

Flat Roofs and Long Leases: Technologies of Maintenance at the Great American Strip Mall

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As landlord of the King's Court Shopping Plaza, I pick up lots of trash. Once upon a time, I took the litter personally, as if picking it up one day, the place should stay clean the next. Now, I take it like weather. Heavy or light, it will be there. Scratch-offs and floss picks; duck-sauce and bindle-bags; napkins, tissues, plastic forks. Each tenant's business generates a unique trash-pattern: take-out boxes from the Chinese restaurant; balled-up foil from the deli; used mouth guards from the MMA gym. Then there's the package store—the El Niño of trash. Everyday, brown bags with crushed cans, fifths flattened by tires, bottles, broken or intact. A box of Bud Lite cans by a loading dock on Saturday morning; a cluster of Watermelon Smirnoff nips, left like deer scat by the curb. And tons of cigarette butts.

To this trash, and King's Court in general, I owe credit for an increasingly capacious use of the term "maintenance." Property management entails work immediately recognizable as such: grounds-keeping and roof-patching; repointing and repainting; snowplowing and pot-hole-filling. And it includes other work—bookkeeping, marketing empty units, negotiating with tenants, securing loans, paying taxes—less recognizably "maintenance," but which yet aim at keeping the building in place, and the business running. Running my business depends on tenants running theirs. Like Alice's Red Queen, at King's Court we're running in place.

Beyond management and busy-ness, the frame of “landlord” shows an even wider horizon of maintenance. The upkeep of property, income producing and value holding, thus a piece of capital, bringing home its bacon. Maintaining King’s Court means maintaining class, and social relations from which I benefit. And the trash itself? Maintaining the plaza means perpetuating many systemic problems: waste, sprawl, environmental damage, the alienated labor of global mass production and consumption. And the point of all this work, and money, and alcohol, and exercise, and new old lamps from the antique store? Upkeep, too, I think—of lifestyle and recreation and compulsion, of satisfaction and health and vice, and on and on.

As one way of unpacking all this, let me offer a three-part distinction.

Static-object maintenance:

Activity aimed at creating stasis; keeping the there *there*.

Motive-object maintenance:

Activity aimed at perpetuating repetitive or fluid motion; running; keeping the happening *happening*.

Abstract-object maintenance:

Activity aimed at perpetuating less-than-clearly defined conditions; keeping up satisfaction, safety, self-esteem, wealth, health, happiness, contentment, success, and of warding off their opposites.

Not meant as rigid categories nor to conflate cleaning bathrooms with owning property, these terms help untangle, as well as underscore, the breadth of activity aimed at upkeep. And they certainly overlap. Take for example Coast Guard Ice Breakers opening shipping lanes in winter months: as objects exposed to wear and weather, as vehicles being run, and as tools by which consumption continues, they intersect all three. Ships, upon which both commerce and empire, depend, make great examples of the breadth of maintenance.

Recognizing maintenance as an objective rebuffs the constant invocation of growth and change, the hegemony of the new, which prompts even property management trade magazines to explain that managers must “manage through change” as the market invents “new property types, and . . . new management opportunities.”¹ The stakes of this recognition are high, as indicated by this very article, which notes that “one cannot manage change that is occurring in the market and in society, but one can develop strategies and tactics for managing through it.”² This morsel of political economic wisdom has itself enjoyed a long shelf life, stemming from Adam Smith’s invisible hand formula, which celebrates self-interested activity over economic planning.³ I note this because, with recognition of upkeep as a fundamental aim of activity, the logic of market spontaneity drops away in the face of oft-hidden dependencies, and the things—the many, many things—being held in time and space by human hands stand out.⁴

As landlord and property manager, I work against change, at perpetuation—of both building and business. Keeping the building in place against wear of weather and time and use (not to mention taxes and insurance and debt) provides a place for tenants to operate their businesses, and thus pay me rent, which I use to keep up the building.

