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The extraordinary rivalry of Cuomo and de Blasio



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Front row: Andrew Cuomo, Bill de Blasio, Nelson Rockefeller, John Lindsay; Middle row: Franklin Roosevelt, Jimmy Walker, Al Smith, John Hylan, Ed Koch, Hugh Carey; Back row: George Pataki, Rudy Giuliani. (Illustration by Ale + Ale)



By **TERRY GOLWAY** 5:07 a.m. | Dec. 21, 2015

3

Although this has not been substantiated, it is assumed in political circles that when the mayor of New York City dresses himself in the morning, he does not stare at the array of neckties and clean shirts in his closet and ask himself which ones the governor would choose.

Then again, as Andrew Cuomo, JD (Albany Law, 1982), surely knows, the courts have vouchsafed to his office the power to impose himself on the decisions of local governments any time the actions fit Benjamin Cardozo's definition, in the landmark 1929 case *Adler v. Deegan*, as being of a "matter of state concern." And the way things are going, it's only a matter of time before Cuomo decides not only that the coordination of the mayor's wardrobe is a matter of state concern, but that Bill de Blasio is making a hash of it.

The relationship between the governor and the mayor figured heavily in coverage of both Democratic executives in 2015, and with good reason, for it has been some time since the voting public has witnessed such raw displays of mutual distaste.

During the dramatics associated with last-minute lawmaking in Albany in June, the governor cleverly disguised himself as a source familiar with his thinking and insisted that the mayor, his putative friend and former subordinate in the federal housing department, was incompetent. The mayor, after deferring to and vouching for his

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former boss throughout Cuomo’s embarrassingly difficult re-election campaign, duly summoned the City Hall press corps to his office and said that he’d been wrong, and that in fact the governor was vindictive, hyperpolitical and generally nasty.

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More recently, the governor chastised the mayor for standing beside another politician whose views the governor found abhorrent. (The politician in question was Rob Astorino, the pro-life Republican Westchester County executive who ran against Cuomo in 2014.) Shortly afterward, Cuomo announced that because de Blasio seemed incapable of dealing with the homelessness problem — a key issue for the progressive mayor — he would step to solve the problem.

New York has a history of conflict between governors and mayors of New York City that is long, storied and occasionally fit for print, and the open warfare between Cuomo and de Blasio invited comparisons with personality clashes of the past: the governor’s father, Mario Cuomo, and Ed Koch in the 1980s; Al Smith and John Hylan in the 1920s; and the mother of all upstate-downstate feuds, Nelson Rockefeller



and John Lindsay in the late 1960s and early 1970s.

But the conflict between Cuomo and de Blasio may actually be worse than any of the others, which is saying something. Even battle-hardened veterans who observed the Rockefeller-Lindsay apocalypse nearly a half-century ago find themselves ducking for cover these days when they catch a whiff of sulfurous rhetoric in the morning.

“It is the worst conflict in my lifetime,” said Doug Muzzio, a political scientist at Baruch College whose lengthy incisors suggest that he is hardly a newcomer to these sorts of things. “A news cycle doesn’t pass where the governor isn’t pissing on the mayor.”



Gov. Nelson Rockefeller with Mayor John Lindsay, 1967.

Public urination, as the mayor well knows, tends to capture the public's imagination. But that spectacle has overshadowed a simple truth that always seems to be a revelation to mayors of New York City: Thanks to more than a century of court decisions, state laws and no small amount of anti-urban, anti-immigrant sentiment, the governor of New York and the state Legislature can bring the mayor to heel whenever they want, just for the fun of it.

"The legal circumstances always favor the state," said Gerald Benjamin, a professor of political science at SUNY New Paltz and an expert in state government. "After *Adler v. Deegan*, the state could do what it wished if it could find a state purpose."

The extent of the state's control became evident to Lindsay in 1968 when he found himself begging Albany to approve a measure that would allow any firefighter, not just the driver of a truck or engine, to turn on the vehicle's siren. The city's lord and masters, including Lindsay's sparring partner, Rockefeller, heaved a paternalistic sigh and granted the young man his wish.

But even before the *Adler* decision, which involved the regulation of tenement houses, the state was never shy about imposing its will on the city, not just because of clashing personalities but because of "conflict over class, race, immigration, all of that — it's complicated," said Muzzio. "It's about fear of the mob — fear of the demos."

When the state was considering a constitutional amendment to give the city greater powers of self-government in the 1920s, a member of the Federation of Women's Clubs told *The New York Times* that "this city is largely populated by foreigners, and if we had home rule we should be governed by foreigners."

That sentiment, said Kenneth Sherrill, a political scientist at Hunter College, “hasn’t entirely gone away.”

