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The Gentrification of Nightlife and the Right to the City

Regulating Spaces of Social Dancing
in New York

Laam Hae



The Gentrification of Nightlife and the Right to the City

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Dancing in New York
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Common Acronyms

CBs	Community Boards
CPC	City Planning Commission of the City of New York
DCA	Dept. of Consumer Affairs of the City of New York
DCP	Dept. of City Planning of the City of New York
DEP	Dept. of Environmental Protection of the City of New York
DLF	Dance Liberation Front
DOB	Department of Buildings of the City of New York
FDNY	The Fire Department of City of New York
LDNYC	Legalize Dancing in NYC
LMM	The Lower Manhattan Mixed Use Districts
MARCH	Multi-Agency Response to Community Hotspots
NYCA	New York Cabaret Association
NYNA	New York Nightlife Association
NYPD	The Police Department of City of New York
SLA	State Liquor Authority
ULURP	Uniform Land Use Review Procedures

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Introduction

Frank, a graduate student at Syracuse University, had a strange anecdote about an event that took place in a bar in Manhattan, New York City (NYC; interview, March 3, 2006). In the summer of 2005, Frank had been hanging out in an Upper East Side bar, *Mustangs*, with a couple of his friends. The throbbing music inspired Frank and his friends to swing their bodies to the rhythm of the music, until they were stopped by a bouncer. To Frank and his bewildered group of friends, the bouncer pointed to a “No Dancing” sign hanging on the wall. When Frank and his friends protested the bouncer threw them out of the bar. This seemingly unusual incident over dancing is actually perfectly legitimate, and is one that has become routine within the nightlife of NYC. This is because businesses that allow even a few patrons to dance together are subject to being fined and padlocked by the Multi-Agency Response to Community Hotspots (MARCH), a.k.a. dance police, if they are found without cabaret licenses.

Nightlife businesses that can allow social dancing among their patrons while serving food and/or drink are called “cabarets” in the city’s zoning and licensing laws.¹ Compared to other nightlife businesses, such as bars, cabarets are, according to the cabaret law, subject to stricter licensing requirements for security and crowd control. At the same time, there are fewer planning zones within which cabarets can locate without having to comply with special permit requirements than other types of nightlife businesses. The stricter licensing and zoning restrictions which cabarets must submit to may appear straightforward and justifiable, given that it is logically understood that nightlife businesses that offer social dancing, such as dance clubs, cause more crowds, safety risks and noise nuisances than other nightlife businesses.

However, there has been an escalating groundswell of controversies against these restrictions over cabarets. Zones where cabarets can be legitimately located have increasingly been reduced due to the expansion of gentrification. In addition, under the Giuliani administration, first elected to power in the mid 1990s, enforcement agencies rendered it illegal for more than three patrons to “move together rhythmically” in a nightlife business that was not licensed as a cabaret, based on a strict interpretation of the

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definition of social dancing. That is, any form and size of social dancing made any businesses that featured or even allowed it vulnerable to heavier zoning as well as other regulations. This manner of cabaret law enforcement has cast a wide net, so that any average bar that is not set up for dancing, like Mustangs, or live rock music club where patrons often move to the music, become vulnerable to violation of the cabaret law the moment their customers start moving to a beat.

What has happened to the city that was once known to never sleep? Has NYC traveled back to the time and space of *Footloose*? Some commentators have interpreted this crackdown on social dancing establishments as a continuation of the Enlightenment project of governing through the containment of “undisciplined” bodily movements—bodily movements performed for pleasure, that are taken as a sign of being at odds with the virtues of the “rational mind” (Chevigny 2004; Ehrenreich 2007a). However, in this book I show that at the center of the controversies and conflicts over the cabaret law regulations lies a transformation of the economic and social geography of the city. As the city has experienced gentrification throughout the last three decades, “noisy” and “boisterous” nightlife businesses in gentrifying neighborhoods, including bars and lounges as well as dance clubs, have been censured as the number one enemy of “quality of life” in these neighborhoods due to their nuisance effects. Ironically, this process has gone on even as the real estate sector trumpeted and marketed the profile of nightlife in these communities as a sign of neighborhood vibrancy in order to boost property values. That is, nightlife establishments and their cultural elements have been one of the important catalysts for the gentrification of the very neighborhoods in which the presence of these businesses, later, have been intensely contested by groups of gentry that have moved here.

