

Bankruptcy judge lets Detroit water shutoffs continue

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After initially stating he would rule on an emergency appeal to stop water shutoffs at the end of Tuesday's court session, US federal bankruptcy judge Steven Rhodes announced Wednesday he would issue no decision until at least September 17. This means the city, which has shut off water service to nearly 1,000 households since resuming this brutal policy last week, will continue the policy for at least the next two weeks.

Rhodes appointed a mediator from the US bankruptcy court, US Chief Judge Phillip Shefferly, to hold "confidential" mediations between the Detroit Water and Sewerage Department (DWSD), the city and lawyers who filed legal actions against the shutoffs.

Public anger against the water shutoffs erupted earlier this summer after the DWSD, under the direction of Emergency Manager Kevyn Orr, cancelled service to more than 15,000 households. In the face of widespread publicity and a condemnation by the United Nations, Judge Rhodes expressed concern that popular anger over the shutoffs could intersect with opposition to the gutting of city workers' pensions and other attacks, making it difficult to push through the so-called Plan of Adjustment.

Rhodes ordered water department officials to work with various liberal and "left" organizations to come up with a less provocative shutoff policy. The DWSD announced a month-long "pause" in July, which was later extended, while the department organized "water affordability" fairs and other publicity stunts, which forced low-income families into payment plans.

The control of the Water Department was passed on to Mayor Mike Duggan, who announced a "ten-point" plan aimed at making residents current on their bills or suffering the loss of service, and shutoffs resumed on August 26.

The shutoff policy is integrally bound up with the

bankruptcy restructuring plan. It is aimed at making the water department more attractive for a private takeover. The bankruptcy process as a whole is designed to facilitate the cancellation of essential services, from water and electricity to public education and emergency services, to neighborhoods deemed too poor for investment.

The resumption of water shutoffs was the first item discussed on Tuesday, the first day of the trial on the city's Plan of Adjustment. Alice Jennings, an attorney for a coalition of organizations, including Moratorium Now! and Michigan Welfare Rights Organization, urged Rhodes to issue a temporary restraining order (TRO) to stop the shutoffs.

While saying Duggan's ten-point program was a step in the right direction, Jennings said, "We believe a TRO is necessary. If you go the DSWD web site there is nothing about a hearing to stop your water from being shut off." She added, "The courts have jurisdiction. We believe the city has waived its jurisdiction."

Jennings said people were being shut off with little or no notice and the lack of water created an immediate health crisis. "There was no determination [or] criteria set up for whether or not there was a senior in the home, disabled, children [or] anyone who needs water for their medical care," stated Jennings.

While Rhodes has repeatedly said it is not in his power to act, Rhodes's decision to entertain the question is a measure of his sensitivity to the immense social anger that has built up in the city. He is more than willing to allow the trade unions and fake-left organizations like Workers World—which is behind the Moratorium Now! group—to promote illusions in the courts and the corporate-backed political establishment.

Concerned that the confrontational methods of Orr

could provoke a social explosion, Rhodes has relied on the city workers' union AFSCME, the United Auto Workers, the union-affiliated retiree associations and pseudo-left groups like Workers World to suppress opposition and facilitate the water shutoffs and the looting of pensions and other public assets.



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