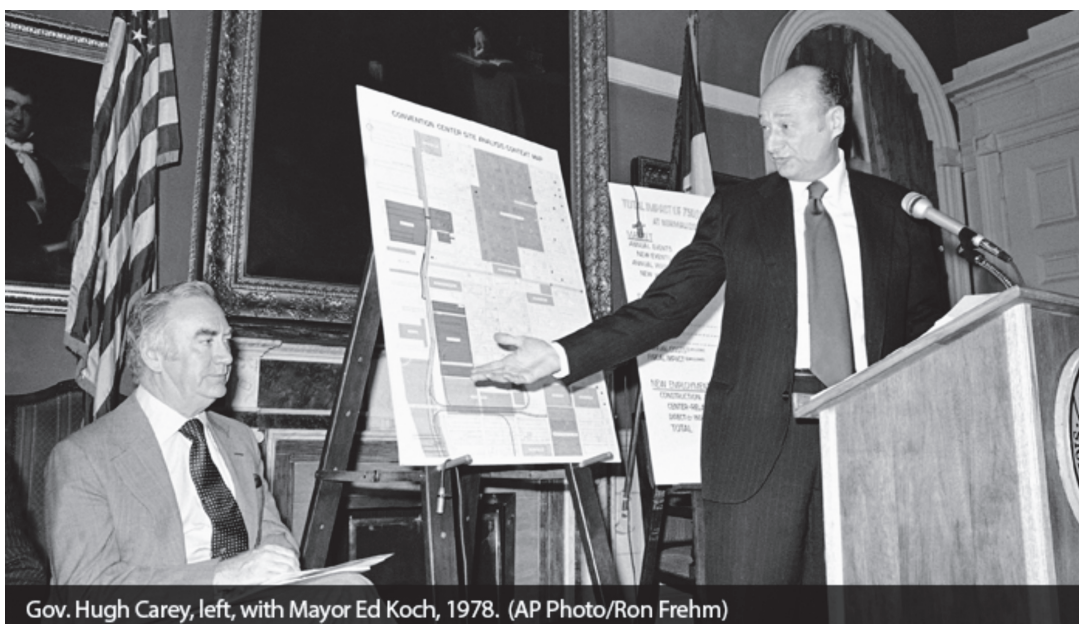
In fact, it has been embedded in the conversation between Albany and City Hall for many decades. For example, when Albany decided that the city’s growing number of immigrant voters had chosen poorly in electing proud scoundrel Fernando Wood mayor in the 1850s, it replaced the city’s police force (leading to police-on-police violence in the corridors of City Hall), imposed state commissions to run the city’s fire and health departments and forced a do-over at the ballot box. Wood won the subsequent special election in 1857.

This sort of interference was a matter of course in the 19th century.

The city scored a rare victory in its endless joust with Albany just after the Civil War, winning a new charter that returned the powers it had lost under Wood and, even better, allowed the city to create a four-person board to supervise the municipal treasury all by itself. As luck would have it, though, the charter was the work of a state senator named William Tweed. It passed the Legislature because Tweed endowed upon its creators large sums of untraceable currency, and he put himself and his allies, including one who bore the unpromising nickname of “Slippery Dick,” in charge of city finances. Ensuing events did little to persuade Albany of the merits of home rule for New York.

Although governors have the power to override the mayor on almost any issue — or even remove the mayor, as Franklin Roosevelt was prepared to do before Jimmy Walker had the sense to quit in 1932 — there’s nothing in law or in precedent that requires them to treat the mayor like a wayward child, at least not on every occasion. The temptation

may be there (the means certainly are), but even some of the most tumultuous relationships between Albany and City Hall settled into something resembling an armistice, if not quite a peace treaty.



Gov. Hugh Carey, left, with Mayor Ed Koch, 1978. (AP Photo/Ron Frehm)

Hugh Carey thought Ed Koch was gravely mistaken to dig in his heels during the transit strike of 1980, but he did not impose a settlement until after Koch got his signature moment, arms in the air, delighting the walking masses as they crossed the Brooklyn Bridge in defiance of the striking subway workers. (Not that Koch's antics pleased Carey's people. When the mayor's staff pointed out that New Yorkers were cheering Koch and his anti-union position, Carey's director of employee relations, Meyer Frucher,

replied: “They cheered Hitler in Berlin, too.”)

George Pataki had every reason to torment Rudolph Giuliani in the 1990s after the then-mayor endorsed Mario Cuomo rather than Pataki, his fellow Republican, in the 1994 gubernatorial election. But payback proved to be something less than painful after a period of understandable awkwardness, recalled Robert Bellafiore, who was an aide to Pataki.

