

# PLANNING FORUM

- At Home in Suburbia
- Citizen Participation
- Point-Counterpoint
- Property Rights
- The Indian Village
- A Tale of Twin Cities
- Gender Blindness
- Valuing Value
- Compassionate Values

Community and Regional Planning Program  
School of Architecture  
The University of Texas at Austin

# PLANNING FORUM



Leilah Powell

AT HOME IN SUBURBIA Mark Forsyth	Learning lessons from suburban Americans ..... 4
CITIZEN PARTICIPATION Ruth Ellen Hardy	Residents and revitalization—historical context and current models ..... 8
POINT/COUNTERPOINT Ashley McLain	Planners, developers, and architects discuss neotraditional design ..... 22
PROPERTY RIGHTS Leilah Powell	A state and federal judicial context for recent Texas legislation ..... 30
THE INDIAN VILLAGE Sangram Kakulavaram	A graphic tour of India's vernacular planning and architecture ..... 38
A TALE OF TWIN CITIES Scott Hounsel	The geographical morphology of Texas-Mexico border cities ..... 46
GENDER BLINDNESS Mary Burns	Women in Latin America struggle against bias in housing policy ..... 58
VALUING VALUE Stephen Ross	What is lost when we define value as a quantity? ..... 66
COMPASSIONATE VALUES Robert Mugerauer	An ethical and intellectual approach to sustainable communities ..... 72



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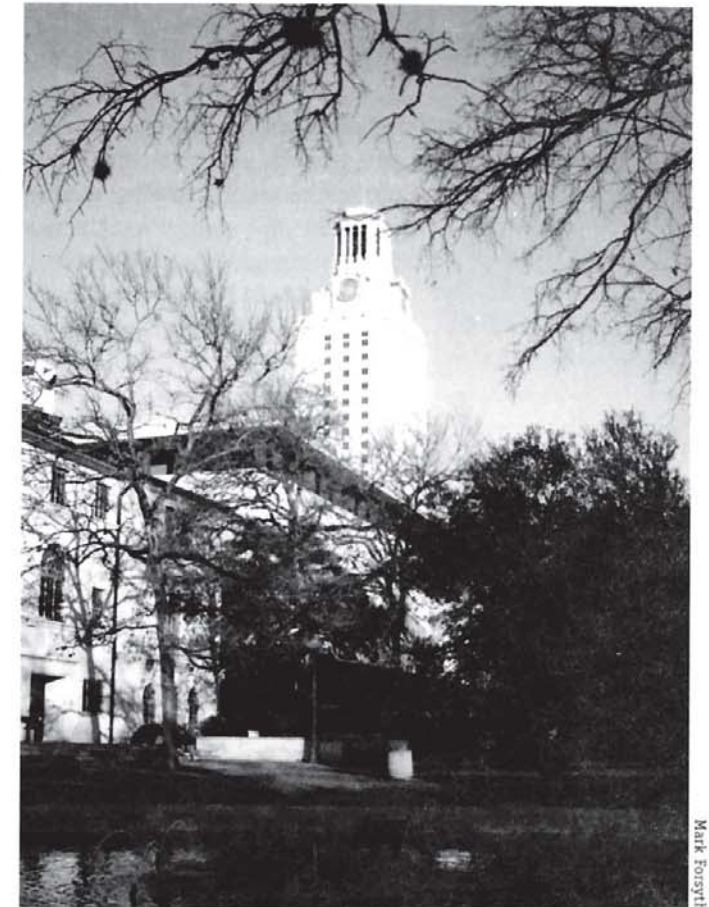
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## Editor's Note

Planning is about community. Rather than focusing on a narrower, technical definition, this journal is based on an understanding of planning as the study of human communities and their interaction with the social, built, and natural environments. *Planning Forum* seeks to present practical information, scholarly research, and alternative viewpoints from a wide range of disciplines related to planning and to encourage debate that cuts across a variety of academic areas and professional fields. We hope to make topics as diverse as urban geography, environmental ethics, and property law accessible both to the non-specialist and to the professional planner so that *Planning Forum* can serve as medium for the exchange of ideas about maintaining, improving, and creating communities.

Volume 2 of *Planning Forum* features four articles selected through a peer review process and five pieces selected by the editorial board. The four peer review articles are of a more traditional academic nature and format. Ruth Ellen Hardy examines the history of citizen participation in urban renewal in order to illuminate the methods and successes of current grass-roots community revitalization efforts. In an article describing the intellectual and judicial context of Texas' Senate Bill 14, the Private Real Property Rights Preservation Act, I explore the constantly changing boundary between the rights of the community and the rights of the individual. Next, Scott Hounsell compares the internal geography of twin cities along the Texas-Mexico border, seeking to identify an appropriate model for the interdependent yet morphologically and culturally distinct communities. Finally, Mary Burns describes the social, juridical, and economic forces that combine to disenfranchise women in Latin American and Caribbean nations, focusing on women's exclusion from housing policy, planning, and design.

To complement these perspectives, the editorial board has chosen five less traditional pieces. In this issue's first article, Mark Forsyth looks at the lives of a fictional Texas family, the Andersons; he uses their experiences to frame observations about the form and function of American suburban communities. Point-Counterpoint, edited by Ashley McLain, features the opinions of prominent individuals, active in planning and design, juxtaposed as a debate about the definition and benefits of neotraditional design. Sangram Kakulavaram's "The Indian Village" is primarily a graphic article, a first for *Planning Forum*, that describes through drawings and photographs the design and planning elements that give small Indian communities their unique character. Completing the journal are two discussions of how a community forms values, by Lecturer Stephen Ross and Professor Robert Mugerauer.



Support for *Planning Forum* has come from many quarters of the University of Texas at Austin. Without the generous sponsorship of the Mike Hogg Endowment, the School of Architecture, the Friends of Architecture, Cabinet of College Councils, the College of Business Administration, and the Advanced Institute, this volume of *Planning Forum* would not have been possible. Our very sincere thanks to Kati Killam of Austin, whose munificence is greatly appreciated. The members of our Advisory Board, particularly faculty advisor Susan Handy, have also provided support, in the form of constructive criticism, advice, and encouragement. Donna Jones helped with distribution. Finally, a special thank you to Scott Pasternak, Laura Powell, and Robin Redford, the students who worked so hard to create the first *Planning Forum* in 1995 and laid the groundwork for this second volume.

The graduate students who produced this edition of *Planning Forum* have maintained a year-long commitment to the journal despite the numerous other demands on their time. Congratulations to all of them, with special recognition to Mark Forsyth, who almost by himself formatted the entire journal. On behalf of everyone involved with *Planning Forum*, I hope that you enjoy Volume 2.

Leilah Powell



# At Home in Suburbia

by Mark Forsyth

*Among planners and architects, there is a general consensus that suburban sprawl poses a significant threat to the health of communities. However, for many Americans, suburbia represents an attractive alternative to skyrocketing housing prices, high crime rates, and busy traffic.*

*Living in Asphalt I: at home on the range*

Ronnie and Belva Anderson married in 1983 and settled into a new, three-bedroom house in the StarMark Homes' Willow Grove subdivision in Round Rock, Texas. For each, it was the second marriage, and each brought two children into the relationship. Ronnie and Belva had met at work at Polytech Industries, a computer chip manufacturer, where Ronnie served as a production manager and Belva worked in accounts payable. The couple loved their new home, and the children seemed to get along just fine.

Belva grew up in a farming community in West Texas where she graduated from high school and started taking classes part-time at the local community college. Here, she met her first husband, and, after the wedding and his graduation, Belva followed him to Austin, dropping out of college to take care of their children.

Childhood and adolescence for Ronnie were not strikingly different than his wife's. He and his six brothers and sisters were raised in Harrisburg, Penn., by parents who owned a True Value hardware store franchise. Ronnie studied at Penn State

and, after receiving a business degree, went to work for PolyTech's branch office in Pittsburgh. Hard work earned him a promotion to the company's headquarters in Austin, where he married an apparently not-quite-so-reformed alcoholic who fell off the wagon in the mid-1970s.

Neither Ronnie nor Belva ever cared too much about community or neighborhood value. Growing up, Belva's closest neighbors lived a mile down a gravel road, and her best friends were the cows that she milked every morning and Pastor Davis at Sunnyside Baptist Church. So much of Ronnie's childhood was spent helping his father unload boxes at the True Value that he never noticed whether or not there were other kids in his neighborhood or if the trees in their yard touched the trees on the other side.

Little has changed for this couple who recently celebrated their 12th anniversary. The subdivision is now 85 percent occupied yet the Andersons know only their immediate neighbors and certainly wouldn't feel comfortable visiting either of them without a phone call. There is no garden in the yard, although Ronnie cuts the grass every Sunday after church and Belva keeps silk flowers arrangements in every room of the house. Gunflint Drive, the 35-foot-wide road that the Anderson's driveway empties onto, never entertains playing children, because cars travel at break-neck speed through the neighborhood. This doesn't bother Belva at all; in fact, she wishes the city could make the street a little wider because people park on both sides of the road. In the late-1980s, Ronnie put in a basketball goal for his sons and himself. It got used for a year or so, but for Christmas in 1990, Belva bought the boys (and Ronnie) passes to a nearby health club on Highway 183. Belva doesn't mind that her boys spend so much time driving to the gym to play; it gives her more time with her flower arrangements.

The Andersons are not unusual; like most people, they would rather spend their night in front of the television than walking their dog around the block, visiting with neighbors on the way. Many, and I would venture to say most, Americans treasure their telephones and answering machines, their televisions and VCRs, and their automobiles

more than their neighbors, parks, gardens, trees, and ice cream socials. Most care more about escaping crime than stopping it, and building on the environment than preserving it. Suburban living began as a dream for GIs returning from World War II; now it is a lifestyle being carried into the 21st century by pagers, cellular phones, and developers who claim to know exactly how every American wants to live.

The Anderson's eldest child, Becky, went to college at the University of Texas to study biology in 1988. She lived at home during her freshman year, but then moved to a west campus apartment so she could walk to school. Although she enjoyed her Round Rock upbringing, Becky soon realized that community meant more than StarMark had advertised on its Willow Grove billboards. In 1993, she married John, a humanistic geography student from Hannibal, Missouri, who had grown up not too differently than his hometown's famous storybook character from the 1800s, Huckleberry Finn. John was convinced that he and Becky would somehow afford to live in what he called a "real neighborhood." After John completed his Master's degree in 1994, the couple moved to Syracuse, N.Y., and bought a small house close to downtown.

Becky and John knew that they could have bought a house twice as large in the suburbs for the same price, or a house the same size for tens of thousands of dollars less. However, the couple decided instead that sharing a sense of place with their neighbors was worth the money and the compact quarters. They know nearly everybody on their block and many in the surrounding blocks and were greeted to the area with a block party barbecue. Visiting from Texas, Belva doesn't much care for the small streets, and while she loves the flowers that are planted along the sidewalk, she wonders why just anybody can walk across her daughter's yard along the narrow strip of concrete.

The young couple, however, is worried that this neighborhood may not last. With inner-city crime rates rising just a few miles away, many older residents are shipping out to retirement homes in the suburbs. Becky and John often drive through more depressed neighborhoods and wonder why graffiti covers houses not too different than their own. Many of the couple's neighbors are willing to put up a fight and to work together to save the park and local elementary school from crime, but still others feel that they are facing an uphill battle.

Back in Round Rock, Belva and Ronnie's three boys are all taking classes at a community college

in Leander and two now live in apartments in Cedar Park. All three have similar ambitions; they want to continue living just the way they are now. High school for the Anderson sons was a constant game of phone and pager tag, basketball, and car repair and detailing all wrapped together. College is not much different; piece-meal jobs at Pizza Hut and other strip-mall shops pay the rent and the pager service. For them, the concept of neighborhood is limited, and social interaction occurs only on the court and across the phone lines. To these boys, Becky's "community" is foreign; they have never seen it. Though they "live" in Austin and cheer for UT, they rarely pass south of Highway 183, and would have a hard time finding their way around downtown.

Whether the cause of suburban sprawl is a growing fear of inner-city crime or frustration with downtown traffic, or simply a redefinition of the American dream, developers have forever changed the physical and social landscape of this country's cities. Physically, superhighways, strip malls, and subdivisions have pushed the outer limits of cities far into the surrounding countryside. Socially, the developers have sold a new lifestyle to the Andersons and hundreds of thousands of other families, who in turn have given birth to a second generation that is growing up not knowing anything different. And, as inner-city crime and traffic worsen, these same developers are targeting many young families and elderly individuals, offering a candy-coated alternative to pricey and unsafe neighborhoods.

Should architects and planners or anybody worry about suburban sprawl? If Belva, Ronnie, their sons, and the millions of others living in front of the television are content with their lack of community, why should we care? We should care if we wish to preserve the Texas Hill Country and other areas threatened by suburban sprawl, if we wish to fight crime by revitalizing inner-city neighborhoods rather than letting it spread with virus-like intensity through these areas, or if we believe that recycling old buildings is a healthier answer to growth than cutting down the forests for wood to build new ones.

If creating a compact city and fighting crime with revitalization is the design problem, and cre-

**We should care if we wish to preserve areas threatened by suburban sprawl, if we wish to fight crime by revitalizing inner-city neighborhoods, or if we believe that recycling old buildings is a healthier answer to growth than cutting down forests for wood to build new ones.**



Mark Forsyth



ating "community" attachment is the design solution, then what should become the real-world tactics behind this move? I would offer three suggestions: first, begin with downtown and integrate cultural and retail opportunities into declining areas; second, ensure that older areas that already have a sense of neighborhood retain it; and, third, sell "community" to the suburbs. Most importantly, architects and planners involved in this process must leave their ego at home, approaching change with patience and working within today's social, economic, and political realities, rather than fighting against them.

Downtowns are important. They signify psychologically the center of the city, as a heart of commerce, culture, business, and, in many cases, political leadership. When the downtown falls victim to crime, vandalism, and neglect, the immediately surrounding areas quickly follow suit. However, when the downtown works to attract business, residents, and tourists through one strategy or another, suburban sprawl is often slowed, and inner-city problems are controlled. Even if traffic is worsened, many visitors put up with slower driving to share in the splendor of the heart of the city.

Minneapolis and Toronto are two prime examples of "healthy" urban centers. Both have integrated successful shopping malls, professional sports stadiums, and museums with existing office towers

and historic tourist attractions. With the success of these ventures, urban parks, apartment buildings, restaurants and bars have opened, bringing more people to the inner city and fostering a sense of personal security in numbers. Promoting mixed-use development, offering tax incentives for affordable housing, and blending sufficient parking alternatives and mass-transit opportunities into this web of services are key design elements that have helped to create a sense of community pride in downtown.

Older neighborhoods often lie in the path of threatening urban problems. Many residents in these areas work hard to form neighborhood crime-watch groups and others lead efforts to pick up trash, but some grow frustrated and leave. Once pillars of the neighborhood, these families buy into the new American dream of wide streets and bigger, newer houses, and while they may miss their friends in the city, a life in the suburbs without the fear of crime and with lower taxes is much easier to swallow.

City officials must protect older neighborhoods by financially supporting the grassroots efforts of local residents. Without creating a police state, security should be improved. Funding for neighborhood schools should be increased to promote quality education for all. Maintenance of public utilities and roads should be stepped up. As in the downtown, zoning laws should be rewritten to promote multi-use development and protect housing opportunities. These areas should be preserved as examples for future development, rather than be left as victims of neglect.

In the suburban fringe, architects, planners, and city officials face a challenge as difficult as turning back crime. Here, creative marketing can sell the energy-conscious design of compact neighborhoods to developers and residents. Attacking developers with restrictions and attacking politicians with protests will only stir up the hornets' nest. Instead, educating residents and even developers that there is physical, psychological, and economic value in creating neighborhoods that may foster a sense of community may be the subtle and more effective answer.

Most residents of Willow Grove or similar subdivisions are completely satisfied with their lifestyle. Unfortunately for the architect/planner-turned-salesperson, they are also often stubborn. However, some are merely ignorant and others still remember when they could borrow a cup of sugar from just about anybody on the street. To these people, the architect can address issues of security and community friendship; and, if energy consciousness or recycling can't be sold, then maybe children playing



Living in Asphalt III: the Wal-Mart parking lot

Mark Forsyth

in the street or block parties will raise an eyebrow. Many people, like the Anderson boys, have never seen a "real" neighborhood, and truly don't know what they're missing.

In this effort, knowing about modern suburban society is important. Many architects are repulsed by the Willow Grove lifestyle and, instead of trying to understand it, they run from it. These designers, who often claim to know how everybody wants to live, could learn a lot from the Andersons. They could also learn a lot from developers about selling their society.

There are lessons, however, that architects can certainly offer developers and politicians. Both groups could gain priceless credibility if they promoted themselves as saviors of the environment. The Andersons might even become interested in recycling if they knew that their house was surrounded by low-water-use native grasses and plants. There are economic opportunities as well; build more slowly and charge more for custom-designed homes, integrate restaurants, bookstores, and coffee houses into subdivisions and take a cut on the

profits, make roads narrower and save money on concrete, or save trees and spend less on landscaping. Some changes involve overhauling zoning laws, such as adjusting the width of the street or changing land use restrictions, and, while this may seem difficult, convincing Texas' governor or Austin's mayor may be a lot easier than convincing Mrs. Anderson.

Community does have value. It is society's greatest weapon against its own self-destruction. Some people need more convincing than others, but for each person the value of community lies in different benefits. To Becky and John, community means a sense of belonging and happiness. To developers and politicians, it can bring a new way to cash in. And, to Belva and Ronnie, community may just give them the freedom to cross 183.

PF

Mark Forsyth is the production editor of *Texas Architect* magazine. He holds two degrees in architecture, a B.A. degree from Washington University in St. Louis and a M.Arch. from the University of Texas at Austin.

Living in Asphalt II: the daily commute to work



Mark Forsyth



# Citizen Participation

by Ruth Ellen Hardy

*In Boston, Mass., and San Antonio, Texas, citizens have created effective, practical models for community revitalization. To be understood fully, however, these efforts must be viewed within the historical context of urban renewal and its discriminatory citizen participation strategies.*

*Demolition mandated by urban renewal devastated the physical and social fabric of many low-income, inner-city communities.*



Leilah Powell

Citizen participation in urban renewal<sup>1</sup> has been a contentious issue since the inception of post-war policies for housing, "slum" clearance, and urban redevelopment (Wilson, 1966; Slayton, 1966; Bellush and Hausknecht, 1967; Smith, 1984). Governments and development agencies carried out many public works and urban redevelopment projects in the 1950s and 1960s without the input or consent of residents in the targeted areas. Thousands of low-income people were forced to leave their homes, displaced by bulldozers that knocked down houses deemed uninhabitable (Slayton, 1966). With little voice in the urban redevelopment policies that determined their futures and little control over the land upon which they lived, low-income people were forced to relocate as urban planners moved the poor to lower-priority locations (Medoff and Sklar, 1994).

Federal regulations encouraged some citizen participation, but generally only middle-income residents who could afford to contribute to rehabilitation, and would benefit from urban renewal through increased property values, were invited to participate

in these publicly funded projects (Wilson, 1966). Low-income residents often could participate only through political protest, in an attempt to halt programs that included provisions to bulldoze their neighborhoods.

This dichotomy of middle-income participation and low-income protest prompted some planners and academics to seek methods for effective citizen participation. James Q. Wilson offers two models for citizen participation in urban renewal. The first is based on Saul Alinsky's power politics approach to organizing low-income communities—an attempt to capitalize on the special characteristics of an economically depressed area. The second is a neighborhood organization model where citizens collaborate with city planners and agencies to form common goals for urban revitalization. Wilson (1966) also distinguishes between citizens with a "private versus public political ethos," the latter being more likely to participate effectively in urban renewal programs. T. Michael Smith (1984) presents a theory for healthy communities focusing on twelve characteristics necessary for effective citizen participation and offers what he terms "methodologies" communities should adopt in order to enhance their participation strategies. These theories offer some insight into the difficulties and possibilities for citizen participation in urban renewal programs.

The early history of urban renewal in the United States is critical for understanding current efforts for citizen participation in, or even control of, urban revitalization projects. The urban renewal "slum" clearance programs of the 1960s left scars upon the many low-income communities that were relocated, ignored, or abused by planners and policy makers. Citizens have used these scars as catalysts for protest, organizing, and planning, creating citizen-controlled initiatives that have blossomed into effective, practical models for citizen participation in urban revitalization. To understand today's success stories, we must understand yesterday's failures.

In this essay, I will argue that citizen participation in urban revitalization must be understood within this historical context. Wilson's and Smith's theoretical models are useful for highlighting the facets of citizen programs, but Wilson's theory in particular must first be criticized for its essentialist views on class and race in citizen participation. Finally, the most effective approach to analyzing citizen participation models is through an examination of the programs themselves. I will argue that the history of

urban renewal programs is closely tied to both theory and practice, and that all three elements are crucial to understanding where to proceed with citizen participation in urban revitalization.

First, I will examine the policies of urban renewal following World War II and the attitude toward citizen participation in redevelopment practices. Next, I will analyze Wilson's and Smith's theories regarding citizen participation, and their suggestions for effective action. Finally, in an effort to identify program strengths and derive recommendations from them, I will apply these theories to two resident-controlled initiatives working toward community revitalization in low-income urban areas.

## The Post-World War II Roots of Urban Renewal: 1949-1964

Following World War II, the United States experienced several decades of tremendous growth. Federal policies promoting the suburbanization of metropolitan America and the "renewal" of inner-city areas encouraged the sprawling growth phenomenon. Because huge numbers of people were leaving cities for the greener fields and larger homes of the suburbs, inner-city America was becoming neglected and concentrated with disenfranchised residents. Private-sector efforts to revitalize inner cities were hampered by difficulties with assembling small plots of land into tracts large enough for development. In addition, the enormous cost associated with such development was in most cases prohibitive (Slayton, 1966).

Title I of the Housing Act of 1949 attempted to address these redevelopment problems and create a national policy for urban renewal. The Act enabled local governments to use the power of eminent domain to acquire land and create large areas for redevelopment. The Act also required local and federal governments to "pay the net cost of urban renewal, which is the difference between the cost of acquiring and clearing slum properties and the income received when the land is sold or leased for public and private redevelopment" (Slayton, 1966, 191). The Act recognized urban renewal as a national goal and placed the responsibility for this renewal on the backs and in the wallets of the government, both at the local and federal levels.

Because the Housing Act of 1949 allowed for the use of eminent domain, land acquisition and structure demolition were major components of urban renewal programs, while housing rehabilitation was far less popular. By the end of 1964, the Urban Renewal Administration (URA) had approved

approximately 970 urban redevelopment projects, with plans for the acquisition of 36,400 acres of land and the demolition of over 158,000 structures (Slayton, 1966). Due to the cost of wholesale slum clearance and because at least some housing was not deteriorated enough to justify demolition, the URA encouraged physical conservation and rehabilitation through the authorization of Federal Housing Administration (FHA) financial assistance. Despite the availability of these funds, nationally only 229 rehabilitation projects had been started by 1964. Rehabilitation "require[d] a high degree of participation by the local citizenry," with "accomplishments depend[ing] so much upon the decisions and voluntary actions of many individual owners of a great variety of separate properties" (Slayton, 1966, 214). Most of the people residing in target areas were low income, and therefore either did not own their homes or were unable to fund the rehabilitation of their own properties. Due to this lack of citizen financing and because the URA was not willing to educate low-income residents about structure rehabilitation, relocation was simpler than rehabilitation.

Congress gradually passed amendments permitting greater proportions of federal grant monies to be used for large scale business and economic development. By 1961, the non-housing allowance was thirty percent of all Title I housing funds (Slayton, 1966). Although Slayton, former Commissioner of the URA, argued that this diversion of funds away from housing "reflected a growing awareness of the importance of using renewal to revitalize the economic base and the taxable resources of cities . . . creating job opportunities as well as improving housing conditions," the effect was often to relocate people and poverty to other sections of the city while failing to create adequate job opportunities for low-income people (Slayton, 1966, 194). Low income people were neither served by the slum clearance and economic development projects nor included in the housing rehabilitation initiatives.

Because many of the projects enacted under Title I dislocated people through "slum" clearance and demolition, the URA directed local programs to re-house people who were displaced under re-

**Because the Housing Act of 1949 allowed for the use of eminent domain, land acquisition and structure demolition were major components of urban renewal programs, while housing rehabilitation was far less popular.**



newal initiatives. The URA required localities to submit evidence of an adequate affordable housing supply, to provide dislocated residents with housing information and relocation payments to cover the cost of moving and property loss, and to keep track of relocated families in order to assure they were placed in housing that met physical, occupancy, health and safety, ability-to-pay, and locational standards (Slayton, 1966). However, relocation programs often failed to meet their objectives of securing safe and decent housing for displaced residents. Meager relocation payments, by 1964 averaging a mere \$73.20 per family, rarely compensated for the resulting upheaval, which included loss of housing, community, and personal stability. By 1964, more than 185,000 families across the nation had been relocated as a result of urban renewal, and despite the best intentions of

the URA, many of these residents did not receive from local programs the housing, services, or money required by the government agency (Slayton, 1966).

The lack of resident participation in rehabilitation and the default solution of resident relocation highlight the

difficulties of citizen participation in the urban renewal process as conceived in the 1950s and 1960s. Urban renewal programs commanded bipartisan support in the U.S. Congress, yet on the local level few projects reached a successful conclusion. Problems such as racial strife, the elimination of whole neighborhoods, a reduction in the supply of affordable housing to make way for federally funded high-cost housing, the inhumane and futuristic designs of the redevelopment projects, and the liberal fight for rehabilitation over redevelopment plagued project after project (Wilson, 1966). As a result of these controversies, residents often opposed and tried to delay or defeat urban renewal projects. They feared displacement and preferred the status quo to forced expulsion from their neighborhoods. Because low-income residents were not actually included in the planning of urban renewal projects, vocal protest became their only recourse.

Perhaps in response to citizen unrest, the 1962 U.S. Housing and Home Finance Agency (HHFA) report entitled "Workable Program for Community

Development" includes a section on citizen participation that emphasizes the importance of minority resident involvement, and lays out a three-pronged program for such participation. Urban developers must plan to "inform and involve: 1) the community as a whole; 2) special interest groups, enlisting their assistance in solving particular problems; and 3) residents of areas to be directly affected by various Program activities" (U.S. HHFA, 1962, 13). While this was the stated goal of the federal housing agency, many planners called into question the feasibility of concerted citizen participation. Low-income communities could not actively participate because they often lacked technically skilled leaders, group cohesion, and financial resources (Bellush and Hausknecht, 1967). The HHFA plan did not address these obstacles to citizen participation and therefore served more as propaganda than as a definitive plan.

While government policies attempted both to provide routes for low-income resident participation and also to meet affordable housing needs, neither goal was ever pursued as fervently as "slum" clearance and the elite control of redevelopment. The specified relocation provisions and funding for housing rehabilitation did not prevent low-income people from being forced from their homes into unsanitary and unsafe housing. The HHFA participation plan did not eliminate the propensity of monied and politically connected interests to control nearly all renewal programs. In the next section, I will describe how urban renewal projects systematically ignored the interests of low-income residents in Boston and Chicago.

### Boston and Chicago: Urban Renewal and Selective Citizen Participation

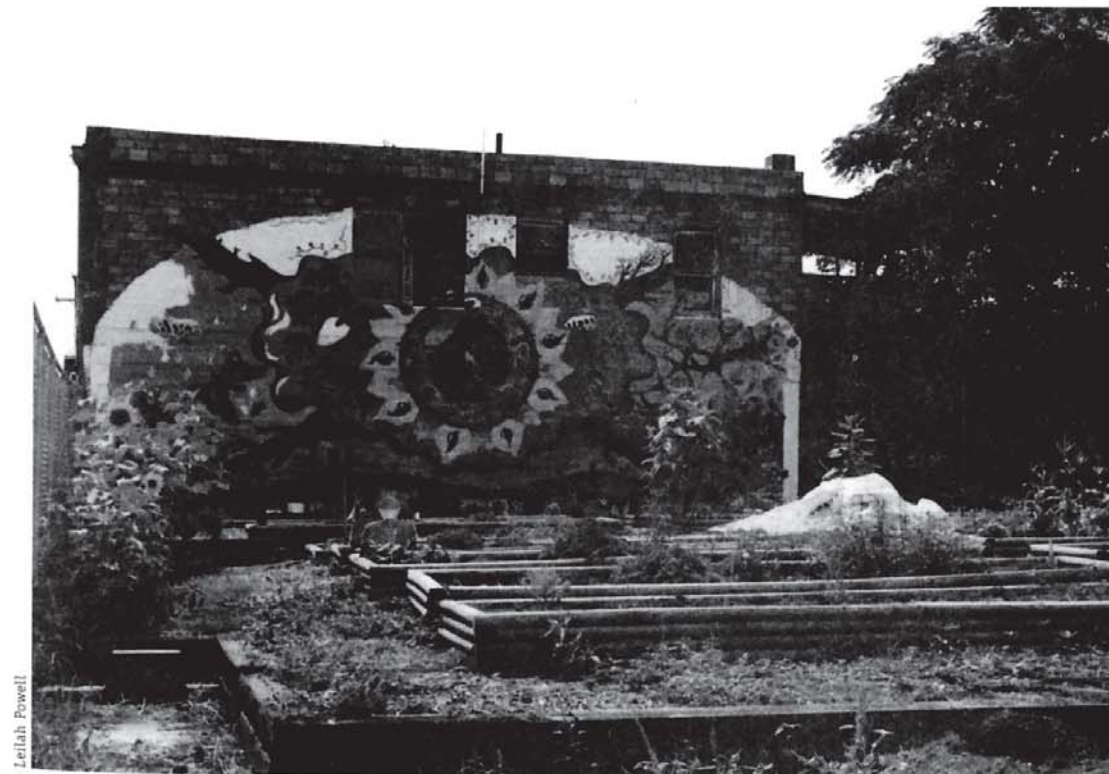
Generally, when renewal plans called for wholesale clearance and redevelopment, development agencies avoided seeking any type of citizen input, while actively seeking resident participation when plans focused on housing rehabilitation. Planners usually slated dilapidated low-income, often minority, neighborhoods for clearance, while choosing middle-income White or mixed-race areas for rehabilitation. This dichotomy caused several decades of physical and emotional scars in neighborhoods that witnessed the clearance of nearby areas (Medoff and Sklar, 1994). Development agencies chose this resident inclusion/exclusion strategy both in order to meet their renewal goals and to appease the powerful interests involved in shaping urban redevelopment projects.

