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## ABSTRACT

This paper examines fees for access to New York City's public swimming and bathing spaces from 1870 to the present. We argue that, beyond generating revenue and rationing space, charges for admission to public bathing spaces have served to condition how *permeable* those spaces were to various groups of potential users. Municipal actors involved in administering baths and pools have used fees to maintain and order these spaces; to distinguish between deserving and undeserving users; and to include and exclude participants in an ostensibly universal public. Over time, fees have been naturalized, erasing these motivations and giving cause to their outcomes. We problematize the fee in order to address both theoretical questions about the nature of public space and practical ones about how municipal administrators govern amidst competing pressures to serve, develop and regulate urban residents and their communities.

## ARTICLE HISTORY

Received 28 February 2017  
Accepted 9 September 2018

## KEYWORDS

Public space; municipal bathing; admission fees; swimming pool; bathhouse

## Introduction

In American cities, archetypal public spaces include parks, with their pathways and benches; triumphal plazas and monuments held over from the era of “City Beautiful”; humble sidewalks and squares; perhaps the steps of the public library. The common-sense notion of public space encompasses the chiefly outdoor spaces that blend seamlessly with the fabric of the city: free to enter, devoted to respite or recreation rather than commerce, accessible to all. However, a closer look at public spaces indicates that they are *not* neutral in the way of the popular imagination: they have costs and rules and limits, which are reconfigured frequently. Attention to who is included or excluded in the urban public spaces built for “everyone” reveals the ways that power flows through the city's everyday spaces and interactions.

Scholars define what makes spaces public in terms of governance (Fraser, 1990; Iveson, 2007; Shepard & Smithsimon, 2011), ownership and property regimes (Staeheli & Mitchell, 2008), symbolism (Low, 2000) and access (Carr, Francis, Rivlin, & Stone, 1992). However, while some have noted how the state restricts access to public spaces in several ways – through poor distribution of spaces around the city (Wolch, Wilson, &

Fehrenbach, 2005), through limited transportation access, or through surveillance of groups deemed “outsiders” (Smith & Low, 2006) – most have paid little attention to direct cost of entry as both a literal and figurative gatekeeping mechanism. This stems from the fact that in American cities, most who wish to enter public spaces do not generally pay a fee.

Public spaces that do charge for entry operate as a functionally separate category. These are most often recreational spaces, which either require either a per-use fee or operate on a model of seasonal membership, such as ball fields, golf courses, piers or – as we discuss here – municipal swimming pools (and their antecedent in bathhouses.) In fact, user fees operate as a means to distribute access to urban public space, putting a hitch in everyday practices of publicness. User fees construct a barrier that limits entry for some to the common spaces of the city.

This paper examines the function and meaning of fees in urban public spaces, focusing on disputes over whether to charge fees for access to the municipal swimming and bathing spaces of New York City, from 1870 to the present. The conflicts that we survey here take place in different types of bathing spaces, which were built and operated in five overlapping time periods. These are the “river baths” or “floating baths” (1870–1942), indoor bath houses (1901–1975), outdoor pools (constructed generally in two waves: 1936 – present and 1966 – present), and indoor baths and pools (1906 – present). Through close examination of conflicts between and among elected and appointed officials, bureaucrats, influential elites, and everyday citizens, we ask how charging a fee – or not – serves to regulate spaces called “public.”

Based on this history, we argue that the imposition of fees has affected the *permeability* of New York City’s municipal bathing spaces and conditioned users’ sense of where and how they belong in the city. In the process, we interrogate the multiple logics behind user fees for recreation, which include rationing under scarcity, recovering costs under austerity, and safeguarding morality. As we problematize the admission fee, we address both theoretical questions about the nature of public space, and practical ones about how municipal administrators govern amidst competing pressures to serve, develop and regulate urban publics. We demonstrate that, beyond simply generating revenue or rationing space, state actors involved in setting and administering fees have used them to assert the maintenance and order of the spaces; to enact symbolic and material inclusion and exclusion; and to establish who actually belongs to an ostensibly universal public.

New York City is a valuable setting to understand policy decisions over public space for a few reasons. First, New York has long had influence over policy in other North American cities; this influence is exerted in both the professional and academic circuits of urban planning and policy, and has been particularly strong with respect to policy around parks and public spaces since at least the 19<sup>th</sup> century.<sup>1</sup> Second, parks and recreation policies in New York also embody larger trends in fiscal governance that promote social, economic, and racial stratification. One key example of these trends is the ceding of public space management and financing to private conservancies, BIDs, or friends’ groups as in the case of the Central Park Conservancy, the Highline (Brash, 2017) Bryant Park (Madden, 2010), and the “bonus plaza” program governing privately owned public space (Miller, 2007).<sup>2</sup> Another example is the transition to a parks labour force comprising fewer unionized municipal employees and increasing numbers of

volunteers, community service sentencees, and former welfare recipients in temporary positions. (Krinsky & Simonet, 2017).

Changes in access to public space resulting from changes in governance affect the nature of everyday life in New York City, especially for the poor majority. Although political elites, particularly Mayor Michael Bloomberg (2001–2013), have attempted to refashion the city's public realm as a site of amenities for the affluent, more than half of New Yorkers either live below the poverty line, or hover precariously just above it (Chatterjee, Krampner, Shin, & Virgin, 2018). Although many consider finance to be the source for New York's wealth generation, the city has long depended for its daily function and construction upon its working class. This majority depends disproportionately upon the public sector to provide resources that enable them to claim their place in the city. When barriers to public spaces are erected, a majority of New Yorker's everyday lives are materially diminished.

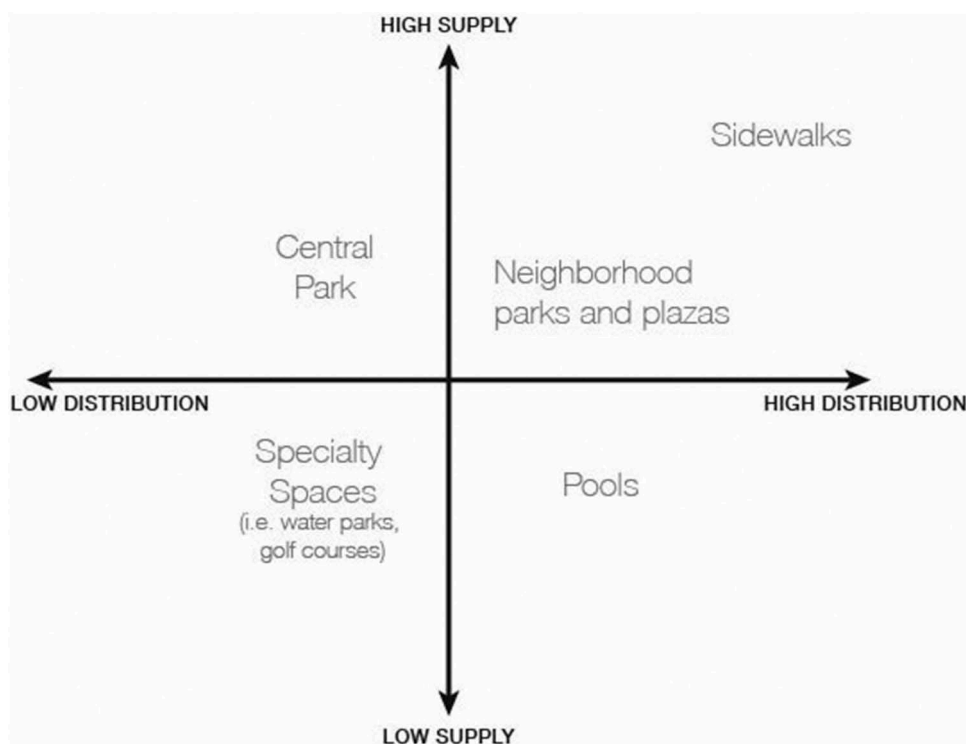
This paper is divided into three parts. First, we discuss how access, defined in terms of *quantity*, *distribution*, and *permeability*, constitutes a central feature of public space. Second, we consider the logic of the fee: how it is rationalized and how it operates as an instrument of both economic distribution of goods and of social and moral regulation. Third, we interpret the political significance of fees in shaping urban spaces via a historical account of how fees have been imposed (and not) at municipal baths and pools in New York City from 1870 to the present.