“They were of the same mind on issues like welfare reform, economic policy, higher education, mass transit and other issues,” Bellafiore said, “and Pataki didn’t let Giuliani’s opposition in ’94 get in the way.”

(Such generosity of spirit failed to impress at least one interested party. In 2002, as he embarked on what proved to be an abortive campaign for governor, Andrew Cuomo dismissed Pataki, disastrously, as the man who held Rudy Giuliani’s coat on 9/11.)

Ninety years ago, New York’s mayor, John Hylan, was generally regarded as a first-class nincompoop and little more than a mouthpiece for publisher William Randolph Hearst, the avowed enemy of the state’s governor, Al Smith. But Smith supported a change in the state constitution that allowed the city greater power over its own affairs, despite his contempt for the man who would wield that power. Hylan was delighted, at least for a while. He subsequently lost his newfound power, and his office, to a Smith-backed challenger, Jimmy Walker.

If Cuomo has allowed de Blasio a celebratory moment during the mayor’s first two years in residency at Gracie Mansion, it has escaped the notice of close observers. Instead, on

issues grand and petty, the governor has either big-footed the mayor, overruled him, co-opted the issue or gleefully exploited the mayor's weaknesses.

After television reporter Marcia Kramer flew to Puerto Rico in November to challenge de Blasio on his propensity to answer only on-topic questions, Cuomo said he would be ever so delighted to "take any question" she wished to ask — an invitation which members of the defunct Moreland Commission could only wish they had received.

Patrolmen's Benevolent Association president Patrick Lynch said a year ago that the mayor had blood on his hands after two police officers were murdered in Brooklyn. Six months later, Cuomo accepted an award from Lynch as the PBA's man of the year. Cuomo told the cops that they had "saved the city" and deserved pension benefits that the city opposed.

The enthusiasm with which Cuomo has wielded his power over the city and the mayor apparently has come as a surprise to de Blasio, whose graduate education in public administration at Columbia University apparently did not include seminars in such important case studies as *City of Clinton v. Cedar Rapids & Missouri River R.R.*, "Plunkitt of Tammany Hall" and Machiavelli's "The Prince."

The first established the principle, called Dillon's Rule, that cities are creatures of the state and so are forever subordinate, while the second described the ways in which "hayseeds" in Albany treated New York City residents as if they were "wards of the state who don't know how to look after ourselves."

The relevance of the third entry ought to be self-evident.

“Hypothetically, if you have a governor who is a control freak, that governor could hamstring almost every initiative of every local government,” said Sherrill. “A lot of this is discretionary, and a lot of what we are seeing today is an artifact of a governor who asserts his powers very aggressively.”

De Blasio spent his second year as mayor ceding ground to Cuomo on an array of issues that, in another time and with another governor, might have been decided or acted upon with neither comment nor intrusion from Albany.

The mayor announced his intention to build housing — one of his signature issues — on a platform covering the Sunnyside rail yards. The governor promptly told him where he could put the housing. (Most certainly not in Sunnyside or, for that matter, in any other sunny place.)

When the mayor signaled his belief that the city ought to regulate car-hail companies like Uber, the governor said any such regulation would be handled statewide.

The mayor deployed investigators to seek out the source of the Legionnaire’s disease outbreak in the Bronx; the governor enacted his own investigation when the mayor’s people failed to find an immediate cure for this and any other disease afflicting humanity. This led to the astonishing spectacle of the governor holding a news conference about the outbreak at the very same time the mayor was holding a news conference of his own on the issue, a circumstance which surpassed even Rockefeller and Lindsay for unalloyed dysfunction.

It is hard, if not impossible, to recall a situation or crisis in which this governor has

either deferred to the mayor's leadership or issued even a ritualistic vote of confidence in his fellow Democrat. Cuomo has, time and again, done the opposite.

Cuomo took the side of the mayor's bete noir, Eva Moskowitz, in a bitter debate over charter school expansion. He suggested the city was sliding into chaos and disorder when the tabloids were shocked to discover semi-naked ladies in Times Square. And after four police officers were murdered in 11 months, Cuomo said he couldn't recall a time when so many police officers had been killed.

The subtext, bordering on straight-up text, is that Cuomo agrees with those who see the city holding a one-way ticket on a journey ending at milepost 666.

In other circumstances and in other places, the sheer amount of energy the governor has put into contradicting and belittling the mayor on such an impressively comprehensive range of issues might seem petty, if not pointless. But this is New York, and under this governor, at least, these are all matters of state concern.

A version of this article appeared in the [winter 2016 issue](#) of POLITICO New York magazine.

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