The rising outcry among residential communities against nightlife businesses has led the municipality to intensify crackdowns on these businesses by employing a meticulous interpretation of legal clauses applied to these nightlife businesses, such as the interpretation of what constitutes social dancing as enlisted in the provisions of the cabaret law, and proceeded with regulation in a sweeping manner. The intensifying anti-nightlife cry made the operation of nightlife businesses more and more difficult in the city. In addition, real estate prices that have risen with expanding gentrification have added more difficulties to running nightlife businesses. For sure, the difficulties have been borne across the board, even by well-financed businesses such as mega dance clubs and upscale lounges, but the repercussions of these anti-nightlife milieus have been uneven across different types of nightlife businesses. Upscale, high-finance and corporate nightlife, armed with strong financial and political capital, has survived better than the under-financed (and often alternative and underground) nightlife.

What does this changing geography of social dancing and nightlife imply about the transformation of the normative ideals of urban life? The commissioner of the Department of Consumer Affairs (DCA) of NYC once

said, “[D]ancing is not regulated [under the cabaret law regulations]. The *places* that allow dancing are regulated” (Romano 2002). From this state official’s optic, regulating the geography of social dancing and nightlife is not necessarily tantamount to the suppression of expressive activity, nor, by implication, the subcultural vibes in the city. However, evidence has been marshaled in the last three decades demonstrating that the decline of the geography of social dancing and nightlife means that the city has lost a site of its foundational vitality, a site of creativity, diverse expressive cultures and counter-cultural transgression of established societal norms, which in the past have placed NYC at the forefront of new ideas, cultures and radicalism. In addition, the ways in which the municipal government has administered spaces of nightlife has entailed serious violations of fundamental rights such as people’s right to their sovereign bodies, alternative social interactions through social dancing, and free association to dance together and spontaneously develop subcultural communities. This further signifies that people’s right to democratically appropriate and produce urban space for expression, play and socialization has been outright dismissed by the city authorities.

This book is an effort to understand this urban phenomenon, that is made plain in the struggles over nightlife and the laws and institutions that have been deployed to govern it. I investigate these struggles in relation to the gentrification, post-industrialization and neoliberalization that have continued to reshape the economic, political, social, cultural and legal geography of NYC. In particular, the book attends to how these struggles have re-configured popular perceptions of what constitute legitimate expressive activities, and re-defined the parameters of “rights” that people in cities are entitled to. That is, the story of this book tells us how recent processes of gentrification, post-industrialization and neoliberalization in (Western) cities, including those of NYC, have involved not only the transformation of urban space, but also the transmutation of values and norms that define the vibrancy and the transformative potential of urban life.

TRANSFORMATION OF CONTEMPORARY CITIES AND THE RIGHT TO THE CITY

For the last two centuries, the world over has witnessed dramatic urbanization that has taken place alongside industrialization, which has accompanied profound economic, political and cultural changes in our social relations (Lefebvre 2003). Cities have been at the center of “dialectical urbanism” (Merrifield 2002), in which urban life, space and political formations have been the drivers of the radical progressiveness of humanity, but have also been constantly engineered by new forms of capital accumulation, ideological mystification, new modes of surveillance and resultant new patterns of uneven developments. Contemporary urbanity is also beset

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with uneven development brought about by neoliberalization, post-industrialization and gentrification, which has also been constantly challenged by collective contestations of labor and other grassroots movements. This book examines an instantiation of such dialectical urbanism, as it has been unraveled in struggles over nightlife in NYC since the 1970s. Also, the primary problematic of this book parallels those raised by urbanists who have studied popular struggles over changing urban space and urban life in contemporary neoliberalizing and post-industrializing cities, and the implications of these struggles for the decline in people's "right to the city." The rich and nuanced details of local struggles over nightlife unfolding in this volume enrich and reinforce observations and arguments put forward by these urbanists, but also complicates and revises them.