### **Dimensions of access: supply, distribution, permeability**

"Public space" is a term that generates a glut of definitions. The modifier "public" can describe the space, the users, the funding structures, the terms of access and, often, some muddled combination of these. Colloquially, one uses "public space" to describe everyday places that are not our homes or places of work – parks, sidewalks, roads, perhaps even a café or supermarket. Each kind of space has its own rules and norms that naturalize notions of what *public* is and does, and who counts as "the public" in any particular moment. So too, the production of public and private spaces over time – through promotion of particular ideals, sited in particular places, and reliant upon varying kinds and sources of capital – produces publics and social relations. As Newman and Clarke (2009) note, "meanings of the public and private are not merely descriptive and normative; they are cultural categories that help shape social identities and relationships" (p. 19). Particularly important, as we consider fees for admission, is how the (municipal) state envisions and interacts with the publics that it recognizes and promotes, and how everyday life in the city is affected for those versions of the public that it does not.

A central ideal surrounding the character of public space is broad *access*.<sup>3</sup> The idea of a public space invites "everyone" to participate, and thus can obscure the fact that spaces we consider public are always governed by rules and exclusions of some kind, whether imposed by the state or its political proxies (conservancies, BIDs, etc.), or inscribed through social mores and conventions of behaviour. Actual access to public spaces exists along at least three axes – supply, distribution, and permeability – which we elucidate here in turn (see Figure 1).

On the axis of supply, we ask *is there enough to go around?* Many formulas have been developed for how much open space residents of a city need per person (Dahman, et.



**Figure 1.** Continua of public space supply and distribution in New York City.

al., 2010; United Nations, 2015; Wolch, 2002).<sup>4</sup> Many American municipalities made plans about how much space to leave available for park and public lands, in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries (Cranz, 1982), and those decisions have endured as cities grew and changed, with occasional additions when capital becomes available to acquire more land. State and civic groups have increased supply where possible by establishing interstitial spaces such as “vest pocket parks,” traffic triangles (Sadik-Kahn, & Solomonow 2016) and adaptively re-used landfills, empty lots and railroad trestles (Wolch, Byrne, & Newell, 2014). In other cases, real estate developers have built public spaces on privately owned property in order to gain height easements or other regulatory concessions (Kayden, 2000). In all cases, to consider the *supply* of public space does not consider the *quality* of these spaces; this is really just a count of how much.

The second axis, distribution, describes how public spaces are sited across the area of the city. Iveson (2007) calls this a ‘topographical approach’,<sup>5</sup> “such that one could colour public spaces on a map” (p. 3) and see where they lie. Equitable distribution of public space is an element of urban environmental justice (Fainstein, 2010; Sze, 2007; Wolch et al., 2005): a framework in which all residential neighbourhoods would be adjacent to public spaces of similar size and quality. Also important are the contexts for these places, such as way-finding, route safety, and nearby land uses (Weiss et al., 2011).<sup>6</sup> This ideal of equitable distribution can be expanded to

include transportation that provides ease of access, particularly for spaces like swimming pools which are less well-supplied than parks or plazas.

The standard of how much public space a city should provide, combined with how close residents need to be in order to use it in a meaningful way, begins to describe what kinds of public spaces residents need and deserve. Examining the intersection of distribution with supply, for example, causes us to consider that urban public space is often concentrated in a large central park or a recreation area that, while it belongs to all residents, is more available to some than others, particularly for everyday use. That is: while everyone may come to the big city park on weekends, only those nearby really get to enjoy it regularly.

Important to note throughout this discussion is that a meaningful definition of public space does not *require* that these spaces be owned, managed or operated by the state.<sup>7</sup> However (and perhaps in *contra* to the “end of public space” arguments (Davis, 1990; Madden, 2010; Mitchell, 1995, Mitchell, 2017; Sorkin, 1992)) public spaces that are state-held – such as parks, libraries or, in this case, pools – tend to endure. Their systems of management and rules-making tend to be centralized, and are putatively transparent (even if rules are not uniformly enforced) – and therefore potentially subject to meaningful review. Although they are not a unitary form, we foreground municipal public spaces in this paper.

Beyond supply and distribution, another, less visible, quality characterizes the relationship of people to public space, such that even if there is enough for everyone and it is evenly distributed, people may or may not feel accepted or welcome. This is the concept of *permeability*. Permeability is partially captured by Staeheli and Mitchell when they assert that access to space “is not a simple matter of a space being open or closed at a given time... it is also a matter of *how* one enters a space, even if not physically barred from it” (2008, p. 116). Permeability describes how people are made to feel that spaces do or do not belong to them, or that they do or do not belong there.

Unlike supply and distribution, the metrics for permeability are not codified in professional practice: it is hard to map, and harder still to measure quantitatively. While some assert that social inclusion is an important dimension of public space, “where individuals and social groups feel they belong to the larger whole, have access to ‘commons’ and are free to fully engage in collective affairs” (UN-Habitat, 2015), guidelines for inclusion remain variable and ambiguous. Permeability – or lack thereof – is often established through rules posted or permits required by a government agency such as a parks department. It also emanates from non-governmental or quasi-governmental entities such as conservancies when they police or exclude, “undesirables,” and from symbolic claims, exerted by dominant groups, that have the effect of marginalizing others psychologically (Madden, 2010; Mitchell, 2003; Whyte, 1980).

Increased permeability may describe purposive processes of inclusion, such as the express provision of safe spaces for different classes of people.<sup>8</sup> It can mean the rationing of certain spaces to make sure that groups can use the spaces as such, such as “league time” on a soccer field (Adiv, 2015b). It also may be appropriate for some spaces to be made more permeable to certain groups than others: playgrounds for children and senior swim hours for elders are common examples. Iveson (2003) describes this as “justifying exclusion,” in which spaces are affirmatively reserved for less powerful groups. Thus, to say that a municipal public space *is permeable* means that

users feel that it serves both their immediate (quotidian or use-based) and broad needs (those having to do with governance or decision-making over time). Because permeability does not have an accepted municipal or professional standard (as supply and distribution do), its regulation by the state merits particular investigation.