¹ Alan A. Alexander and Richard F. Muhlebach, “Contemporary Commercial Real Estate Management,” *Journal of Property Management* 81, no. 6 (November/December 2016): 36. I don’t want to be too dismissive: “managing through change,” when cast as working against it, is what this paper is about, and the article does note a range of skills required to manage property, although this itself is cast as something new. Overall, the words like “new,” “opportunity,” and “change,” dominate the discussion, and the majority of articles in recent issues, and in similar publications, herald the new.

² Alexander and Muhlebach, “Contemporary Commercial Real Estate Management,” 36.

³ Adam Smith, *The Theory of Moral Sentiments*, edited by D. D. Raphael and A. L. Macfie (Indianapolis: Liberty Fund, [1759] 1982), 184; Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations: Volume I*, edited by R. A. Campbell and A. S. Skinner (Indianapolis: Liberty Fund, [1776] 1981), 456. Upkeep of landlords by laborers, and vice versa, permeates much of Smith’s work; unlike later theorists, Smith waffles on the extent to which privileged individuals are sources or subjects of systemic upkeep (see next note).

⁴ One such thing is the central motive of political economy—casting those most dependent on the work of others as independent, making the maintained the maintainers, and vice versa, workers into dependents. This reaches a level of fanaticism in neoliberal theory, especially that of F. A. Hayek. In terms of the “handed” work of this ideological upkeep, I need only refer to the property management article above, which smoothly reifies neoliberal ideology as basic fact.

Together, we keep streams of rent flowing, or at least trickling—upwards, for the most part—over time.

This article is not about such work, not directly. It is about “technologies of maintenance”—the systems, structures, texts, and ideologies that produce and mediate such labor and activity. As an example, consider roofs. Roofs are “technologies of maintenance” not because they require upkeep (though of course they do, in a very literal sense) but because they play a maintenance function: not just kept up, they keep up. In mute criticism of Joseph Schumpeter, roofs ward off disruptive influences of weather—climatic and economic—and define a stable area, usable for the same purposes, everyday. Roofs, that is, produce maintenance. Domestic roofs produce domestic maintenance and commercial ones commercial maintenance. Leases also produce maintenance, and aim at upkeep. The plaza lease, in particular, mediates the activities described above by defining clear static and motive ends (building and businesses) and, as I will discuss below, grounds abstract aims in concrete ones. Full of jargon, boiler plate and the stilted syntax of legalese—the shalls and herebys that offer a feudalistic residue quite fitting for a place named “King’s Court”—plaza leases are a technology of maintenance worth cautious, partial, emulation.

What do leases aim to maintain? Not only building and business, but a mutually binding relationship: tenant-landlord. Defining this relationship in clear terms, the first paragraph reads, “Landlord leases to Tenant and Tenant rents from Landlord the premises known as [address].”⁵ After limiting this relationship to a specific place, for a specific amount of time, the third paragraph lays out the specific “Use”:

Tenant covenants and agrees to use the Demised Premises as a Glass and Metal Fabrication shop [—as a Newspaper Business; as a Recording Studio; as a Church; as a Hair Salon; as a Locksmith Shop; as a Retail Liquor Store—] and agrees not to use or permit the premises to be used for any other purpose without written prior consent of the landlord, which consent shall not be

⁵ “King’s Court Plaza Lease,” (real estate contract, in the author’s possession, 2018): 1. For the sake of tenants’ privacy, I have slightly altered the name of the plaza.

unreasonably withheld or delayed. The landlord shall have the discretion to withhold consent for the use of the premises for a purpose that competes with other leases.⁶

Do your thing, the lease says, as long as it's reasonable, and as long as it doesn't interfere with my other relationships, which, rest assured, will not interfere with yours.