Urban political economists have argued that the transition from Fordism/Keynesian welfare system to Post-Fordism/neoliberalism has structurally transformed the nature of contemporary urban politics, as I detail in Chapter 1. After going through suburbanization and de-industrialization in the post-war period, and fiscal crisis in the 1970s, municipalities have largely transitioned from "managerial" to "entrepreneurial" or "neoliberal" urban management (Harvey 1989) with the accordant imperative of post-industrializing cities' economies and social make-ups. Under the imperative of neoliberalization and post-industrialization, municipalities have competitively thrown up policies to lure in footloose private capital and corporate workers to raise their competitiveness in intensifying inter-urban competitions. These policies have taken on mostly pro-market and "corporate-welfare" characters, pandering to anti-union, anti-welfare and "small government" credos. This municipal policy platform has contributed to reinforcing the downward mobility of the working class and the racialization and feminization of poverty that has already been ushered in by neoliberal national policies and post-Fordist global regimes of accumulation. Urban space has also experienced similar kinds of uneven development. Gentrification of formerly derelict neighborhoods has become a consistent feature of the most prominent development policies in cities, as it provides the ground to lure middle-upper class professionals and investments by private capital into cities. However, it has also accompanied the nefarious effects of displacing economically disenfranchised working-class groups.

What has also been observed in this process is that culture has taken on a prominent role in neoliberal and post-industrial urban developments (Zukin 1995). Municipalities as well as the real-estate capitalist sector have actively appropriated aesthetic images of cities—images highlighting architecturally unique and historic environments, subcultural richness and downtown coolness—to appeal to potential middle- and upper-class gentries as well as tourists, and to enhance the images of cities in the eyes of the corporate sector. "Cultural regeneration" has been given policy priorities in many cities, especially in gentrification projects, with prominent urban scholars like Richard Florida (2004) and his "Creative City" thesis

encouraging the cultural turn in urban policies. Even the more critical section of urban scholars has acclaimed the cultural regeneration of cities as the sign of a “critical social practice” (Caulfield 1994) claiming that such regeneration helps to restore urban space as a site of mixed-use diversity and social interaction between different walks of social groups, as opposed to suffocating homogenization that suburban lifestyle symbolized.

The legitimacy of these cultural strategies has not gone unchallenged, however. Urban scholars and activists have contended that the change of cities into sites of consumption of diverse cultures and lifestyles has been coupled with widening economic polarization and also with the decline of urban space in terms of being able to offer venues of spontaneous cultural expression, democracy and radical politics. A series of punitive forms of policing, exemplified by “Quality of Life” policing, have been designed to regulate “undesirable” populations (homeless panhandlers, for example)—who have come into situations of poverty often as the deleterious outcomes of the neoliberalization and post-industrialization of cities—and displace them from urban space. As regulation theorists have argued, punitive policing can be understood as a “mode of regulation,” or an “institutional fix” (Peck and Tickell 1994), which is enacted in order to manage the contradictory and conflict-ridden nature of the neoliberal, post-industrial political economy and gentrification of urban space, and to re-inscribe the image of urban space as a habitat for middle-upper class gentries and as favorable sites for inward investment by global capital. The punitive nature of policing has also been imposed to regulate subcultures, land-uses, and even mundane, but essential, urban activities (e.g. minority youths hanging out with their peers in public space) when they are seen as being in the way of the quality of life and property rights claims of affluent gentries. The trend of privatizing public space (in the form of shopping malls, for example) in neoliberal and post-industrial cities has also ushered in the displacement of economically and socially marginalized populations from public spaces, and thereupon dismantled the ideal of public space as the sphere of democracy, dynamic interactions and deliberations between different social groups.

Nightlife businesses have been targets of punitive policing, as popular rallying cries against the nuisance effects of nightlife, such as the noise, vandalism by drunk party-goers, crowding, etc. that threaten the quality of life of gentrifying neighborhoods, have increased. However, the regulation of nightlife has involved a more complicated and contradictory process, as cities have actually also encouraged nightlife—as part of what I term the “nightlife fix” in declining urban economies. For example, the central and local governments in Britain have been actively promoting nightlife through the “24-hour city” concept to revitalize depressed urban economies and derelict downtowns. In the United States also, if to a lesser degree, diverse initiatives have been designed to promote nightlife as a pioneer of gentrification and to market nightlife as the symbol of urban vibrancy and sub-cultural diversity. Nightlife studies have identified that this contradictory

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approach to nightlife—deregulating it at the same time as re-regulating it—has ushered in the “gentrification of nightlife” in which underground/alternative nightlife venues that have developed alternative philosophies of communities and subcultures have been marginalized, and profit-driven, upscale/corporate forms of nightlife have prevailed (Chatterton and Hollands 2003; Hadfield 2006; Talbot 2006).