With these three forms of access in mind – supply, distribution, permeability – we investigate how the municipal state has established and managed public spaces historically in order to understand how the state envisions and interacts with the public (Harvey in Low and Smith, 2006). The material provision of municipal public space, including the choice of revenue streams with which to fund it – admission fees among them – is fundamental to this complex arrangement. Although fees are charged at only a small segment of municipal public spaces, they are a clear method of rationing access among participants, establishing a point of exchange value. The result is an inconsistent means-testing that operates at the nexus of spatial and political projects. Fees put into relief the ways in which state segments the putatively universal public, privileging some of its members over others and reinforcing pre-existing boundaries of power and status in city spaces.

### The logic of the fee

The idea of a fee for access to certain kinds of municipal spaces, such as swimming pools and golf courses, can seem practical. These spaces tend to require greater levels of capital investment and serve relatively smaller numbers of users. Economic orthodoxy asserts that people will generally value more that which they pay for; thus, services rationed by fees are not as easily overused as those to which access is open. The payment tends to be small (a “nominal fee”), and does not necessarily correlate with the real cost of providing this space or service. The rationale at work is that the payment of money both commits us to participate and sustains the incentive not to over-consume (Stiglitz, 1988). Another aspect of the nominal fee is that it entitles the user to some level of quality. By paying money, a member of the public is transformed into a *customer*; thus, a space takes on the commodity status associated with exchange value.

To the extent that discourses of planning and public administration rely on what John Friedmann terms “market rationality” (1987, p. 19), a user charge for a public recreational amenity has two overt functions: the rationing of a scarce or congestible resource and the recovery of government operating costs. Welfare economics distinguishes between “pure public goods,” for which the marginal cost of adding a user is zero and for which it is difficult to charge (such as in the classic example of a lighthouse), and “publicly provided private goods” that have some cost per additional user and which are capable of being priced, but which the government sector furnishes to constituents nonetheless (Stiglitz, 1988). There are several dimensions to economists’ explanation for why the public provision of a private good may be desirable.

First, in the case of a congestible good such as a swimming pool, the marginal cost of additional users is minimal up to the point of congestion – that is, the cost of running the pool is more or less the same whether few or many users attend, up to the point where people’s enjoyment is compromised by over-crowding. In this case, charging a profit-maximizing price would lead a private operator to provide a less than socially optimal amount of the service. The reason for this is not only that more users could be



accommodated at a lower-than-market charge, but also that there is a positive externality effect associated with the pool's existence – i.e. the broad social value of its presence in a community exceeds its value to individual users. The community at large benefits by having a place where people can get exercise, where friendly encounters among neighbours can occur, and where youth can engage in “wholesome activity.” Historically, in the case of municipal baths, positive externality effects included the value to public health of facilities where people without plumbing in their homes could practice basic hygiene.

Running somewhat contrary to the externality-based justification for the public provision of private goods is the *benefit principle* (Musgrave & Musgrave, 1973). This key precept, which dates to 17<sup>th</sup>-century economic thought but which was fully elaborated with the advent of the public finance sub-discipline in the late 19<sup>th</sup> century, holds that direct beneficiaries of government-provided private goods and services should, to the greatest extent possible, cover their cost:

The benefit principle represents an effort to extend the principle of consumer sovereignty to the conduct of government. . . growing recent interest by governments in user charges . . . would seem to represent a reaffirmation of the benefit principle as a guide to public finance, for the use of charges in place of taxes would seem to be a way of charging people for government according to the use they make of services (Wagner 1991).

In this vein, the fee also has a fiscal function. It may recoup government operating expenditures and relieve pressure on general fund coffers that are ordinarily filled through less targeted, less “efficient,” forms of taxation. Whereas a tax on real property or income is used to finance a variety of municipal services that an individual taxpayer may or may not use, fee payment bears greater resemblance to a commercial transaction. Through an admission charge, the expense of operating a pool is borne partially or completely by users, both satisfying the benefit principle and solving a fiscal problem. While many public administrators think of revenue generally, as a resource with which to provide constituents with services, economists commenting on the practicalities of municipal administration are nearly unanimous in the conviction that as many city services as possible should be paid for through user fees (Gramlich, 1985; Inman, 2009). Gramlich states:

. . .the main advantage is that consumers would no longer be burdened with the economic inefficiencies resulting from the fact that they get different amounts of public services than they want. Illustrative cases where user charges seem ideally suited to pay for public services in a way that minimizes economic inefficiencies are parks and libraries, hunting licenses, and turnpikes and bridges (284).<sup>9</sup>

Economists' perspective is echoed in public administration-minded texts and reference books aimed at practicing planners and city administrators, though these texts often recommend that fees for services that offer social as well as individual benefit should be set below production costs to encourage use (Lucy & Fisher, 2000)].<sup>10</sup>

A fee, then, is a mechanism by which government actors reserve a recreational space or amenity for users who value it enough to pay.<sup>11</sup> But fees for recreation rarely cover the public sector's costs entirely, and can thus not be classified purely as prices. A nominal payment – both a crude rationing device and a symbolic commitment on the user's part to the value of what she is consuming – is a kind of middle ground. Yet even nominal fees exclude some potential users of a service.

Keeping in mind both (1) the concept of permeability as a way to understand access to municipal public spaces and (2) economic rationales for the user fee, we now turn to an historical account of how administrators imposed fees on users of municipal bathing spaces in New York City over about 150 years. We argue that officials used fees not only to raise revenue and limit congestion (the given reasons), but also to render space more and less permeable based on elite notions of morality, and of order. Thus, what could be taken as a simple discussion of revenue collection at municipal bathing facilities actually reflects how money has operated at the interface of material and symbolic practices to affect the permeability of public space.

## The history of fees for municipal baths and pools in NYC

Municipal bathing in New York City can be characterized by at least five overlapping periods of pool and bathhouse construction (see [Figure 2](#)), in which the fee, its monetary value, and its purpose changed – and, in turn, influenced the permeability of bathing spaces for New Yorkers.

In each period, disputes arose among elites, agents of the state, and those whom the bathing spaces were meant to serve. The disputes encompassed questions of whether there should be fees at all, who should pay them, and whether there should be exceptions for some individuals or at certain times of the day or week.<sup>12</sup> In addition to discussions about fees, administrators also debated other rules, such as those delimiting how much time could be spent in the space. These debates over fees provide insight into the conflict over the kinds of publics that the municipality imagined bathing spaces both producing and serving.

### *River baths (1870–1942)*

The first bathing structures that the City of New York built were “river baths” or “floating baths,” which were wooden slatted pools that allowed river water to flow through them, surrounded by docks. In the eyes of elites, both within and outside of government, the purpose of these was to promote health and hygiene<sup>13</sup> for the burgeoning urban population, largely immigrant, whose members lived in tenement houses without running water. There was also an imperative to prevent drownings in the open river, which averaged one per day at the time the river baths opened (Duffy, 1974, p. 44). According to Wiltse (2007), however, the actual reason for these pools was to enclose the play and rowdy culture of working-class men and boys who, until that time

1870	Floating Baths	1942		No Fee		
	1901	Indoor Bathhouses	1975	Towel Fee		
	1906	Indoor Pools		Present	No Fee / Fee	
		1936	WPA Outdoor Pools	Present	Fee / No Fee	
			1966	Lindsay Admin. Pools	Present	Fee / No Fee

**Figure 2.** Overlapping periods of pool and bathhouse construction in New York City.

(and long after) bathed naked at the riverbanks (p. 37). The behaviour of boys – particularly groups of boys – remains a concern up to the present day, and fees were often manipulated to induce particular behaviours, or to exclude males altogether.<sup>14</sup>

In the process that led up to the construction of the river baths, the Metropolitan Bathing Association, a city-run corporation, drafted a bill in 1867 to limit the fee for admission to the baths to 25 cents (Duffy, 1974, p. 44; see also Hamilton et al., 1895). Ultimately, no fee was charged for entry, but patrons were charged, during some eras, for use of a towel. At times, this fee took the form of a 25¢ deposit, 22¢ of which was returned upon the return of the towel (Department of Public Works, 1872). At an equivalent of almost \$4 today, the deposit made class differences visible even if the net cost was ultimately low. Over the years, the towel fee in particular would become a source of some conflict; a “keeper” or manager would sometimes impose a fee in order to keep poor boys out, even if they did not want a towel (“Is the Battery Bath Free?” July 20, 1880). This is an example of an individual agent of the state empowered to render the boundaries of public spaces less permeable in the service of order – a phenomenon that appears repeatedly in this story.