The Boston Redevelopment Authority (BRA) is an example of the type of planning and development agency that took on huge projects without the participation of low-income citizens (Medoff and Sklar, 1994). BRA's only attempts at citizen participation came with projects in middle-class areas aimed at rehabilitation, not redevelopment (Wilson, 1966). In the 1950s, prior to BRA's reign, the City of Boston's redevelopment policies had set an exclusionary precedent with the complete demolition of the West End, a neighborhood covering 38 blocks and 41 acres and home to 9,000 mostly low-income Italian immigrants, in order to make way for high-rise, high-rent apartment buildings (McQuade, 1966). The City of Boston did not include the residents in the redevelopment plans, but rather chose to relocate them to make way for higher-rent tenants.

In 1959, a group of Boston elites, responding to several decades of urban decline, planted the seeds of the BRA. The group began working with Mayor Collins to capture federal dollars for redevelopment. They convinced the URA to approve ten simultaneous renewal projects, pushing Boston from seventeenth on the federal funding list to fourth (McQuade, 1966). They adopted the slogan "Planning with People," but the people planned with were mostly property-owning, middle-class residents who would be allowed to stay in their neigh-

borhood and benefit from rehabilitation projects. The BRA slated eight areas for demolition, including the Washington Park section of Roxbury, which McQuade described as the "city's Negro ghetto, which lies only a twenty-minute taxi ride away from the center of Boston" (1966, 271). "Poor Blacks were not invited to participate in Washington Park urban renewal planning. They were considered the 'blighting influence' whose removal was part of the renewal process strongly supported by many middle-class Blacks. Numerous low-rent dwellings were eliminated without replacement" (Medoff and Sklar, 1994, 19). In another area, North Harvard-Allston, in which the BRA decided to conduct complete clearance, "no effort was made to obtain citizen participation and the plan was approved by the city council without the consent of the neighborhood" (Wilson, 1966, 417). Participatory inclusion was not split along racial lines in these cases, but most definitely along class lines. Out of fear of losing the political support that allowed them to destroy neighborhoods, the BRA only sought resident participation when it was necessary that citizens rehabilitate their own homes. Participation was not a means for citizen input, but a means for citizen assistance with the predetermined goals of redevelopers.

Like Boston, Chicago renewal policy makers only sought participation in areas where residents had



Grassroots-level redevelopment efforts have led to the creation of community gardens and murals depicting local heritage on San Antonio's West Side.



a vested, property-owner interest in revitalization and the ability to weather the renewal storm. For example, the residents in the Hyde Park-Kenwood area surrounding the University of Chicago successfully played a role in the renewal project in their neighborhood. Citizen support for renewal in Hyde Park-Kenwood stemmed from the fact that the grassroots participants "represented that part of a very heterogeneous community which would ultimately benefit from renewal. The upper-middle-class professors, housewives, and business and professional men (both white and Negro) who made up the bulk of the [participants] were mostly people who were going to remain in the community and whose peace, security, cultural life, and property values would probably be enhanced by a successful renewal plan" (Wilson, 1966, 412). This attachment to the physical and social well-being of a place and community is vital to the success of citizen participation, but it need not only be associated with middle-class areas. As demonstrated with the case studies below, low-income communities can also have a deep attachment to an area and a vested interest in its revitalization, but may not have the financial resources, time, or political connections to demonstrate this attachment immediately.

These two examples point to the consistent practice of developers and policy makers seeking resident participation only when it was politically

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and economically feasible. Yet, even in Roxbury and Hyde Park-Kenwood, residents did not choose the revitalization path for their neighborhood. Their cities showed them a plan and asked them to abide by it, not change it to suit their own community vision. Citizen participation was a commitment to personal labor and a token measure of support, not a mechanism to empower urban residents. Despite these precedents, there are citizen participation models that offer insight into how urban revitalization projects could include meaningful citizen participation. Below I will focus on two core theories for resident involvement.

### Two Theories for Citizen Participation

Following the selectively exclusionary practices of the BRA and other development agencies, theorists began to question how citizens might play a more meaningful role in urban renewal programs. James Q. Wilson offers a theory of the types of

citizens who are more likely to engage in citizen participation initiatives, and establishes two models for resident involvement. Two decades later, still attempting to address the same citizen participation dilemma, T. Michael Smith establishes characteristics necessary for successful citizen involvement organizations and proposes some "methodologies" for action. Wilson bases his models on the state of the practice he has observed in urban renewal, while Smith writes more abstractly about what he thinks should occur regardless of the model citizens chosen for involvement in urban renewal projects. Both theories are discussed below and then combined to examine two actual resident initiatives.

Wilson believes there are certain types of citizens who are more prone to civic participation than others. He argues that in order to participate effectively in urban revitalization programs, citizens must have a "community-regarding or public-regarding political ethos," as well as a "high sense of personal efficacy, a long-time perspective, a general familiarity with and confidence in city-wide institutions, and a cosmopolitan orientation toward life" (1966, 413). Citizens with these "public-regarding" characteristics are better able to determine what is best for their communities and how to accomplish their goals within a socially acceptable framework.

While many of these attributes seem potentially universal, Wilson blurs the picture by assigning a race and class dimension to the equation. He contends that the Black and low-income citizens residing in neighborhoods most likely to be targeted for urban renewal are the citizens least likely to have the type of outlook and experience necessary for effective citizen participation. Wilson asserts that low-income, Black residents have a preoccupation with the personal and immediate, and have difficulty abstracting the general situation from their own concrete experiences. Because of their "private-regarding political ethos," targeted residents will only "collaborate when each person can see a danger to him or to his family in some proposed change" (1966, 414). In other words, "private-regarding" citizens may react if their own homes are being threatened, but not if those on the next block may be torn down. Wilson does concede that this reaction is not the universal case, conceding that while upper-income people are more likely to have a long-term attachment to a place and share goals due to their common roles as property owners, many low-income, working class neighborhoods also evidence a concern for a particular

place. Wilson fails to acknowledge, however, the close-knit communities of recent immigrants, the common long-term goal of escaping oppression for Black citizens, and the strong institutional cohesion of working class neighborhoods surrounding local unions, and therefore bases his theory on misinformed generalizations rather than practical cases.

Based on his civic criteria, Wilson discusses two strategies for citizen participation in urban renewal. The first is born out of Saul Alinsky's power-politics approach that identifies the special characteristics of a depressed area and tries to capitalize on these qualities, often through aggressive political protest. Wilson objects to this strategy because it focuses on the "private-oriented fears of low-income people" and could "exacerbate conflict rather than prevent it, alienate the neighborhood from the city as a whole rather than bring it into the normal pattern of civic action, and place a premium on power rather than on a cooperative search for the common good" (1966, 416). Wilson judges this strategy without placing it within the context of citizen anger and frustration with urban renewal programs. When faced with the prospect of losing their homes through no choice of their own, citizens might find that their only recourse is to vent their anger through political protest or civil disobedience. Power is a premium and low-income citizens will use what little bit they have to object vehemently to being left out of the decision-making process. If policy makers give low-income citizens no "official" voice from the beginning, they will be forced to use their voices strongly in reaction to policies that affect them.

Wilson's second approach to citizen participation works through neighborhood organizations to create common goals in collaboration with city planners and agencies. Wilson prefers this option, but acknowledges its difficulties and record of mixed results. Citizens are not likely to cooperate with city agencies if urban renewal is going to mean the loss of their homes. According to Wilson, urban renewal with the consent of strong indigenous organizations in low-income areas is extremely rare. With the threat of losing their homes through wholesale neighborhood clearance, or being forced to pay for rehabilitation out of their own pockets, Wilson points out, there have been few incentives for low-income residents to support urban renewal or participate in its process. This leaves a situation in which "middle-class persons who are beneficiaries of rehabilitation will be planned with; lower-class persons who are disadvantaged by re-

habilitation are likely to be planned *without*" (1966, 418, emphasis in original). Not only are there few incentives for low-income people to participate, urban planners and policy makers often give them no opportunity. This second strategy can only operate if there is a two-way effort from both citizens and from cities.

For this second model of resident participation to be successful, city planners and policy makers must reconceptualize urban revitalization. Wilson assumes that urban renewal must necessarily be a top-down process, rather than one controlled at the grassroots level by citizens themselves. Once this assumption is abandoned, options abound for citizen participation in and even control of urban revitalization. Cities need to erase the decades of fear that urban renewal projects have engendered in low-income residents and work to build trust and equal partnerships. This type of process takes time, but once planners and people form common goals, urban revitalization projects will produce more lasting and equitable results.

A second theory of citizen participation in urban revitalization, posed by T. Michael Smith, seeks methods for including low-income voices in the planning and revitalization process through changing the conception of process and community. Planners and developers have not yet "learned to involve a broad enough cross section of the community...democratically in deciding what the problems are, how to solve them, and to interrelate issues into a comprehensive understanding of community" (Smith, 1984, 123). Most redevelopment efforts do not revolve around a democratic process, stemming from the principal of equal representation and voice, and urban planners many times do not understand the community for which they are planning.

Smith suggests 12 characteristics of "good or competent communities" that could assist urban revitalization efforts. They are: 1) development of primary group relationships; 2) increase of self and other awareness and clarity of situation definitions; 3) internal communications; 4) articulate citizens; 5) participation; 6) commitment to a locality; 7)

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machinery for facilitating participation and decision-making; 8) increased autonomy; 9) neighborhood control; 10) increased power distribution; 11) degree of heterogeneity; and 12) conflict containment (1984, 129). Communities that embody these characteristics are more likely to be able to engage in meaningful participation. Unlike Wilson, Smith does not contend that income level or race contribute to the ability of communities to participate in or initiate neighborhood revitalization; thus, he does allow for the participation of communities most directly affected by urban redevelopment.

Along with the above characteristics necessary for community involvement, Smith outlines several related "methodologies" that communities

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should follow for effective participation. First, communities must focus on involving, through a structure of continuous outreach, a broad cross section of people—anyone who has a stake in an issue. Second, communities should make decisions democratically after proper education and information dissemination. Third, communities should work

toward building group and leadership strength among all members, increasing the community's overall capacity for effective action. Fourth, communities should follow a problem solving process to ensure the best possible solutions are discovered. Fifth, communities should link issues in a holistic manner, recognizing the complexities of the community and the interrelated segments. Finally, if neighborhood or community organizations are assisted by professional staff members, these people should act as facilitators, educators, and coordinators, fostering the awareness of the group and allowing them to concentrate on the task at hand (Smith, 1984). Although these methods are difficult to maintain over extended periods of time, the success of a neighborhood initiative can rest upon the health of the process and organization.

In combination, Wilson's and Smith's theories provide a useful framework in which to examine two citizen efforts in urban revitalization and politics. Wilson establishes a loose dichotomy of citizen participation models, one of brass power politics and one of neighborhood-city partnerships.

Smith lays out citizen characteristics necessary for successful participation and suggests "methodologies" that citizen groups should use within any model. In the following section, I will apply Wilson's and Smith's theories to examples of successful citizen participation in urban revitalization in the very different communities of San Antonio, Texas, and Boston, Mass.

### Community Participation in Action

The roots of urban revitalization are planted in a history of resident relocation, development agencies controlled by economically powerful interests, failed government policies, and minimal efforts at effective citizen participation. In response to this history, academics have produced theories about how citizens can incorporate themselves into urban revitalization programs. Additionally, largely in reaction to the exclusionary urban renewal policies of the 1960s, citizens have formed their own organizations and methods to fight detrimental projects and plan futures for their communities.

Two such organizations that in some way can trace their inspirations to the urban renewal practices of the 1960s are Communities Organized for Public Service (COPS) in San Antonio, Texas, and the Dudley Street Neighborhood Initiative (DSNI) in Boston, Mass. COPS is a direct descendent of Saul Alinsky's Industrial Areas Foundation (IAF), a politically aggressive, low-income citizen organization formed in response to urban policies in the 1960s. COPS was also fueled by the effects of racist campaign tactics used during the 1966 local elections: The San Antonio White power bloc effectively knocked out most of the candidates backed by a growing coalition of Hispanics, Blacks, White liberals, and unionists, by fostering a White fear of "the black hand over San Antonio." The resounding defeat of the coalition candidates and the scars propagated by these racist tactics deeply affected the future COPS's leaders and participants: "To understand what [COPS is] doing in Texas and elsewhere in the nation, it helps to understand the black hand and San Antonio . . . it was certainly not without turmoil that the city's 'charming' Hispanic majority finally in the 1970s came into its own . . ." (Rogers, 1990, 69). In the 1970s Hispanics fought to gain political power and dispel the racist myths brought on by the "black hand" smear tactics. Any analysis of COPS must place it in this specific historical context, and the larger urban renewal historical context outlined earlier.

DSNI has also been affected by the legacy of urban renewal programs in the 1950s and 1960s.

Situated adjacent to the Washington Park section of Roxbury that was demolished during the "slum" clearance programs in the early 1960s, many Dudley residents remember the anguish such policies brought upon the low-income residents who were forced to relocate. They had witnessed no improvements as a result of policies that were intended to remove "slums" and inner city decay: "The legacy left by Urban Renewal is the scars of vacant land, abandoned buildings, a fear of displacement and gentrification, and a fear of lack of control over the future of one's own community" (Medoff and Sklar, 1994, 19). These scars were irritated during the mid-1980s when the Boston Redevelopment Agency (BRA) submitted a new plan for the Dudley area that resembled former urban renewal projects. "The BRA proposed a 'New Town' strategy with a \$750-million complex of office towers, hotels, housing, historical parks and light manufacturing in the northern Dudley area . . . The BRA admitted that its strategy 'could lead to displacement of existing residents, the gentrification of existing single-family neighborhoods, and jobs for 'new' residents at the expense of current residents'" (Medoff and Sklar, 1994, 50-52). DSNI was spurred on by a displacement and redevelopment plan for their area that clearly did not include or benefit the existing mostly low-income inhabitants. They were determined to avoid the repetition of history and develop a strong citizen movement before they could be ignored by the BRA again.

COPS and DSNI have both persistently worked for progressive political and social change in low-income, minority neighborhoods. Their goals have been similar, but the organizations have utilized different tactics and followed different paths on the way to an effective low-income citizen voice in urban policies. While they both share each of the characteristics proposed by Smith for "good and competent" communities and both utilize many of his "methodologies" as well, each has strengths in several different areas. Because I am attempting to identify effective methods for citizen participation in urban policies, I have chosen to focus on the strengths of COPS and DSNI. Neither organization is perfect, both have made plenty of mistakes, and both might pose some philosophical challenges depending on the personal biases of the reader, but I will leave this discussion for another paper. In this analysis, the strengths and successes of COPS and DSNI are most critical.

I will identify COPS and DSNI within the context of Wilson's model, while analyzing both groups

with a focus on four of Smith's characteristics and one of his "methodologies" that highlight many of the strengths of each group. I will analyze COPS addressing: 1) participation; 2) increased power distribution; 3) increased self and other awareness; 4) articulate citizens; and 5) its methodology for problem solving. I will examine DSNI through the Smith's lens of: 1) commitment to a locality; 2) heterogeneity; 3) machinery for facilitating participation and decision-making; 4) neighborhood control; and 5) its professional staff methodology. Through these examples, I will shed some light on the meaning of Smith's characteristics and the strengths of COPS and DSNI.

### Communities Organizing for Public Service

The COPS organization fits Wilson's first type of citizen involvement strategy, where low-income communities identify their needs and participate in urban revitalization through a strategy of power politics. Formed in 1974 by Ernesto Cortes, a Saul Alinsky protégé; Father Edmundo Rodriguez, a Catholic priest; and the citizens of San Antonio's Hispanic West Side, COPS has followed in the footsteps of the Industrial Areas Foundation (IAF) and The Woodlawn Organization (TWO), both born out of Alinsky's Chicago organizing drives. Cortes is a spiritual man and a graduate of the IAF Training Institute, and both of these facets of his back-

*COPS relies on a strong network of community activists who meet frequently to discuss their concerns, strategies and solutions.*





ground play a large role in his community philosophy. COPS's organizing has come largely through churches, and COPS's strategies have come largely from IAF (Rogers, 1990).

**Participation.** While Cortes initiated COPS and was its original inspirational leader, he has never been its practical leader. From the start, residents who are seeking change have led the organization. Cortes has been a teacher and supporter of the citizens who are the organizers and leaders; "he has tried to deflect the spotlight from himself to the people who hold his organization together" (Rogers, 1990, 24). COPS seeks to empower people, train them to organize citizens, and use strength in numbers and strategy to gain representation and action from

those in power. Cortes and COPS have created the means for effective citizen participation: "People commit themselves to a community, contribute to the definition of goals as well as the means for their implementation and enjoyment when they participate in a process of interaction which is both process- and product-oriented" (Smith, 1984, 128). Citizens actively

direct the future course of COPS and decide which goals the organization should pursue. This participation has sustained COPS through two decades of citizens and urban politics and been the lifeblood of the organization.

COPS' first major endeavor is an example of the participation of citizens in determining the priorities of the organization and then acting to carry out a plan. In 1974, COPS forced Mayor Charles Becker and the City Council to address the disastrous drainage problems on the West Side. Each year, floods caused tremendous personal and property damage, many times taking the lives of children swept away by rushing water. COPS members decided this situation was a priority and hundreds of them filled the Council chambers and demanded that the City take action to repair the West Side drainage system. The result was the approval of a \$46-million bond issue and the City's attention to a neighborhood that for decades had been ignored. (Rogers, 1990) Not only was this an opportunity to plan and participate, but it introduced many low-income Hispanic residents to the idea of per-

sonal political power. This leads into the second of Smith's characteristics.

**Increased Power Distribution.** Wilson complains that this type of citizen participation strategy is too much about power, and Cortes would not disagree. Cortes explains, "But just as we know that power tends to corrupt, we also know that powerlessness corrupts. We've got a lot of people who've never developed an understanding of power. They've been institutionally trained to be passive. Power is nothing more than the ability to act in your own behalf, to act for your own interest" (Rogers, 1990, 31). COPS trains citizens to understand and use power to fight for their interests and their neighborhood. This characteristic of COPS highlights Smith's call for increased power distribution among communities fighting for participation in urban revitalization. COPS provides its members with training and leadership skills and then trusts them with the power to speak on their own behalf.

**Increased Self and Other Awareness.** Unlike Wilson's complaint of a focus on the "private-oriented fears of low-income people" and a tendency not to "bring [low-income citizens] into the normal pattern of civic action" (Wilson, 1966, 416), COPS is intently aware of its place in the community at large and its responsibility to the institutions and leaders who stand up for the organization. Smith's call for "increased self and other awareness" is addressed with this aspect of COPS. For example, Cortes reminded COPS leaders of their responsibility for protecting Mayor Henry Cisneros because he protected COPS: "... [Cisneros] meets with us because he needs us, just like we need him. He needs us to do what we do because it helps him keep the developers from running roughshod over him... We understand this and can work with him... [because] we're going to be around a long time" (Rogers, 1990, 29-30). COPS comprehends "its own identity and position on issues in relation to that of other parts of the community in a larger context" (Smith, 1984, 127). COPS' holistic, long-term approach forces it to work within a relational context, where its actions effect how it functions within the larger community and how the larger community views COPS.

**Articulate Citizens.** The power, responsibility, and leadership COPS instills in its members enables citizens, who never before could imagine confronting the elites of City Hall, to speak directly to those responsible for the future of their city. COPS's members prepare judiciously for such confrontations. When they attend their infamous "accountability

sessions" with city and state officials, COPS's members have more knowledge about the history, politics, and solutions to neighborhood and city problems than those with whom they debate. COPS creates Smith's "articulate citizens" who have the "ability to articulate views, attitudes, and intentions, and to express their perceptions of the relation of their position to that of the other citizens or segments of the community" (Smith, 1984, 128). Members are able to speak truthfully about their demands in a context of political action because they are trained and prepared to confront institutional and political forces.

**Methodology for Problem Solving.** Finally, COPS utilizes the type of problem-solving methodology called for by Smith. As discussed above, members spend great amounts of time discussing the problem and goal, gathering information, examining options, deciding what to do, and doing it. Perhaps its greatest problem-solving strength comes through its intense evaluation sessions. After meetings with officials, public demonstrations, training sessions, or organizing efforts, COPS members spend time evaluating their successes and failures. This enables them to store up information on what they can do better next time, and what tactics they should repeat or discard. While many organizations do not spend any time on evaluation, COPS requires "organizational accountability" sessions for itself, ensuring that it does not hold other institutions to higher standards than it expects of itself.

COPS has garnered its greatest successes through human development. People who never before would have participated in political action, have met face-to-face with their mayor, outsmarted city council members, and gained huge amounts of self-confidence and personal power. COPS teaches that anger about social injustices is healthy, and that it can be channeled into political action. Cortes calls this a "cold anger," waiting to be used for grassroots citizen participation in making political decisions for their communities.

### The Dudley Street Neighborhood Initiative

The Dudley Street Neighborhood Initiative (DSNI) is an organization that follows Wilson's second citizen-participation model of neighborhood organizations working in partnership with city planners and agencies to create common goals and strategies. DSNI is a resident-controlled, community-based organization, established in 1985 with the goal of revitalizing the neighborhood through a resident-controlled comprehensive development

initiative. It was not originally conceived as a partnership with the city, but rather formed to fight against the BRA's Dudley plan. Slowly, however, the City of Boston entered into a partnership designed by DSNI itself. So while DSNI is in the spirit of Wilson's model, it turns the city/neighborhood partnership on its head by reconceptualizing community revitalization as a ground-up process rather than a top-down institutionalized ruling.

The Dudley Street Neighborhood is the poorest section of Boston. In 1990, the core area had a per capita income of \$7,634, with 35 percent of the residents living below the poverty line. The residents are over 85 percent people of color, with a median age of 27 (Medoff and Sklar, 1994). The neighborhood has faced over three decades of disinvestment and abuse. Much of it has been victimized by arson, illegal dumping, environmental degradation, and public service deprivation.

**Commitment to a Locality.** The resident-decided political strategies of DSNI and the resulting control over the actual land of the neighborhood came after a strong historical commitment to the locality. "[One resident] who bought his house ten years ago, is still considered a newcomer to the neighborhood; most of his neighbors have lived in their homes for up to thirty years" (Canellos, 1998, 1); several DSNI members have spent their entire lives in the Dudley Street area. They witnessed the slow decay of the area, as well as the outright destruction of nearby Washington Park under the slum clearance policies addressed earlier. But many people also know that before decay, the area was vibrant and strongly committed to universal human rights. Names such as Bostian Ken, who, in 1656, was the first Black landowner in Massachusetts; Maria Stewart, the first American-born woman to lecture in public; and Frederick Douglass, the great abolitionist leader, enrich the history of the Dudley Street area (Medoff and Sklar, 1994). DSNI carefully chose the boundaries of the area on which to focus its efforts, comprehending completely the significance of both history and geography. DSNI's commitment to a locality not only far exceeds what even Smith could expect from most communities, but it disproves Wilson's claim that low-income minority communities cannot have a long-term commitment to an area.

The power, responsibility, and leadership COPS instills in its members enables citizens, who never before could imagine confronting the elites of City Hall, to speak directly to those responsible for the future of their city.



*Heterogeneity.* DSNI also meets Smith's call for a "degree of heterogeneity [where] different life styles, subcultures, and values in a diversified, pluralistic society [are] accepted and valued" (1984, 129). The Dudley Street area is composed of four major cultures: African American, Latino, White, and Cape Verdean, and equal representation of each group is required on the DSNI Board. In addition, one of the major annual events of DSNI is a multi-cultural festival. As a DSNI Board member explains, "The festival is a multiethnic celebration. It's breaking down walls. It's learning to respect the rituals and the values of [other cultures] . . . It's one more time where [DSNI] is saying that this is not a homogeneous community. We have our differences, but they . . . can enrich us rather than divide us" (Medoff and Sklar, 1994, 111). While DSNI has gone through some bouts of cultural tension, its goal is to improve the lives of all members of the area, through everyone's participation.

*Machinery for Facilitating Participation and Decision-Making.* The "machinery for facilitating participation and decision-making [and] the processes of interaction for achieving consensus and decisions" (Smith, 1984, 128) are integral facets of the structure of DSNI. Originally conceived as an "organization of organizations," DSNI was quickly reformulated as a resident-controlled community initiative. At the first community-wide meeting, called by non-profit organizations in the area to

announce plans to begin efforts to revitalize the neighborhood, Dudley residents immediately objected to what was perceived as more organizations telling low-income people what to do. They forced a change to the Board structure, gaining resident control of the governing and decision-making structure. Annual elections are open to all residents of the area, paid staff members are often residents, and all major decisions and policies are controlled by those living in the Dudley Street area.

*Neighborhood Control.* This structure inherently facilitates Smith's neighborhood control. DSNI has taken this concept quite literally, gaining control over the physical land of Dudley Street and putting its future development into the hands of the residents. In 1988 the BRA granted DSNI the power of eminent domain<sup>2</sup> in order to gain control over a large parcel of land in the neighborhood. The BRA was forced by Mayor Flynn to vote for this action, and in a lesson for power politicians, dissenting BRA members were later replaced by the Mayor. The land is now held in a community land trust over which the residents have control. This type of power had never before been granted to a community group in any part of the country. While eminent domain has often been used against low-income people for slum clearance programs during urban revitalization in the 1960s or highway development in the 1950s, DSNI used this power to the benefit of its members (Canellos, 1988; Martins, 1988).

*Professional Staff Methodology.* Throughout this process, DSNI has been able to garner support from many powerful people and organizations, including former Boston mayor Ray Flynn and various city agencies and officials; the Riley Foundation, one of the state's larger private foundations focusing on Boston low-income youth; the Ford Foundation; several elite Boston law firms; the MIT Department of Urban Studies and Planning; DAC International, a Washington, D.C.-based urban-planning firm specializing in resident participation in community planning; and Stull and Lee, a Boston-based planning and urban architecture firm specializing in physical design (Medoff and Sklar, 1994).

This organizational and political support, along with the efforts of a dedicated and competent professional staff, has always enhanced the power of DSNI. The first director of DSNI was Peter Medoff, a community organizer with an urban-planning degree. He came from outside the Dudley area, but brought with him the connections and expertise necessary to run a fledgling organization. The second director of DSNI was Gus Newport, former mayor

of Berkeley, California. Also from outside the neighborhood, Newport contributed status and an intricate knowledge of city politics and structures. Rogelio Wittington, Dudley Street resident and long-time DSNI member, is the current director. Under each director, the staff have played the role of information finders, support givers, and technical assistance providers. Through a relationship of mutual trust and respect and because many staffers are also residents, never have the staff gained more power than the residents, nor have the residents de-valued the importance of competent and trustworthy staff (Medoff and Sklar, 1994).

DSNI has been addressing the realities of neighborhood inequalities and resisting displacement and gentrification through grassroots, resident-initiated strategies. It is working in partnership with local government, foundations, developers, and universities, but in every relationship DSNI remains the senior, controlling partner. By turning the power-structure on its head, DSNI has begun to reverse years of neglect. The process is on-going and the bricks and mortar are only beginning to be seen, but the stage for long-term revitalization has been set.

The strategies and successes of both COPS and DSNI shed light onto the possibilities for not only citizen participation in, but citizen control of, urban revitalization. While the organizations have sought different models for resident participation, both have been able to sustain their goals and actions with the assistance of many of Smith's characteristics and "methodologies." The organizational models match Wilson's loose dichotomy, but disprove his points on the essentialized "types of citizens" who can successfully participate in urban revitalization. While historically cities have only included middle-income residents in urban rehabilitation projects, DSNI and COPS prove that low-income residents not only have the "community-oriented" approach, but also the creativity and persistence to design neighborhood plans and carry them through.

### Where Do We Go From Here?

Despite a history of policies and programs that ignore the situations of low-income people, urban revitalization does not need to come at the expense of urban residents. Low-income people can organize to fight for their neighborhoods, and gain power through accessing channels and political leaders that have traditionally shut them out. COPS and DSNI are living models that can teach planners and policy makers methods for sharing their

own power and expertise with the people who must live with the consequences and benefits of urban revitalization. The successes of DSNI and COPS are not the rule for citizen participation in urban revitalization, but they are not the exception either. Both COPS and DSNI garnered the assistance and support of policy makers and planners in both the public and private sectors. Policy makers and urban planners can help similar programs flourish throughout the country.