The disappearance of spaces for transgressive and alternative subcultures implies a serious decline of people’s rights; that is, people’s rights to appropriate urban space and participate in producing it for the purpose of use value, play, diverse social interactions, alternative community-building and the radical re-imagining of urban society (Hae 2011a). As Mitchell (2003) and others have argued, the militarization of urban space in general has brought about new cognitive maps in urban society about what should be the legitimate “rights” that urban inhabitants are entitled to in their life-world and life space. In the new urban conditions, in which neoliberal and post-industrial directives have prevailed, the civil liberties, civil rights, public spaces and social interactions necessary for the development of democracy are conveniently expendable. Cities that are supposedly culturally rich and diverse have become a site in which the rights of the privileged few whose property rights concerns and whose politicized claims to quality of life trump other rights central to the “normative ideals of urban life” (Young 1990) such as democratic access to multiple urban spaces (including spaces of play and for use value), democratic participation by diverse individuals and groups in the production of urban space and enjoyment of a diverse social/cultural life and the kinds of socialization that are unique to cities.

However, as Mitchell (2005) showed, the conditions that realize these normative ideals—such as protecting mundane, basic activities in urban space—are not usually captured as constitutionally protected rights under liberal legalism (i.e. these mundane activities are not easily recognized as “speech” or “expression” that would entitle them with constitutional protections), which makes it hard for activists to legally challenge the gentrification and punitive policing that threaten to unduly regulate these activities. This explains the emergence of urban movements based on the “right to the city” (Lefebvre 1996) as a radical alternative to the rights frame that undergirds liberal legalism. The “right to the city” has been used as an organizing principle to mobilize people who seek to establish an alternative society of radical democracy in which people’s rights to democratically create and appropriate spaces of use value are secured against colonization by market rationality, as well as the state’s undue infringement upon them. This book also shows how re-imagining within the “right to the city” framework spaces for mundane activities, such as nightlife and social dancing, can provide a crucial tool through which one can reformulate popular understandings of the importance of (spaces) for these activities (however trivial they may seem), democratic participation among diverse urban inhabitants in production and appropriation of urban space for play, and the need to

question the legitimacy of the state's sweeping regulations of these valuable urban spaces. That is, the "right to the city" can provide a useful platform of popular challenges to uneven development and decline of democracy that have emerged under neoliberalization, post-industrialization and gentrification processes.

NIGHTLIFE, GENTRIFICATION AND THE RIGHT TO THE CITY IN NYC

This book examines the regulatory regime that has sought to control and manage nightlife in NYC. For this investigation, the ensuing chapters in this book detail the "legal complexes"—"the assemblage of legal practices, legal institutions, statutes, legal codes, authorities, discourses, texts, norms and forms of judgement" (Rose and Valverde 1998: 542)—related to the cabaret law, especially its zoning regulations, and other laws that have been enforced on nightlife. In these chapters I investigate how such legal complexes have been unfolded in relation to the increasing efforts on the part of the city to neoliberalize and post-industrialize the urban economy, attract the "creative class," gentrify formerly derelict urban spaces and market cities as vibrant subcultural centers with a flourishing nightlife. And, I attend to how they have been at the center of struggles between different local actors who have advanced conflicting ideas of citizens' rights as they are implicated within the context of gentrifying urban space. In particular, I offer an analysis of how particular patterns of politicization among pro-nightlife actors, a hitherto under-researched subject in nightlife studies, has been emerging in relation to gentrification and Quality of Life policing in the city, and also in relation to uneven development between different nightlife sectors. This investigation discloses how broader political economic processes—in this case, neoliberalization, post-industrialization and gentrification—are embedded into, and also constituted by, militarizing urban space, and changing mundane social relations and popular perceptions of what constitutes legitimate expressive cultures within the city's boundaries.