### ***Municipal bath houses (1901–1975)***

In 1901, bathhouses full of tubs and showers came into New York City immigrant neighbourhoods.<sup>15</sup> Meanwhile, the outdoor river baths, while well attended, ran with polluted river water that caused outbreaks of illness; furthermore, they could only be used for part of the year. The impetus to build bathhouses arose from a synergistic relationship among elites, attendant philanthropic organizations, and city government.<sup>16</sup> They were constructed, too, as a public health measure, and records of attendance demonstrate a good deal of demand (Glassberg, 1979, p. 16). However, in the discourse around bathhouses, analogies between notions of “cleaning” and “civilizing” the immigrant – in terms of their habits, political beliefs, and morality (Renner, 2008, p. 506) were quite common.<sup>17</sup> An 1891 piece in the *New York Sun* remarks:

We want opportunities and means for transforming some of these grimy Anarchists, and some of these Poles, Russians, and Italians into good Americans; but how can we expect to make patriotic citizens out of individuals to whom so much of their native land still clings, unless methods are provided for ridding them of these foreign reminiscences?” (March 31, 1891)

Choices about whether or not to charge a fee for this cleansing operation varied quite widely. In their 1897 Report on Public Baths and Public Comfort Stations, a citizen’s group, appointed by the city, called the Committee of Seventy, came out in favour of the fee.

If the city provides the plant, those using it should pay for that privilege. This is the part of wisdom, because the idea of charity should be mainly eliminated from a public bath, and the operating expenses will be nearly met by the fees. (Hamilton, Morris, & Tolman, 1897, pp. 10–11)<sup>18</sup>

The reasons given are both moral and pragmatic, and the combination of logics is dense: the fee as a commitment device, as a revenue generator, as a vehicle for self-respect. The main objection to the free bath, however, was that the indoor baths should

not be taken for charity, in a number of ways.<sup>19</sup> Foremost, the argument against charity was that those who used in the public amenity should do so as full members of the citizenry. Charity here implies two negatives: first, a handout (especially to those who might “take advantage”), and second, a demotion to a low socio-political status. Conversely, a positive version of the argument against charity is that payment would increase the dignity of those receiving the service.<sup>20</sup> A different dimension of this rationale from the same period, which many reformers held, was that a fee for entry, even a small one, would teach very poor New Yorkers – mostly immigrants – the value of being clean.

Ultimately, the indoor baths would not charge a fee for entry, although, as with the river baths a soap and towel fee of 5 cents often applied, and was a source of some conflict (Hamilton et al., 1895). In order to avoid congestion (a problem during the summer months, especially in the early years) – but also arguably to maintain order – the space was rationed in the end through time slots of 20 minutes per bather.<sup>21</sup> In later years, when many bathhouses converted to recreation centres with pools, free admission remained the rule; this was the case through the 1970s when the last indoor bathhouse closed. The decision not to charge a fee for admission maintained a high level of permeability for the poorest New Yorkers, whom the baths – sited in the tenement house districts (See Figure 3) – were meant to support.

It is hard to know what effect disagreements among elites about whether and how to charge a fee ultimately had on bath attendance. Historical records demonstrate fairly robust attendance (particularly in the summer months) until indoor plumbing in individual apartments became widespread. But even in later years (1920s–1970s) when attendance waned, those who attended the bathhouses regularly certainly benefitted, which raises the question of how many users at a minimum justify the expense of maintaining such a space. Indeed, in 1939, both the American Labour Party and the Communist Party offices in Chelsea sent letters to then-Parks Commissioner Robert Moses, asking that renovations be completed quickly on the local recreation centre: “with the hot weather again approaching, the demand for these Baths is greater than ever in a community where the proportion of homes without indoor bathtubs is extremely high” (Rollins, March 31, 1939). This demand continued well into the 1940s.<sup>22</sup>

## ***Outdoor pools***

### ***New deal era***

In the summer of 1936, a great change came to swimming and bathing in New York City when the Park Department (under Commissioner Robert Moses and Mayor Fiorello LaGuardia) mobilized millions of dollars in federal Works Progress Administration (WPA) funds to build eleven outdoor pools with capacities in the thousands. At this point, the focus of the municipal bathing project in New York turned from cleanliness-based to overtly recreation-based (accompanied by a huge capital outlay), and fees accompanied the change. These pools, from the start, charged 10 cents for children and 20 cents for adults (a price which would last through the 1970s). This “nominal” fee was intended to generate revenue to maintain the large Parks infrastructure that was generated during the flush period of federal funding.

### New York City Municipal Baths, constructed 1901 - 1914



**Figure 3.** New York City municipal baths, built 1901–1914.

Source: Renner, 2008. Map Generated by Xi Yang, Research Assistant at Portland State University, 2017.

Indeed, the spring before the municipal outdoor pools opened, Commissioner Moses had proposed that *all* city recreational facilities (with the exception of playgrounds) should charge a fee in order to balance the Parks Department budget after WPA relief monies ran out (“Moses Plans Park Sports Fees,” March 2, 1936).<sup>23</sup>

When the pool fee was established, in the summer of 1936, it was the first time Parks had ever charged a fee for entry, and the idea met with resistance. At the opening ceremony of Hamilton Fish pool on the Lower East Side, in response to protests at the pools, Mayor LaGuardia tried to appease patrons, stating “this is all new to New York and experimental. . . After the experience of this Summer, we will know just how to arrange things next year” (“East Side Cheers,” June 25, 1936). Yet it was clear that Moses and the Parks Department intended for the fee to be charged over the long term – and it was.

Table 1 demonstrates that the pools always operated at a loss. But even with this difference, fee revenues filled that gap substantially, and the importance of this at the time should not be underestimated.<sup>24</sup>

**Table 1.** Department of parks revenues from outdoor, 1936–1940.

	Attendance				Financial Data		
	Free period	Child paid	Adult Paid	Total	Revenues	Expenditures	Difference
1936	594,764	610,612	572,484	1,777,860	\$177,597.80	\$267,105.44	-\$89,507.64
1937	665,636	930,932	775,415	2,371,983	\$250,079.00	\$298,115.18	-\$48,036.18
1938	729,872	806,446	755,155	2,311,475	\$234,350.67	\$280,556.56	-\$46,205.89
1939	878,151	898,872	692,927	2,469,995	\$228,614.40	\$289,322.31	-\$60,707.91
1940	778,826	751,774	540,929	2,071,529	\$185,143.08	\$246,284.72	-\$61,141.64

Source: New York Municipal Archive.