I suggest three major policy recommendations as a result of this analysis of the history of urban renewal, theories for citizen participation, and case studies of COPS and DSNI. First, planners, policy makers, and developers must reconceptualize urban revitalization as a bottom-up process of cooperation, rather than a top-down policy of exclusion. If citizens are able to take control of the future of their neighborhoods, the revitalization will be more lasting and holistic. Citizens will feel a greater sense of ownership and will have more at stake in sustaining the growth and change. DSNI has proven that this type of reconceptualization can be done within the context of city politics and through the channels of city institutions, but that it must spring from the efforts of the citizens themselves. Homegrown revitalization will avoid the mistakes of urban renewal in the 1960s and create a process for the future that will benefit both citizens and cities.

Second, urban revitalization takes time and cities should not try to rush the process. COPS has been around for twenty-one years, DSNI for nine. Both organizations have won change through incremental steps, beginning with critical issues such as drainage and dumping, and moving further into areas of political representation and neighborhood planning. Often planners and policy makers do not have the patience to weather the many years necessary for urban revitalization. They would like success to fit nicely into an election cycle, but sustainable success can be nurtured only with patience.

Third, planners and policy makers should not fear citizen anger and power. As Ernie Cortes ex-

Planners, policy makers, and developers must reconceptualize urban revitalization as a bottom up process of cooperation, rather than a top-down policy of exclusion. If citizens are able to take control of the future of their neighborhoods, the revitalization will be more lasting and holistic. Citizens will feel a greater sense of ownership and will have more at stake in sustaining the growth and change.

Strong citizen groups are able to advocate for mass transit and other infrastructure improvements.



Leilah Powell





Revitalized residential areas on San Antonio's West Side benefit from drainage, curb, and sidewalk improvements achieved by COPS.

plains, just as power corrupts, so too does powerlessness. Citizen anger can be channeled into effective organization and participation, rather than destructive actions and anti-social behavior. The latter are the results of powerlessness, while the former are acts utilizing power. Communities do not contain a finite amount of power, so policy makers should not fear that powerful citizens will detract from their own power. In fact, policy makers backed by powerful citizens from all backgrounds increase their power bases. Powerful citizens will demand accountable policy makers, and urban plans that do not cut citizens out of the picture.

A reconceptualized process of urban revitalization, patience, and powerful citizens are three crucial concepts that planners and policy makers should understand in order to avoid the mistakes

of the past. Smith incorporates these three concepts into his theory of citizen characteristics necessary for successful urban revitalization participation. Wilson does not, but rather continues to exclude many citizens with his essentialized view of critical citizen traits. COPS and DSNI embody these three recommendations, proving to planners and policy makers that not only should citizens be able to participate in urban revitalization, citizens should have power and control. **PF**

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<sup>1</sup> In this paper, I generally use the terms urban renewal and urban revitalization interchangeably. However, a slight distinction does exist. Renewal refers to the early programs of "slum" clearance and redevelopment, while revitalization refers to more current initiatives to improve cities, though not through wholesale clearance.

<sup>2</sup> Eminent domain is defined as "the power of the sovereign [the state] to take property for public use without the owner's consent upon making just compensation." Under Massachusetts law, two types of entities may use eminent domain, either the BRA or "an urban redevelopment corporation authorized by the BRA to undertake a Chapter 121a project [which is] any undertaking consisting of the construction in a blighted open, decadent, or substandard area of decent, safe and sanitary residential, commercial, industrial, institutional, recreational, or governmental building . . ." (Annotated Laws of Massachusetts, Chapter 121a).



# Point-Counterpoint

compiled and edited  
by Ashley McLain

*What is neotraditionalism? What distinguishes it from typical suburban development, and does it really change the way people live? Nine prominent planners, designers, and developers respond to these questions.*

Planning Forum sent a two-question survey to over 20 individuals active in design and development fields. The replies of the eight respondents are presented below in a question-and-answer format.

**Peter O. Colman** is an associate professor emeritus of the Community and Regional Planning program at the University of Texas in Austin. Formerly, he was a public housing designer in Africa.

**Andres Duany and Elizabeth Plater-Zyberk** are principals in the architecture and town planning firm that bears their names. Ms. Plater-Zyberk is dean of the School of Architecture at the University of Miami.

**Susan Handy** is an associate professor in the Community and Regional Planning program at the University of Texas in Austin. She specializes in transportation planning.

**Ruth Knack** is the executive editor of the American Planning Association's *Planning* magazine based in Chicago.

**Philip Langdon** is the author of *A Better Place to Live: Reshaping the American Suburb*. The former editor of *Progressive Architecture* magazine now works in Connecticut.

**Joseph R. Molinaro**, AICP, is the director of Land Development Services at the National Association of Home Builders in Washington, D.C.

**Barton Phelps, FAIA**, is a principal at Barton Phelps & Associates in Los Angeles and is chair of the Committee on Design of the American Institute of Architects. He is an adjunct professor at UCLA.

**Alan G. Stewart** is president of Lakeside Land Company. He is the developer of the proposed Village of Lakeside, a neotraditional development in Flower Mound, Texas, designed by Andres Duany and Elizabeth Plater-Zyberk, Architects and Town Planners.

## What is "neotraditional" design?

**Langdon:** Neotraditional design is an attempt to reclaim the public realm, to form neighborhoods and communities in which the public spaces encourage sociability and interchange. It is an attempt to apply the lessons of communities from several centuries of human history and particularly to shape some of today's public spaces to provide a sense of enclosure, of forming an "outdoor room."

**Duany/Plater-Zyberk:** Neotraditional design, or the New Urbanism, is an attempt to replace suburban sprawl with the time-tested model of the neighborhood, no more and no less. The Neighborhood has the following physical attributes:

- The Neighborhood is a comprehensive planning increment: when clustered with others, it becomes a town; when standing free in the landscape, it becomes a village.
- The Neighborhood is limited in size so that a majority of the population is within a five-minute walking distance of its center. This center provides an excellent location for a transit stop, convenient work places, retail, community events, and leisure activities.
- The streets are laid out in a network, so that there are alternate routes to most destinations. This permits most streets to be smaller with slower traffic and to have parking, trees, sidewalks, and buildings. They are equitable for both vehicles and pedestrians.
- The buildings are diverse in function, but compatible in size and in disposition on their lots. There is a mixture of houses, outbuildings, small apartment buildings, shops, restaurants, offices, and warehouses.
- Civic buildings are often placed on squares or at the termination of street vistas. By being built at important locations, these buildings serve as landmarks.

**Molinaro:** "Neotraditional" community design describes a pattern of land planning that resembles the towns and suburbs built in the early to mid-twentieth century more than the automobile-dominated suburbs of the 1960s and later. While the suburbs and master-planned communities of the



Scott Day

1960s, 1970s, and 1980s stressed a separation of uses and a great emphasis on the automobile, neotraditional design stresses integration and connectivity and a greater emphasis on the pedestrian. "Traditional" refers to the fact that the techniques of planning and building such a community are informed by methods used in the past. "Neo-" reflects that the past is not just being copied but is being modified to suit the needs of today.

"Neotraditional" development or "Traditional Neighborhood Development" refers to development that is more town-like than the development we have experienced in the past fifty years. Ideally, a Traditional Neighborhood Development displays the following elements (among others):

- Pedestrian-oriented streetscape with homes that show a "friendly" and "human" face toward the street—doors and windows facing the street, front porches, homes close to the street.
- Sidewalks on every street. Less reliance on loop streets and cul-de-sacs. It is possible to walk around the block.
- Parallel parking provides an important physi-

cal and psychological barrier between moving vehicles and pedestrians on the sidewalk.

- Open space that is not just leftover space, but greens and squares that are the focal point of neighborhoods.
- Retail is along streets with sidewalks, in a Main Street configuration. Adequate parking is provided, but parking lots do not dominate the landscape.

**Handy:** Too often neotraditional design is defined by specific physical elements, such as a rectilinear street network, narrow streets, front porches, alleys—the visible elements of traditional communities. Instead, it should be defined in terms of performance characteristics: shops within walking distance of home, spaces where residents are likely to gather and interact, a sense of safety and security. The physical elements of neotraditionalism may be one way of achieving these performance characteristics, but they are not the only way and perhaps not even the best way.

As the concept of neotraditional design has evolved into the concept of the New Urbanism, the

**Kentlands, in Maryland, designed by Andres Duany and Elizabeth Plater-Zyberk, Architects and Town Planners, features front porches, higher densities, and on-street parking.**



emphasis has shifted toward performance. But the common assumptions about which physical elements mean what in the way of performance—the pervasive belief among proponents of the New Urbanism that cul-de-sacs and front garages reduce the sense of community, for example—should not, without empirical testing, be accepted as fact. The evolving definition of the New Urbanism must build upon past, present, and future research on the relationship between urban form and human perceptions and behavior.

As a developer, I view the terms “neo-traditional” and “new urbanism” as horrible terms that confuse people and are particularly damaging in the zoning process. I prefer the term Traditional Neighborhood Development or village, community or small town. It is the design of how people interact in a pedestrian orientation versus the automobile age of remote-controlled “garagescapes” and long commutes.

**Knack:** Neotraditional—or New Urbanist—design is aimed at recreating the image of the small towns or traditional suburbs that we, or our parents or grandparents, grew up in. That means there’s a downtown probably at the center of the development, an interconnected hierarchy of streets on a grid pattern, houses built close to the street. Front porches are required. Various types and prices of housing units are intermingled

throughout the development. Some sort of new zoning such as a “traditional neighborhood code” has been adopted to implement the plan.

**Coltman:** The neotraditional concept appears to be an approach to capturing the images of the past, an essence of the “good old days” of selective memory. It creates a nice image and a simulated environment, a visual reminiscence and the comfort of memory if you are wealthy enough to be part of it.

**Phelps:** The use of the oxymoronic term “neo-traditional” as a modifier of “design” suggests an additive combination of the *new* with that which is *inherited, established, or customary*. The term itself remains perhaps usefully imprecise. It gives no indication of either the effects of each of its components or of their relative importance.

I am aware of the current use of “neo-traditional” to describe a general approach to urban and suburban design in which the dominant organizational patterns and physical expression could be said to be *traditional* within a given geographical context. In this planning usage, the *neo* component appears to differ from the formerly established model mostly in less clearly expressed matters such as ownership, construction technique, communications systems, and the updated lifestyles of inhabitants.

**Stewart:** As a developer, I view the terms “neo-traditional” and “new urbanism” as horrible terms that confuse people and are particularly damaging in the zoning process. I prefer the term Traditional Neighborhood Development or village, community or small town. It is the design of how people interact in a pedestrian orientation versus the automobile age of remote-controlled “garagescapes” and long commutes.

#### What are the most important positive or negative aesthetic, economic, environmental, or social impacts of neotraditional design?

##### Aesthetic

**Molinaro:** Creating a “there” there. The techniques of traditional town planning create an environment that speaks to something in many people but is hard to define—that elusive “sense of place.” One indication is that throughout the nation, traditional towns and neighborhoods become tourist magnets because people like being there. Traditional town design creates places that are more memorable and more satisfying aesthetically.

**Langdon:** One of the great achievements of Neotraditional design, in its brief history, has been its success in coaxing many Americans to recognize the glaring imbalance between the private and public spheres in our communities. Neotraditionalism has exposed the absurdity of creating Jacuzzi-equipped bathrooms, master bedrooms big enough for a basketball game, and other private amenities while at the same time creating an antisocial public envi-

ronment lined by the blankness of three-car-garage doors.

**Knack:** Critics talk about suburbia’s sea of asphalt. The neotraditionalists have actually figured out a way to reduce it. A plus is the emphasis on focal points in neotraditional plans. Streets don’t just wander off into the prairie. They terminate at a building or a tower or even a gazebo. However, cookie-cutter design is the big danger. Another big danger is the Disney syndrome. From a distance, the houses in Seaside look like Disney’s Main Street. If ersatz is OK, that’s fine, but I prefer the real thing. A *New Yorker* cartoon some years ago featured a signpost for the town of “Faux.” Would you want to live there?

**Handy:** Although much of the interest in the concept of neotraditional design centers around the belief that design will change behavior, scant evidence exists to support this belief. The problems of automobile dependence and decaying social structures are much too complex to be solved through design alone. But appropriate design, by providing residents with options, can begin to facilitate more comprehensive solutions. The most significant thing about the New Urbanism movement is that it has raised awareness among professionals and the public of the limitations of current forms of development.

##### Economic

**Duany/Plater-Zyberk:** Current patterns of suburban sprawl have negative economic consequences. By consigning the bulk of the available public budget to pay for asphaltic infrastructure, the human infrastructure of good schools, post offices, fire stations, meeting halls, cultural buildings, and affordable housing is starved.

Certain classes of citizens suffer particularly from the pattern of suburban sprawl including the middle class, who are forced into multiple automobile ownership. The average yearly cost of car ownership is \$5,000, which is the equivalent of a \$50,000 mortgage payment. The possibility of owning one less car is the single most important subsidy that can be provided towards affordable housing. By forbidding mixed use areas, the investment of personal time in the activity of commuting is mandatory. A person who drives two hours a day spends the equivalent of eight working weeks a year in the car. Neighborhood development is working to help change this pattern.

**Langdon:** In developments laid out according to Neotraditionalist thinking, there seems to be somewhat more economic diversity than in conventional subdivisions. Rigid separation of housing types has relaxed, at least in some developments, although this depends very much on the attitude of the particular developer.

**Molinaro:** We do not have much data to conclude that Traditional Neighborhood Developments are good investments for developers. We may have this data in a few more years. There seem to be good opportunities for increased profits by using higher densities. The mix of uses in a Traditional Neighborhood Development also suggest benefits to developers because it allows the flexibility to meet many market segments in one project. Several pioneering developers are betting that there is a significant market for the traditional neighborhood. Demographic shifts toward smaller families, more single-parent households, and more single homebuyers suggest that the market for traditional neighborhoods will increase.

**Knack:** At least for now, the claims of the New Urbanists seem unrealistic. Andres Duany and others argue that there is a big, pent-up demand for old-fashioned community life. But researchers like Martin Jaffe and Roberta Feldman at the Univer-

Although they feature porches and sidewalks, neotraditional developments also employ wide streets promoting automobile orientation.



Susan Handy





*Kentlands' townhomes face a village green and are linked by red-brick sidewalks.*

sity of Illinois at Chicago have provided evidence that suburban residents like their sprawling developments, and that many city dwellers aspire to live on—what else?—a cul de sac. There's also considerable evidence of suburbanites' fear of higher density, and of their reluctance to walk even a short distance to the small shops of a town center.

**Stewart:** Economically, Seaside, Kentlands, Harbor Town and other Traditional Neighborhood Developments (TNDs) outperform typical developments, since they are so rare. Progressive and innovative companies, like Apple, Intel, JVC, Fujitsu and others are very attracted to TNDs as an incentive for all their employees.

The downside of TNDs is in the level of risk to the developer. The developer must risk a great deal to reeducate virtually everyone in the zoning process, because these developments break most ordinances and concepts espoused since 1950. The developer has to spend an inordinate amount of time with the surrounding neighborhood explaining how the mixed-use concept will not damage

their property values. Then, the developer has to convince builders and bankers to change their preconceptions of what sells and how to finance it. The only people you don't have to convince are those starving for this alternative to suburban life. At this time, the developer is a pioneer and most pioneers get wounded or killed before the wilderness becomes tame enough for the settlers.

#### Environmental

**Duany/Plater-Zyberk:** By assuming that the people will drive to and from all activities, the need for large streets and parking lots becomes a self-fulfilling prophecy. The exhaust emissions resulting from such trips are the single greatest source of air pollution in the United States. By the construction of an excessive asphaltic infrastructure, the natural landscape is destroyed. Each automobile not only generates roadways, but also requires a paved parking place at the dwelling, another at the work place, and yet another at the shopping center.

**Molinaro:** Obviously, building more compact communities at higher densities will use less land, thereby preserving more land in a natural state or for agriculture. However, building at higher densities in a more dense pattern creates "hot spots" of environmental impact that must be addressed, often at great expense, i.e. stormwater management.

**Coltman:** I assume that the basic physical environment considerations such as slopes, soils, drainage, vegetation, and climate are addressed even if not wholeheartedly integrated into the design of these developments. Form-making in geometric and symmetrical formats overrides the climatic and site conditions such as sun, wind, orientation—the fundamentals in energy-conscious design. I've noticed that the edges of projects, the slopes, and the drainage characteristics seem to be relegated to the geometry and form of neotraditional design patterns.

**Knack:** As a way of encouraging compact development, neotraditionalism is our best hope for maintaining some green space between subdivisions. It is good to see developments such as Prairie Crossing outside Chicago that combine an interest in "sustainable development" with the neotraditional design. Prairie Crossing includes a community farm. Nonetheless, with few exceptions, the neotraditionalist developments are being sited at the urban fringe. It would be far better if these architects, planners, and developers devoted their energies to revitalizing existing small towns and city neighborhoods. When I've asked New Urbanist advocates about this, they talk about the market. Consumers want new houses in new developments. There's a certain amount of hypocrisy involved in giving them what they want. My hope is that the second phase of neotraditionalism will focus on infill.

#### Social

**Langdon:** As a result of questioning and ridicule from Neotraditionalists, even conventional homebuilders and developers increasingly acknowledge that houses need to contribute to making the streets and sidewalks engaging—fostering an atmosphere in which people will find pleasure in public spaces and will have a greater likelihood of seeing other residents of the community.

**Duany/Plater-Zyberk:** The neighborhood has several positive consequences. By bringing most of the activities of daily living into walking distance,

everyone gains independence of movement, especially the elderly and the young. In the current pattern of suburban sprawl, the young, below the legal driving age, are dependent on adults for their social needs. The elderly lose their self-sufficiency once they lose their drivers' licenses.

By providing streets and squares of comfortable scale with defined spatial quality, neighbors, walking, can come to know each other and to watch over their collective security. By providing appropriate building concentrations at easy walking distances from transit stops, public transit becomes a viable alternative to the automobile. By providing a full range of housing types and work places, age and economic classes are integrated and the bonds of an authentic community are formed. By providing suitable civic buildings and spaces, democratic initiatives are encouraged and the balanced evolution of society is facilitated.

**Molinaro:** In a true neotraditional community, different types and prices of housing are integrated. Ideally, this may improve social interaction among different social and economic groups, which may break down some of the barriers that keep people isolated from and hostile to their fellow citizens. However, I do not foresee neotraditional communities as being a panacea for our social problems. I don't think neotraditional communities will reduce crime or drug use or improve relations among different races.

**Knack:** Neotraditional developments are intended to enhance community life, with a renewed emphasis on public space. The movement's advocates believe strongly that design influences behavior, that people will sit on a front porch if it's there. I hope they're right. On the other hand, if neotraditionalism turns out to be just another style of development, such social goals as economic integration will not come to pass. People will be left feeling conned. But the most serious problem is the divorce of housing from jobs. More thought should be given, up front, to the question of where the residents of the new community will work.

**Handy:** Neotraditional design provides social options. It gives residents an alternative to typical suburban subdivisions, and it gives them an alternative in which they may have the choice to walk rather than drive, or to live within a community that is more diverse.



**Coltman:** Neotraditional neighborhoods will provide a good social environment for those who like formal arrangements and have common interests and lifestyles. Yet this is a small selective slice of society. Only ten percent of us could afford one of these neotraditional homes, even though more people might prefer this lifestyle. Most community social needs are messy: kids' toys, pets, shopping bags, a vegetable patch, a couple of cars, school yards. None of this belongs in the formal images of neotraditional developments that I have seen. Thus the cloistered,

gated, selected place may be the fate of the communities we call neotraditional, yet another place for escaping the brutalities of the world in which the other 90 percent of us live.

#### The last word

**Stewart:** Is it worth it? Today, Highland Park in Dallas is one of Texas' best examples of what a mature TND would resemble. It has a sense of community unmatched in the area. And, it is also the most expensive

zip code in the Southwest. By designing and building a Traditional Neighborhood Development, a developer could be creating another Highland Park.

**Duany/Plater-Zyberk:** The neighborhood exists at all scales, from the country hamlet to mid-town Manhattan, and has been found to exist across all cultures and historical periods. While suburban sprawl has become the conventional form of development in North America, the neighborhood remains the predominant model of growth in the rest of the world, where governments have not been as active as our own in subsidizing automotive dependency and urban flight.

**Phelps:** Its reactionary political implications aside, this design/planning approach accommodates the schizophrenic American response to questions of permanence versus change in the built environment—we want both. It also responds to what cultural geographer J.B. Jackson has identified as a prevailing preference for a vague sense of history—"a kind of historical, theatrical make-believe."

**Molinaro:** Planners are going back to the roots of their profession and learning about physical design. The neotraditional movement has educated planners about what urban design really is—not brick sidewalks, fancy streetlights and banners, but the definition of space. Planners spent 30 years writing sign ordinances and landscaping ordinances and the result was badly planned suburbs—with prettier signs and more shrubs.

**Knack:** My biggest gripe about New Urbanists is they unfairly accuse planners of being responsible for suburban sprawl. The real culprits are developers, bankers, and consumers—who keep yearning for larger houses and larger lots, and freedom from urban problems. The civil engineers who lay out most subdivisions and the traffic engineers who require streets wide enough for two fire engines are also to blame. The planners associated with the Modern movement had strong social impulses, just as the neotraditionalists do. And they produced many pleasant and comfortable communities.

The New Urbanists also take unfair swipes at traditional zoning. In fact, the planned unit development provision of most codes gives developers pretty much of a free hand. The problem is that the planned unit developments are unconnected—and so the neotraditional developments will be too, unless some regional strategy is in place. Still, I can't help but be positive about a movement that has awakened planners to some of these issues, and reminded them of the sound planning principles that are part of their history.

**Coltman:** We architects and planners have a responsibility—and should have a desire—to create a better world for us all. Does neotraditionalism fit into built environments of existing cities short of a resurgence of the old Urban Renewal philosophy, uprooting the old patterns to superimpose a new geometry? If it is for green field sites, new suburbia, it will perpetuate the decomposition of the cities and leave the old cities to their fate, where uncounted billions of dollars worth of in-



Most neotraditional communities have been built on greenfield sites in suburban areas.

frastructure is waiting to be reused in the urban locations where 95 percent of our urban expenditure will take place in the next several decades. The neotraditional plans so far put in place will not heal the social ills of the cities (or suburbs, or inner cities). The job of professional planners and architects seems to me to be to work at healing those social ills. We must treat causes, not symptoms.

**Langdon:** Neotraditionalism has not changed the world—most development today adheres to the same ideas it did ten years ago—but this is a movement with great promise, for it tries to do something about the limitations, the sterility, that afflict the majority of new development in America.

**Handy:** By presenting alternatives—and making them work—the movement has broken the bonds of convention that have led many—planners, developers, and home-buyers alike—to accept that the entrenched way of designing and building subdivisions is the only possible or desirable way. But the trap we must avoid falling into is relying too

heavily on the first models; we must avoid seeing the Seaside, Laguna Wests, Kentlands, and Harbor Towns as the only new alternative. Instead, the interest in these innovative communities should be channeled into community discussions and workshops designed to generate an even broader range of alternatives. The shift from "neotraditional" to "New Urbanism" seems to reflect a recognition of the need to look not only to the past for ideas about design. It is important now that we take advantage of the window of opportunity that the New Urbanism movement has created. PF

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# Property Rights

by Leilah Powell

*The Private Real Property Rights Preservation Act of 1995, also known as Texas Senate Bill 14, is the product of the national movement to restrict government regulation at the local, state, and federal level; however, reconciling this trend and the Texas legislation with established principles of constitutional and land use law seems almost impossible.*

Since 1991, 18 states have adopted "takings" or property rights legislation, while efforts to pass bills failed in 30 other states; only in Connecticut and Ohio was some form of takings legislation not introduced.<sup>1</sup> Texas' 74th Legislature enacted Senate Bill 14, the Private Real Property Rights Preservation Act, in 1995.<sup>2</sup> Texas Senator Kay Bailey Hutchinson, a co-sponsor of federal takings legislation, recently enunciated her support for property rights bills: "Given Congress' and Washington rulemakers' reluctance to enforce Fifth Amendment protection of private property rights...the only recourse available is to demand that Congress pass legislation making property rights protection the law of the land...(n)o government official, no matter how well-meaning, should be able to usurp or encumber private property" (emphasis added, Powell et al., 1995). Her remarks typify the anti-regulatory attitude that inspires takings bills (Jacobs, 1995; Deibel, 1995).

With this focus on the unrestricted use of private property as the guiding force behind takings legislation, it is little wonder that planning, environmental, preservation, and citizen groups have actively opposed the passage of these bills.<sup>3</sup> In Texas, a coalition of environmental and policy organizations including the Environmental Defense Fund, Lone Star Chapter of the Sierra Club, National Audubon Society,

National Wildlife Federation, Texas Center for Policy Studies, and Texas Committee on Natural Resources opposed the passage of Senate Bill 14 on the grounds that it would "stymie legitimate government actions necessary to protect most private property owners and to protect the broader public interest."<sup>4</sup>

What is takings legislation and how does it accord with traditional Supreme Court jurisprudence on takings? More specifically, how is Senate Bill 14 constructed and how does it mesh with the Texas Constitution and existing case law in the state? This

paper addresses the above questions, without making any claims to comprehensiveness; the following treatment of these complex issues is meant as an introduction only. Nor do the limits of this format allow a discussion of whether a taking can result from failure to adhere to the due process clause in exercising the police power, or can follow solely from the power of eminent domain.<sup>5</sup> For the purposes of this paper, "taking" will be used as shorthand for excessive governmental encumbrance of private property for a public purpose.

## Takings Legislation

Takings bills fall into two categories: assessment bills and compensation bills.<sup>6</sup> Assessment legislation requires that all or selected governmental actions be reviewed for potential impact on private property before implementation; the reviewing body may be the state attorney general, a designated state agency, or the enacting entity itself (Freilich and Doyle, 1994). These reviews, called "takings impacts assessments" (TIAs), in theory should incorporate the standards judicially determined by previous litigation. In that way, the TIA should be the substantive, though not procedural, equivalent of a "judicial review" carried out before suit is brought for inverse condemnation (Martinez, 1994). A privately owned property is said to be inversely condemned when action affecting in or an adjacent parcel renders the property valueless. In process, TIAs differ obviously from judicial review by occurring before implementation of the action. A TIA can only predict the effect of the regulation on a specific property; the TIA is a process one property rights advocate described as "a shot in the dark."<sup>7</sup>

Most scholars believe that assessment measures are descendants of Executive Order 12630, issued by Ronald Reagan, which mandated that federal agencies prepare a private property rights impact statement for all federal regulations. By requiring that property regulations addressing safety and health concerns respond only to "real and substantial threats to public health and safety, be designed to advance significantly the health and safety purpose, and be no greater than is necessary to achieve the health and safety purpose," Executive Order

12630 was more restrictive than existing case law in defining which actions are legitimate exercises of governmental power. Most assessment measures retain this narrow focus, so that only actions protecting public health and safety are construed as advancing the public welfare.<sup>8</sup>

Compensation bills require governmental entities that promulgate a rule or regulation diminishing the fair market value of property by at least the given percentage (usually ranging from ten to fifty) to compensate the property owners or accept invalidation of the action (Martinez, 1994). Only four states have enacted compensation measures; of these, Texas' legislation compensates an owner when the property suffers a reduction in market value which exceeds 25 percent, and the bill encompasses not just agricultural or forestry regulation but all governmental actions except those by municipalities.<sup>9</sup> No state has allocated additional dedicated funds to agencies in anticipation of either administrative or compensation expenses under the new laws.

## Takings Jurisprudence: The United States

How are these new statutes related to case law dealing with inverse condemnation and the taking of private property for public use? The Fifth Amendment to the United States Constitution, made applicable to the states through the 14th Amendment, states in part "nor shall property be taken for public use, without just compensation." However, it was not until the 1870s that physical invasion—flooding of land—was recognized as a compensable action, and not until the 1920s did the Supreme Court invalidate a regulation for depriving an owner of property rights.<sup>10</sup> Significantly, during the same period the Supreme Court allowed to stand new and far-reaching uses of both the police power and the powers of eminent domain.<sup>11</sup> Justice Holmes, writing the majority opinion in *Pennsylvania Coal v. Mahon*, summed up this rather confusing state of affairs: "while a property may be regulated to a certain extent, if regulation goes too far, it will be recognized as a taking."<sup>12</sup>

In the nearly three-quarters of a century since the *Pennsylvania Coal* decision, the meanings of 'property,' 'too far,' and 'taking' have been argued heatedly. While the prevailing view has been that a property must be considered as a whole and all value must be extinguished,<sup>13</sup> a recent footnote has added fuel to the fire of this debate.<sup>14</sup> The general judicial stance has been that there is neither a precise definition of a taking nor a 'bright

line' test to determine when one has occurred: "this Court, quite simply, has been unable to develop any 'set formula' for determining when 'justice and fairness' require that economic injuries caused by public action be compensated by the government."<sup>15</sup>

Four<sup>16</sup> cases decided within the past ten years have honed this indecision to a slightly finer point, while whittling away the presumption of validity once granted to legislative actions. The decision in *First English Evangelical Lutheran Church v. County of Los Angeles*<sup>17</sup> cleared the way for the compensation of temporary takings in addition to invalidation of the offending regulation or restriction. In *Nollan v. California Coastal Commission*,<sup>18</sup> the Court introduced the rational nexus test for easement dedications: the governmental action must substantially advance and be rationally related to the same legitimate governmental objective served by denial of a permit. To this test the Court, in *Dolan v. City of Tigard*,<sup>19</sup> added the rough proportionality requirement for municipal actions involving exactions, dedications, or impact fees. Delivering the majority opinion, Justice Rehnquist stated that under the new test, "the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development."<sup>20</sup> In a decision more favorable to governmental actions, the Court's decision in *Keystone Bituminous Coal Assoc. v. DeBenedictis* did recognize that actions taken to protect public safety are valid and non-compensable if all economically viable use of the property as a whole is not extinguished.<sup>21</sup>

From the above decisions have emerged a variety of tests currently used in the ad hoc analysis of takings claims: the rational nexus test of *Nollan*, rough proportionality of *Dolan*, complete loss of economic viability and the common law nuisance exemption from *Lucas*. The standard that has been frequently used in recent cases is the ripeness doctrine: no taking has occurred until the property owner has at least sought and possibly exhausted the possibility of administrative relief, special permit, or variance.<sup>22</sup>

## Takings Legislation and Jurisprudence

Advocates of takings legislation argue that private property rights ought to be accorded the same respect granted to other rights guaranteed in the Constitution, such as freedom of speech and freedom of religion (Adler and Anderson, 1994). The new statutes, they say, will "reaffirm . . . Constitutional protection" of property rights and restore



the property rights envisioned by the framers of that document (Powell, 1995). Takings bills proponents thus put themselves in the odd position of defending the Constitution by disregarding many principles of Constitutional law enunciated by the Supreme Court during the past 200 years.