Following Chapter 1 where I examine how this book reflects and complicates the existing theories of changing urban conditions shaped by neoliberalization, post-industrialization and gentrification, and the "right to the city," the book flows in a largely chronological order starting from the 1970s, in order to show how the city's nightscapes and the subcultures associated with them were shaped along with the changing urban political economy and social relations characteristic of each period. In Chapter 2, "The Cabaret Law Legislation and Enforcement", I introduce the racist origin of the cabaret law that was particularly discriminatory towards live jazz music, and also the institutional matrix and administrative procedures within which amendments and enforcements of the cabaret law have been carried out in NYC. Chapter 3, "Development of Dance Subcultures in the

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1970s”, recounts how when the cabaret law enforcement was relaxed during the fiscal crisis of the mid 1970s, an underground dance music scene developed in abandoned quarters of the city in relation to a particular body politics among mostly (but not exclusively) blacks and gays, and became popular, later, in the mainstream as disco. In terms of the latter, I examine midtown celebrity oriented clubland, the beacon of which was Studio 54, and how it shaped popular perceptions of dance clubs in general. The chapter also reflects on disco’s contribution to the post-industrialization of the city’s economy, culture and space, despite controversies that it started to bring about in such gentrifying neighborhoods as SoHo and NoHo.

In Chapter 4, “Gentrification with and against Nightlife: 1979–1988”, I show how nightlife induced gentrification in extensive spans of neighborhoods such as the East Village, the Flatiron District and TriBeCa, by helping to revalorize depressed properties and enhance the appeal of these neighborhoods. This is juxtaposed with an opposite story about how gentrification exerted a crippling effect on subcultural communities that were the architect of the flourishing nightlife of the city. I call the process “gentrification with and against nightlife.” In conducting this analysis, I document the rising anti-disco outcry of residential communities, and subsequent tightening of the cabaret law regulations by the Koch administration as part of Quality of Life policing from 1979 to 1988. I demonstrate that small/underground/bohemian dance/music clubs suffered most by this crackdown. This chapter also elaborates on the legal reasoning articulated in a lawsuit, *Chiasson v. New York City*, brought by the Musicians’ Union to challenge the constitutionality of the cabaret law, as tightened cabaret law enforcement was having a detrimental effect on live jazz music businesses.

The aftermath of this lawsuit is analyzed in Chapter 5, “Zoning Out Social Dancing: The Late 1980s”. In this chapter, I detail the process of rewriting the cabaret law zoning regulations in the late 1980s and early 1990s that was initiated as a result of the *Chiasson* ruling. The revision involved a substantial loosening of the zoning regulation of live (jazz) music venues, while drastically reducing zones that allowed businesses that would have social dancing of *any* size. This chapter discusses the revision in relation to the precarious constitutional standing of social dancing *versus* live music as a constitutionally protected expression. I argue that this revision should be understood as a “mode of regulation” that the municipality employed in order to stabilize the emerging post-industrial economic regime and gentrifying landscapes by displacing the “disorder” that erupted at the time of such urban economic change. This chapter also describes the gradual decline of downtown club subcultures in the late 1980s.

In Chapter 6, “Disciplining Nightlife: 1990–2002” I show that the period identified in the title experienced an explosion of conflicts over a wide variety of nightlife businesses—bars, restaurants as well as dance/music clubs—as expanding gentrification attracted more nightlife businesses. I

describe a range of laws proposed or legislated by municipal as well as state governments to cope with these conflicts. This chapter also describes how the Happy Land fire in 1990 has become a key event in the history of nightlife regulation that has shaped the official as well as popular conception of nightlife businesses that offer social dancing, and the regulatory approach that has been taken towards them, in parallel. This is followed by a discussion of the stepped-up regulation of nightlife taken by the Giuliani administration—a vigorous proponent of neoliberal economic policies, and of Quality of Life policing and the Zero Tolerance initiative—and in particular, controversies over the sweeping regulations imposed on nightlife, including one in which the enforcement agency penalized businesses based on the social dancing provisions of the cabaret law that allowed more than three people moving rhythmically together, if the business did not hold a cabaret license. This chapter further examines discourses circulated by anti-nightlife coalitions that effectively disciplined the city’s nightlife into more gentrified forms and imposed “subcultural closure.” I situate these discourses within the context of revanchism, popular cultural politics and tactics of vengeful management of “undesirable” populations and space that have been gaining hegemony in neoliberal and post-industrial cities.