One source of controversy within the Parks department was a free period on week-day and Saturday mornings, from 1936 to at least 1950, for children – and only children – who could not afford to pay the fee. Adults were not allowed in at this time. Parks officials kept meticulous records of pool attendance, especially in the early years, noted by hour, site, age and gender of patrons.<sup>25</sup> Managers also began to record closely how many children came to the free period and then got *back* in line to pay their dime. Internal memos<sup>26</sup> amongst Parks administrators showcase a great deal of anxiety over this issue, which would continue for almost 20 years – well into the 1960s.

While they worried about sufficient revenues, Parks officials in the central administration also show great concern over what they believed to be *fair*, perhaps more than what was equitable. If some children *could* pay the fee to get in, should they be allowed to come during the time reserved for those who could not pay? Although the officials spoke in terms of congestion, that was not their main concern (Latham, July 1, 1939; Jennings, July 12, 1939). The issue was not that the pool was full of children who could pay blocking those who couldn't – rather, officials saw children who *could* pay yet attended during the free period as if they were consuming space that somehow wasn't rightfully *theirs*.

Practically speaking, if the officials had implemented the strict means testing they desired, the poorest children would only have been in the pool with the rest of the poorest children. Furthermore, parks administrators took no notice of those who attended the free period and left afterward; this raises the question of how many people in need are sufficient to rationalize the provision of a good at free or reduced cost. In pursuing this line of thought, officials posited two types of “undeserving poor” (Katz, 1989). The first was a group of undeserving children who were able to pay but took advantage of the free period. The other – though entirely absent from overt discussion – was a group of implicitly undeserving adults who, by dint of inability to pay, should not have access to the pools at all.

In this case, agents of the state attempted to construct “appropriate” publics by both increasing permeability for the poorest children (by providing a free period), and by limiting it the rest of the time (by charging a fee). This was buttressed by twin rationales of generating revenue, and of “fairness.” But when the fee/free divide backfired – as many children didn't buy into the morality tale of *only* attending the free period – the space was rendered even more permeable to them, causing much consternation to Parks officials. The result that they desired – though veiled in the language of *fairness* – seems to have been a more complete segregation of the poorest from the rest. In examples such as this, we see the tension between the fiscal and symbolic rationale behind fees for admission, and the resultant divided publics in this scheme.



### *Great society era*

The Lindsay administration (1966–1973) opened another two rounds of pools, influenced by the movement for smaller-scale public spaces as opposed to the WPA-era mega-projects, which had given the city pools that held thousands of patrons. The first round of “mid-sized” prefabricated outdoor pools began to open in 1966 (Pools Reflect City’s Diversity, the *New York Times*, 1968), including mini-pools for children sited in local parks,<sup>27</sup> as well as even smaller mobile pools which were rolled into neighbourhoods on the backs of trucks (see Figure 4).<sup>28</sup>

In the second round, 1970–72, nineteen larger and more permanent pools were installed in various districts, particularly in poor neighbourhoods of color (City Opens 9th, the *New York Times*, August 20, 1971).<sup>29</sup> Many of these were sited based on need expressed by Citizen Task Forces organized by Mayor Lindsay’s office and detailed in a report entitled *Summer in Our City* (Gottelher, 1968), which emphasized the gap in communications, infrastructure and maintenance between city government and so-called “ghetto” districts (see also, Adiv, 2015a, pp. 448–9). In contrast to Moses-era top-down planning and building, this process marked a shift in how “the city” as a resource-distributing institution, thought about, and responded to “the public.”

In a move that earned the Lindsay Administration plaudits, parks officials responded to the Citizen Task Forces, thereby political recognition to Black and Latino New Yorkers. As with many political inclusion efforts in the period of the so-called “urban crisis,” however, the Citizen Task Forces and subsequent siting of pools in neighborhoods of color had an unmistakable air of crisis prevention and management. The “Summer in the City” report, which articulated the city’s intent “to develop short-run strategies to maintain community order and prevent incidents from turning into disturbances and disturbances from turning into riots” (6), was aimed at a fraying of the political fabric that went far deeper than differential access to recreation. The pools built during this period persist as crucial recreational infrastructure around the city, to the benefit of thousands of New Yorkers. Nevertheless, pools – unsurprisingly – were



**Figure 4.** “Swimmobile”.

Source: History of Parks Swimming Pools (<https://www.nycgovparks.org/about/history/pools>)

not sufficient to address much larger structures of segregation and racialized disadvantage that the Lindsay administration confronted during this period.

Fee structures varied in the new bathing facilities. The mini-pools were only open to children 12 and under, who entered free of charge at all times.<sup>30</sup> Larger pools, including the new complex in the Bedford-Stuyvesant neighbourhood of Brooklyn, had a free period from 10AM to noon on weekdays (Perlmutter, 1971), but charged the rest of the time, which echoed the logic of the free period at the WPA-era pools (which continued to operate). Throughout this period, the original fee amount (10 cents for children, now 25 cents for adults) stayed the same, even as its value fell. By 1974, the fee had increased slightly – 50 cents for adults, but still 10 cents for children; nevertheless, the exchange of money had transferred from arguably revenue-generating to almost entirely symbolic.

Lindsay-era pool construction is fairly well-documented. What is not documented, however, is that fact that at some point in the late 1970s (under then-Mayor Koch), the pools fee was simply cancelled.<sup>31</sup> That is, today, one may attend any one of fifty-five New York City municipal outdoor pools for free all summer long. After intense debates about bathing and pool fees from the 1890s through the 1960s, discussion about the fee for outdoor pools disappears from the archival record without much of a trace in about 1965, and the fee itself disappears about a decade later.

Why did parks officials end the fee for outdoor pools in the 1970s? One potential explanation is that the administrative cost of collecting the fee (particularly because it had not risen significantly since the 1930s) became greater than it was worth. Indeed, Parks was under great financial strain in the 1970s, for example, cutting its workforce “from a late-1960s peak of nearly 6,100 to about 4,800 in the early 1970s [which] declined to 2,600 by 1979” (Cooke, 2008, p. 53). Related to the fiscal crisis were dramatic changes in the city’s population by race and class. The conditions that had prompted the Lindsay Administration to increase the supply of outdoor swimming pools continued under subsequent Mayors. In this context, increasing the fee for the purpose of revenue generation would have excluded the population that public pools directly targeted: young people, mainly Black and Latino (since working-class whites had left en masse for the suburbs), whose parents could not afford day-care or summer camp. The fact that outdoor pools, even today, are open precisely from the day after public schools finish in the spring until the day before they open again in the fall underscores the role they began to play in the 1970s, as a mechanism for keeping low-income teenagers occupied and “out of trouble” during the heat of the summer.<sup>32</sup>

Over about 100 years, the trajectory of New York City’s outdoor pools (and baths) went from publicly-fought disputes over whether to charge fees at all, to internal administrative arguments over the free period for children, to maintaining the fee in what became a symbolic capacity, to cutting fees for entry altogether. In each case, the regime of fees – even when revenue-generating – was accompanied by attempts on the part of city officials and elites to control the permeability of the spaces. As we have shown, that exercise of control had shifting gender, racial and class dimensions. We now turn to the story of the indoor pools: almost the inverse in terms of decision-making, but also fraught with conflict.