How does the lease maintain this relationship? Like a roof, suspended to block what might fall from the sky, the lease raises a wide, protective expanse of verbiage against what might befall, a sort of proactive dragnet, catching in an anticipatory way, any potentially disruptive factors. These include: competition from other tenants, property tax increases, late payments, returned payments, noncompliance with town, state, or federal regulations; both the allowance, and the suffering, of "any odors, vapors, steam, water, vibrations, noises or undesirable effects." They include disruption from broken furnaces, A/Cs, water heaters, lights, plate glass; from fire, accidents, attorney's fees, claims of negligence, damage or destruction by "flood, fire, tornado, explosion, windstorm, or by the elements or other casualty." They include total condemnation, partial condemnation, subletting, mechanics' liens, interruption in utility service, bankruptcy, default, noncompliance of signage, and disruption from "all labor disputes, civil commotion, war, war-like operations, invasion, rebellion, hostilities, military or usurped power, sabotage, [and, my favorite] from governmental regulations or controls."⁷ Much of the lease simply lists potential disruptions to compact, business and property.

No wonder John Locke, that herald of contractual submission, envisioned the environment around pacts as populated with threats. Anything that might "interfere unreasonably with the safety, comfort or enjoyment of the building by Landlord or any other occupants of the building or their customers" is raised, and a method is provided for dealing with it. In this, the lease aims at more abstract objects: safety, comfort, enjoyment. It reads "Tenant, upon paying rents and performing all the terms on its part to be performed, shall peaceably and quietly enjoy the Demised Premises, subject

⁶ Ibid.

⁷ Ibid., 2–11.

nevertheless, to the terms of this lease.”⁸ Such ends, as well as such subjection, follow Locke’s own take on contractual relations. In the “Property” chapter of *The Second Treatise of Government*, he writes that men “joyn and unite into a Community, for their comfortable, safe, and peaceable living, in a secure Enjoyment of their Properties, and a greater Security against any that are not of it.”⁹ Locke is talking about subjection to government, and my lease involves subjection to, among other things, rent.

While I don’t want to celebrate rent, the difference in aims between these types of contract, at least today, are important. Our contract with the state is as abstract as it gets. We seem to have little control over government or the larger economy, and no clear role in either—aside from being sources of taxation, and labor, and as a consumer base. “As workers and consumers,” writes Matthew Crawford, “we feel we move in channels that have been projected from afar by vast impersonal forces.”¹⁰ Yet the state and the economy deliver unto us our property, and routines, as well as many of those abstract objects listed above. In Locke’s theory of government, and in neoliberal theories of economy, abstractions lead. Whether it is development, security, progress, wealth or even equality, it comes first, and putting abstractions first, as I tell my composition students, just doesn’t work. The lease, on the other hand, backgrounds abstract motives, rooting them in concrete aims. It keeps up peaceable and quiet enjoyment by rooting them in the upkeep of clearly defined things—roofs, heat, rent. This speaks to what Crawford calls, in *The Case For Working With Your Hands*, “the ethics of maintenance and repair.”¹¹ The argument for maintenance ethics hinges on his conception of agency, which intersects individuality and self-reliance with interdependence and care. Agency, he writes:

is not something arbitrary and private. Rather, it flows from an apprehension of real features in the world. This may be something easy to grasp, as when a

⁸ *Ibid.*, 3, 11.

⁹ John Locke, *Two Treatises of Government*, edited by Peter Laslett (Cambridge, UK: Cambridge University Press, [1689] 2012), 331.

¹⁰ Matthew Crawford, *The Case for Working With Your Hands: Or Why Office Work is Bad For Us And Fixing Things Feels Good* (New York: Penguin, 2009), 7. This book was originally published under the title *Shop Class as Soulcraft: An Inquiry into the Value of Work*.

¹¹ *Ibid.*, 6.

master plumber shows his apprentice that he has to vent a drain pipe a certain way so that sewage gases don't seep up Or it may be something requiring discernment, as when a better motorcyclist than I explains, from a rider's point of view, why it would be good to decrease the damping in the front end of his motorcycle. In activities that are directed toward some end (a well-vented drain, a balanced chassis), the goodness in question isn't simply posited. There is a progressive *revelation* of *why* one ought to aim at just this, as well as how one can achieve it.¹²

Despite a problematic conflation of plumbing and motorcycle repair around usefulness, Crawford articulates the ethical, and practical, value of maintenance: work-based “progressive revelation” of not only how-to, but why-to, in a socially determined context. This pops up a lot in maintenance studies, the work links people together, revealing through the attention and care born of handed acts of upkeep, the texture of oft-hidden dependencies. Maintenance in this sense is *responsive*, rather than *spontaneous*; aims and requirements manifest in the moment, yet are “not simply posited,” but objective, in both senses of the word. Specific objectives and clear purposes for achieving them lead, while abstractions such as knowledge, satisfaction, good work, connection with others, as important as they may be, follow.