Not a single decision supports the main thrust of the new takings legislation, which is that the mere diminution of a property's value by a governmental action is compensable even when the action is in the public interest. Justice Brennan's dissent in *San Diego Gas & Electric v. City of San Diego* provides the clearest support for takings legislation,<sup>23</sup> but Williams et al. observe that "not even Justice Brennan would argue that a mere diminution in value invalidates a police power regulation."<sup>24</sup> Nor is there any jurisprudential support for the position that a taking ought to be defined from the moment a governmental action is implemented, rather than from the time at which the owner's use is restricted.

Takings legislation does draw elements from each of the accepted judicial tests: compensation may be paid even for temporary regulatory takings (*First English*); municipalities must determine the impact of a regulation or restriction for individual properties (*Dolan*); loss of one right from the "property rights bundles" can constitute a taking (*Nollan and Dolan*); the presumption of validity accorded to legislative acts is greatly weakened (*Nollan and Dolan* again). But takings bills also upset several key assumptions of the Supreme Court and go beyond the protection guaranteed by the Constitution by defining a taking as any diminution in property value below a pre-set and arbitrary threshold, overturning the ripeness doctrine, and ignoring the judicial mandate for in-depth review of all factors affecting each property in question. Through an exploration of Texas case law and the potential applications and complications of Senate Bill 14, it is possible to address these contradictions more specifically.

### Takings Jurisprudence: Texas

A comparison between Supreme Court jurisprudence and Texas case law dealing with inverse condemnation and takings is complicated by the differences between the takings clause of the Texas Constitution and the Fifth Amendment of the United States Constitution. The Texas Constitution states that "no person's property shall be taken, damaged or destroyed for or applied to public use without adequate compensation being made, un-

less by the consent of such person."<sup>25</sup> There are thus two strains of takings doctrine in Texas: one that mirrors the Supreme court jurisprudence, and one that relies more explicitly on the "damage" provision of the Texas Constitution (Williams et al., 1986).

In *City of Austin v. Teague*,<sup>26</sup> compensation was ordered for a temporary taking, an illustration of the principle that a state constitution may provide greater protection of rights than the federal constitution.<sup>27</sup> More recently, however, a trial court verdict holding that a compensable taking can be caused not only by physical invasion but also by governmental restrictions on the property was overturned on appeal.<sup>28</sup> The decision in *Taub v. Deer Park*<sup>29</sup> remains a good summary of this theme in Texas jurisprudence: "An act short of actual physical invasion, appropriation, or occupation can amount to a compensable taking when a governmental agency has imposed restrictions that constitute an unreasonable interference with a landowner's right to use and enjoy the property."

Texas Courts have held, however, that use and enjoyment are not commensurable with the fair market value of the property. Explicitly citing the promulgation of sound public policy as a concern, the court found in *Westgate et al. v. State of Texas and City of Austin*<sup>30</sup> that a property owner may not recover for damages if there is no physical invasion, appropriation, or restriction of access. Mere diminution in value did not equal a taking in *Harris Co. v. Felts*,<sup>31</sup> where the owner filed for compensation of loss in value of a residential property due to the impact of a freeway. Nor has the fact that a governmental action prevents the most profitable use of property been sufficient to establish a taking.<sup>32</sup>

Following the direction of the Supreme Court, Texas courts have relied on careful case-by-case analysis to determine whether a particular regulation or action causes a taking of a particular property. In *Samaad v. City of Dallas*,<sup>33</sup> the court implied that no standardized test is possible: "the circumstances of each case determine the factors a court should consider in a takings case." Judging whether a particular government action is valid or constitutes a compensable taking is, in Texas, a question of law, to be decided by the court, and a strong presumption of validity is attributed to the governmental action.<sup>34</sup> State courts have also embraced the ripeness doctrine as an indicator of the true extent of the regulation: a property owner must have exhausted all administrative and judicial rem-

edies without finding relief.<sup>35</sup>

Texas courts have followed the two-part test created in *City of College Station v. Turtle Rock Corp.*<sup>36</sup> For an "ordinance to be a valid exercise of the city's police power, not constituting a taking, there are two related requirements. First, the regulation must be adopted to accomplish a legitimate goal; it must be 'substantially related' to the health, safety, or general welfare of the people. Second, the regulation must be reasonable; it cannot be arbitrary." The Court emphasized that all property is held subject to the valid exercise of the police power, and that governmental actions constituting a proper exercise of the police power cannot trigger a taking or payment of compensation.<sup>37</sup> As defined in *Turtle Rock*, general welfare encompasses a broad range of monetary, physical, spiritual, and aesthetic values, allowing municipalities ample justification for passing ordinances not advancing an immediate health and safety purpose but designed to protect the quality of life of residents.<sup>38</sup>

### Senate Bill 14

As mentioned above, Senate Bill 14 is a combined assessment and compensation measure. The legislation provides for property owners to bring suit in district court to invalidate any governmental action that reduces the fair market value of any legally recognized interest in real property by more than 25 percent. The governmental entity may elect to pay compensation rather than accept invalidation of the action causing the "taking;" this compensation accrues from the date on which the regulation or restriction takes effect.<sup>39</sup> Presumably, a citizen may also challenge the TIA prepared by the regulating entity.

A first and obvious discontinuity, shared by all takings legislation, is that the finding of a taking has traditionally rested with the courts. This has been a question of law, not of fact, and this was clearly stated in *Mayhew v. Sunnyvale*<sup>40</sup>: "whether a 'taking' has occurred under inverse condemnation is a question of law" (citations omitted). Takings legislation of course makes this finding a question of fact.<sup>41</sup> The burden of investigating a potential taking is thus shifted from the court, which considered only contested cases, to the governmental entity, which must review every potentially affected property. This burden is thus magnified greatly and apportioned to bodies that may have no expertise or experience whatsoever in this area (Freilich and Doyle, 1994). Furthermore, compensating a predicted loss of value overturns

the ripeness doctrine relied upon to determine the true extent of the restriction imposed upon a property owner.<sup>42</sup>

The bill begins by redefining "taking" and "private real property" in a manner inconsistent with established Texas and federal jurisprudence. In addition to the accepted definition of taking as elucidated from the Texas and United States Constitutions, Sec. 2007.002 5 (B) adds governmental actions that "in whole or in part or temporarily or permanently"<sup>43</sup> limit a property owner's rights and produce a loss of fair market value greater than 25 percent. As mentioned above, no controlling decision in Texas or the United States supports this proposition in the absence of physical invasion, a condition not specified by S.B. 14. To the contrary, the decisions in *Westgate* and *Felts* explicitly reject this definition of taking.<sup>44</sup> By making fair market value the sole indicator of an owner's ability to use and enjoy the property, S.B. 14 ignores decades of jurisprudence by Texas' highest courts. The 25 percent threshold is also potentially challengeable as an arbitrary and unreasonable standard of review.

Nor is S.B. 14's definition of "property" consistent with established jurisprudence. In the new legislation, "private real property" means an interest in real property recognized by common law, including a groundwater or surface water right of any kind.<sup>45</sup> This novel construction conflicts with the jurisprudential tradition of treating property as a whole bundle of rights, rather than focusing on individual sticks, when considering takings cases.<sup>46</sup>

A further conflict lies in the bill's exemption of actions that are taken in response to "real and substantial" threats to public health and safety.<sup>47</sup> Like Executive Order 12630, this de-legitimizes other governmental actions long recognized in Texas and throughout the United States for advancing the public welfare, such as aesthetic controls.<sup>48</sup> Other commentators have noted that interpreting what constitutes "real and substantial" threats will likely keep Texas courts occupied for some time to come.<sup>49</sup>

### Conclusion

While much of the scholarly work on the impacts of takings legislation deals with the effects

Not a single decision supports the main thrust of the new takings legislation, which is that the mere diminution of a property's value by a governmental action is compensable when the action is in the public interest.



on planning and environmental regulation, the sweep of Senate Bill 14 is much broader than just these two fields. All governmental entities are affected, ranging from the Board of Regents of the University of Texas to a municipal utility district commission, and almost all governmental actions could conceivably have some impact on property values. While the Attorney General and the Legislative Budget Board were somehow unable to estimate the costs of assessment and compensation mandated by the new legislation,<sup>50</sup> other states have produced implementation cost forecasts for similar bills. Estimates of the administrative costs alone range from \$8.5 million in Wisconsin to \$26.7 million in Colorado, without including the costs of increased litigation or compensation payments.<sup>51</sup> An economic impact study of the State of Washington's property rights initiative, which was rejected by voters in 1995,

estimated administrative costs of \$121 million for counties and districts.<sup>52</sup> In light of the costs and of the conflicts with established jurisprudence, the attorneys general of twenty-nine states and three territories signed a letter to Congress in opposition to proposed takings legislation at

both the state and federal levels.<sup>53</sup>

Contrary to the Texas Legislative Budget Board's and Attorney General's statements, fiscal impacts stemming from the enactment of S.B. 14 are almost unavoidable. In *Presidio Bridge Company v. Presidio County*,<sup>54</sup> for example, the owner of a bridge between the United States and Mexico sued for inverse condemnation when a new bridge was constructed by the county. Presumably, under the new legislation, the county and perhaps the state would be liable for diminishing the value of the company's property. Diminution of value would have to be compensated in cases such as *Harris Co. v. Felts*<sup>55</sup>, where the impact of a freeway reduced the fair market value of the home in question by more than 25 percent. Other impacts might stem from a redrawn school district boundary that lowered residential property values; an increase in sales tax that depressed commercial rents; or an anti-discrimination law that landlords claim reduces the profitability of their units by prohibiting bias against HIV-positive tenants.

Problems with S.B. 14 may go beyond its budgetary impacts and its legal contradictions.<sup>56</sup> Some commentators believe that the measure favors the needs and abilities of large landowners and corporations, because the legal processes for bringing suit are rather complex and the risk of liability for governmental court costs is substantial. As the Texas Center for Policy Studies recognizes, it is also necessary for the regulations to be applied uniformly, so that property owners concerned with government permitting actions that allow increased pollution or development are protected to the same extent that manufacturers and homebuilders are.<sup>57</sup>

S.B. 14 does exempt most municipal actions and any actions taken to comply with federal or state mandates. Zoning, handicapped accessibility, and environmental protection statutes are thus not subject to TIAs nor are they liable to challenge. However, property rights proponents have declared that passage of an initial takings measure is only the first step in reforming the regulatory landscape of the United States; once any bill is passed, the chances of expanding the legislation's coverage are much greater.<sup>58</sup>

Most scholars and jurists would agree that complex and changing notions of what constitutes private property and how it must be regulated for the greater good cannot and should not be distilled into a simple test—such as reduction of fair market value by 25 percent. As Jacobs (1995) points out, property rights have been continually negotiated; he cites the creation of the public airspace and the preemption of a commercial proprietor's right to refuse service as examples. Attempts to freeze definitions of private property and private property rights restrict this evolution and deny the very real impacts of societal and environmental change—impacts which can be accounted for in the ongoing process of judicial review and the evolution of case law. Conflicts over takings and the regulation of property are indicative of deeply divergent political philosophies regarding the balance of individual rights and social responsibilities, and the property rights movement is but one manifestation of this conflict. Those who do not agree with the increasing emphasis on private power, and the concomitant rejection of the social contract, would do well to oppose actively these incursions in other states and work for the amendment of S.B. 14 in Texas. PF

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<sup>1</sup> Bills were enacted in Arizona, Delaware, Florida, Idaho, Indiana, Kansas, Louisiana, Missouri, Mississippi, Montana, North Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming. See American Resources Information Network, *Summary of State Takings Legislation*, 17 October 1995; *Memorandum Re: State "takings" bills*, National Audubon Society, 15 August 1995. In two states, Arizona and Washington, property rights measures enacted by the legislature have been overturned in citizen-initiated referenda.

<sup>2</sup> Tex. Gov't Code Ann. Sec. 2007, Subch. A. (1995).

<sup>3</sup> The American Planning Association provides a partial list of other groups which like the APA oppose takings legislation. Among others, this list includes the Center for Science in the Public Interest, Clean Water Action, League of United Latin American Citizens, National Conference of State Legislatures, National Urban League, National Trust for Historic Preservation, National Wildlife Federation, Sierra Club, United Church of Christ, and United Steel Workers of America. Organizations and corporations supporting takings laws include the American Farm Bureau, American Mining Congress, American Petroleum Institute, Boise-Cascade, Cato Institute, Chemical Manufacturing Association, Coors Foundation, Exxon, Ford, Motorcycle Industry Council, National Association of Homebuilders, and National Cattlemen's Association. See "Protect Planning and Land Use Regulations: Stop 'Takings' Measures From Becoming Law," Sierra Club, March 1995.

<sup>4</sup> "Joint Statement on the Development of Guidelines by the Attorney General of Texas to Implement Senate Bill 14, the 'Takings' Law, as Enacted by the 74th Texas Legislature," Presented to Representatives of the Office of Attorney General for the State of Texas at a Public Hearing in Belton, Texas, November 2, 1995, Sierra Club of Austin.

<sup>5</sup> Freilich has argued persuasively that this distinction is at the heart of the takings compensation issue. See *Solving the "Taking" Equation: Making the Whole Equal the Sum of Its Parts*, 15 *Land Use and Environmental Annual* 447, 461 (1984).



<sup>6</sup> Some scholars term these *procedural* and *substantive*. See J. Martinez, *Statutes Enacting Takings Law: Flying in the Face of Uncertainty*, 26 Urban Lawyer No. 2, 336-338 (1994). While other researchers have treated measures requiring that rules be reviewed by the State Attorney General as a distinct category of legislation, I term these assessment bills. See L. Morandi, *Takings for Granted*, State Legislatures, No.6, p23 (1995); American Resources Information Network, *Summary of State Takings Legislation*, October 17, 1995.

<sup>7</sup> Nancie Marzulla, President and Chief Legal Officer of Defenders of Property Rights, as quoted in Sugameli, G., "Standards for Comparing Takings Bills and Attorney General Guidelines to the Constitution," National Wildlife Federation, National Office of Conservation Programs, at 11 (1995).

<sup>8</sup> Exec. Order No. 12,630, 3 C.F.R. 554 (1988); see Martinez, *supra*, at 332-336.

<sup>9</sup> Florida's H.B. 863 is greater in scope but does not establish a percentage for mandatory compensation. See American Resources Information Network, *supra*.

<sup>10</sup> *Pumpelly v. Green Bay Co.*, 80 U.S. 166 (1871); *Pennsylvania Coal v. Mahon*, 260 U.S. 393, 415 (1922).

<sup>11</sup> See *Mugler v. Kansas*, 123 U.S. 623 (1887); *Welch v. Swasey*, 214 U.S. 91 (1909); *Hadachek v. Sebastian*, 239 U.S. 394 (1915); *Pierce Oil Corp. v. City of Hope*, 248 U.S. 498 (1919); *Euclid v. Ambler Realty*, 272 U.S. 365 (1926); *Nectow v. City of Cambridge*, 277 U.S. 183 (1928); *Miller v. Schoene*, 276 U.S. 272 (1928).

<sup>12</sup> 260 U.S. 393, 415 (1922).

<sup>13</sup> *Penn Central v. City of New York*, 438 U.S. 104, 130 (1978); *Keystone v. DeBenedictis*, 480 U.S. 470, 501 (1987).

<sup>14</sup> If "a regulation requires a developer to leave 90 percent of a rural tract in its natural state, it is unclear whether we would analyze the situation as one in which the owner has been deprived of all economically viable use of the burdened portion of the tract," *Lucas v. South Carolina Coastal Council*, 112 S. Ct. 2886, 2894, n.7 (1992).

<sup>15</sup> *Penn Central v. City of New York*, 438 U.S. 104 at 124 (1978); see also *Andrus v. Allard*, 444 U.S. 51 at 65 (1979); *MacDonald, Sommer & Frates v. Yolo Co.*, 477 U.S. 340 at 351 (1986).

<sup>16</sup> A fifth case, *San Diego Gas & Electric v. City of San Diego*, 450 U.S. 621 (1981), is significant not for the decision but for Justice Brennan's often quoted dissent.

<sup>17</sup> 482 U.S. 304 at 308, 319, 321.

<sup>18</sup> 483 U.S. 825 (1987).

<sup>19</sup> 114 S. Ct. 2309, 2319 (1994).

<sup>20</sup> *Dollan* at 2320.

<sup>21</sup> See also *Lucas v. South Carolina Coastal Council*, 112 S. Ct. 2886 (1992): regulation is a taking when it extinguishes all economically viable use, even if there is a rational nexus with the legitimate government purpose of preventing harm to the public.

<sup>22</sup> *Agins v. City of Tiburon*, 447 U.S. 255, 263 (1980); *MacDonald, Summers, & Frates v. Yolo County*, 477 U.S. 340 (1986); *Williamson County Regional Planning Commission v. Hamilton Bank*, 473 U.S. 172, 190-191 (1985).

<sup>23</sup> 450 U.S. at 636-661.

<sup>24</sup> Citing Brennan's opinion in *Penn Central*, 438 U.S. at 124: "this Court has...recognized, in a wide variety of contexts, that government may execute laws or programs that adversely affect recognized economic values". Williams et al. state that the Brennan dissent in *San Diego* "upsets settled constitutional doctrine—that police power regulations that restrict the value or use of property are the price we pay for a reasonably lawful and orderly society." N. Williams, R. Smith, C. Siemon, D. Mandelker, and R. Babcock, *The White River Junction Manifesto*, 17 Land Use and Environmental Annual 218 (1986).

<sup>25</sup> Texas Constitution, Art. 1, Sec. 17.

<sup>26</sup> 570 S.W.2d 389, 393 (Tex. 1978); see also *Spann v. City of Dallas*, 235 S.W. 313 (Tex. 1921); *City of Abilene v. Downs et al.*, 359 S.W.2d 642 (Tex. App. 1962); *DuPuy v. City of Waco*, 396 S.W.2d 103, 108 (Tex. 1965); *San Antonio River Auth. v. Garrett Bros.*, 528 S.W.2d 266, 273 (Tex. Civ. App. 1975).

<sup>27</sup> See Adler and Anderson, *supra*, at sec. 9.02 [3], citing *Davenport v. Garcia*, 834 S.W.2d 4, 15 (Tex. 1992).

<sup>28</sup> See *Mayhew v. Sunnyvale*, 905 S.W.2d 234 (1995).

<sup>29</sup> 882 S.W.2d 824, 826 (1994). Note that even in this case any potential compensation would result from the physical invasion occasioned by the ditch, at 828.

<sup>30</sup> 843 S.W.2d 448 (1992). See also *Allen v. City of Texas City*, 775 S.W.2d 863, 865 (Texas Ct. App. 1989); *Hubler v. City of Corpus Christi*, 564 S.W.2d 816, 821 (Texas Civ. App. 1978).

<sup>31</sup> 881 S.W.2d 866, 869 (1994); see also *Allen*, 775 S.W.2d at 865.

<sup>32</sup> *Estate of Scott v. Victoria County*, 778 S.W.2d 585, 590 (Tex. Ct. App., 1959).

<sup>33</sup> 940 F.2d 925, 933 (1991). See also *DuPuy v. City of Waco*, 396 S.W.2d 103, 108; *Woodson Lumber Co. v. City of College Station*, 752 S.W.2d 744 (1988).

<sup>34</sup> "...the ordinance is presumed to be a valid exercise of the police power absent a contrary showing by the plaintiff on the basis of which reasonable minds could not differ." *Turtle Rock Corp.*, 680 S.W.2d at 804-05; see also *DuPuy*, 396 S.W.2d at 110; *Estate of Scott*, 778 S.W.2d at 590.

<sup>35</sup> See *City of El Paso v. Madero Development*, 803 S.W.2d 396, 399 (Tex. Ct. App 1991).

<sup>36</sup> 680 S.W.2d at 804-05.

<sup>37</sup> See *City of Pharr v. Pena*, 853 S.W.2d 56 (1993).

<sup>38</sup> "A municipality's legitimate concern is to ensure that the community is beautiful as well as healthy, spacious as well as clean, and well balanced as well as carefully patrolled," *Turtle Rock*, 680 S.W.2d at 805. See also *City of Pharr v. Pena*, 853 S.W.2d 56.

<sup>39</sup> Tex. Gov't Code Ann. Sec. 2007.024(b).

<sup>40</sup> 905 S.W.2d 234 (1995).

<sup>41</sup> *Supra* at Sec. 2007.023 (a).

<sup>42</sup> See *Agins*, 447 U.S. at 263; *Williamson County*, 473 U.S. at 190-191; *City of El Paso*, 803 S.W.2d at 399.

<sup>43</sup> Chapter 2007, Subchapter A, *supra*.

<sup>44</sup> 843 S.W.2d 448; 881 S.W.2d at 869. See also *Bennet v. Tarrant County Water Control and Improvement District*, 894 S.W. 2d 441 (1995).

<sup>45</sup> Sec. 2007.002, (4), *supra*.

<sup>46</sup> See *Penn Central*, 438 U.S. at 130; *Keystone*, 480 U.S. at 501; *Westgate*, 843 S.W.2d at 869.

<sup>47</sup> Sec. 2007.003, (13), *supra*.

<sup>48</sup> See *Turtle Rock*, 680 S.W.2d at 805; *City of Pharr*, 853 S.W.2d 56.

<sup>49</sup> See "Joint Statement on the Development of Guidelines," *supra*, at 2.

<sup>50</sup> Through an open records act, information was obtained indicating that the Attorney General expected S.B. 14 to have an enormous fiscal impact, although the public position was that the legislation would not cause any additional costs. *Id.* at 3.

<sup>51</sup> American Resources Information Network, "Cost Estimates," on the WWW at <http://worldweb.net/~arin> (1995).

<sup>52</sup> These costs reflect preparation of economic impact statements, similar to TIAs, for a limited range of governmental activities. See "Referendum 48: Economic Impact Study of the Property Rights Initiative," Institute for Public Policy and Management, University of Washington, September 28, 1995.

<sup>53</sup> Copy of this letter obtained from the American Planning Association "State Materials," compiled by Nancy Willis, Director of Government Affairs.

<sup>54</sup> 726 S.W.2d 212 (1987).

<sup>55</sup> 881 S.W.2d at 869; see also *Allen*, 775 S.W. 2d at 865.

<sup>56</sup> The usefulness of these contradictions in efforts to challenge or amend the bill should not be overlooked, because Subchapter C, Sec. 2007.041(c) requires that the Attorney General ensure consistency between the application of S.B. 14 and "the decisions of the U. S. Supreme Court and the supreme court of this state."

<sup>57</sup> See "Joint Statement on the Development of Guidelines," *supra*, at 6.

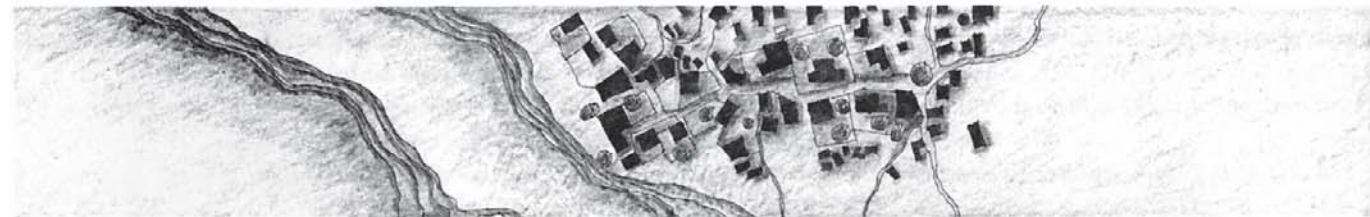
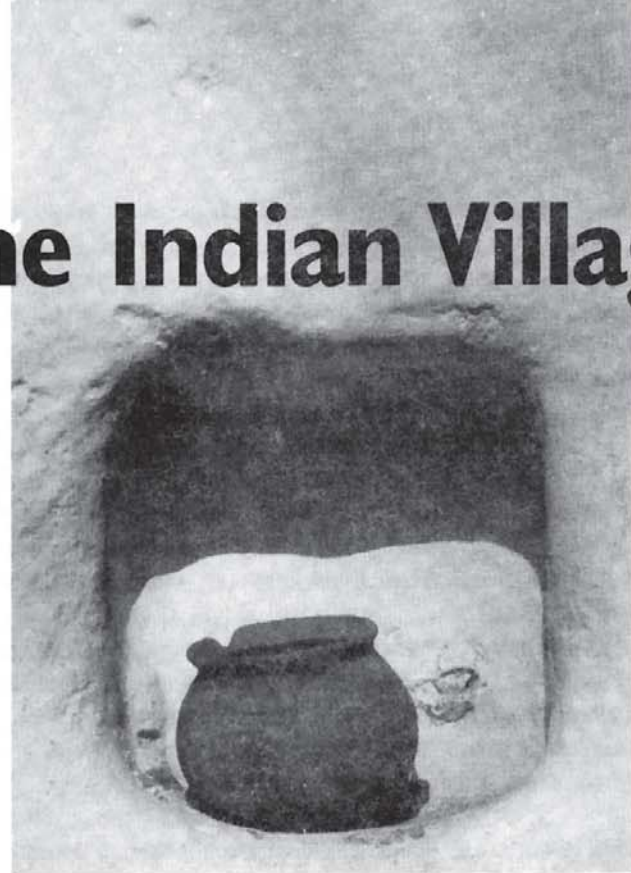
<sup>58</sup> David Socolow, Director, American Resources Information Network, interview by author, October 12, 1995.



# The Indian Village

by Sangram  
Kakulavaram

Culture and societal patterns have a strong influence on the built environment, just as architecture and planning shape our everyday activities. This interaction of social and physical concerns takes place at all scales, from the siting to the detailing of a house.



## THE VILLAGE

THE WORK OF MAN, A CREATION OF TIME  
A CHARACTERISTIC AND ATTRACTIVE PRODUCT OF THE INDIAN WAY OF LIFE

THE BIG BANYAN TREE UNDER WHOSE THICK SHADOW A GAMUT OF CONVERSATIONS FORM A PART OF THE LIFE & THE COMMUNITY WELL WHERE ALL THE VILLAGE WOMEN FOLK GATHER & DO MORE THAN JUST COLLECT WATER IN THEIR POTS ARE A TREAT TO AN ALIEN EYE. THE BLUNT MUD WALLS AS IF RISING FROM THE EARTH ON THEIR OWN GENTLY ENVELOP SPACES CREATING A SENSE OF PLACE AND BELONGING. ALL THESE ARE A REFLECTION OF THE VIBRANCY, BEAUTY & SENSE OF COMMUNITY A VILLAGE SUSTAINS.

## SITING

THE SITUATION OF A VILLAGE HAD A SIGNIFICANT DETERMINING INFLUENCE ON THE PLANFORM

## THE DETERMINANTS

### PHYSICAL FEATURES

#### LAKE



#### FOREST



#### HILLOCK

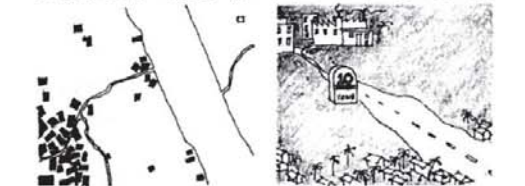


THE VILLAGE CONFORMS AND RESPONDS TO THE PRESENCE OF THE TOPOGRAPHICAL FEATURES AND BECOMES A PART OF THE NATURAL ENVIRON

### FUNCTIONAL FEATURES

#### PROXIMITY RELATED

NEARNESS TO MAJOR ROAD A TOWN



PROFESSION RELATED  
AVAILABILITY OF PHYSICAL FEATURE  
RAW MATERIALS AIDING PROFESSION



THE SITING OF THE VILLAGE IS STRATEGIC IN RESPONSE TO THE FUNCTIONAL CHARACTERISTICS TYPICAL OF THE PLACE





## PLANFORM

NO SET PATTERN TO WHICH VILLAGE PLANS CONFORM. SHAPE, SIZE, AND CHARACTER VARY GREATLY. NO VILLAGE IS QUITE LIKE ANY OTHER—THIS IS THE GLORY OF IT. EVERY VILLAGE IS AN INDIVIDUAL PLACE BOASTING OF HARMONY & IDENTITY.

IN ALL THIS WIDE VARIETY TWO MAIN TYPES OF VILLAGES CAN BE IDENTIFIED

### ROADSIDE VILLAGE

GENERALLY AT THE JUNCTION OF ROADS.

SIMPLE STRINGING ALONG A SINGLE ROAD.

ROAD SOMETIMES WIDENS OR NARROWS.