Chapter 7, “Voices for Change: From 2002 Onwards”, examines the rise of pro-nightlife activism in the city, which has not yet been rigorously studied in the field of nightlife study. I analyze tensions that arose between Legalize Dancing in New York City (LDNYC), an anti-cabaret law activist group that protested the social dancing regulation of the cabaret law, and the New York Nightlife Association (NYNA), a pro-nightlife lobbying organization that is primarily comprised of owners of mega dance clubs, upscale lounges and bars—tensions which surfaced as the municipality attempted to reform the cabaret law and initiate new nightlife license laws. This chapter shows how the tensions between these two groups had a bearing on the uneven development among different nightlife sectors. Based on an analysis of the limited nature of each group’s pro-nightlife politicization, I argue here that a more robust and comprehensive challenge to gentrification itself and the wide-ranging Quality of Life policing of nightlife is needed within pro-nightlife movements.

Chapter 8, “The *Festa* Ruling, the Right of Social Dancing and the Right to the City” analyzes a lawsuit which took place in 2005, *Festa v. New York City*, filed by dancers, dance organizations and anti-cabaret law activists to challenge the constitutionality of the cabaret law’s regulation of social dancing. Based on the analysis of the *Festa* reasoning, I argue that the court’s “categorical approach” to First Amendment protection signifies “judicial anti-urbanism,” in the sense that the approach aids the suppression by the municipality of mundane urban activities, associations and their spaces, like (spaces for) social dancing, which are invaluable to democratic urban life but are rarely recognized as a constitutionally protected form of “expression.” I re-introduce, here, the concepts of “urban rights” and the

“right to the city” as principles that can help us to theorize and politicize the necessity of protecting those activities, associations and their spaces, as essential conditions of constituting the normative ideal of urban life.

Following this, the “Conclusion” revisits the contradictions of the “creativity fix” by reviewing the history of NYC nightlife regulations, including the cabaret law regulations, in which people’s rights to creative subcultures and diverse forms of socialization encapsulated within nightlife, and people’s rights to democratically create and appropriate spaces of use-value, play, social dancing and nightlife, have been seriously compromised. I argue that it is important to take seriously the suppression and disappearance of particular urban activities and their spaces, as these are invaluable in establishing the normative ideal of cities. I conclude with the assertion that while my empirical case is concerned with social dancing and nightlife, the implication of this research can nonetheless be applied to urban movements that have fought against broader neoliberal and post-industrial offensives against liberal/social rights and the notion of democratic access to urban life and space.

METHODOLOGY AND OBJECTS OF STUDY

The geographic focus of this book is the area of Manhattan below Central Park, and its historical focus spans a period encompassing approximately the end of the 1960s to the late 2000s. I have selected this spatial and temporal range because during this period many dance clubs and other nightlife businesses have concentrated in the once-abandoned neighborhoods below Central Park, and this area has been aggressively gentrified since the late 1970s, thus leading to several intense conflicts over nightlife businesses. Despite this specific focus on neighborhoods below Central Park, the main object of scrutiny in this book remains NYC in its entirety as the laws that this book examines have been applied to all nightlife businesses in the city. I also mention in Chapter 6 how gentrification in Manhattan has pushed nightlife businesses into other boroughs, especially Brooklyn, and how nightlife businesses in other boroughs have gone through similar neighborhood conflicts when these boroughs also started to experience gentrification.

This book is based on ethnographic research that I conducted in various phases between 2002 and 2009. During this time, I collected data on the history of the cabaret law. While the cabaret law is a blanket law that involves several departments in the municipality, my data collection was primarily focused on the Department of Consumer Affairs (DCA) and the City Planning Commission (CPC). The focus on these two departments is due in part to the fact that these two are the main governmental bodies that have legislated, or amended, provisions of the cabaret law and, as such, have been embroiled in turbulent battles with civil society groups when legislation was created and enforced. In addition to the list of currently

licensed cabarets in the city, I acquired from the DCA, the Administrative Code, Rules, and transcripts of public hearings. From the CPC, I acquired digitized historical zoning maps starting from 1961 and reports on the amendment of the cabaret zoning. The zoning maps were reconstructed in order to visualize how (radically) the 1990 rezoning of the cabaret law transformed the locations where dance venues would be allowed and under what conditions. The municipality's regulatory approach to problems of dance venues and other nightlife businesses was analyzed on the basis of local newspaper reports (especially the *New York Times* and *Village Voice*), CPC reports, transcripts of public hearings, municipal communiqués stored in the Department of Records (also called the City Library), and interviews with officials in the DCA and the CPC. The majority of the municipal documents stored in the Department of Records that had relevance to the cabaret law and other nightlife regulations were newspaper articles published in local papers. This is the reason why this book many times cites newspaper articles.