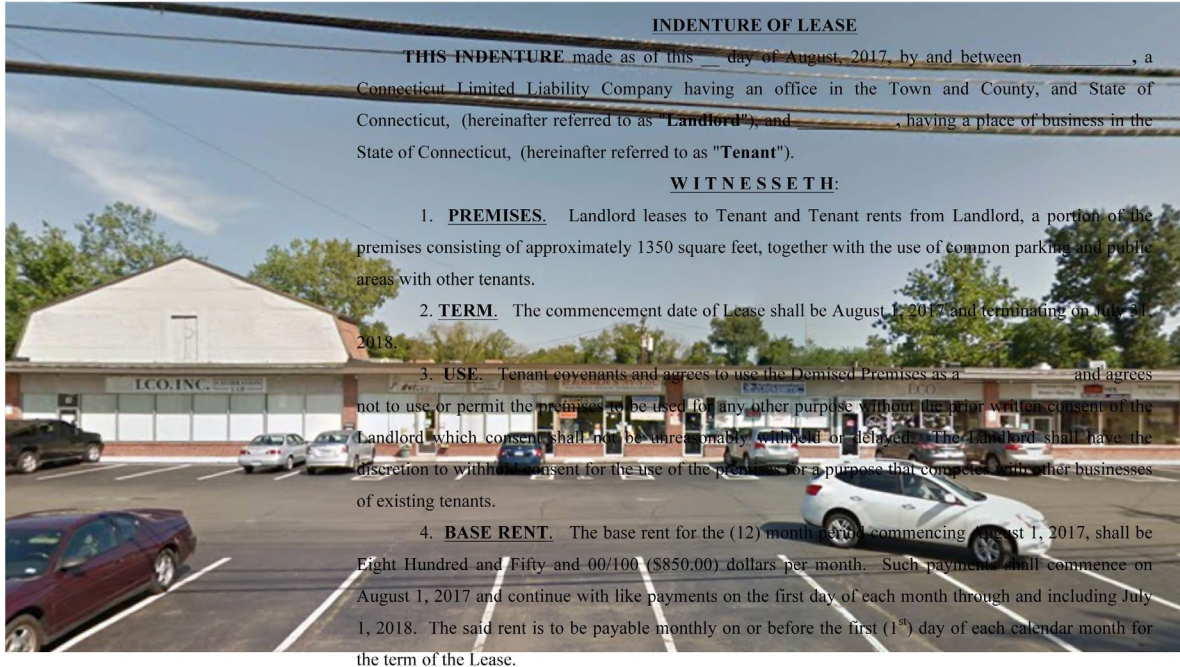
The question is, how might such “re-spontaneity”—a kind of middle ground between devolution and hierarchy—extend to economic and political contexts of upkeep? What technologies of maintenance might best reveal, record, deploy, and revise these non-private, non-arbitrary ends?

The answer can only be found in something that Michel Foucault has taught the left to fear: those big ordering and planning mechanisms called institutions. By considering institutions as technologies of maintenance, as well as objects of maintenance, they take on a less sinister aspect. The lease, as well as the plaza, simply exemplifies aspects of institutional arrangement. Many of these should be dismissed, most obviously the private nature of the document, its limitation to two parties' control,

¹² Ibid., 207 (emphasis in original).

despite affecting others, such as employees, and the privilege it bestows on yours truly, the landlord. But a few deserve emulation. Starting from basic Lockean liberalism—freedom to enter contract—the plaza lease intersects clear “static” objectives (upkeep of space and structure) with clear “motive” ones (upkeep of businesses and a clearly defined human relationship). Ironic for a liberal document, the plaza lease binds people to a place, and prompts them to do the same thing, over and over.