BEGINS DEFINITELY AND ENDS DEFINITELY.

CHARACTER USUALLY FROM THE STRUCTURES ADJOINING THE ROAD.

APPROACHING THE VILLAGE, ONE CAN SEE THROUGH IT AND OUT BEYOND IT BEFORE ONE ACTUALLY GETS INTO IT.

THE ROAD SEEMS TO PUSH THE STRUCTURES ALONG IT

A TEMPLE, A COMMUNITY TREE, OR THE VILLAGE HEAD'S HOUSE MAY STAND AT THE TURN OF THE ROAD

### SQUARED VILLAGE

EASILY RECOGNISABLE AND APPREHENSIBLE FORM AS A WHOLE

MAY BE OF ALMOST ANY SHAPE

STAGGERED ENTERING ROADS

VIEW BLOCKED BY HOUSES WHILE ON THE ROAD

LOCATION OF TEMPLE OR VILLAGE HEAD'S HOUSE GIVES EMPHASIS TO ONE OR MORE POINTS IN THE PLAN

THE COMMUNITY WELL LIKE A MONUMENT IN THE CITY

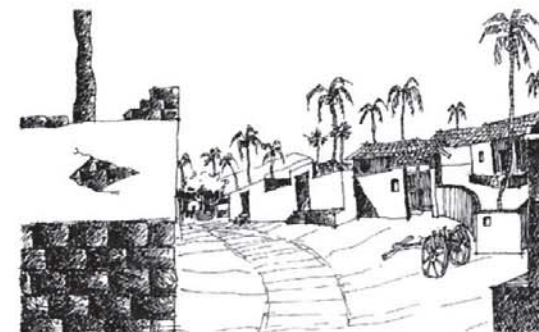
THE STRUCTURES ALONG THE ROAD SEEM TO CONTAIN IT

A COMMUNITY TREE A LOCAL CLIMAX

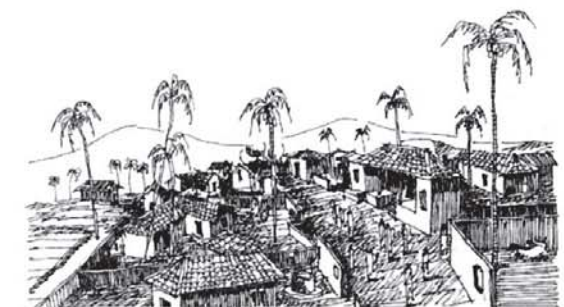
## STREETS



LAY OUT PLAN OF NEDUNURU VILLAGE



MAIN STREET



SUB STREET



LANE



BY LANE



MAIN STREET

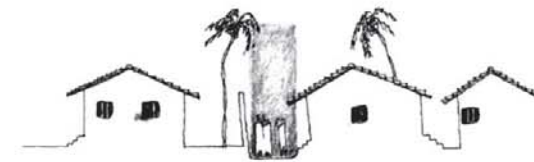
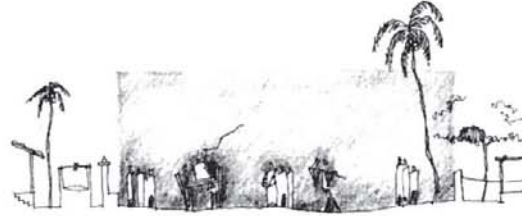
SUB STREET

LANE

BY LANE



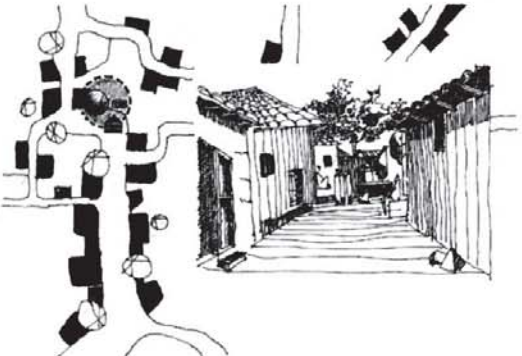
## STREET CHARACTER



THE CHARACTER AND THE NATURE OF ACTIVITIES VARY GREATLY WITH THE WIDTH OF THE STREET

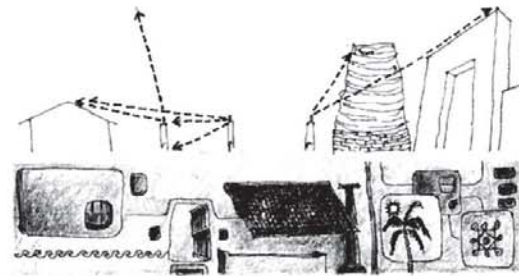


ACTIVITIES SPILL ONTO THE STREETS AND THEY BECOME PART OF THE HOUSES ALONG IT.

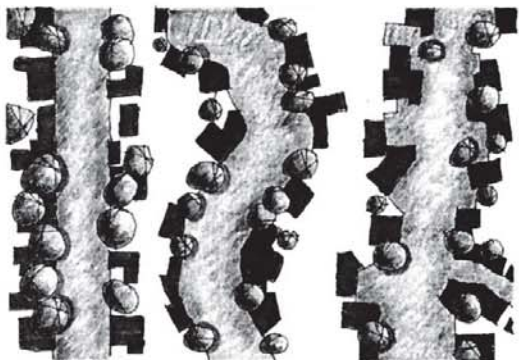


EACH STREET HAS A STRONG VISUAL NOTE AT THE END OF IT GIVING THE STREET AN IDENTITY IN AN OTHERWISE DENSE NETWORK OF STREETS.

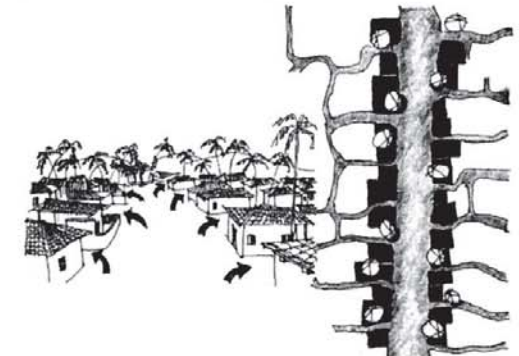
MAIN STREETS WIDEN AS THEY APPROACH THE LAKE. WIDENING RESULTS IN EMPHASIZING THE MAIN STREET AND THE COMMUNITY SPACE.



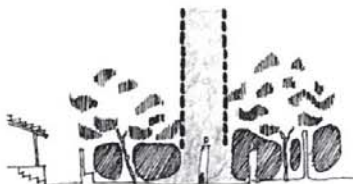
THE HOUSE INTERFACE WITH ITS SCALE, COLOURS, AND MATERIALS INFLUENCES THE CHARACTER OF STREETS



STREETS TAKING BENDS BREAK THE STREETS INTO A NUMBER OF DEFINITE VISUAL STATEMENTS



LONG STREET IS BROKEN UP INTO SMALL VISUAL COMPARTMENTS WHEN IT BRANCHES OFF TO FORM SUB-STREETS MAKING THE TRANSITION PLEASANT.

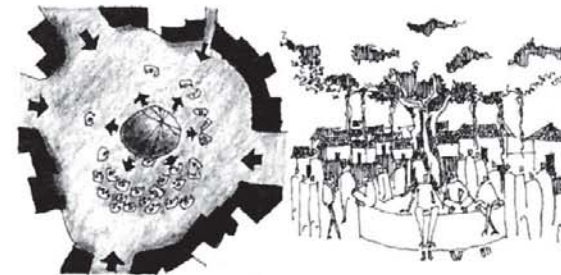


THE PRESENCE OF TREES RESULT IN FORMATION OF SEMI OPEN SPACES

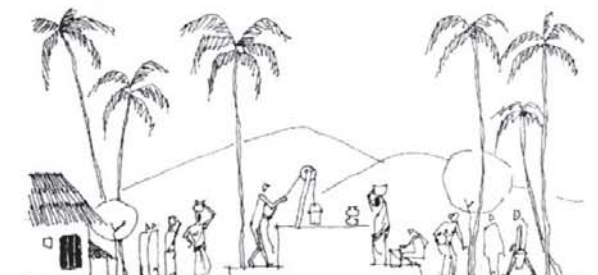


HIERARCHY OF SPACES - AN EXPRESSION OF MAN'S RELATIONSHIP WITH THE COMMUNITY

## THE COMMUNITY SPACES



THE COMMUNITY TREE



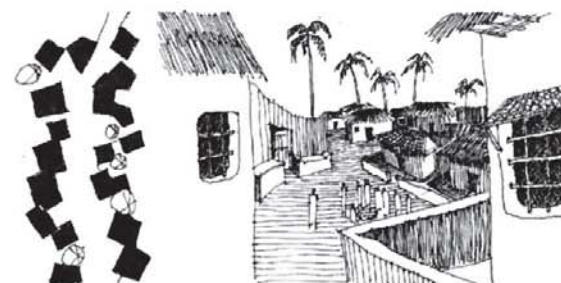
THE COMMUNITY WELL



THE PUBLIC SPACE NEAR THE TEMPLE



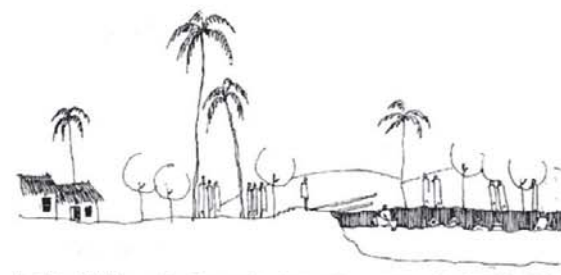
HIGH DEGREE OF ACTIVITY IN CLUSTER SPACES



INCIDENTAL SPACES FOR STOP-GAP GATHERINGS



TEA BUNK ON THE BANK OF THE LAKE



LAKE BANK - THE FOCAL POINT OF ACTIVITIES

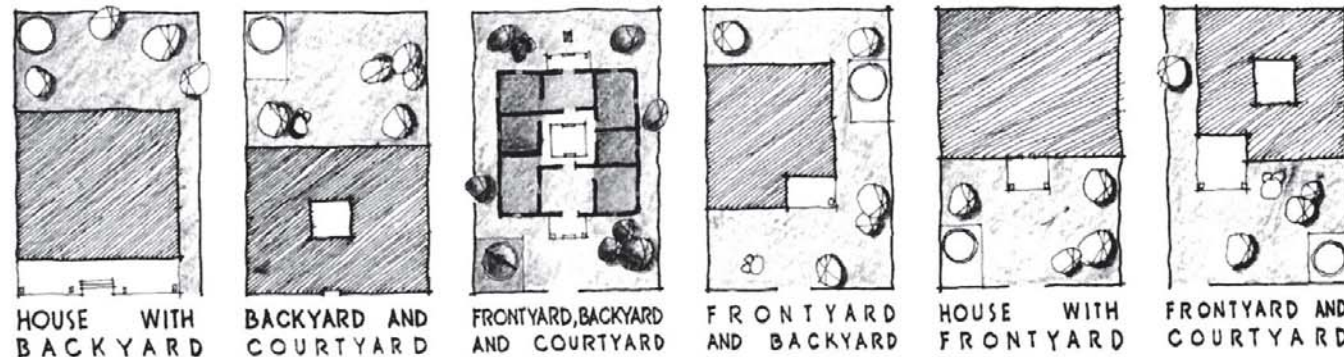


THE ARUGU - A PLACE FOR EVENING TALKS

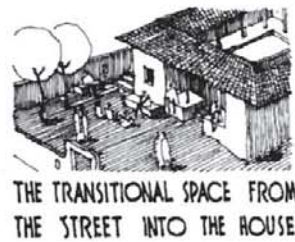


## THE VILLAGE HOUSE

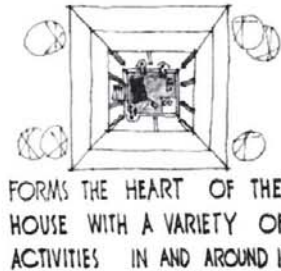
## PLANFORMS



## FRONTYARD



## COURTYARD



## BACKYARD



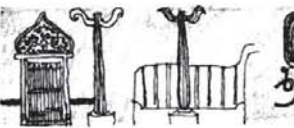
STRONG CENTRAL AXIS EMPHASIZED BY A SERIES OF DOORS CENTRAL COURT AND TULASI PLANT



HIERARCHY OF SPACES. PRIVACY LEVEL INCREASES TOWARDS THE BACKYARD. VERANDAH - LIVING ROOM CENTRAL CIRCULATION ZONE - DINING KITCHEN - VERANDAH - BACKYARD

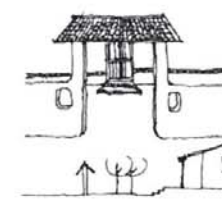
## PERSONALISATION

AN EVIDENT FEATURE WITH RICHLY CARVED DOORS AND COLUMNS, PATTERNS OF MUGGU, COLOURS ON THE WALLS LENDING IDENTITY TO AN INDIVIDUAL'S PLACE



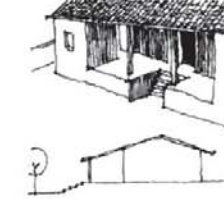
## TRANSITION ELEMENTS

## STREET TO FRONTYARD



THE ENTRANCE GATEWAY MAKES THE TRANSITION FROM THE STREET INTO THE FRONTYARD PLEASANT

## FRONTYARD TO VERANDAH



VERANDAH - USUALLY THE WORKING SPACE AND A MEANS OF COMMUNICATION WITH THE COMMUNITY

## VERANDAH TO ROOM



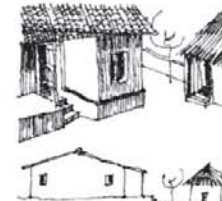
THE STEPS LEADING TO THE DOOR AND THE THRESHOLD MAKE THE ENTRY INTO THE HOUSE CONSCIOUS

## ROOM TO COURTYARD

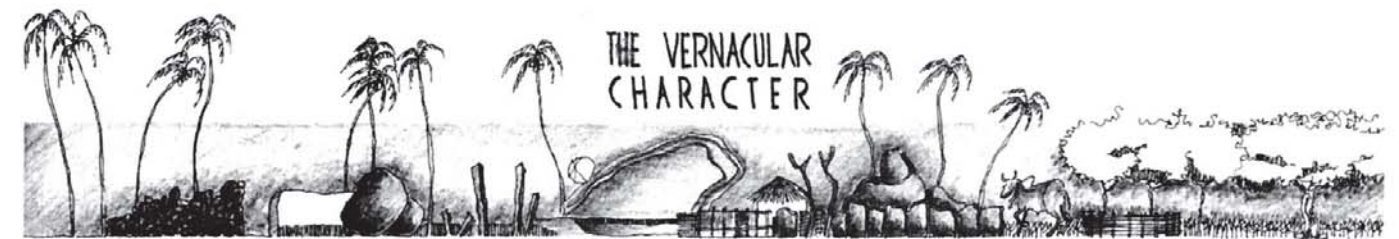


THE SEMI-OPEN SPACE AROUND THE COURTYARD ENCOURAGES A VARIETY OF ACTIVITIES

## ROOM TO BACKYARD



THE PRIVATE ZONE WITH THE VERANDAH AND BACKYARD HOSTS A VARIETY OF HOUSEHOLD ACTIVITY



## THE VERNACULAR CHARACTER

THE USE OF LOCALLY AVAILABLE MATERIALS IS THE PHYSICAL ESSENCE OF A VILLAGE HOUSE

## RESPONSE TO CLIMATE



PRESENCE OF OPEN AND SEMI-OPEN SPACES WITHIN THE UNIT. THE SEMI-OPEN SPACE SERVES THE DUAL PURPOSE OF AVOIDING THE HARSH SUN AND TRAPPING THE BREEZES

PF

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# A Tale of Twin Cities

by Scott Hounsel

*The twin cities of the United States-Mexico border exhibit geographical and social patterns that distinguish them from other urban areas in the two countries. The emergence of a distinct cultural and economic entity—some commentators call it "MexAmerica"—has in many ways shaped the morphological evolution of the twin cities.*

With the establishment of the fixed international border between the United States and Mexico in 1848, the borderlands region was created where no definable region had previously existed. The United States-Mexico borderlands region consists of those areas adjacent to the 1,900-mile borderline, including parts of California, Arizona, New Mexico and Texas, as well as areas in the Mexican states of Baja, Sonora, Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas. Today, the borderline serves as the economic divide between the developed and the developing world. The borderland region is a buffer for the vast economic disparities and societal differences between the United States and Mexico. Since the creation of the border, the development of the borderlands has been marked by the growth of twin cities, whose considerable population growth is a reflection of the daily interactions between these two neighboring countries.

In Mexico and the United States, the economic and urban development of the border region has received more attention with the signing of the North American Free Trade Agreement (NAFTA). Free trade first arrived on the border in 1961, as the Border Industrialization Plan (B.I.P.) allowed American companies to move into the region, employ cheap labor, and export their goods with minimal duties. Thereafter, the border cities shared a higher degree of economic involvement as well as closer social and cultural ties. Population growth on both sides of the border has increased drastically as a result of the growing economic linkages. A recent *Newsweek* article proclaimed the existence of "MexAmerica" as a distinct cultural entity, encompassing the land 60 miles north and south of the U.S.-Mexico border (Adler and Padgett, 1995). With the gradual elimination of all tariffs between the U.S. and Mexico, NAFTA continues to increase the interaction between neighbors.

This paper will examine urbanization along the U.S.-Mexico border. It will also address the morphological evolution of the twin cities by reviewing geographical models of United States and Latin American city structure. After establishing the particular urban patterns for each country, two specific border models will be reviewed. This paper will also consider the role of economic inter-

action within the larger context of cultural convergence in the U.S.-Mexico borderlands. Ultimately, the issue at hand is how the cultural convergence of MexAmerica reaches the municipal level and shapes the urban form of border cities.

## Urban models of Mexico and the U.S.

The United States and Mexico have been culturally separated since their origins. Differences in the evolution of both the external and internal urban structures are a reflection of the variations of both societies. In the U.S., cultural values, combined with technology and economic prosperity, have created a specialized spatial structure. While a number of different models have tried to represent the urban structure of large U.S. cities, no model has attained a consensus among geographers. For Mexico and the developing world few urban models exist, so most discussion revolves around the role of industrialization and urban change.

Three classic models exist that describe internal city structure of the United States (Herbert and Thomas, 1990). The first model, the concentric-zone model, was created by Earnest W. Burgess to show morphological change over time; more specifically, urban change as a product of invasion and succession by competing urban groups. Given a flat terrain, the city grows in rings called zones around its Central Business District (CBD). The zone immediately following the CBD, the zone of transition, is in constant flux as industry and commercial interests clash with a declining residential area, mostly filled with recent immigrants. Most housing in this zone is temporary, because as residents save enough money they gradually filter outward. Within each successive ring the residential areas are increasingly more expensive, as elite groups are able to afford larger homes and commute to work in the CBD (figure 1). Although the concentric zone model has received much criticism based on empirical findings, the true worth of the Burgess model "can be attributed to its simplicity and generalization" (Herbert and Thomas, 1990). However, other models better acknowledge the role of transportation and industrialization on urban morphology.

The second model of internal urban structure is the sector model as created by Hoyt. In contrast

to the closed rings of the concentric model, the high-income residential and industrial sectors are open-ended as they grow outward. High-income homes are developed on land with easy access to transportation routes, whereas low-income homes are relegated to undesirable areas near industrial plants. Hoyt's model establishes two important ideas about urban morphology in the U.S.: that the preferences of industry and elites are important in deciding location of factories and businesses; and that transportation was important in establishing "spines" of business activity towards suburban areas.

The third model, positing multiple nuclei, was created by Harris and Ullman. Its main distinction is the idea that centers other than the CBD develop to serve particular business interests. The secondary nuclei are designed for high- and medium-income groups and are located in the high-income residential areas. Today, such nuclei would be considered edge cities or suburban areas with their own business centers (Garreau, 1991).

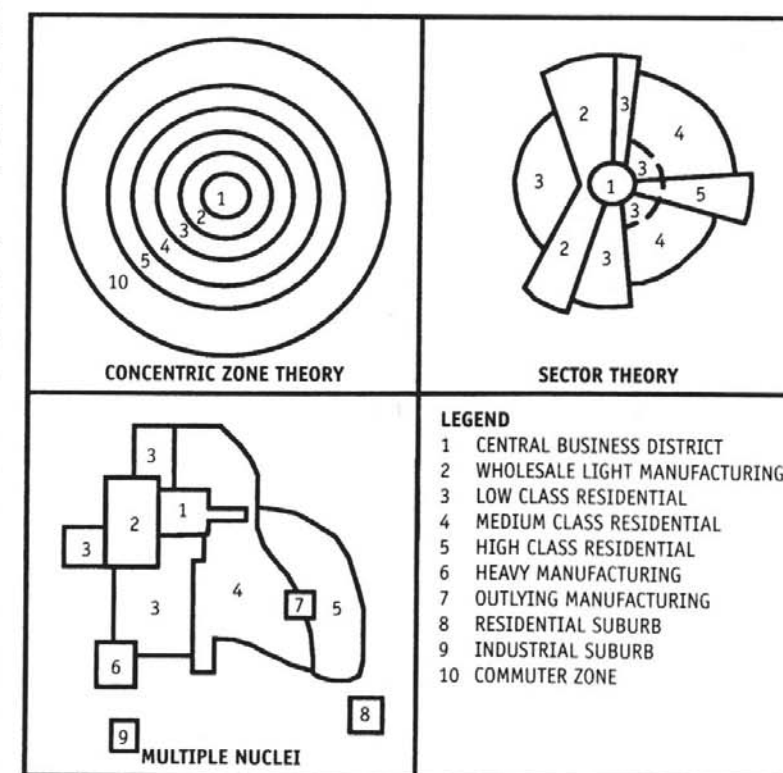
Urban decentralization of the U.S. city is apparent in individual metropolitan areas. The American desire for home ownership, need for privacy, and preference for rural landscapes has led to suburbanization. Suburbanization was facilitated by the ability of the middle class to afford private transportation to and from the central business district. Kenneth Jackson's *Crabgrass Frontier* (1985) provides an in-depth historical account of suburbanization. Despite vast cultural, architectural, and racial concerns the "creation of good, inexpensive suburban housing on an unprecedented scale was a unique achievement in the world" (Jackson, 1985, 245).

The most widely accepted model for Latin American cities is the Griffin-Ford model (figure 2). The model is based on common elements between two very different cities. Bogota, Colombia, represents the classic Latin American capital city, while Tijuana, Mexico, represents an isolated city influenced by the United States. Unlike their U.S. counterparts, Latin American cities are financially constrained, and are unable to provide urban services for all of their residents. The service area around the CBD is referred to in the Griffin and Ford model as the zone of maturity. The main commercial spine is an extension of the CBD which has access to all urban services, such as water and wastewater. Therefore, land along the commercial spine acts as an elite residential sector that is similar to the elite sector in Hoyt's model. The result

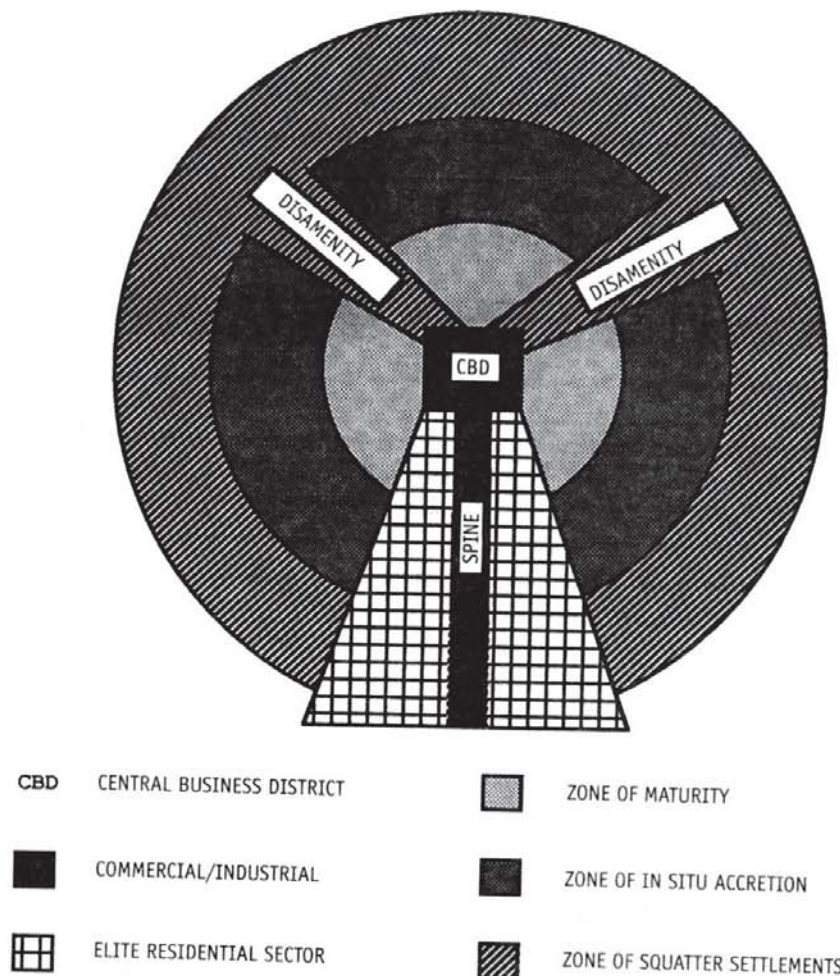
of residential development along the commercial spine is an "Anglo-American-style housing market" whose size depends on the percentage of people who can afford such homes (Griffin and Ford, 1980, 408).

In contrast to the zone of maturity, the zone of peripheral squatter settlements exists because the rate of immigration exceeds the rate of housing construction. Without sufficient filtration of older homes to poorer residents and migrants, many migrants and poorer residents are forced to the outer fringe of the city to construct their own homes in areas without public services. The zone of in situ accretion is the land caught between the inner and outer rings. This zone appears to be chaotic because it is in the process of assimilation with the zone of maturity. Many homes in the zone of accretion, although self-constructed, have been improved over the years, and they have been incorporated into the urban service systems. The rate of improvement in the accretion zone is based on the ability of a city to provide services combined with the economic mobility of the residents. The size of each zone is based on population growth: "Cities that experience relatively slow population growth will appear to have a large zone of maturity and thus a less chaotic, more organized cityscape than cities with extremely rapid in-migration that are apt to have large zones of peripheral squatter settlements" (Griffin and Ford,

FIGURE 1: Three generalizations of the internal structures of cities







1980, 409). Overall, the rings of economic status in the Griffin-Ford model have an inverse relationship to the Burgess model mentioned earlier. This inverse relationship is partially due to the inability of the Latin American city to handle its population growth, particularly when a much greater percentage of the population lives in poverty.

Mexico follows the familiar trend towards urban centralization and primacy. Most cities in Mexico, like the rest of Latin America, share the same "grid-street pattern" required by the Spanish under the 1573 Law of the Indies. During the colonial period, the Spanish conquerors imposed this urban form in Mexico on the Mexican cities that were established by the Aztec and Mayan civilizations years before. While political power has changed hands in Mexico City, it remains the dominant center of Mexican life. As in other Latin American nations, the centralized political structure in Mexico has reinforced the economic gap between elites and the impoverished majority. Consequently Mexico's history and economy continues to be dominated by the decisions and events emanating from

the center. For many years, the Mexican cities on the northern border served as the undesirable periphery, receiving little attention from the capital, a pattern also true for U.S. border cities. Recent Mexican interest in establishing economic ties with the U.S. has drawn attention to the northern border.

Urbanization has also occurred outside of Mexico City; Guadalajara, Monterrey, Puebla, and border cities such as Tijuana and Ciudad Juarez have all witnessed tremendous growth. Urban and industrial development have been superimposed on the Spanish form of the preindustrial city as Mexico's cities continue to expand. The urban evolution of Mexico has been the subject of much academic discussion, yet systematic analysis of urban geography is much harder to find. One study of the development of secondary cities in Mexico was a doctoral dissertation by Marvin W. Baker (1970).

In his dissertation, Baker created a spatial and temporal model of the Mexican city as it has evolved since independence (figure 3). The model was based on land use diagrams for all Mexican cities with a population over 100,000 in 1965, which included

Ciudad Juarez, Matamoros, Mexicali, Nuevo Laredo, and Tijuana. For Baker, the zoning of residential structure was the most general characteristic of land use in the industrial city. Whereas the preindustrial city is compact with mixed land use, an industrial city is larger in terms of population and physical size, which allows the city to divide into residential zones based on income (upper, middle and lower), commercial, and industrial areas. Baker identified five morphological traits that distinguished the modern industrial city from a pre-industrial city:

1. the development of large upper-class and upper-middle-class planned subdivisions on the periphery of the city;
2. the growth of a ring of lower-class housing at the periphery of the central business district;
3. the growth of a ring of lower-middle class housing beyond the central ring of lower-class dwellings;
4. the growth of highway-oriented suburban industry;
5. the growth of highway-user-oriented commercial strips (Baker, 1970, 293-294).

Using this criterion, Baker ranked the twenty largest cities (excluding Mexico City) according to their development within the model. Each city was classified as preindustrial, transitional or industrial. Ciudad Juarez, Matamoros, and Nuevo Laredo were considered to be transitional cities in 1970. Baker did not study extensively the Mexican border cities because they were young cities experiencing rapid growth in addition to social and economic influence from the United States (Baker, 1970). Baker acknowledged in his conclusion that development along the border may not have evolved in the same pattern as in other cities.