### *Indoor pools*

In contrast to the outdoor pools, for which there were at least two master plans (in the 1930s and again in the 1960s–70s), the indoor pools of New York City never had a



central plan, and are distributed somewhat haphazardly throughout the city. That is: supply is low, and distribution is erratic (especially considering the large number of people they serve). Most are former bathhouses, some of which had pools in their original design. Other bathhouse buildings have been retrofitted to house pools, or to bring the pools up out of the basements where they were first installed. Today, just twelve of the city's 49 Parks Department-administered indoor recreation centres are equipped with pools.

Likely because of their historical purpose as free bathhouses, New York's recreation centres did not charge a fee for admission – either to their pools or to their other facilities – until 2002. In general, the city recreation centres were long seen as a site for keeping youth “out of trouble” (year-round, as opposed to the seasonal outdoor pools) and this appeared to exempt them from an overall trend toward the monetization of urban amenities. Over time, some of the recreation centres added classes (such as dance or aerobics) that patrons paid to attend, but the general ethos was that these be open gathering places in communities around New York City.

In 2002, Parks imposed a \$25 annual “donation” in all but five of its recreation centres; those in the poorest neighbourhoods remained exempt.<sup>33</sup> In 2006, however, the department imposed an annual membership fee of \$50 (for centres without pools) or \$75 (for centres with pools) that applied to all recreation centres, inclusive of those in poor neighbourhoods. This led to an initial 50% drop in membership at the recreation centres, from 21,100 adults in 2006 to 11,500 adults in 2007 (Williams, 2007). Establishment of the fee occurred in an overall climate of public disinvestment; spending on recreational services had been “reduced 65 percent from \$20 million in 1987 to \$7 million in 1996” (New York City Independent Budget Office, 1997). What prompted the decision, a decade later, to transform a universally available recreational resource into one to which access was rationed by price?

A New York *Times* article from 2006 (Chan, 2006), echoes debates from the late 19<sup>th</sup> century. The city's public advocate, Betsy Gotbaum (formerly Commissioner of Parks) insists that “the city may see fees as a way of increasing the revenue, but I don't think it's worth the price you pay to people's health.” On the contrary, Kevin E. Jeffrey of Parks asserts that although attendance has dropped, the users who paid the fee are using the centre more intensively. Indeed, he insists that “when there's some level of investment... the likelihood of frequent participation is higher... The real value of a recreation centre is based on the frequency of participation.” Although it is couched in different terms – frequency of participation, a healthier lifestyle – the point is the same: the city ought to educate its poorest residents as to the value of recreation by insisting that they purchase it membership-style – like a gym – from the public sector at a price (albeit below-market).

In 2012, the Parks Department once again doubled the fee for all adults at recreation centres with pools, to \$150/year for adults<sup>34</sup> and \$25/year for seniors (though still free for children under 18) with the same result as in 2006.<sup>35</sup> A 2013 report showed a 45 percent decrease in recreation centre memberships (Foderaro, 2013). Projected revenues for this fee increase were \$8.8 million, but the actual increase in the first year was less than half that, \$4 million.

In interviews completed in 2012, Parks Department officials repeatedly asserted that the recreation centres are “a steal” in comparison with a private gym (Adiv, 2014).

However, the fees are a hardship for many New Yorkers who are already struggling with escalating prices for housing and public transportation.<sup>36</sup> Meanwhile, the Department of Health and Mental Hygiene had launched a campaign urging residents to “Make NYC Your Gym” by using the outdoor spaces of the city. In this case, the fees demonstrate to the New Yorkers that cannot afford membership (and who may need it most) that they do not belong to some public spaces, all the while entreating them to take advantage of the other spaces of the city (albeit in a place with a long, cold winter).

In this context a few facts bear mention. One is that the overall budget for parks is around \$400 million – a fraction of one percent of the city’s total budget. Another is that the revenues for each recreation centre return neither to that particular recreation centre nor to the Parks Department, but to the city’s General Fund, where the money may or may not ever cycle back to Parks. In terms of permeability, the membership model is different from the per-use fee, rendering a municipal public space off-limits to any non-member at all times, and without exception.

Today, the New York City parks department has two models of access to public pools: indoor year-round for based in a membership model (which was unprecedented before 2002 and then doubled twice in the past decade), and outdoor in the summer at no charge. Each shift in fees belies a rationale that extends far beyond the budgetary calculus of the Parks Department. Each shift returns to the questions posed at the start of this paper – how do fees render public space more and less permeable, and how does both the capacity to pay, and the lack of that capacity, qualify people as members of the public?

## Discussion

Our analysis of admission and membership fees for baths and pools in New York City demonstrates that fees are never simply economic or fiscal tools, but always social and political in nature. They operate on a number of symbolic levels: a symbol of exchange value in the spaces of the city, a symbol of demonstrating responsibility and hygiene, a symbol of belonging through work and income. An ostensibly neutral monetary transaction, enclosed within the armature of an economic rationale, in fact, shapes and disciplines the public. Together with design features, official security measures and informal policing of affect and behaviour, fees operate to define who belongs to the public, to specify the kinds of public space to which that membership entitles them, and to regulate the permeability of those spaces.

When municipalities furnish public space, the state redistributes land, pulling it out of the market and developing it for popular access. Municipal public space still exists inside of the state’s framework of discipline, but still distributed in ways the profit imperative of the market would not imagine or condone. Throughout the history of pools and baths, the state has provided a resource that existed in the private sector (such as private baths and natatoriums (see Williams, 1991; Wiltse, 2007)), and re-created it for a broader swath of people. Thus, it is worth attending to the moments in which market rationale is applied to this system: who is invoking it and what are they trying to signal?

In the history of pool and bath administration in New York City, where the fee is concerned, the twin logics of revenue generation and moral regulation have operated

side by side. While different city agencies made these decisions at different points, each with its own culture and motivating logics,<sup>37</sup> the organization of access to these public spaces was influenced in all cases by ideas about what poor people need to do to qualify as members of the public.

In the late 19<sup>th</sup> century, those who promoted a fee for entry to New York City's baths believed that payment, of even a small amount, would teach poor people the value of the service they received. As the emerging public health establishment attempted to teach immigrants and the urban poor the bathing habit, they would also take a lesson in "earning" well-being from the fact of paying to bathe. We see this hashed out in discussions of whether to charge a fee for the floating baths, beginning in 1870, and again prior to the construction of the municipal bathhouses, in 1901. When the New York State legislature required that there be no fee for entry to the baths, city administrators charged instead for a towel and soap.

Beginning in the 1930s, when the city built outdoor pools with mass recreation in mind, Parks introduced a fee for which the official rationale was balancing a newly large budget. Recognizing that some people could not afford the price of admission, administrators established some free periods for children, but never for adults. Important to note is that a free period in relation to a fee, while meant to broaden access to those who could not pay, limited the poorest children to the most bounded space and time; this was particularly remarkable in an uncongested system, thus implying a moral order in separating those who were unable to pay. The fact that many children went to both free and pay periods caused anxiety about fairness among those agents of the state who saw themselves as providing a service to "the poor" rather than "the public." In turn, this set up the public as those who were able, or willing, to pay.