I also conducted interviews with public officials and civil servants in the DCA and the CPC. These officials provided me with useful information about zoning amendments and explained to me the approaches that these departments were taking with respect to the cabaret law and other nightlife regulations. Unfortunately, however, these interviews yielded limited information. Those who are currently working in the DCA and the CPC in the area of cabaret licensing and zoning are all relatively new because these personnel are frequently rotated between different departments. Most of the public officials and civil servants that I got in touch with were not well versed in the history of cabaret law legislations, and they routinely referred me to written data sources, such as newspaper articles. Second, the period of my fieldwork was a decidedly sensitive time for discussions with public officials about the cabaret law and other nightlife regulations, given that the municipality was at the center of media attention due to increasingly strong activism from pro-nightlife actors. On many occasions, my requests for interviews were refused by high-ranking governmental officials, who apparently sought to avoid conversing about sensitive issues.

The controversies and conflicts over the operation and location of dance clubs and other nightlife businesses have been first identified and analyzed based upon the information gathered from media coverage. Additionally, I was a subscriber to two internet listserves—one operated by an anti-cabaret law group, *Legalize Dancing in NYC* (LDNYC), and the other by a pro-nightlife organization composed of owners of bars and restaurants, *Taverners United For Fairness* (TUFFNYC). I was allowed to quote discussions and debates among members of these listserves as long as citations remain anonymous. I also interviewed three members of the LDNYC. I have tried to interview members of another nightlife organization, the *New York Nightlife Association* (NYNA), a trade organization for nightlife businesses, but have only been allowed to interview

the lawyer who represents the NYNA. But, I was able to interview two members of the NYNA, one of whom was also a member of LDNYC. I requested interviews with members of four Community Boards (CBs) located within the boundaries of the focus area of my research, but these requests were either declined or greeted with no response. Most of the information regarding CBs, therefore, comes from media sources, and my participant observation of two public hearings where CB members were present. Transcripts of public hearings were used to identify the main participants in the neighborhood conflicts and discourses advanced by these participants. Documents related to the 2005 lawsuit that challenged the cabaret law's constitutionality were acquired from the lawyers defending both plaintiffs and defendants. I also conducted several interviews with one of the plaintiffs' lawyers. For the history of conflicts over issues of nightlife (regulations) before 1989, I relied upon newspaper articles and books, which were complemented by official documents (e.g. transcripts of public hearings). An organization that represents nightlife businesses and campaigns for pro-nightlife agendas did not emerge until 1989, and individual nightlife actors that I interviewed did not recollect the detailed contents of nightlife regulations in the 1970s and 1980s (especially over dance clubs), which consequently made the media/literature review the key resource of scrutiny for these older periods.

Regarding the history of dance clubs and other nightlife businesses in the city, the main source for my analysis was the existing literature on the subject. This analysis of the existing literature was supplemented by interviews with one ethnomusicologist, three club owners, one record-store owner, three DJs (who primarily DJ-ed house and techno music), one promoter and two *Village Voice* writers. To come to grips with the topics of the clubbing experiences of nightlife patrons (especially as mediated through social dancing) and the implications of these on the reconstitution of their individual/collective identities and senses of spatiality, temporality and sociality, I resorted primarily to the three major ethnographic studies that have been published about NYC's clubland (i.e. Buckland 2002; Fikentscher 2000; Lawrence 2003). My own research, however, did not entail research contributing to theories of the micro-scales of the clubbing experiences. There has been criticism that many nightlife studies have focused primarily on regulatory changes, and that in doing so, clubbing/drinking experiences have been represented in an overly simplified way (e.g. Eldridge and Roberts 2008; Jayne, Holloway, and Valentine 2006; Jayne, Valentine, and Holloway 2008; Shaw 2010). Admittedly, nightlife is a multifaceted phenomenon requiring serious analysis in terms of the biological, the technical, the cultural, the social, as well as the economic and the political. While I am sympathetic to theoretical and empirical insights that have explored multiple and fluid forms of spatiality, temporality, and sociality that are involved in the "experiential consumption" (Malbon 1999) of nightlife, and clubbing and drinking (e.g. Redhead 1993; Redhead et al.