Overall, Baker's model is very similar to the Griffin-Ford model. The main difference between the two models is that the Griffin-Ford model places the poorest of the poor on the periphery, while Baker believes the poor will occupy the inner areas near the CBD which are abandoned by upper classes. In his conclusion Baker stated that the "large Mexican city, as in the nation itself, is in a dramatic race between population growth and economic development" (Baker, 1970, 311). Baker indicated that the fifth stage of urban development would either be the "North American Model or the Dual City." Baker's description of the dual city appears to be similar to what Griffin and Ford observed in 1980. Given the difficulties that most developing countries have faced since 1970, the

North American concentric model has not been the norm. Fueled by population growth and migration, the outer ring of most Latin American cities is filled with squatter villages and low class housing.

Returning to the U.S.-Mexico border, the next section of the paper will utilize the models and concepts described earlier to explain urban change where the U.S. and Mexico meet face-to-face.

### The Mexican Border City

Although urban growth along the border occurs in pairs, the Mexican city and its U.S. counterpart have not shared the same degree of growth since 1950. For economic reasons, the Mexican border cities have experienced a population boom while U.S. cities have grown more slowly. Of the eighteen Mexican cities on the border, eight have a population of over 100,000 people.

The U.S. border region has only five cities with more than 80,000 people, although the Metropolitan Standard Area (MSA) populations are higher as they include neighboring cities with populations over 50,000. Ironically, many U.S. border cities are smaller in population, but larger in area than the Mexican cities, reflecting the general trend that Latin American cities have a much greater population density than U.S. cities.

The border cities have undergone more changes as the forces of economic integration have become

more powerful. Today, many of the Mexican border cities would be classified as industrial using Baker's model; however, the different mode of industrialization along the border demands a thorough analysis of economic and geographic change. After researching all 18 Mexican border cities, Arreola and Curtis (1993) developed an urban structural model

specific to the Mexican border city. Their model (figure 4) highlights specific social and economic landmarks such as maquiladora parks and tourist-oriented districts which are unique to the borderlands. It is apparent that the "model" border city has made a transition from pre-industrial to industrial. On the other hand, its development is closer to Hoyt's sector theory than Burgess's concentric-zone theory.

	1950	1960	1970	1980	1990
Tijuana	59,952	152,473	277,306	461,257	742,686
Mexicali	65,749	179,539	263,498	510,664	602,390
SL Rio Colorado	4,079	28,545	49,990	92,790	111,508
Nogales	24,478	37,657	52,108	68,076	107,119
Juarez	122,566	262,119	407,370	567,365	797,679
Nuevo Laredo	57,668	92,627	148,867	203,286	217,912
Reynosa	34,087	74,140	137,383	211,412	281,618
Matamoros	45,846	92,327	137,749	238,840	303,392

source: adapted from Arreola and Curtis, 1993, 24

	1950	1960	1970	1980	1990
San Diego	334,487	573,224	697,027	875,538	1,110,549
El Paso	130,485	276,687	322,261	425,259	515,342
Laredo	51,510	60,678	69,024	91,449	122,899
McAllen	20,067	32,728	37,636	66,281	84,021
Brownsville	36,066	48,040	52,522	84,997	98,962

source: adapted from Lorey, 1993, 49



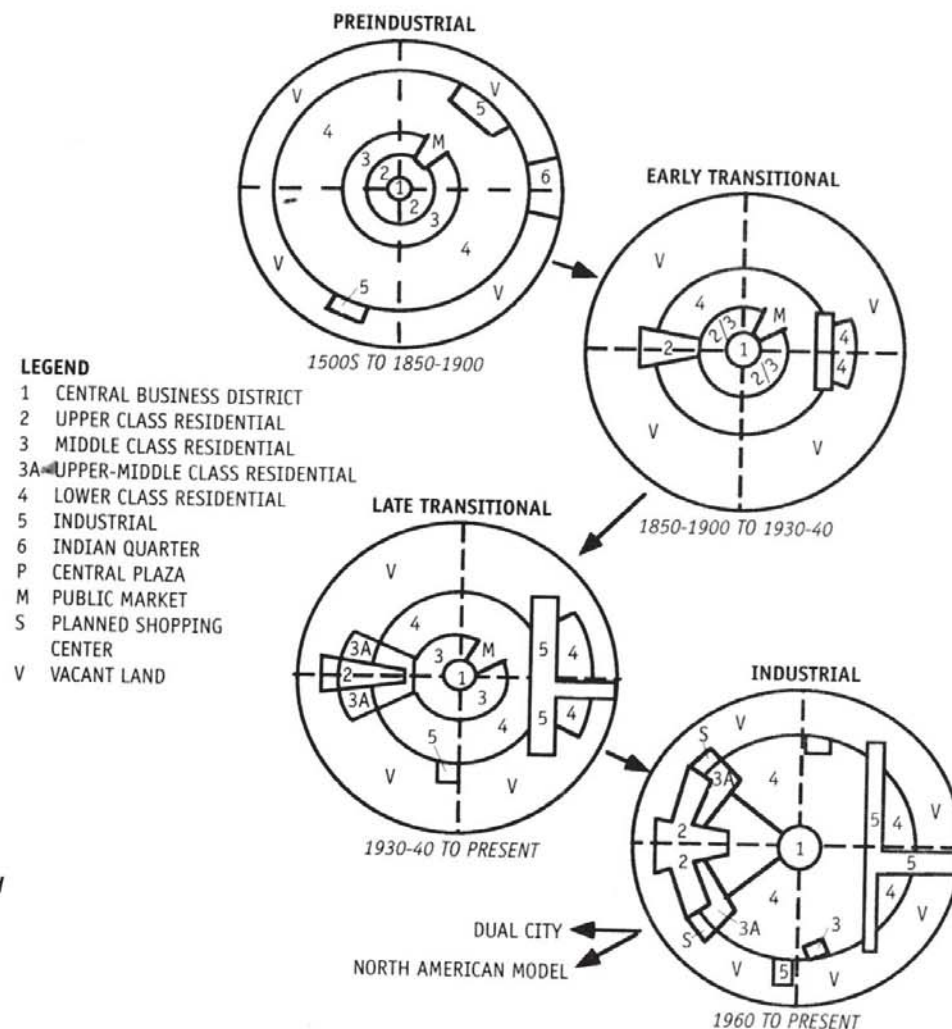


FIGURE 3: Stages of land use evolution in the Mexican city (Baker, 1970, 302)

The Arreola and Curtis model bears a strong resemblance to the sector model as described by Hoyt in relation to U.S. cities. Specifically, the elite and upper-middle income groups have formed a sector emanating from the right side of the CBD. Access to the CBD is doubly important in the border cities as it also serves as the crossing to the U.S. side. Elite groups along the border have a greater interest in staying closer to the inner core than elites in other Mexican cities, as Baker predicted. Thus, the conversion of the inner core from upper income to lower income has not fully occurred. On the opposite side of the CBD, a sector of inner city slums has developed, with lower and lower-middle income groups occupying the space in between. Finally, the Arreola and Curtis model shows the existence of squatter settlements along the urban fringe.

Another element of urban development has been the location of industry. In the Arreola and Curtis model, older industrial areas appear to have moved along other commercial spines, as Hoyt indicated. However, the development of the maquiladora or industrial parks has coincided with the develop-

ment of the upper income residential sector. Sponsored by foreign firms, maquiladoras are a new form of industrial development which has altered the spatial form of the Mexican border city.

Maquiladoras were made possible through the Border Industrialization Plan (BIP) of 1961. Under BIP, foreign companies were allowed to own subsidiaries in Mexico within 12 miles of the U.S.-Mexico border. The U.S. gave tariff reductions to participating firms, which limited the tariff only to the value added by the assembly process. Currently 75 percent of the 2,029 maquiladoras are located in the Mexican border cities. Total maquila employment in Mexico is 625,941 (*Twin Plant News*, 1995); a majority of these jobs belong to women. Each maquila allows the parent firm to pay developing world wages just minutes from the United States border. The maquiladora parks represent a new era in urban planning for Mexican cities as the parks are designed with large lots, paved roads, and improved access to utilities and major transportation routes. However, most maquila jobs are not upper income, so most workers use the mass

transit system to reach the industrial parks located in the higher income fringe areas.

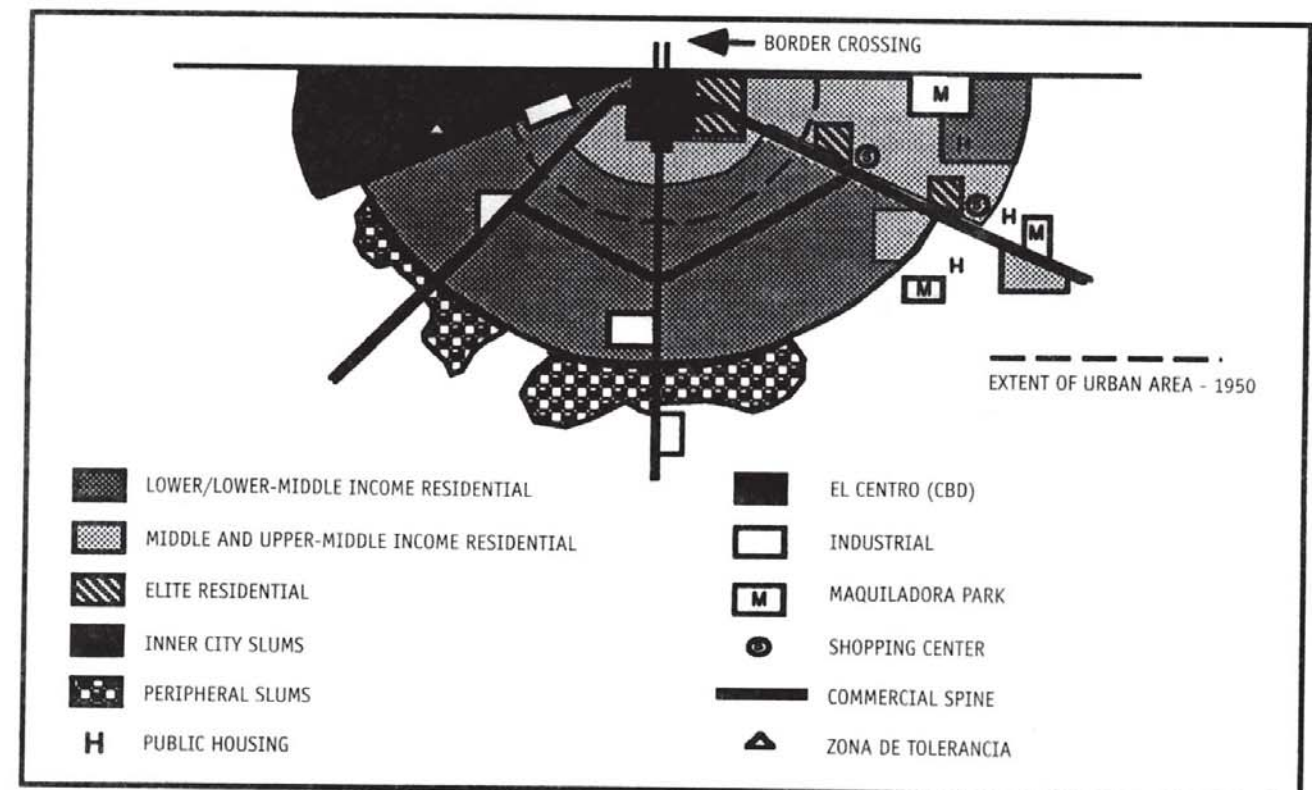
In terms of commercial development, the Arreola and Curtis model shows that the large Mexican city has evolved from preindustrial to industrial. As Baker hypothesized, the "growth of highway oriented suburban industry" is a product of the public's higher mobility due to cars and public transportation. Despite the huge attraction of stores in the U.S., Mexican border cities have been able to develop pockets of retail trade. Regional shopping centers have sprung up near the CBD or in upper income areas. The government has actively supported the border cities through the Programa Nacional Fronterizo (PRONAF) based in Juarez. PRONAF's goal is to beautify the border cities through public works projects and new recreational and commercial areas. Built in 1962, Juarez's PRONAF Center is a shopping mall at the eastern end of the major commercial spine. As predicted by Baker, the development of commercial centers outside the CBD is part of the transition to an automobile-based transportation system. The Soriana Mall in southern Reynosa is another example of a U.S.-type shopping area with a full range of specialty stores, a food court, and movie theaters (Arreola and Curtis, 1993). Especially in the periods following the devaluation of the peso, Mexican malls continue to provide a valuable alterna-

tive to U.S. stores. In fact, the combination of regional shopping centers and maquiladoras in the upper-income sector have created secondary nuclei in some Mexican border cities.

When comparing the aggregate model of Arreola and Curtis to studies of Ciudad Juarez, the results are similar. The eastern side of Juarez is upper-income residential, while the western side is progressively more impoverished as the mountains make construction almost impossible (Lloyd, 1986, 51, figure 5). All five industrial park areas are also located on the eastern side which makes them closer to the Juarez airport and the new Zaragoza bridge (George, 1986). Highways leading into Juarez also serve as major commercial spines. The Rio Grande Mall and the PRONAF Center are also located just east of the CBD and a high-income enclave remains in the same area.

The location of maquilas and high class residential areas on the eastern side of Juarez should not be surprising as private land development has been the driving force. Unlike the U.S., the Mexican government provides for the public ownership of land, much of which is used as ejido lands for communal farms. Like most Mexican cities, land on the west side of Juarez is publicly administered. Squatters in Juarez have been successful in taking public land, and their makeshift homes have eventually been recognized by the city. However, pri-

FIGURE 4: Arreola and Curtis border city model (Arreola and Curtis, 1993, 69)

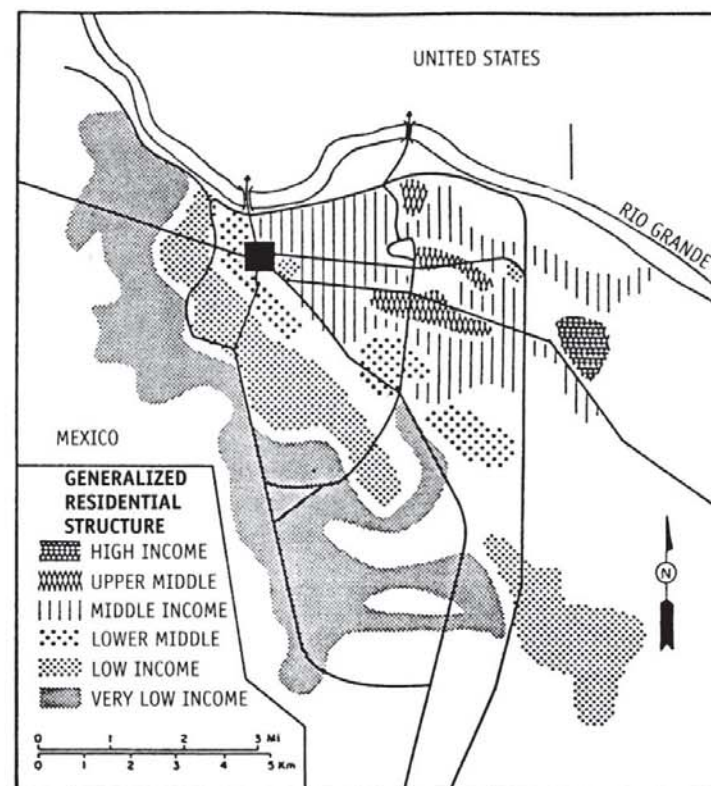




vate agricultural land on the east side has been transformed into high class residential areas since 1950 (Gildersleeve, 1978). Thus, the sectoral growth of the east side is marked by private subdivisions or fraccionamientos, which appear to be heavily influenced by U.S. suburban homes (Gildersleeve, 1978; see also Arreola and Curtis, 165-174).

In his original survey, Baker ranked Juarez as a transitional city between preindustrial and industrial. With the recent changes, Juarez can easily be characterized as having the five traits which Baker identified to describe the industrial city. The main difference between Juarez and other Mexican industrial cities is that residential development has a more sectoral appearance, because upper income groups have not completely left the inner core. Also, the poorest of the poor do not occupy the inner core, but rather are relegated to the worst land on the urban fringe. The land use maps of Juarez and the Arreola model show that centrality to the CBD remains important since it allows easy access to the international crossing point. The development of two more international bridges in Juarez (the Cordova bridge, near the PRONAF tourist district, and the Zaragoza bridge on the far east side) has created a secondary nuclei for upper income and industrial development (Arreola and Curtis, 40). With more bridges in Juarez and other cities, future urban development will be less likely to depend on centrality.

FIGURE 5: Residential structure of Ciudad Juarez (Lloyd, 1986, 51)



### The Binational Urban Model

Just as the example of Juarez largely validates the model of Arreola and Curtis, the important role played by El Paso in the development of Juarez suggests that a binational city model may be necessary to explain urban economic development along the border. According to the *Newsweek* article referenced in the introduction, the capital of "MexAmerica" is Tijuana-San Diego, which implies that the border cities have achieved a sort of unity despite national separation (Adler and Padgett, 1995). One author summarized the argument for a bi-national model, "The current interweaving of economic, social, and cultural interests . . . graphically exemplifies symbiotic relationships long prevailing in the twin communities. Adjacent to the international boundary is a transitional corridor of cultural overlap and blending. A third culture, neither completely Latin nor Anglo-Saxon, has appeared as a synchronization of the two. Cultural fusion has affected the development of distinctive city forms and organizations instead of mere facsimiles of either Mexican or U.S. urban centers" (Dillman, 1983, 239). With cultural fusion, one would expect that the border areas would be in a process of merging to create a new form which would differ from the national urban growth models described earlier. The fundamental question is whether employing a singular model of the bi-national city is preferable to a model of comparisons between the U.S. and Mexican cities' internal structure.

One model of the U.S.-Mexico border city was created by Charles W. Gildersleeve in his doctoral dissertation (1978). His aggregate model (figure 4) was based on three twin-cities: Ambos Nogales (Nogales, Son.-Nogales, Ariz.), Douglas, Ariz.-Agua Prieta, Son., and El Paso, Texas-Ciudad Juarez, Chih. By reviewing the economy of each city in terms of economic base and sphere of influence vis-a-vis its neighbor, the internal urban relations for the Mexican city and the corresponding U.S. city were compared. Gildersleeve determined that mutual interactions, such as finance, industrial production, retail trade and tourism between the two cities demonstrate an interdependency that is representative of a single unit. The Gildersleeve model attempts to define the paired Mexican and U.S. city as "one spatial unit which happens to be separated by a bi-cultural, political boundary" (340).

Gildersleeve specifically states that the two cities are "connected both physically and functionally" (347). For the three twin-city areas that Gildersleeve studied, this was certainly true. Other

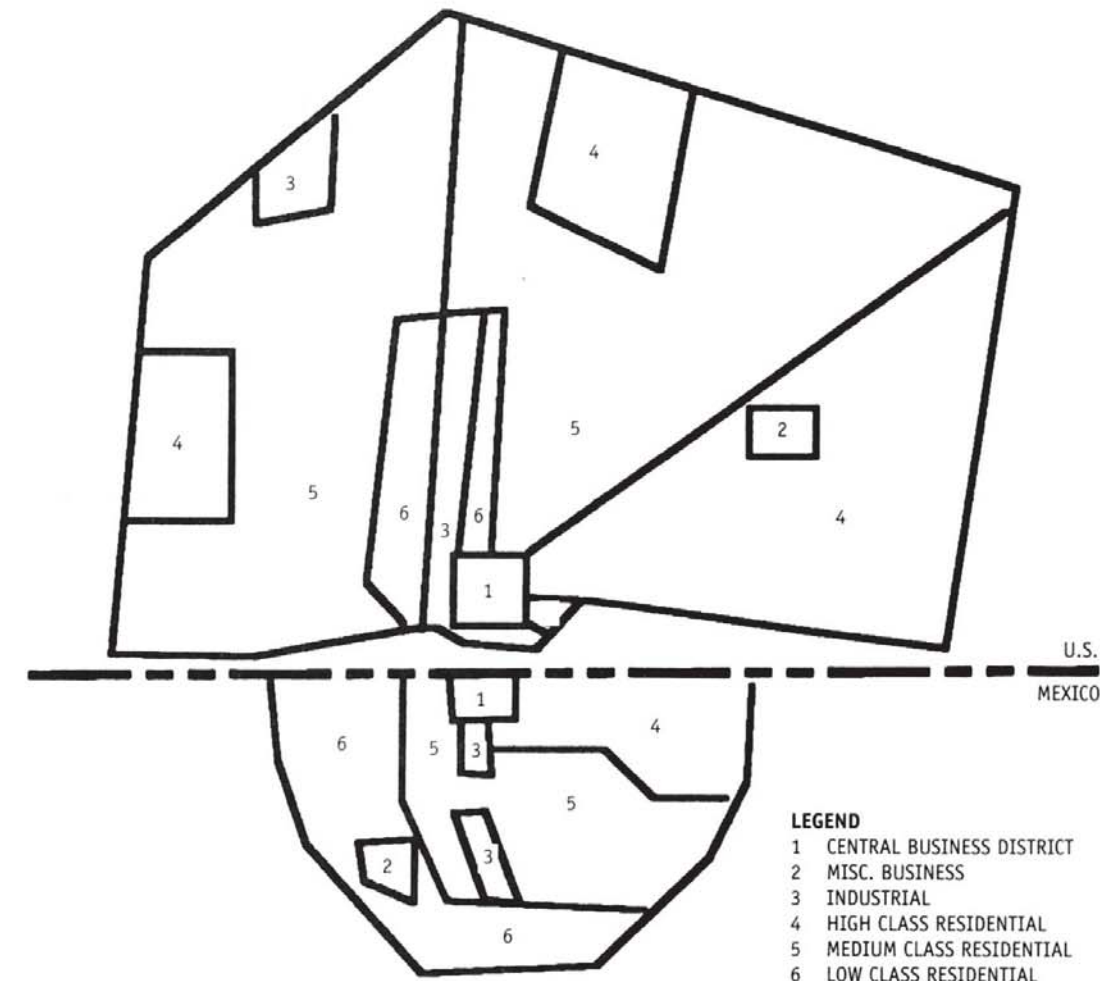


FIGURE 6: The international border city (Gildersleeve, 1978, 339)

border twin cities do not show the physical congruity of Juarez-El Paso. Almost every Mexican city is pressed up against the border. However the primary urban areas of McAllen, Texas, and San Diego, Calif., lie approximately ten miles from the border. Although the city limits for both cities extend south to the border, much of the land is vacant. San Ysidro, annexed by the City of San Diego in 1957, serves as the international crossing to Tijuana (Herzog, 1990). Ten miles south of McAllen, the tiny city of Hidalgo serves as home of the international bridge to Reynosa. Due to economic and transportation linkages, the historical establishment of McAllen and San Diego placed the nucleus of the city at a slight distance from the border, while urban growth has been slow to move to the south. Thus, the physical connection between the two sides does not always exist, as the growth of the U.S. side does not necessarily move southward. Still, it is the functional connections between the cities which determine the extent of unity which Gildersleeve ascribes to the border cities.

The complementary nature of the two local economies supports the contention that the two

cities act as a functional unit. Gildersleeve used an economically based comparison to isolate the economic components of each Mexican and U.S. city. International stimuli provide for the employment and income crucial to every city along the border. The ability of a city to exceed minimum requirements (either employment or income) for a particular good or service translates into the ability to export that good to other external areas. With smaller cities, reliance on exports is great as the city can not efficiently produce goods only for local consumption. Larger cities show a more balanced relationship between basic (export-oriented) and non-basic (minimum required for city size) industries, a ratio that shows how dependent a city is on the livelihood of its exports. Mexican border cities, with their employment based on maquila exports, services and tourism, have a high amount of export employment. Meanwhile, U.S. border cities have little manufacturing, yet the retail stores located on the U.S. side serve the consumer needs of both cities. Thus, U.S. cities share a similar basic/non-basic ratio. When combined, the two economies



are as complementary as they are interdependent, since U.S. retailers need Mexican shoppers as much as Mexican factories need U.S. markets to consume their products in order to stay in business.

Gildersleeve also reviewed the economic spheres of influence for the individual cities as well as the collective pairs. The extent of a city's sphere of influence was created by tracing the origins of out-of-town shoppers and bank deposits. The city's regional pull in terms of retail and banking constitutes the local domestic and local international sphere. U.S. cities have a greater international sphere through their retail trade with Mexico, yet many U.S. citizens go to the Mexican side for entertainment, pharmaceutical drugs, and dental services.

Nuevo Laredo's Boys Town is the most famous compound; it is fenced in like a fortress, with over 30 bars employing nearly 1,000 prostitutes. Contrary to popular belief, the clientele is a mix of U.S. and Mexican customers, reinforcing the idea that zonas de tolerancia serve the populations of both the U.S. and Mexican border cities.

Beyond local spheres, long-distance influences exist as manufactured and agricultural goods flow through the border, although some are also produced locally. By combining the spheres of influence (figure 7), Gildersleeve argued that the composite sphere is tantamount to any other city's sphere (242).

Throughout the dissertation, Gildersleeve compared the border cities to other cities in their respective countries. The residential pattern in U.S. cities has elements of the concentric zone and sector theories described earlier. El Paso is described as a "three-fingered hand" (Gildersleeve, 1978, 122) as the Franklin Mountains to the north block development. Consequently, distinct rings or sectors have not occurred. In the three U.S. cities that Gildersleeve studied, the specialization of land use associations was the most important factor in explaining land use. It is the "internationally-caused" characteristics that create land uses that form unique features. For example, all three cities had a strong CBD within a half mile of the border, reflecting the strong retail ties with Mexico. The CBD for American side is the de facto CBD for the twin border city. Other examples of land use specialization exist for different American cities. Nogales, Ariz., has a special zone for produce wholesale operations as the highway through Ambos Nogales is the major route for produce trade. Douglas, Ariz., has an industrial zone for warehouses which serve the maquilas in Agua Prieta, Son.; both cities have

concentrated industrial activity on the western side. El Paso, a much larger city, has many specialized retail areas. Shopping centers closer to the border crossings depend much more on Mexican consumers. Moving north, as distance from the border increases, the proportion of sales to Mexicans decreases. The degree of Spanish spoken in stores decreases along with the number advertisements in Spanish as one moves away from the border (Gildersleeve, 1978, 263-274).

As in the U.S. border cities, land use in Mexican cities has also been specialized to suit the border economy. Maquiladora parks, described earlier, are the best example of specialization. Another example is the tourist landscape as described by Arreola and Curtis (76). For Tijuana alone, tourism contributed over \$700 million to the local economy during 1986. Every Mexican border city has some type of tourism district, usually a small area near the international crossing. Designed for tourists who walk over to Mexico, the districts are pedestrian-oriented and the small shops and stands offer the traditional curios. Bars and dance clubs catering to Americans are nearby. James R. Curtis (1989) aptly describes the tourist districts as "other-directed places" that support the common stereotypes of Mexico: sombreros, panchos, bull-fights and tequila. A different type of tourist district is the zona de tolerancia, or a specialized area catering to adult entertainment and prostitution, which is not strictly prohibited in Mexico. Part of PRONAF's goal of beautification is to isolate the adult entertainment away from the main tourist districts. Twelve of the eighteen Mexican border cities have either a compound or district which acts as a zona de tolerancia. Nuevo Laredo's Boys Town is the most famous compound; it is fenced in like a fortress, with over thirty bars, employing nearly 1,000 prostitutes. Contrary to popular belief, the clientele is a mix of U.S. and Mexican customers, reinforcing the idea that zonas de tolerancia serve the populations of both the U.S. and Mexican border cities.

For the Mexican cities, Gildersleeve's observations have much in common with the model created by Arreola and Curtis. The Mexican border cities also have much in common with interior Mexican cities, given their shared history of town planning and the highly centralized Mexican political system. Gildersleeve, writing in the 1970s, noted that newer parts of Juarez have moved away from the traditional grid-street pattern to a more skeletal form with arterial roads and a beltway. However, neigh-

borhood businesses (e.g. micro-groceries and soft-drink stands) continue to hold a large percentage of commercial land in older areas that still cater to pedestrian shoppers (Gildersleeve, 1994).

Gildersleeve noted that the residential development pattern is one of the greatest differences between the U.S. and Mexican sides. As some upper-income groups continue to cling to inner city areas instead of elite suburbs, the Mexican border city maintains some "transitional" elements as Baker described in 1970. On the other hand, U.S.-style elite subdivisions were beginning to emerge, a trend which Gildersleeve described as acculturation (Gildersleeve, 1978). Again, the issue of access to the U.S. is one reason why upper-income housing has not moved outside of the downtown area, as in U.S. or larger Mexican cities.