In the late 1970s, the city ceased to charge a fee for the outdoor pools in the summer.<sup>38</sup> While no records appear to exist that document the rationale for this decision, we argue that officials' preoccupation in this period was not with how to ration pool use among members of the relevant "public," but rather how to encourage it. Their fiscal logic, conscious or not, may well have been that free public pools reduced stress on the social safety net and criminal justice system at a relatively low cost, particularly when public schools were not in session.

However, in the mid-aughts, the city placed fees on the recreation centres, once again under the logic of revenue generation; at least initially, this failed. Today two models of fees operate side by side: recreation centres that charge substantial membership fees for entry (such that they underprice commercial health clubs, yet remain inaccessible to the poor) and outdoor pools in the summer that offer free admission. Thus, the fee signals who is meant to spend time where. Free outdoor pools are for the experience of summer – cooling, play, relaxation – but also are (like neighbourhood parks and sports fields) a social outlet and a site of control. Indoor aquatic recreation, in contrast, requires a financial outlay consistent with a desire to learn or practice swimming as a technique of exercise. This is reserved – and priced – for a "public" committed to a long-term regimen of wellness.

It is possible to understand the move to charge for services, particularly the "membership" model, attempted repeatedly, as a form of neoliberal governance under the Bloomberg administration, in which all elements of state administration are subjected to market values as a matter of purported efficiency. As Brash (2012) puts it,

“neoliberalism is cultural all the way down...even in its most entrepreneurial and technocratic forms” (136–7). Indeed, cultural norms are what separate elite decision makers – who engage in comparison pricing between a private gym and a public amenity – from those for whom \$150 per year is a hardship. Yet simply naming it neoliberalism still does not account for the fee that *isn’t* being charged at the outdoor pool, nor for the fee that was put in place under the decidedly non-neoliberal regime of 1930s New York. This is all to say, the fee is not singular in its rationale; it works in a complex of paths carved out by historical notions of what “public” means and does, overlapping and contradicting in actual policy.

## Conclusion

Pragmatically, this research suggests that planners and public administrators, whose professions conceive of fees as rationing and/or revenue-producing devices in most cases, ought to examine the social meaning of fees – even, and especially, those that seem to be “nominal” or outside of the actual expense being incurred. Taking account of fees’ symbolic and fiscal functions can help policy-makers grasp their impact on people’s lives; what seems like “a steal” to some is a real hardship to others, and this difference in access has effects on well-being in communities.

Future research in public administration and finance – rather than deploying market rationality to assume the politics of fees away – could engage with those politics with an eye to making public spaces more, rather than less, permeable. Close study of individual recreational spaces in which, over time, fees have been instituted, changed, or cancelled, could be especially worthwhile, as could comparative research on facilities and permits (museums, parade routes) that are governed in some way through payment for access.

Our research also has broad implications for the study of public space. We have introduced a typology of access along three dimensions – supply, distribution, and permeability – with a focus on the state’s regulation of the latter, via the fee. Permeability refers to a host of social and spatial practices that have real consequences to the denizens of the city: they allow or prohibit time and space to participate in the daily life of the city, and exert a broad impact on people’s potential to live healthy lives. Furthermore, by taking historical change into account, we demonstrate that municipal public space is widely variable subject to overlapping logics and ideals even at the same time, rather than a singular trajectory (like “privatization” or even “democratization.”)

Some might argue that the pool is exceptional, taking up such a small percentage of both land-mass and focus for Parks in New York City that these examples are not typical of most public spaces; however, the tremendous capital, land and staffing investment in pools on the part of the city tells a very different story. Aquatic spaces – particularly in the dense, hot life of New York City in the summer – are places of cooling and of refuge from the intense impact of the city on the bodies of its inhabitants. They show us a different side of the right to the city; spaces that speak to the right to leisure, play and comfort.

## Notes

1. "In 1908 the Superintendent of the New York Public Schools stood up in front of the American Playground Association and declared that 'the usefulness to the city in point of morality of the Carnegie public libraries was small compared with that which would accrue from a comprehensive system of public baths'" (Baths Before Books, 1908).
2. In a parallel trend, the outer boroughs compete for ever smaller pots of money for basic park and playground maintenance, such as in the 2014 Community Parks Initiative, in which 35 of 215 neglected outer borough parks were funded for capital improvements (See: Foderaro, 2014).
3. Other elements describe the public character of a space as well. One is the notion that public space is a boon to democracy – both to free-speech practices (Benhabib, 1992) and to the everyday interactions that do not seem overtly political on the surface, but serve to deepen democracy (Mouffe, 2000).
4. A recent UN-Habitat working paper offers that "The proposed goal/target for public space being suggested is 45% of land should be allocated to streets and public space. This can be broken down into 30% for streets and sidewalks and 15% for open spaces, green spaces and public facilities" (UN-Habitat, 2015, pp. 6–7).
5. The counterpoint to this is the "procedural" approach, which refers to "any space which is put to use at a given time for collective action and debate" (Iveson, 2007, p. 3).
6. One common contemporary standard is the "15-minute plan" for walking time to green space as the goal for urban residents; New York City's PlaNYC intends that "by 2030, every New Yorker will live within a 10-minute walk from a park" (Mahalchick, 2012, p. 35).
7. At least one problem with the state ownership model is that it can lead to the conflation of the public with the state (Newman & Clarke, 2009; Smith & Low, 2006), leaving little room for dissent, and the easy imposition of surveillance and policing. Scholars such as Shepard and Smithsimon (2011) understand publics and spaces on a grid of that includes a variety of types of spaces and purposes (29) with the state as one among many sources of control. Staeheli and Mitchell (2008) urge us to understand publicity as a type of "regime" – not necessarily state-bound – in order to grapple with this ostensibly universalizing type.
8. See, for example, Portland Oregon's "Parks for New Portlanders" initiative that "works with community partners and city leaders to design culturally relevant programs and make sure services and spaces are welcoming and accessible to communities of color, new immigrants and refugees." (<https://www.portlandoregon.gov/parks/69257>).
9. A hallmark of the economics literature on user fees is the casting of taxpayers as consumers. This stance elevates efficiency and economy as aims of governance and minimizes residents' identity as participants in a polity (see for example, Compton and McCarville 1987).
10. While the city planning literature discusses fees as a municipal finance principle, recreation and parks management research features a more complex dialogue on the setting and administration of fees as well as on their impact and ethics (More 1999). Although the idea that user fees for public space are efficient and fair is widespread in mainstream planning discourse, it is contested in practice, and this has long been the case.
11. This logic assumes that willingness to expend money is the most reasonable and workable way for residents to express the value they place on goods and services. Queuing, or "paying with time" is offered as an alternative to rationing by price (Stiglitz, 1988, p. 130).
12. There were also disputes about the kind and quality of materials that should go into building public facilities, based both on what other cities were building at various times, and on notions of what the poorest patrons deserved from municipal spaces. (Adiv, 2014).
13. Renner (2008), citing Kisseloff (1989), asserts that "filled with polluted river water, these baths were recreational rather than hygienic facilities." This is both supported and contested in the primary literature of the day.