Yet, importantly, the lease allows change—both growth and its opposite—as well as a lot of variety. Each version describes nearly identical terms, yet each mediates very different tenant-landlord relationships, ranging from “let’s have a beer” to “see you in court.” When these relationships begin, the lease offers a template for different tenants. Start-ups, for example, prefer shorter periods than established businesses; the latter prefer longer terms, especially if spending money on fit-up, for which the lease will provide free time. It also allows revision: having once sheltered a pride of used-up service vans which I somehow lacked the right to remove, new tenants find language compelling all vehicles to be registered and in running condition. Tenants also add terms, both before and during lease periods; a roofing contractor, for example, using his space for storage, shut off water service and thus freed himself from the prorate share of the bill. The realities of small business in twenty-first-century suburban Connecticut often destabilize the lease, and tenants who need more or less space, or a reduction in rent, or simply to leave mid-term, not infrequently find their lease more fluid than it appears.



INDENTURE OF LEASE

THIS INDENTURE made as of this ___ day of August, 2017, by and between _____, a Connecticut Limited Liability Company having an office in the Town and County, and State of Connecticut, (hereinafter referred to as "Landlord"), and _____, having a place of business in the State of Connecticut, (hereinafter referred to as "Tenant").

WITNESSETH:

1. **PREMISES.** Landlord leases to Tenant and Tenant rents from Landlord, a portion of the premises consisting of approximately 1350 square feet, together with the use of common parking and public areas with other tenants.

2. **TERM.** The commencement date of Lease shall be August 1, 2017 and terminating on July 31, 2018.

3. **USE.** Tenant covenants and agrees to use the Demised Premises as a _____ and agrees not to use or permit the premises to be used for any other purpose without the prior written consent of the Landlord which consent shall not be unreasonably withheld or delayed. The Landlord shall have the discretion to withhold consent for the use of the premises for a purpose that competes with other businesses of existing tenants.

4. **BASE RENT.** The base rent for the (12) month term commencing August 1, 2017, shall be Eight Hundred and Fifty and 00/100 (\$850.00) dollars per month. Such payments shall commence on August 1, 2017 and continue with like payments on the first day of each month through and including July 1, 2018. The said rent is to be payable monthly on or before the first (1st) day of each calendar month for the term of the Lease.

5. **ADDITIONAL RENT.** The Tenant agrees, in addition to the base rent herein reserved, to pay to the Landlord as additional rent during each year of the term of this Lease, or any extension hereof a pro rata share in (1) the increase of the real estate taxes to the Town (2) water use charges, (3) sewer use charges.

Forged, maintained, and revised in personal interactions, as well as binding language, the lease is a living document, ordering relations in a deterministic way, yet lending itself to tailoring of moment. This re-spontaneity pops up in many investigations of maintenance, but is especially clear in Nathan Ensmenger's discussion of software. He explains that "the real work of [software] maintenance . . . involve[s] what are vaguely referred to in the literature as 'enhancements,'" a catchall term for "responses to changes in the business environment."¹³ Basically, people constantly use programs beyond expectations: "As users learn to exploit the capabilities of the system, they 'discover or invent new ways of using it' which encourages developers to modify or extend the system, which stimulates another round of user driven innovation or process change, which in turn generates demand for new features."¹⁴ Like maintenance in general, "the work of software development [is] never done," which in turn suggests that

¹³ Nathan Ensmenger, "When Good Software Goes Bad: The Unexpected Durability of Digital Technologies," *The Maintainers*, 2016, <http://themaintainers.org/program/>.