In his conclusion, Gildersleeve found three main reasons why the paired border cities should be considered as a single unit. First, the economic base of the Mexican and U.S. sides are complementary. With the majority of industry on the south side and the major commercial areas on the north side, the twin city has shared functions. Second, the combined spheres of influence for the two cities create the same amount of regional pull as a single city of the same population size. Finally, specialized land use areas have developed according to factors relating to the international economy. Gildersleeve argued

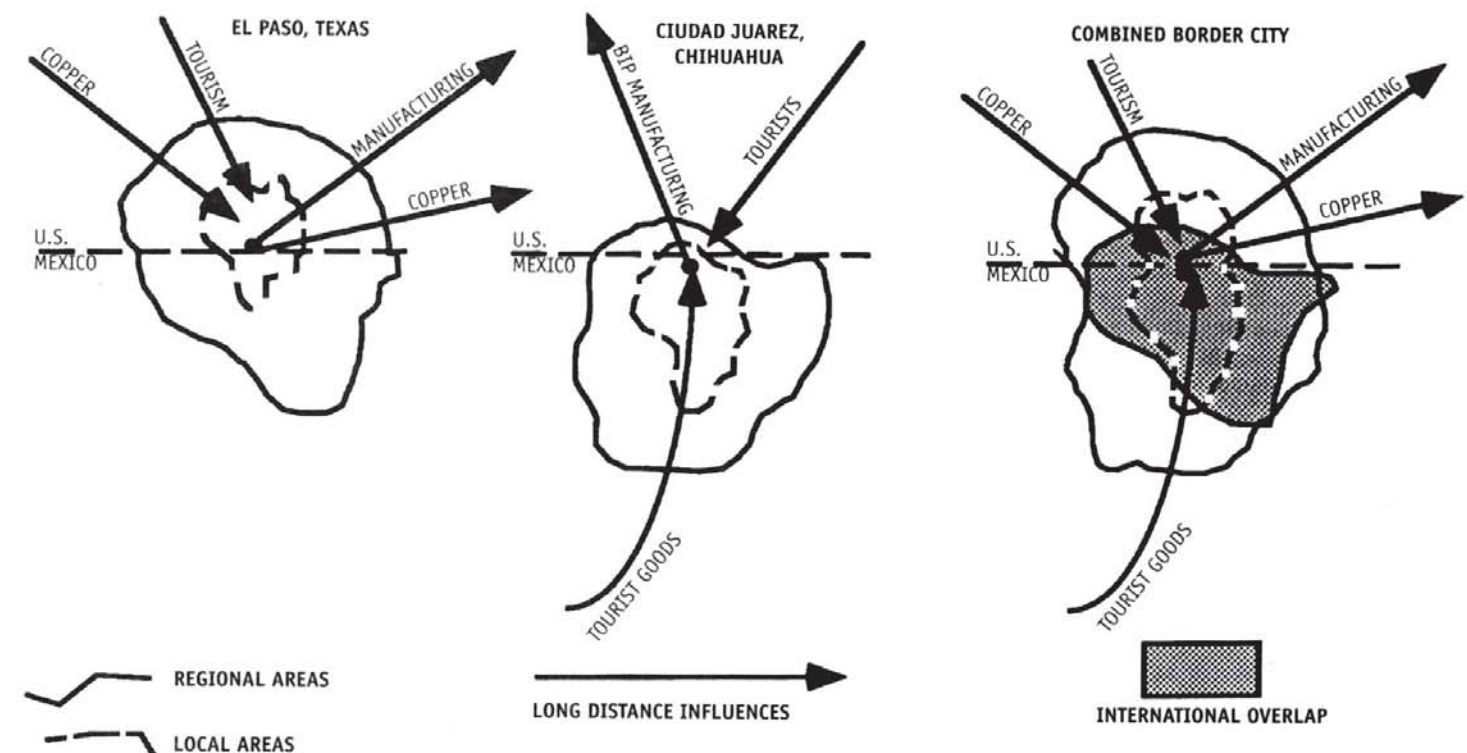
that each side of the twin city retains its national identity in terms of internal spatial form, but the high levels of economic interdependency indicate that the future of each side is wed to the other's.

### Institutional Factors and Urban Form

One author described the city of Mexicali as "a snail pressed against an aquarium wall" (Weisman, 1986, 168). Although the structure of the Mexican border city "is similar to that of urban places elsewhere in Mexico" (Arreola and Curtis, 1993, 70). The extent of U.S. influence must be considered on the international scale of the twin or dual city. Looking back, the model city of Arreola and Curtis appears to be literally half of Baker's industrial city, as the U.S. border bisects the normally circular shape of a city. By implication, the other half is the U.S. component, the second partner in the twin city. The role of the American side cannot be excluded when researching the development of the Mexican border city, or vice-versa.

However, after reviewing the Arreola and Curtis model with the Gildersleeve models of the U.S.-Mexico border city, greater weight must be given to the national models instead of the binational model. Economic integration between the United States and Mexico is a vehicle for convergence on the municipal level; however, the social, political, and cultural differences are obstacles that remain

FIGURE 7: Economic spheres of influence, El Paso and Ciudad Juarez (Gildersleeve, 1978, 242)





stronger at the present time. In Gildersleeve's hypothesis, functional connection was demonstrated through various economic exchanges between each Mexican and U.S. city. However, different political and cultural systems act as filters for economic interactions and their combined force creates the built landscape. Griffin and Ford, whose work focused heavily on the border city of Tijuana, wrote, "...the context of [urban] change in Latin America differs in many ways from the patterns of 19-century and early 20-century cities of Anglo America" (1980, 398).

The different political systems in the U.S. and Mexico have led to different conceptions of land-use planning. Local governments in the United

States have much more autonomy in land-use decisions. Through state and local laws, the development process is much more regulated. Through regulations like zoning, the U.S. city reinforces a low population density and enforces specialized land uses. The following statement from a U.S. planner shows the difference in cultural atti-

tudes towards land regulation: "Ciudad Juarez, just across the Rio Grande from El Paso, Texas, is a case in point. Like other Mexican border towns, it is notable—to a U.S. planner, anyway—for its jumbled land uses: a 25-unit apartment complex next to a dance hall, which is in turn next to a brand-new assembly plant and across the street from a junkyard, which is next to a shopping mall" (Cabral, 1991, 20). Unlike other Mexican cities, Ciudad Juarez enacted its first zoning ordinance in 1984. However, enforcement and building inspection are non-existent the growth of squatter settlements shows the ease of violating local regulations. Even maquiladoras built west of Juarez, outside of the maquila parks, stand in direct violation of the zoning code (Cabral, 1991).

Economic integration can not replace the strong national forces, political and social, that keep the U.S. and Mexico apart. One author goes further to

write that, "although some boundaries serve to bring cultures together, the U.S.-Mexican boundary does not perform such a function. The wealthy North and developing South clash at the meeting place of two contrasting societies" (Herzog, 1990, 120). The economic disparities between each U.S. and Mexican city remains large, despite the fact that the gap is less within the borderlands. The comparative centralization of Mexican border cities is both political and social, and stems also from the fact that Mexican cities cannot afford to provide services at extended distances. Many Mexican residents are unable to afford to live far from the center, unlike U.S. residents who live in suburbs further away from the CBD. Another example of a cultural difference in the physical environment is the enclosure of property through walls or fencing, which is a standard feature of most Latin American homes.

# Conclusion

The economic interactions which Gildersleeve described earlier should be considered what Lawrence Herzog has called trans-boundary economic space, the "overlapping of product, service and labor markets across the international political line" (1990, 56). Instead of forming a single city, the regional economy binds the two sides together without uniting them. The two sides may function as a single economic unit, but each has a different role in the transborder international economy. The economic flows resulting from maquiladora production, tourism and retail trade influence urban development only to the point that the political and cultural systems can assimilate change. The high level of detail in the Mexican border-city landscape model of Arreola and Curtis is necessary to exhibit the particular influences of heightened economic exchanges with the U.S. inside a Mexican city. Ultimately, the high level of dependency between the two border cities should not be mistaken for unity. PF

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# Gender Blindness

by Mary Burns

*Despite recent gains, women in Latin American and Caribbean nations still face blatant discrimination in the social, political, and economic arenas. Women, particularly poor women, must cope with property rights and housing policies that remain blind to their needs.*

Gender discrimination exists in all facets of Latin American life. In spite of the decline of machismo and the concomitant social, political, and economic gains made by women in Latin America in the past twenty years, the overall position of the woman—within both the family and society—is one of marginalization and disenfranchisement. The prevalence of gender “blindness” (some would term it “discrimination”) in the area of housing policy, planning, design, and construction owes its existence more to this prevailing cultural norm and the politico-economic conditions it spawns, than to any specific housing policy. Subsequently, it is impossible to diagnose and remedy the gender blindness of specific housing policies without first examining the larger social, juridical, and economic contexts that enforce that are themselves reinforced by past and present housing practices.

Housing policy in Latin America is as class biased as it is gender biased, generally favoring those with means. The most disadvantaged segment of all Latin American populations is female-headed households. Since such households are rapidly becoming the demographic norm, estimated at 50 percent of all families (Moser, 1987) and represent the poorest segment of society, poor women are disproportionately affected by housing policies. Unsatisfactory housing and exclusion from overall housing policymaking are the results of women's inferior social, economic, and political position within Latin American societies. Housing policies may reinforce and exacerbate such conditions, but are by no means the primary cause. For housing policies to become inclusive, the cultural, economic, and political systems of Latin American nations would have to undergo a dramatic overhaul.

Gender-blind housing policy, its source in the overall sexism of Latin American societies, exists in both capitalist<sup>1</sup> and petty-commodity<sup>2</sup> modes of housing production. This sexism defines the economic and legal systems of various Latin American nations, in essence providing the overall framework and criteria within which, and against which, housing policy is formulated. Gender-blind housing practices will not cease until the these countries' economic health and biased legal systems, and above all the social mores regarding women, improve.

This paper will address the issue of gender-blind housing policy in the following fashion. First, the sexism, economic conditions, and the system of property rights in Latin America will be examined, with Peru serving as the most frequently-cited example. An examination of housing policy in two countries will then be undertaken, using Jamaica and Peru as primary examples. Finally, prescriptions to remedy gender blindness will be proffered.

## Sexism In Latin American Society

Although on the wane, the overall cultural paradigm in Latin American society is the machismo-hembrismo dyad.<sup>3</sup> Such an archetype relegates men and women to separate and unequal private and public roles and permeates all components of Latin American life. Within the family, the concept of *paterfamilias*—the male as household head—prevails. In the economic realm, the man is the breadwinner, presiding over all macro-economic decisions. The woman may preside over the micro-economics of the household with his approval. If the woman works outside the home, her job is seen as a derivative of her gender and of less import than that of a man. In the political domain, man possesses both *de facto* and *de jure* rights. He is both judge and lawmaker. The legal system is intrinsically biased toward his needs and interests. Although women possess *de jure* legal rights, in reality such rights are often circumscribed or denied them by husbands or fathers.

Such a power differential, according to such feminist housing scholars such as Caroline Moser, has impeded society's ability to recognize women's “triple function” as producers, reproducers, and community organizers, and to integrate such functions into the overall economic workings of society—particularly in housing production. Moreover, according to Moser, the machismo-hembrismo dyad has distracted planners from the reality that females are the *de facto* heads of 50 percent of Latin American families (Moser, 1987). Consequently, housing prescriptions formulated on the nuclear family and “woman-as-reproducer” paradigms do not serve the spatial and social needs of female-headed households and thus relegate women to the economic and spatial peripheries of society.

## Macro-level Economic Determinants of Housing Policy: Peru

Latin America's housing complexion has been largely determined by two factors. The first is demographic. Following World War II, Latin America began to industrialize and urbanize. In Peru, for example, extensive rural-urban migration from the 1940s onward created a tremendous demand for urban housing. In an attempt to satisfy this demand by increasing housing supply, the Peruvian government condoned and promoted self-build housing and upgrading projects. Paradoxically, such a policy put pressure on land prices and building material costs, subsequently decreasing the stock of affordable housing.

The second factor is economic. The “Lost Decade” of the 1980s resulted in a diminution of real wages, a scarcity of capital, and a balance-of-payments crisis throughout Latin America. In Peru, such a dismal economic climate exacerbated the already-precarious affordable-housing situation. Because of tight capital—the result of an adverse balance-of-payments—two-thirds of Peru's population was denied access to home ownership via the conventional private and public lenders (Young, 1987).

In its successful crusade against hyper-inflation, down from an astounding 7,650 percent in 1990 to 39.5 percent in 1994 and in an attempt to reverse Peru's balance-of-payments crisis, the Fujimori government has embarked upon a program of structural readjustment by increasing taxes on telephones, gas, electricity, and water; liberalizing land and labor markets; and cutting social service programs (North/South Focus, 1993). Particularly hard-hit by these austerity measures has been the Peruvian housing program. By 1990, for example, spending on housing was 28 percent of its 1980 level. While Peru had allocated 5.2 percent of its public service budget to housing in 1970, by 1990, that figure had dwindled to two percent (Figeroa, 1993).

In a sense, the Peruvian government has robbed Peter to pay Paul. While such austerity measures have generated and freed up a great deal of capital, this money has been directed toward private housing finance, which typically favors those with means. Conversely, public housing finance, which favors low-income individuals and families, has seen its resources cut while demand for such funds—the result of continued urbanization and increased unemployment—has risen.

## Women's Economic Position within the Macro-economic Framework

Women, because of their position within the family and society, have typically been relegated to the economic periphery. The sexual division of labor, determined and delimited by a system of *paterfamilias*, dictates the amount of time a woman must spend on domestic chores. This, in turn, circumscribes the amount of time that can be spent in paid labor. Although women are rapidly entering the formal sector, most are employed in cottage industries, the informal sector, seasonal employment, or very low-paying jobs. Indeed, 48 percent of Peruvian women work at home and 70 percent are employed in the informal sector (Chavez-O'Brien, 1988).

Because of problems of definition and categorization, women's employment is often not deemed “work” as such by government agencies. Oftentimes categories are biased and do not count the informal sector (of which women comprise the bulk) as real employment. For example, in Peru, women who take on paid work are not counted among employees (Young, 1989). Such omissions have their roots in cultural proscriptions. It is considered inappropriate in Peru for a woman to work in the fields. Yet, 80 percent of women in the Sierra Sur, where the majority of Peru's peasants reside and which has a high rate of male migration, consider agriculture as their main form of employment (Young, 1989). Such cultural biases have had dire economic consequences for women, reinforcing the erroneous notion of man as worker and woman as helper.

These gender-specific economic realities (the sexual division of labor, the official absence of women's labor participation, as well as women's lack of access to the means of production) are embedded in an infirm macro-economic system, and have resulted, not surprisingly, in a tremendous gender wage differential. In every Latin American country, women's aggregate income is less than that of men (Young, 1989). In Lima, as a case in point, 50 percent of female workers versus 16 percent of male workers earn less than the monthly minimum wage (Chavez-O'Brien, 1988).

Housing prescriptions formulated on the nuclear family and “woman-as-reproducer” paradigms do not serve the spatial and social needs of female-headed households and thus relegate women to the economic and spatial peripheries of society.



### Women and Property Rights

Gender discrimination rears its head not only in the economic realm, but in the legal domain as well. Undoubtedly, women have made substantial legal gains within the past twenty years. Still, for the most part, men enjoy principal tenure in land and housing. Even where women possess *de jure* property rights, they are subject to *de facto* discrimination. Until recently in Mexico, for example, daughters could inherit ejidal lands<sup>14</sup> only if there were no sons and/or the policies of the specific ejido allowed such transfer. However, though widows and daughters now enjoy inheritance rights, these rights are often not honored by male family

members who refuse to relinquish the ejidal land (American Association for the Advancement of Science, 1977).

While most new legislation concerning women's property rights has been progressive in terms of gender-inclusion, some has actually been regressive. Until the late 1960s, both men and women in Peru enjoyed equal access to land. The Agrarian Re-

form Act of 1969 replaced indigenous land codes with an urban Hispanic code, which made the male the principal householder and gave him final say over land use. Legally, women were stripped of the collateral, physical and financial security, and capital that land ownership provides. Economically, the Agrarian Reform Act divested women of their intrinsic labor value and economic autonomy and subordinated them to their husbands (Chant, 1992).

### Housing Policy

As has been illustrated, the cultural, economic, and legal realities of Latin America provide the context within which housing policy and production occur. Furthermore, they establish the criteria against which housing eligibility and allocation are determined. Rather than a source of gender blindness, housing policy is a conduit for the more comprehensive institutional sexism that exists on both a macro- and micro-level in Latin America. Certainly planners have aggravated this gender bias by not tapping into what Moser terms women's "triple functions" and ignoring overall female eco-

nomie contributions. Such a sin of omission has resulted in a huge data vacuum. Since housing agencies are compelled to use objective criteria (access to capital, collateral, work history, etc.), in allocating mortgages, the absence of such data, as well as the lending criteria themselves, further excludes women from access to affordable housing.

Almost all Latin American countries have either a state, private, or parastatal organization designed to provide low-income housing to the poorest segments of society. In all Latin American societies, that poorest segment is women with children. Yet, it is exceedingly difficult for women to gain access to housing independent of men. Bias against women exists in all areas of housing policy and production. Such an assertion can be supported by examining three phases of housing policy and production in Jamaica—eligibility, allocation, and services.

### Eligibility

In 1976, the National Housing Trust (NHT) was created by the socialist government of Jamaica to "finance a large number of working class units and distribute them according to housing needs." The NHT would be funded by voluntary payroll deductions of 5 percent by (mostly) state employees, 56 percent of whom have been women. With 28 percent of all mortgages, the NHT is presently the largest single housing finance agency in Jamaica (Klak and Hey, 1992).

Women are the poorest members of Jamaican society. They head at least 40 percent of all households (a very low estimate), constitute 51 percent of all unemployed persons under age 25, and form the bulk of the informal sector. Because the majority of these poor women live in the violent ghettos of Kingston, they have severe infrastructure and safety needs. Yet, they do not receive NHT loans. In spite of its self-mandate to provide housing to the neediest Jamaicans, 64 percent of all NHT mortgage recipients since 1976 have been men in the most stable public sector positions (Klak and Hey, 1992).

Although programatically eligible for a NHT mortgage, most Jamaican women, because they are poor and/or earn less than their male counterparts, are in reality ineligible for a NHT mortgage. There are several reasons for this, many of which are sound fiscal policies, but all of which are tied to the inferior social and economic position of women in society. First, contribution to the NHT is a prerequisite for obtaining a mortgage. This immediately excludes poor women, since they are either

self-employed, seasonally employed, or "informally" employed.<sup>5</sup> Second, although women represent 56 percent of all NHT donors, they are concentrated at the lower end of the pay scale. Of these female contributors, 38 percent earned less than \$12,000 per annum.<sup>6</sup> Finally, because of the preponderance of female-headed households, many Jamaican working women cannot leave their children to work yet another job in an effort to qualify for an NHT mortgage.

Even if a woman were to make enough money in the informal sector to qualify for an NHT loan, the NHT, given its recapture provisions, requires documentation of regular employment and verification of a fixed monthly wage. Thus, even relatively well-off self/seasonally/or informally employed women are instantly screened out. Finally, finances aside, the loan application process itself may deter women who often have minimal education, little or no experience with government agencies, and no confidence in negotiating forms from continuing with the housing search.<sup>7</sup>

The policies of the NHT are arguably more class than gender-biased. Although poor women have the highest mortgage rejection rate, wealthier women (those earning above \$8000)<sup>8</sup> receive the highest proportion of NHT loans. Ironically, the NHT regards women, in general, as a better credit risk than men because of women's shorter default time and their disproportionate activity in the work force. Nevertheless, since a larger proportion of low- and middle-income women apply and are rejected for NHT mortgages, the class bias of the NHT program falls disproportionately upon one gender.

Other national housing agencies are not so benign toward women. Oftentimes, eligibility criteria for sites-and-service projects are targeted in terms of male income and regular employment. In Peru, a female agricultural worker in the sierra is ineligible for housing assistance because she is considered her husband's helper. Female applicants in Mexico were in the past required to have a male partner. In the Boa Vista, Brazil, self-build housing project, the applicant had to be the "father" of at least two children and had to earn between one and three minimum wages. In Brazil, 50 percent of female-headed households earn less than one-half of the minimum wage (Moser, 1987).

### Housing Allocation

Marriage, even an unhealthy one, may be the lesser of many evils for women when it comes to housing allocation. Since the allocation of land and housing in both capitalist and petty-commodity

forms of housing production shows a distinct bias toward married couples and against all non-nuclear and shared arrangements, a woman who chooses to leave an unsuitable or dangerous domestic situation puts herself at a distinct disadvantage in terms of procuring a home. However, marriage as an avenue to better housing is often a poisoned chalice. In capitalist modes of housing production, principal ownership and mortgages are more often than not granted to the man on the assumption that he heads the household. Such a practice poses very real physical and economic risks to a woman since, without property rights, she cannot protect herself from threatening domestic situations nor gain the equity that property ownership confers (Moser, 1987). In the petty-commodity forms of housing production, invasion leaders oftentimes insist upon allocating land or subdivisions to couples, as opposed to women with children (Ward, 1994).

### Services

Income remains the key determinant in access to such services as water, electricity, and sewage. Their absence adversely impacts women, especially poor women, since they are the primary users of domestic space and services. This lack of basic services means that women have to spend more time on tasks associated with basic household maintenance and rudimentary hygiene (Charlton, 1984). This protraction of domestic duties<sup>9</sup> results in women having less time for formal employment and leisure. In addition to the inconvenience and lack of access to remunerative work, poor services also result in the social isolation and political alienation of women who are, paradoxically, too busy working at home to become involved in community or political organizations.

Lack of access to water and sanitation are the most common—and serious—service shortages faced by women in Latin America. Since they frequently lack formal employment, women cannot escape to a workplace where such services are provided. Their role as primary water gatherers, coupled with the reality of perhaps one well or stand pipe per housing settlement (often at a substantial distance from the dwellings), means that women spend a great deal of time waiting to collect water and transporting it to their homes. This

Income remains the key determinant in access to such services as water, electricity and sewage. Their absence adversely impacts women since they are the primary users of domestic space and services.



results in longer cooking and washing times. The absence of water or water lock-offs can have deleterious income effects on women who take in washing for pay. A lack of access to potable water yields more critical communal health consequences. In Peru, poor sanitation and a lack of potable water<sup>10</sup> resulted in a 1991 cholera outbreak. Most of the 320,000 persons afflicted had limited access to sanitation and drinking water (Ward and Chant, 1990).

The paucity of sanitary facilities is perhaps the most glaring example of gender blindness in the area of service provision for housing. Since men's sanitary needs are easier to address, they can often make do with simple latrines or with stalls with small or no doors, whereas women's privacy and sanitary needs often remain unmet. As with improper access to water, a lack of access to sanitary facilities has profound health consequences for an area.

#### Prescriptions for Gender-Sensitive Housing Policy

A nation's housing policy mirrors its overall social, economic, and political composition. Hence, housing policies toward women cannot change without a complete transformation of the social, economic, and juridical values and institutions that marginalize women. Such an assertion by no means implies that there be no independent efforts to fashion gender-sensitive housing policies; rather it ad-

monishes that even the most enlightened housing policies, operating within an overall context of gender discrimination, will yield limited results at best.

The battle against gender-blind housing policy must be fought on two primary fronts: the ideological and the structural. The ideological front deals primarily with the area of research and the ethos regarding women. Not only is more research regarding women's housing concerns needed, but efforts must be undertaken to ensure the integrity of this research. Much of current data collection and application is so biased that Latin American women are as ill-served by those who purport to help them as they are by sexism. First World feminist researchers and housing practitioners must modify their critique to accommodate the realities of Third World housing issues. As Ann Varley points out, feminist scholars have sacrificed practical prescriptions at the altar of feminist ideology by failing to deal with the reality that in Latin America a woman's place is in (or near) the home.

The second campaign on this ideological front is more problematic. Latin American society must actively strive to efface the cult of machismo with its pernicious view of women. This can be achieved by addressing issues of particular relevance for women. Many Latin American countries, and almost all Caribbean nations, are matrifocal societies. Thus, improving the economic and social

conditions of women necessarily improves the living conditions of children, and eventually all citizenry. As long as education, housing, health, etc. are seen as "women's issues" and minimized accordingly, Latin American societies will fail to "develop."

The above objectives must occur with simultaneous structural changes involving women's roles in the economic, legal, and housing systems of a particular nation. The amelioration of women's economic and juridical status could best be achieved by using Moser's "triple function" paradigm—reproducer, producer, and community organizer—as the model for restitutive policies.

First, governments should strive to enhance women's reproductive function through pro-active population control programs and greater access to education. Education, in particular, is strongly correlated to delayed and reduced fertility. By reducing fertility, demand for new housing is curtailed. By reducing and delaying fertility, women are relieved of the double burden of child care and labor so they can increase income-generating activity.

Second, women's productive capabilities must be enhanced by their active inclusion in the economic sphere. This involves the recognition, documentation, and remuneration of women's labor as "work," an increase in the minimum wage to eradicate gender wage differentials, and government support of micro-industry and employment projects for women.

Finally, a more flexible land registration system that recognizes non-nuclear households and the legal extension of tenure rights to women would ensure women's third function as community organizers. As property owners, women would have a financial and legal stake—and voice—in the system.

The above ideological and structural changes are necessary to create the foundation upon which less androcentric and more gender-sensitive housing policies are constructed. Obviously, structural changes must come from within the housing industry itself. First, planners must abandon the archetype of the nuclear family and embrace the demographic reality of non-nuclear households. In addition, they must also strive to understand the sexual division of labor, the use of gendered space, and the bias of present housing policy in terms of future planning and community participation projects. Furthermore, "housing" must be more holistically defined, expanded to include not just the production and maintenance of a dwelling, but also the provision of services and the maintenance of social relationships within that dwelling.

Next, women must be actively recruited into the housing, planning, and construction fields as architects, planners, builders, and policy makers. Since they are the primary users of domestic space and services, women know best about the infrastructural needs of a community. Women must be included at the macrolevel of housing, as data analysts and policy makers, and at the microlevel as community organizers and construction workers. Indeed, women have been successfully trained in housing construction in Panama, Jamaica, and Nicaragua.

Finally, the lending practices of housing agencies themselves must change. This can be tricky; because they are leveraging other people's money, housing agencies cannot arbitrarily abandon all objective financial criteria. Yet, for the most part, needy women are excluded from such formal financial channels. Through creative fiscal planning—e.g. revolving loans, community-developed credit unions, deferred-interest loans—the gender-biased strictures of current housing finance policy can be obviated to give women easier access to housing.

These proposed remedies will be a long time in coming. In reality, most Latin American nations operate under severe financial constraints and possess neither the money nor resources to make the above proposals a reality. Yet, the picture is far from grim. Machismo is on the wane and women have made tremendous social, political, and economic gains. Within the past decade, housing policy has become more gender sensitive in response to such realities as well as to the changing family paradigm. The 1990s have witnessed important economic growth in Latin America in general, with dynamic economic growth in particular countries like Chile and Peru. A healthier economy means a healthier housing industry. Women stand only to gain from such progress. PF

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*There is a pressing need for affordable housing in Latin American and Caribbean nations.*



Boone Powell



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## Notes

<sup>1</sup> *Machismo* is a cultural ethos that delineates very rigid gender roles for men and as such elevates them to a position of familial and social prominence and dominance vis-a-vis women. "Macho"—general term for male, mostly used in reference to animals. *Hembrismo* is a cultural ethos that delineates very clear gender roles for women, oftentimes based on religious imagery (e.g. La Virgen), usually focused on her reproductive capacities. Subordinates the woman to a position of subservience vis-a-vis the man. "Hembra"—general term for female, mostly used in reference to animals.

<sup>2</sup> *Capitalist housing production*: The sale, purchase, or construction of housing in the formal housing finance system. This can be private (home purchase through real estate agencies), through direct purchase, or via government/financial institution housing programs.

<sup>3</sup> *Petty-commodity*: Housing construction in the informal market, usually through land invasions and self-build projects.

<sup>4</sup> In Peru, female agricultural workers in the sierra are not eligible for housing assistance because they're considered their husbands' helpers.

<sup>5</sup> These figures are in 1988 Jamaican dollars: \$1 U.S.= \$6 Jamaican. The Jamaican dollar has been subsequently devalued. Today, \$1 U.S.= \$31 Jamaican. Thomas H. Klak and Jeanne K. Hey. 1992. "Gender and State Bias in Jamaican Housing Programs," 219.

<sup>6</sup> This is a fairly common occurrence for women attempting to receive government assistance. Attempts by American volunteers in Peru to set up "mothers' centers" in *pueblos jovenes* were derailed because a large number of women couldn't read or speak Spanish and did not know their birth dates or complete legal name. Tina Rosenberg. 1992. *Children of Cain: Violence and the Violent in Latin America*, 180.

<sup>7</sup> 1988 figures.

<sup>8</sup> In some cases, up to 14 hours a day spent on such chores. Peter Ward and Sylvia Chant. 1990. "Family Structure and Low Income Housing Policy," *Third World Planning*, 14.

<sup>9</sup> Almost half of Peruvian households lack access to sanitation. Peter Ward and Sylvia Chant. 1990. "Family Structure and Low Income Housing Policy," *Third World Planning*, 146.

<sup>10</sup> Peter Ward and Sylvia Chant. 1990. "Family Structure and Low Income Housing Policy," *Third World Planning*, 146.



# Valuing Value

by Stephen Ross

**What is Value? What is "good value?"  
What is a good value?**

*Can we afford value?  
What price do we pay for  
defining value too  
narrowly? In a world  
'made to measure,' if  
value is only a quantity,  
are we then doomed to  
only painting by  
numbers?*

I was considering these questions the other day when a voice came on the TV asking me the very same questions. It turned out to be a Chrysler commercial. This very dignified yet disembodied voice asked, "What is Value?" Seems it was a rhetorical question because he immediately answered it. He quickly said: "You know what value is; value is more for your money." OK. That one was followed by a Ford truck commercial. Guess what? Same question. Turns out that when it comes to Ford trucks, value is "more legroom for your money." So, accordingly, value must be a quantity; a magnitude. Value is value added. That's easy enough.

Easy, yeah; but, maybe, just maybe, it's also misleading, too restrictive, too over-determined. What if value was or could be more than a mere number or measurement? I ask this question because, you see, these first two commercials were followed by a Burger King commercial. Different question this time. It's the one with those three elderly ladies at a bowling alley. They ask: "WHAT IS ALL THIS TALK ABOUT VALUE? IT'S NOT VALUE DAMMIT IT'S A HAMBURGER!!!" Finally!