14. This paper will not address the processes of exclusion and inclusion into aquatic public spaces by gender (nor as queer spaces, or spaces of sexual interaction) at length. However, the river baths were long divided into men's days and women's days, and the indoor bathhouses had separate bathing areas for men and for women, down to separate entrances. While the outdoor swimming pools, from 1936 on, always had mixed gender bathing, some indoor pools have long maintained special women's swim hours – this became a source of controversy as recently as June, 2016. (See Matthews & Blidner, 2016). See also Murnaghan (2008).
15. While 1901 is the given date for the Rivington Street municipal bath in Renner (2008, p. 11) and Wiltse (2007, p. 35) quoting Williams (1991, p. 52), a New York *Times* article from 2 July 1904 announces, "The first of a series of public baths, to be erected and maintained at the city's expense, was opened last evening with appropriate exercise in William H. Seward Park...".
16. The Association for Improving the Condition of the Poor (AICP) had maintained the People's Bathing and Washing Establishment 1852–1861, at which time it closed for "insufficient patronage." Williams (1991) is more blunt, asserting that – at 3 cents for laundry and 5 – 10 cents for bathing – "the bath was probably too expensive for the poor people it was supposed to serve" (16).
17. For secondary literature exists on the first indoor baths and their social goals, see (An, 2005; Crook, 2006; Gutman, 2008; Porter, 1999; Smith, 2007; Strasser, 1996; Tesh, 1988; Verbrugge, 1983; Wilkie, 1986; Wiltse, 2007).
18. This statement echoed the same group's 1895 report, which used the language "that a certain part of each Bath and Convenience should be **free**, in order that necessitous cases may be relieved; for the remaining part, a **fee** should be charged, which sum will contribute towards the operating expenses, and will enable the patrons of the establishment to retain their self-respect" (Hamilton et al., 1895, emphasis in original.)
19. This argument is repeated in other public discourse, such as the newspaper: "The charge for a bath will be 5 cents. For this sum the bather is furnished with a towel and soap, and has the use of a bathroom for a certain length of time. It is the desire of the association to make all who use the baths feel that there is no charity about the thing. With this object in view, the charge of 5 cents has been fixed, and for the same reason the structure was made as handsome and comfortable as any of the uptown baths" (To Open the People's Baths, August 15, 1891).
20. A 1901 New York *Times* article on the subject quotes Mr. Frank Tucker, Secretary of the Association for Improving the Condition of the Poor (AICP), a prominent philanthropic organization:

You see, a bath is something different from a library or a park. You can't pauperize people with public libraries or parks. But anything of such a very personal nature as a bath, a man feels better to pay for. Still, there must always be provision for free baths for people unable to pay. This should be quietly and tactfully managed by those in charge. It should be understood that the hobo who wanders in should be sent to a certain compartment, and allowed to bathe free, without making a formal and humiliating distinction. ("Necessity for More Public Baths," August 4, 1901)

The "hobo" is presented as the exception here, and as an outcast who should be treated with compassion, but this leaves little room for a person who is not so clearly "labelled" as poor.

21. Furthermore, by 1914, even the AICP had reconsidered, and was in support of the free baths the city had established (Howe, 1914). See footnote 19.
22. Moses, at least quietly, recognized this need. When Colonel Davis D. Graves, of the New York Air Defense Wing requested that the Chelsea Baths be turned over to his men for the war effort, Moses responded, "I decline to do this and am astonished that you should make a request of this kind which indicates that you have no understanding of the civilian



- requirements of New York City.” He went on, “the building includes gymnasium and bathing facilities, and also cleansing baths for thousands of people who have no other way of bathing because they live in cold water flats in the neighbourhood” (Moses, October 17, 1942).
23. In fact, Moses proposed an amendment to the City Charter to create a “Parks Receipt Fund” in order to keep fees moneys in a separate fund to support Parks, rather than going in to the general fund, as did other city revenues. He saw no alternative to meaningful funding of the vast new public infrastructure built with WPA money over the long term, other than issuing municipal bonds, which was an unpopular idea.
  24. Gutman (2007) argues that “the modest fees do not seem to have prevented many people from using the new pools, given the numbers who flocked to them as soon as they were open... the pool fees were one means used to stabilize the municipal budget” (76).
  25. The version of Table 1 that appears in the Municipal Archives includes the number of operating days per season (which are fairly comparable throughout), and then is broken down into capacity and size for swimming and diving at each pool, as well as bathhouse capacity at each pool by gender. For simplicity, we show only attendance and revenues. There are also some difficulties with interpreting exactly who was at the pool and how often (i.e. visits can be counted, but visitors cannot.)
  26. Memos cited come from the New York Municipal Archive, Parks Department Records.
  27. At its height, this program operated 74 mini-pools around the city; today, 19 remain. (<https://www.nycgovparks.org/about/history/pools>).
  28. The *New York Times* reported these to be in use as late as 1987, under Parks Commissioner Henry Stern (Geist, July 1, 1987).
  29. The mayor also had a plan, which did not materialize, for 18 floating pools to be set on barges around the city (Cariello, 1966; Starke, 1965).
  30. “On its first full day in business, the 24-by-16 foot steel pool in Tompkins Park in the heart of the Bedford-Stuyvesant section of Brooklyn, New York’s largest Negro-Puerto Rican ghetto, proved a huge success with its eligible, nonpaying patrons – boys and girls under 12 years of age” (A Vest-Pocket Pool, the *New York Times*, 1966).
  31. The last record of pools charging a fee in the *New York Times* is in 1974 (Taylor, July 20, 1974). Extensive archival in the New York Municipal Archives, the *New York Times* archive, the New York Public Library and correspondence with Parks Department officials did not yield a sufficient answer to this, the original guiding question.
  32. There has been occasional outcry over this scheduling, with a demand for pools well into September as New York City tends to stay quite hot. The biggest conflict is over the cost of personnel to keep them open with a lower load. (Durkin, March 10, 2015).
  33. These centres, funded by a federal Community Development Block Grant (CDBG) were officially considered “community development centres.” (Chan, 2006).
  34. However, soon after the fee hike, and the subsequent attendance drop, Parks quickly added a \$75/six-month version of the plan.
  35. In the most clearly symbolic (i.e. non-revenue generating) move, Parks raised the age threshold for senior citizens, and increased the senior fee from \$10 to \$25/year.
  36. In interviews completed in 2012, long-time Harlem residents and regular swimmers expressed that a YMCA just down the street was cost-prohibitive: “When I think of the Y, I just see money signs. It’s just so expensive... I don’t even know what the membership is these days, I guess three hundred and something, I have no idea. So, you know, I never even think of that.”
  37. For example, while New York City’s first public floating baths were operated by the Department of Public Works, the city’s indoor bathhouses were originally held by the Department of Health and Mental Hygiene, until many were turned over to Parks and Recreation, particularly those in Manhattan, which Parks acquired in 1938.
  38. The fact of free pools in the face of tremendous privatization of New York City’s public spaces (Madden, 2010; Shepard & Smithsimon, 2011; Sorkin, 1992) through conservancies, foundations, BIDs, and other means, represents a notable anomaly.

## Acknowledgments

Naomi would like to thank her co-author, Laura Wolf-Powers, for her generosity of time and spirit in seeing this article through. She would also like to thank the staff at the New York Municipal Archive, and the Wertheim Study at the New York Public Library.

## Disclosure statement

No potential conflict of interest was reported by the authors.

## Funding

This work was supported by the Graduate Center [Dissertation Completion Fellowship]; Graduate Center [Doctoral Student Research Grant]; Graduate Center [Enhanced Chancellor's Fellowship];

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