¹⁴ *Ibid.*

the work should be considered “response to use” as much as “performance as expected.”¹⁵

“Performance as expected” and “response to use” denote two ostensibly opposite versions of technology—one deterministic, rigid, and top-down, the other accretive, fluid and bottom-up. The latter is particularly well expressed in David Edgerton’s *The Shock of the Old*, which re-focuses mainstream history of technology away from invention and innovation to use in time and space. By doing so, Edgerton writes “we shift attention from the old to the new, the big to the small, the spectacular to the mundane, the masculine to the feminine, the rich to the poor.”¹⁶ He suggests much is to be gained if we consider constructed objects not as technology but as things. “Thinking about the use of things,” he writes, “rather than of technology, connects us directly with the world we know rather than the strange world in which ‘technology’ lives.”¹⁷

“Performance as expected,” on the other hand, encapsulates a particularly dark version of technology: Foucault’s. Foucault describes “calculated technology of subjection” meant “to solve the problem of the accumulation of men [through] the growth of an apparatus of production capable of both sustaining them and using them”—clearly a repressive force, as well as a maintainive one.¹⁸ Under, and supporting, a “system of rights that were egalitarian in principal” Foucault locates “all those systems of micro-power that are essentially non-egalitarian and asymmetrical that we call the disciplines.”¹⁹ What are these disciplines and micro-powers? These technologies of subjection? Somewhat surprisingly, Foucault is also talking about very mundane “things”—schools, and the skills learned therein, handwriting and doctor’s exams, programs like the ones Ensmenger discusses and, of course, shopping plazas and leases. I think this actually offers some hope for “technology of power” which promotes

¹⁵ Ibid.

¹⁶ David Edgerton, *The Shock of the Old: Technology and Global History Since 1900* (Oxford: Oxford University Press, 2007), xv.

¹⁷ Ibid., xvii.

¹⁸ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, translated by Alan Sheridan (New York: Vintage, 1995), 221. Foucault’s work is of course broad and extraordinary in both content and style, yet the shadow of the prison casts a pall on much of his oeuvre, contributing to a larger sense of political defeatism in the era of neoliberalism.

¹⁹ Ibid., 222.

democratic control—at least if one entertains the possibility that institutions by which power is accumulated, are not always and only invisible prisons, binding and proscriptive as they may be.

Enrique Dussel offers such an approach, and pinpoints why “maintenance” is the key component in avoiding the over-determination and asymmetricality Foucault locates. Dussel views institutions as potentially positive, as originally constructed in the spirit of service and obedience to people. But over time, “these institutions show on the one hand signs of fatigue through a process of entropy and erosion, and on the other hand the inevitable fetishization that bureaucracy produces in institutions . . . turning them toward the survival of a self-referential bureaucracy.”²⁰ As this occurs, obedience is lost and repression ensues. As such, Dussel describes political action and democracy as *perishable*. He writes that “political action is a precise, contingent, and perishable moment. Through repetition in time . . . such actions become deposited and coagulated in institutions. . . . These institutions both accumulate the achievements of past strategic actions and serve as the condition for future actions.”²¹ Democracy, like software development and shopping-plaza maintenance, “is a perpetually unfinished system,” unfolding in the moment yet “accumulated” in time; the components of this system require constant maintenance.²² Dussel describes this work as “the *noble vocation of politics* . . . a thrilling patriotic and collective task.”²³ I think it might be closer to picking up trash.

Suggested Readings

Crawford, Matthew. *The Case For Working With Your Hands: Or Why Office Work is Bad For Us and Fixing Things Feels Good*. New York: Penguin, 2009.

²⁰ Enrique Dussel, *Twenty Theses on Politics*, translated by George Ciccariello-Maher (Durham: Duke University Press, 2008), 23.

²¹ *Ibid.*, 45.

²² *Ibid.*, 51.

²³ *Ibid.*, xv.

Dussel, Enrique. *Twenty Theses on Politics*. Durham: Duke University Press, 2008.

Edgerton, David. *The Shock of the Old: Technology and Global History Since 1900*. Oxford: Oxford University Press, 2007.

Gilligan, Carol. *In A Different Voice: Psychological Theory and Women's Development*. Cambridge, MA: Harvard University Press, 1982.

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