What this last commercial alludes to is, in a sense, the death of value: if value is only a disembodied abstraction, a number, a measurement; then it's probably not something we'd be willing or able to sink our teeth into. If value is only a measurement, a quantity, then, according to this commercial, these bowlers want no truck with value. Why? Because they aren't interested in the measurement (the value/a value about something), they instead want the thing being measured (valued). In fact, they're hungry for it. It is their sustenance.

What these commercials highlight is that today **VALUE IS THE MEASUREMENT; NOT THE THING BEING MEASURED!**

That's why when I go to our university's Union to buy a Coke, the lady always says, "That's eighty-five cents." Of course I want to say, "No it's not; it's a Coke." But I don't because I know she's right. As far as she and the Union and Coca-Cola Bottling Company and all their creditors and investors are concerned, it's more \$0.85 than it is anything else.

But what if...? What if value could be seen as the thing itself; the thing being valued? If this is possible then we indeed currently de-value value. We have reduced the potential scope and capacity of the meaning of value. We have narrowed value's width and breadth and depth. (Its unmeasurable W/B&D, that is.) We have done this in science and economics, and to a profound degree it has trickled down to the level of dominant culture and everyday life. In a sense we have killed (disembodied) value because it now only exists as a historical fact. Value exists as a measurement only, and only a measurement taken "before now."

We have de-valued value because we have de-valued the unmeasurable qualitative nature of value and replaced it with an over-valued investment in the measurable and quantitative as value.

Now we only have the numbers to go by. Only that which can be counted counts.

So, back to the commercials. We saw that if value is a quantity, then the value of things is pretty easy to claim. All we have to do is measure stuff. But often when we find things to be easy and straightforward, what we are finding is a limited version of something that may very well be a shallow version that ignores and represses and denies and cheapens and destroys too much as a consequence. Often that which is ignored is more valuable, yet harder to place a value on. It is ignored because it is more difficult, complex, un-decidable, and indeterminate. And, it is ignored because our accepted valuing mechanism seems less certain when addressing more than the quantifiable.

We are indeed missing something when we value this way. We err on the side of precision at the price of seeing and valuing the whole too narrowly; of perhaps missing the whole completely. Especially if the whole is more than the sum of its parts.

The moment one begins to  
count; one begins to err.

—Latin saying, quoted in *Particles and Luck*,  
by Louis B. Jones, 1993

**SHARP** EXCLUS VALU

**219<sup>99</sup>**

20" Color TV  
With Direct Access  
Remote, Multi-  
Language Display

**349<sup>99</sup>**

27" Color TV  
With Direct Access  
Remote, Multi-  
Language Display

**20" 27" Stereo  
TV Stand**

**NO VALUE**

**FREE**

**TABLES & LAMPS**

**ALL 8 PIECE**

**899<sup>99</sup>**

**SAVE \$1599 3-PIECE**

**TABLES AND 2 LAMP**

loveseat, right arm facing full sil

**Extra Values on Health Care**

**NO VALUE**

**\$1 Off**

**Any Nature's Resource**

**Save \$1**

**on any Nature's Resource™ Premium Herb Product**

**Kellogg's**

**FROSTED FLAKES**

**APPLE JACKS**

**SMACKS**

**SUPER VALUE PACK**

**\$5.49**

**Ea.**

**Kellogg's Super Value Pack**

**39.10-Ounce Package**

Value [...is...] the leading edge  
of reality [...]. Value is the  
predecessor of structure. [...]

Our structured reality is  
preselected on the basis of  
value, and really to understand  
structured reality requires an  
understanding of the value  
source from which it's derived.

—Robert Pirsig, 1974  
*Zen and the Art of Motorcycle Maintenance*

To know something is to  
subdivide it, measure it,  
and recombine it.

—Issac Newton



When you cannot express  
it in numbers, your knowl-  
edge is of a meager and  
unsatisfactory kind.

—Kelvin

Center Cut  
Rib Pork Chops Lb. **\$1.99**

**VOID**

Blue pack **\$1.99** Lb.

Texas Style  
Beef Ribs  
Boneless Shoulder

**VOID**

Each **4.49**

**ARMOR ALL**  
16-oz. Armor All  
paint protector  
16-oz. Protecta  
20-oz. QuickShine  
wheel cleaner  
More Armor All  
16-oz. QuickShine  
aerosol or 16-oz.  
gloss spray prod.

**Power Kraft**

**VOID**

BRIGGS & STRATTON

**269.99**

Final Price. No Other  
Discounts Apply

EXCLUSIVE  
VALUE

[D]oes it contain any abstract  
reasoning concerning quantity  
or number? No? Does it contain  
any experimental reasoning  
concerning matter or fact [...]?  
No? Commit it then to the  
flames, for it can contain noth-  
ing but sophistry and delusion.

—Hume

[E]verything that exists  
exists in some quantity, and  
can therefore be measured.

—Thorndike, psychologist

We owe all the great advances  
in knowledge to those who  
endeavor to find out how  
much there is of anything.

—Clerk Maxwell

Walgreens Coupon

Sale Wed. 4/3  
thru Sat. 4/6/96

**VOID**

New Lengths  
by Hansen; trial size  
nail enamel. Limit 4.

**NEW LENGTHS**

0 00000 01833 3

**VOID**

15% off

EASTER PARTY GOODS. Plates, napkins, cups,  
stickers, decorations, gift bags and much more for  
your holiday entertaining. Reg. 49-6.99, sale 41-5.94

**VOID**

SAVE UP TO 50% OFF

Save \$800 The Ultimate Reclining  
Sofa with Drop-down Table or  
Reclining Loveseat.  
Both have dual massage and storage arms.  
Reg. 1,599.99, sale 1,099.99

But men love abstract reasoning  
and neat systematization so  
much that they think nothing of  
distorting the truth, closing  
their eyes and ears to contrary  
evidence to preserve their  
logical constructions.

—Fyodor Dostoyevsky  
*Notes from Underground*

Values are not magnitudes...  
A gestalt is an intangible  
thing. The chances are that  
once mathematicized, it stops  
being a true gestalt.

—Morris Berman  
*The Reenchantment of the World*

It is impossible to escape  
the impression that people  
commonly use false stan-  
dards of measurement [...] and  
that they underestimate  
what is of true value in life.

—Sigmund Freud  
*Civilization and Its Discontents*

**VOID**

20% off

OUR ENTIRE STOCK OF WATER SPORTS AND FLOTATION  
Vests by Eno and Stearns in adults', youths' and children's sizes.  
Pool loungers, kickboards and more. Sporting Goods Dept.  
Prices shown in photos are sale prices. Selection may vary by store.

The ethics of optima and the  
ethics of maxima are totally  
different ethical systems.

—Gregory Bateson

**VOID**

12 Can Pack

**BIG RED**

12-Pack

**2\$3.99**

FOR

Pepsi, Mountain Dew,  
Slice Or Big Red  
12-Ounce Cans, Regular  
Or Diet, Limit-2 Total



**Walgreens Coupon** Sale Wed. 4/3 thru Sat. 4/6/96

**SAVE 30¢**

**VOID**

**Reg. 99¢**

**Trail Mints**

Handland; 6-oz. Real chocolate covered mints. Limit 3.

0 00000 01829 4

[T]he question of values is more fundamental than the question of certainty.

—Nietzsche

[A]ll actions [...] are rooted in the conditions of valuation[...].

—Max Scheler

**Walgreens Coupon** Sale Wed. 4/3 thru Sat. 4/6/96

**VOID**

**Reg. 99¢**

**Kodak 35mm Gold Super 200**

24-exp. color print film. Limit 2.

0 00000 01008 5

**VOID**

**\$47**

**NINTENDO GAME BOY** Save this week on the Play It Loud Series. Save on the Game Boy game cartridges shown.

24.99 Sale

24.99 Sale

A dollar is not value, but representative of value, and at last, of moral values.

—Ralph Waldo Emerson

The cost of a thing is the amount of what I call life which is required to be exchanged for it, immediately or in the long run.

—Henry David Thoreau

**VOID**

**6.99**

**Men's Super Value 12-pack socks**

- 12 prs. crew-length tube socks
- Available in white only
- Fit men's sizes 10-13

**Our Low Price**

**VOID**

**24.88**

**NEW AT TARGET!** 36-pc. complete dinnerware service for 4. Set includes 4 each: 6-pc. place settings, 3-pc. plastic-handle flatware settings and tumblers with plastic lids.

**TARGET**

[C]hanging cultural values reflect change in economic values. [U]se follows shifts in value. The play of economic value through urban forms and spaces creates simultaneous pressures to both create and destroy.

—Sharon Zukin, 1991  
*Landscapes of Power*

**IN-AD COUPON** 8 EXPIRES 04/02/96 RV 23

**FREE SIX PACK OF COKE**

Buy Any Kodak Super 8 24 Exposure Roll of Color Print Film or Any Kodak Exposure Single Use Camera with A Flash And Give A 6-Pack Of Coca-Cola Classic, 12-Ounce, Regular Or Diet, With This Coupon!

One Coupon Per Customer. May Not Be Mechanically Reproduced, Doubled Or Combined With Any Other Offer.

**Kodak** **HEB**

**Redeemable Only At**

49000 61001 2

[M]ost economists today do not even see the need for a 'theory' of value, as distinct from a theory of price, and would in fact be hard pressed to explain the difference between the two.

—Robert Heilbroner, 1992  
*Behind the Veil of Economics*

**VOID**

**\$2.49**

**Nestlé Semi-Sweet Chocolate Morsels**

8 To 12-Ounce Bag

**Ea.**

I took one draught of Life,  
I'll tell you what I paid—  
Precisely an existence—  
The market price, they said.

—Emily Dickinson

Money is the yardstick of value in the exchange of one thing for another. Money is also power and a sign of power, a power that derives from the mind-invented measure. A measure controls-empowers-activities in a certain field. Since power attracts people's attention, money is a great motive force that extends to all areas of human life.

—David Applebaum, 1991

**PF**

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# Compassionate Values

by Robert Mugerauer

*Sustainable ways of life must be informed by an appreciation of and respect for the mixed communities that make up life on earth. Drawn from traditional ethics and more recent ideas about the central importance of compassion, a new system of values can guide development in the postmodern world.*

Sustainability has become a buzzword and marketing tool through which we promote products and projects. It is part of an image of environmental consciousness that permeates everything from toilet paper to new subdivisions. Yet there is a rich tradition of ideas about ethics and social justice that could support the formation of a theory of sustainability, a theory that advances our understanding of the basic resource allocation choices we face today. From this understanding emerges a new system of compassionate values, a guide to sustainable actions in a postmodern world. First, however, we need to clarify the terms in which the issue is posed and try to understand the topography of the basic issues. We begin with an intellectual geography so that we can come to an agreement about what is debated and arrive at some shared terms.

## Ethics

As a first point, I want to discuss briefly the character of ethics. Ethics is not simply opinion, nor is it identical with all possible bases for choices

If we can't agree by virtue of religious or traditional values, then certainly we live in a world where the only possible alternatives are either reasoned judgement, with discussion leading to action, or violence and force wielded against each other.

about values. After all, there are many ways to choose what to do in the world. We might have a god who, we believe, tells or shows us directly what to do. Or, we might act in some way that is purely traditional, which we do not think through or necessarily question.

In such cases, we act according to the customs of our cultural environment.

Ethics is different from such practices. Ethics amounts to principled judgements and actions. Theoretically justified, legitimized judgement and action are necessary in a pluralistic world because we do not share a belief in one (or any) god or one tradition that would indicate what we all should do. That we do not share a set of religious or political beliefs, or a set of values, is obvious if we look at our conventions concerning major moral issues. Is abortion right or wrong? Is homosexuality something that should be socially permitted or

socially censured? What shall we do about the wholeness of the environment and our need for economic growth and development? Clearly we do not agree on these issues.

If we can't agree on these things by virtue of religious or traditional values, then certainly we live in a world where the only possible alternatives are either reasoned judgement, with discussion leading to action, or violence and force wielded against each other. Of course in the absence of principled judgement and action, we become violent towards one another, trying to impose on others our views about what we find acceptable. The alternative to imposed power is the universal human ability to reason, a capacity that enables us to understand reality and to make some decisions about it. For all the cultural, historical, ethnic, and gender differences among us, we nonetheless share a rationality enabling us to give reasons for our positions and thus to arrive at grounded decisions.

In ethics, defined as this legitimized series of understandings and judgements, there are four basic principles relevant to our discussion of environmental ethics and sustainability. These four principles are agreed upon by many theorists no matter what their particular bent (utilitarians, deontologists, natural law people). With the discussions and analyses of the last 2500 years as evidence, we now have a basically sound justification for what we do if we act in accord with these four principles.

According to the first principle, *autonomy*, persons have the right to make decisions about their courses of action, decisions about their own lives. This is a fundamental principle in ethical thought, not simply in Western culture. If persons were not seen as being free and able to make decisions, able to be responsible for their own actions, then we wouldn't have, or need, an ethics to guide responsible choices and behavior. The essence of autonomy comes down to respecting someone else's responsible choices even if we disagree.

The second basic principle is *beneficence*, meaning one has an obligation to do good, in Latin, *bene* (well). One has an obligation to help other people fulfill their fundamental dimensions and needs as embodied, social beings. Closely connected

with doing good for others, we find the third principle, *nonmaleficence*: we shall not commit harm against or allow harm to come to others. Maleficence would include a broad spectrum of phenomena, not only obvious bodily or physical harm, but also harm to a person's reputation, property, or liberty. For professionals, such as planners and architects, nonmaleficence includes the responsibility to guard against negligence, indifference, and ignorance of new ideas or information. Thus, we are responsible for keeping up to date on research findings. If you are in an environmental discipline, for instance, your knowledge of what is toxic and what is not needs to be current, because failure to keep up with these determinations could cause or allow harm to those for whom you're responsible. We see the pairing of beneficence and nonmaleficence in the Hippocratic Oath, which doctors used to take, which said doctors would both do good and not allow harm to come to their patients. The same would hold today as a principled basis for planners' actions towards their clients and the public.

The fourth principle, which is more complex and to which we will return, is *justice*. The many definitions of justice cause problems when we try to define our relationships to other members of our society or to other societies, or the relationships of different societies to the natural environment. Justice sometimes is defined intuitively as a sense of what is fair or equitable. Alternatively, justice is defined as that to which reasonable, rational people would agree if they had a choice about how their lives would be governed. Here, without debating all the alternatives or fine points, we can see the fundamental principle: individuals, social sub-groups, and whole societies have the right to self-determination because they are autonomous and also are due justice (the right not to be treated unfairly, unless they should agree freely to it).

## Sustainability

To return to "sustainability," obviously a vague term, we see much use and abuse of the phrase and the concept. Sustainability has become part of an image to generate and manipulate our production and consumption patterns. Such use persuades people to buy a product or to believe that the manufacturer or sponsor using the word "sustainability" is good, and to be trusted. Certainly we see that products labeled "green," "environmentally friendly," and "eco-sensitive" increasingly are saleable in today's markets. Where sustainability is part of this green marketing strat-

egy, the term often is abused. Without being cynical, we have to be critical about what sustainability really means.

Sustainability might also be merely a pious hope, especially for many in the prosperous world of Europe and the Americas where we have incredible over-consumption. I am certainly a case in point: my car, my home, my life pattern uses up materials and energy at an unjustifiable, unsustainable rate. But often sustainability is taken by people like me to mean 'let us do what we need to,



so that we can continue to consume indefinitely at the current rate.' Certainly this is not what sustainability means or involves. In this case, the term again is abused.

Professor Peter Coltman, of the University of Texas, has noted on several occasions that sustainability is not the same as self-sufficiency. To be *self-sufficient* means one provides for one's own needs. But that is certainly not the case for any part of American society today. We are not self-sufficient at a local scale because we are part of global networks of production, consumption, and ecological impact. What we do in a given place affects the possibilities for sustainability of other dimensions of our particular locality, of the larger bio-region within which we live, and also of national and even international realms. In the next section, when I ask about the scale at which a society might be sustainable—local, regional, national, or global—sustainability certainly does not appear to be a local issue.

The question of whether we act sustainably must thus be answered at a larger than local scale. I

*Can Americans, enamored with fast food and their automobiles, ever achieve a sustainable lifestyle?*



contend that the regional scale is the smallest at which sustainability is intelligible, and that it actually requires a transregional scale to operate successfully in ethical disputes among neighbors and involving resource use across the planet. The question, then, is how we might act together across the planet to live in a decent but modest way to provide the same possibilities we have had available for future generations, so they too can freely choose their own ways of life.

This point brings us closer to the question of what sustainability would really mean, especially in relation to values, beliefs, and motives. Currently, we understand sustainability as a certain attitude towards the earth and its prospect which entails changing our patterns of over-consumption and destruction of our natural resource base so that

we consume less and reduce the lasting impacts. This idea of stewardship is embodied in the Iroquois notion that we must treat the earth as though it is a trust held for the seventh generation.

Certainly there is reason to suspect or criticize many who use the term "sustainability."

But if we take seriously

the possibility of actually transforming current values, beliefs, and practices into a new way of behaving, then sustainability may be possible. Sustainability would then raise the question of how we could grow with some kind of equity. Despite our knowledge of the grievous effects of overpopulation, and efforts to modify our growth through birth control, clearly the world's population is still growing. I do not believe that these trends will reverse—we are not going to reduce the global population. Thus we cannot rely on fewer humans to ensure reduced consumption in the future. The problem will remain one of finding some way to grow. Again, we arrive at the basic question, "What is a legitimate way to grow and develop with equity?" which really asks how to bring the ethical principles of autonomy and justice to bear on the question of sustainability.

### Are Conservation and Preservation [the] Alternatives?

One common way to think about the issue is in terms of resource conservation, saving the funda-

mental resources we now over-consume. But, behind the idea of resource conservation there seem to be several conflicts, and I say "seem to be" because we assume that there are polarities here. In this section, I examine these supposed polarities more closely and argue that they should not determine our discussion of sustainability. As Engel and Engel point out in the introduction to their book *Ethics of Environment and Development: Global Challenge, International Response* (1990), and as the other authors in the volume agree, it is important to clarify the real conflicts and issues beyond what merely appears to be the case.

Apparently we have a polarity between resource or environmental preservation and the kind of conservation attitude that is actually a developmental outlook. If we look at the conservation movement as Pinchot and the progressives in America first articulated it, conservation basically means saving or preserving things so we can continue to develop them according to American patterns, practices, and habits. Here, conservation clearly amounts to seeing nature as a resource to be used for development. This position is typically juxtaposed with resource preservation, in which we preserve or set things aside and do not use them. We consider preserving the land, holding it so that it is not used, to be a distinct and separate position from conserving the land so we can keep growing crops and cattle on it, keep producing from the mines and from the forests, ensuring a stock of resources for future development. Conservation-Preservation seems like a polarity.

On reflection, this first polarity depends on another, deeper polarity between intrinsic value and instrumental value. The conservation movement appreciates resources for their instrumental value. The wilderness' forests and the mountains' ores are valuable for what they can be used to achieve, in the utilitarian sense that the determination of what is good or valuable is a matter of its use. This is an instrumentalist or consequentialist position. Here the forest would not be seen as having inherent value, but would be, for example, valuable for the wood that could be used to build homes for people.

An opposite to instrumental value is the idea that nature itself has intrinsic value. Sometimes this view is connected with deep ecology: the natural world or environment itself has rights because it has intrinsic value. When we argue issues such as whether trees or endangered species have rights or when we ponder whether natural ecosystems

have value independent of their human-centered uses (that is, whether ecology is or should be based upon naturalism rather than humanism), we really are pondering the issue of intrinsic value.

The *extrinsic* (use) versus *intrinsic* value binary may not be the ultimate distinction, but certainly it appears that the resource preservation movement recognizes and depends on the idea of intrinsic value, whereas the conservation/development movement is based on the idea of instrumental or use value. Arguments over the treatment of the rain forests exemplify this value binary. Many would argue that the life forms themselves, whole ecosystems, are intrinsically valuable and need to be understood and protected for their own sake. Others argue more pragmatically, more instrumentally, that there are wonderful undiscovered medicines within the rain forests' ecosystems. The cure for your grandchild's rare disease may be found only in a species being exterminated at this very moment. This last argument holds the rain forest and its life forms valuable because of their use value for human life.

### Distributive Justice

I and others have come to believe that these matters, and our alternatives, are not so simple. While the resource preservation movement is responding to the idea of intrinsic value and while the conservation/development movement is responding to the idea of instrumental value, I contend that the issue is much deeper. In this I agree with the Engels, who hold that sustainability really has to do with the difference between *ecological integrity* and the idea of *distributive justice in and between generations*. Environments are constituted of complexly interrelated, interdependent ecological systems. The members of these ecological systems, whether living or atmospheric or geological, have a complex integrity that is not completely understood and only recently has begun to be appreciated by human beings. We must try to recognize, respect, nurture, and promote ecological integrity.

Distinct from this recognition and from our respect for ecological integrity is another aspect of justice, distributive justice, which is the idea that there are both benefits and costs associated with the manner in which we distribute and use goods. Distributive justice calls for both the costs (or burdens) and the benefits associated with our providing and using resources to be fairly, equitably, and legitimately spread across different societies. Within societies, costs and benefits must be spread

equitably both among and within generations. This understanding is helpful when defining sustainability; what we're really saying is that sustainability is an issue of distributive justice between today's generations and future generations. In other words, "How are the uses, the benefits, of the resources shared equitably between those alive today and those who are going to be alive in the future?"

Similarly, we are concerned with costs and their distribution—how to give up luxury, bear the burden of environmental destruction, and cope with the disease that comes with environmental degradation. How should these negative dimensions be distributed among different current societies or sub-groups and between current societies and those to come? What appeared as a polar issue before—*preservation* and *intrinsic* value on the one side and *conservation* and *instrumental* value on the other side—dissolves before us when we realize that it does not present the most basic alternatives. In fact, we face two more complex issues: first, how to respect the ecological integrity of complex systems around the world; and second, how to have simultaneously a system of adequately distributive justice for the benefits and harms of environmental resources among societies existing today and between today's and future societies.

In other words, we do have a conflict, but not the conflict we might have identified before. It is not simply the conflict between polarized groups of people who disagree. Our new understanding substantially advances the argument about conservation versus preservation or intrinsic versus extrinsic value, because it indicates the real moral dilemma not represented in the con-

test between no growth and pro-growth contingencies. There is a set of more fundamental issues people all across the spectrum must deal with and for which we need to find some shared social answer. The real question for all of us—no matter whether we're preservationists, conservationists, or deep ecologists—is how to act with environmental responsibility and also with social justice among and between communities today and those of the future. In the process of defining this question, we have not only clarified some of the issues, but moved to a deeper level of understanding.

The real question for all of us—no matter whether we're preservationists, conservationists, or deep ecologists—is how to act with environmental responsibility and also with social justice among and between communities today and those of the future.



Sustainable development means protecting the diversity of earth's bio-regions, in which mixed communities of plants, animals, and people exist within a complex web of relationships.



Beginning with the issues of conservation and preservation and of extrinsic and intrinsic values, we have moved on to find the more fundamental issues of the moral rights and obligations among and between generations of peoples in regard to the ecosystems and natural orders themselves. It is important to note that this shift is non-reductive. We have not reduced the issue of environmental responsibility to the issue of intrinsic versus instrumental value. We are trying to discover how we can, at one and the same time, with one and the same action, have social justice, act in terms of beneficence and non-maleficence, respect the autonomy of different social groups, and responsibly nurture the ecological integrity of the natural systems themselves. Here we have arrived at a position where we can consider a "final" alternative approach to the idea of sustainability and to these environmental issues.

As the Engels and the other authors in the volume point out, the 1986 Ottawa Conference on Conservation and Development made five major points relevant to this discussion. These points are made especially clear by Peter Jacobs and David Monroe in their publication, *Conservation with Equity: Strategies for Sustainable Development* (1987). First, we need an integration of conservation and development; second, we need to satisfy basic human needs; third, we need to achieve equity and human justice; fourth, we need to provide for social self-determination and cultural diversity; and, finally, we need to maintain ecological integrity. These five mandates are in accord with my arguments about distributive justice, autonomy, and environmental responsibility.

In short, the points I have considered in this essay can be seen as part of a larger movement supported by recent ethical-environmental thinking about how we are going to move into the future. We, I hope, have made enough progress in working through these issues that we can move beyond confusing phrases and see that arguments concerning sustainability do not have to do simply with polarized groups within a given society or community. We now have a glimpse of a more profound, complex, and broader

reality in which we participate and which is the site of our shared human problem. Sustainability begins to mean something such as, in the Engels' words, "activity that nourishes and perpetuates the fulfillment of the whole community of life on earth." The key phrase here is "the whole community of life on earth."

### Mixed Communities

Life on earth is understood best in terms of individuals in community—a basic phenomenon that, for the most part, has been overlooked in ethical thinking. All living things on earth appear as individuals in communities. No individual or subgroup, of humans or animals, is truly independent; interdependent communities operate across all levels. In a given geological and vegetative realm, an ecosystem, we find particular species and varieties of plants, animals, and people. Across the globe, there is an interlocking network of ecosystems or eco-communities, each involving many different individuals in community. As a practical consequence, one either nurtures or harms entire ecocommunities, including human members. If we are to respect their autonomy, they have the right to determine their identities and place themselves within their own mixed community. Thus the entire ecosystem, of which humans are one integrated aspect, needs to be respected if we take the principle of autonomy seriously.

Though we cannot ethically make choices about others' mixed communities, we do still have to deal with the other issue of distributive justice. Is social justice occurring among communities? If an autonomous community decides to undertake a certain course of action, that action would not be ethical if it causes damage or allows harm to come to the way of life to another mixed community of plants, animals, and people. For example, citizens in the United States cannot ethically argue that our autonomous preference for cheap hamburgers justifies destroying interdependent Amazonian communities by clearing the rain forest to create cattle ranches. Justice, and non-maleficence, would override our autonomy. There is no opposition between environmental responsibility and social justice; rather, the two coincide. This more sophisticated, holistic view of the relationship between environments and mixed communities focuses on the fundamental issue of social, distributive justice among groups and across generations. But, translating our principled ideas into principled actions involves one final issue.

### Action and Compassion

The superficial and unacceptable attitude in which sustainability is taken to mean maintaining our current patterns of consumption—which amounts to an attempt to sustain our way of unsustainable life—must undergo a substantial change. The pragmatic problem is how such a change could come about, especially if we respect the principle of autonomy where we do not force our views on others.

Any move from ethical judgement as an intellectual practice to ethical action requires not only principles and logic but motives. What would motivate people to respect mixed communities, their own and those of others, those of the future? What would motivate people to actually change their consumptive practices? How could we change from current consumptive values, beliefs and practices to these alternative and sustainable ones?

The German theorist Werner Marx, in *Towards A Phenomenological Ethics: Ethos and the Life-World* (1992), suggests that there is only one workable motive in today's postmodern world. In our pluralistic society traditional transcendent sources of value, and even rationality, are challenged. We no longer believe in traditional, shared justification indicating a common course of action, transcendent religious beings, or philosophical ideas motivating us to act. In the post-structuralist world, even human reason is challenged: cultures and time periods are so radically relative that there is no shared rationality enabling us to come to a reasoned, legitimized course of action. In this context, Marx argues, the only real motivation to practical change is compassion: *compassion*, a feeling with, a fellow feeling.

He argues that we should not expect or seek a new intellectual movement, but work instead to promote feelings of compassion for other peoples as they unself-critically go about their projects immersed in their own complex and integrated natural and social environments. Marx suggests that we form an initial impression of compassion, and an impulse to action following from that compassion, by confronting our own mortality. When we vividly realize that we are mortal, we come to the basic insight that we are not self-sufficient. If we have an accident and are hurt or helpless, we immediately cry for help. We instantly recognize that we are not able to do things in the usual manner, that in fact our independence is incredibly fragile. We depend on the complex integrations of our social constructions with sets of natural systems and phenomena which constitute our viable life-worlds.

Usually these natural systems are taken for granted, as are the social systems. We neither appreciate them or give thanks for the operating interdependencies, the provisions and resources available to us. In contrast to such inattention, a thoughtful life involves confronting our mortality, confronting our limitations, and our finitude. If we become aware of how limited we are and realize our need for other people, then, Marx hopes, we might become compassionate and attentive to the things other people need. We might, in the Engels' terms, realize how all members of a mixed community need each other to maintain their current identities. This new position would include a reflective appreciation of the ways in which people need the animals and plants belonging to their shared mixed communities.

In sum: if we become compassionate toward a people, we do not face the mutually exclusive questions of whether we should be compassionate for those people, or for the animals, or for the plants of the ecosystem. To be compassionate is to be compassionate for all the members of a given, whole life-world. If we can recognize our common finitude and common dependence, we can come to realize how fragile these ecosystems or mixed communities are and become able to maintain, nurture, and keep these delicate mixed communities in balance. By developing compassion for life-worlds (for the people, the animals, the natural environmental features), our conduct toward these disparate worlds would change dramatically.

If this is possible, and with Werner Marx, I hope that it is, our feeling of compassion could put into action, could bring about as an effective change, the ideas considered earlier in this paper. We would be enacting social and distributive justice on behalf of entire mixed communities and between communities. Thus, we have a fuller understanding of sustainability and of our responsibility: sustainability promotes entire life-worlds—the inseparable communities of people, animals, plants, soils, and other natural elements that constitute environments—those existing today and those that may come in the future. PF

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