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## Limits of Diversity: Jane Jacobs, the Just City, and Anti-Subordination

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### Abstract

*Diversity is a concept that Jane Jacobs places at the heart of her work and that Susan Fainstein similarly identifies as central to the definition of a just city. But what is the relationship between the diversity in the built environment that Jacobs emphasizes and the socio-economic diversity that Fainstein notes is so important? Drawing on Jacobs and Fainstein to analyze a case study of an affordable housing development in Boston, Massachusetts, we argue that planning with a just city in mind requires more than a commitment to diversity in urban form or demographic composition. Instead of setting out diversity as a goal that may help dominant individuals overcome irrational prejudices through the free flow of ideas when exposed to diverse peers, we argue for policies that identify and address historical inequalities and relations of domination along the lines of sex, gender, race, ethnicity, religion, sexuality, disability, or other ascriptive characteristics.*

*Keywords: Diversity, discrimination, anti-subordination, built environment, just city, social equity*

### **Introduction**

In *The Death and Life of Great American Cities* (1961), Jane Jacobs returns repeatedly to a concept at the heart of her argument: urban diversity. “This ubiquitous principle is the need of cities for a most intricate and close-grained diversity of uses that give each other constant mutual support, both economically and socially” (1961: 14). In *The Just City* (2010), Susan Fainstein argues that socio-economic diversity is a fundamental axis of urban justice. To this discussion of diversity in planning, we add the dimensions of time and of power. Specifically, how should the historical subordination of diverse populations by those with political and economic power inform contemporary planning practice and principles of urban justice?

We argue that the conceptualizations of diversity advanced by both Jacobs and Fainstein, while important, do not go far enough to adequately confront the durable categories of political, economic, and social inequality that characterize contemporary cities. In place of diversity, we propose anti-subordination as a driving principle for analyzing and planning cities that complements Fainstein’s other principles of equity and democracy. An anti-subordination

approach incorporates social inclusion and civil rights; it identifies how particular groups have been systematically discriminated against and prioritizes redress of the resulting durable socio-economic inequalities. If anti-discrimination can be achieved through the protection of negative rights (i.e., the right to not be discriminated against), anti-subordination goes further to enforce positive rights for those who have been historically subordinated (i.e., the right to inclusion and equal access to opportunity). We use the example of public spaces in a publicly subsidized, but privately managed, housing development in the United States to analyze the challenges for planners and residents collectively designing and programming spaces that go beyond simply avoiding discrimination to attempt to create a built environment that, while open to all, is designed by and welcomes historically subordinated groups.

### **Diversity in *The Death and Life of Great American Cities***

Throughout *The Death and Life of Great American Cities*, Jacobs advocates for diversity in cities, by which she primarily means diversity of uses in the urban environment. Jacobs calls for a diversity of building types and ages, which creates a variety of rent levels, and mixed land uses and diverse commercial establishments to activate streets at different times of day. These prescriptions for diversifying city life, she proposes, encourage a thriving public street life that supports local commerce. This emphasis on diversity in design directly challenged urban planning orthodoxy of the late 1950s and early 1960s, which advocated for highway construction, urban renewal, separation of uses, and suburbanization. Inspired by Jacobs, planning orthodoxy has changed dramatically since, and her legacy continues to influence discussions about the power of the built environment to influence economic growth.

For Jacobs, this diversity of physical characteristics is necessary to generate the economic, social, and intellectual diversity on which cities thrive. “City districts will be economically and socially congenial places for diversity to generate itself and reach its best potential if the districts possess good mixtures of primary uses, frequent streets, a close-grained mingling of different ages in their buildings, and a high concentration of people” (Jacobs 1961: 242). With these conditions in place, cities can realize their potential as “natural generators of diversity and prolific incubators of new enterprises and ideas of all kinds” (Jacobs 1961: 145). To Jacobs, the viability of urban civilization depends on this diversity of uses.

The neighborhoods Jacobs cites as lacking diversity—which were primarily home to African Americans and Latinos—are as illuminating as the famed West Village of New York City that she celebrates as diverse. For instance, Jacobs writes, “The Bronx is woefully short of urban vitality, diversity and magnetism,” and “[v]irtually all of urban Detroit is as weak on urban vitality and diversity as the Bronx” (1961: 149-150). These characterizations would surely have surprised the heterogeneous residents of the Bronx in New York City, shopping at “the Hub,” a mixed-use retail district, in the late 1950s, or the African American residents of Twelfth Street and West Grand Avenue in Detroit, Michigan, where Motown music flowed out of record stores onto crowded sidewalks. In response to a political leader who predicted that whites would move into New York City’s Harlem neighborhood because of its river views and transportation access,

Jacobs countered, “Only in planning theory does this make Harlem an ‘attractive piece of real estate’ . . . Harlem never was a workable, economically vigorous residential district of a city, and it probably never will be” (1961: 175). Jacobs dismisses Harlem’s potential despite its having been the vibrant birthplace of the Harlem Renaissance in the 1920s and one of the most well-known African-American neighborhoods in the United States. Other urban areas Jacobs identifies as lacking diversity include Roxbury, Massachusetts (1961: 34, 203), and Oakland, California (1961: 204), two areas in which the African-American and Afro-Caribbean populations grew rapidly after World War II, and which, like Harlem, are today facing intense pressure from gentrification.

To Jacobs, neighborhoods with significant and growing African American or Latino populations lacked diversity because they did not have enough commerce, jobs, or population density.<sup>1</sup> Jacobs lays the blame on the built environment. She hardly mentions the systematic discrimination in housing, lending, education, and employment of the time. For example, Harlem or Roxbury would surely have had more formal sector employment and commerce had there not been such widespread discrimination in mortgage lending, business lending, or employment (e.g. Sugrue 1996; Wilder 2000; Gotham 2002; Biondi 2003).

Jacobs does critique the banking and planning elites who mistook cultural difference and class distance for “disorder” in Boston’s working-class, Italian North End neighborhood, but she then repeatedly juxtaposes the health of the North End with the decline of Boston’s predominantly African-American Roxbury neighborhood as attributable to population density, not the widespread disinvestment practiced by the same banking and planning elites (1961: 33-34, 203-204). How does the segregation of individuals by race that characterized the American cities Jacobs chronicled escape focus even as the segregation of uses is so finely parsed? Jacobs briefly recognizes segregation and racial discrimination as “our country’s most serious social problem,” but only to highlight the importance of sidewalk design in overcoming it (1961: 71). Because Jacobs fundamentally views social and economic diversity as *products* of the diversity of uses and other physical characteristics, she fails to address how the physical environment is also the product of social and economic injustices.

Writing roughly 50 years later, Fainstein builds on Jacobs and fills in many of the gaps that Jacobs left unexplored.

### **Diversity in *The Just City***

Influenced by Jacobs and leading thinkers in political economy and political philosophy, Fainstein seeks “to develop an urban theory of justice” and to use it to evaluate urban planning and policy decisions (2010: 5). While Jacobs wrote in response to the destruction of neighborhoods by urban renewal, Fainstein writes in response to the dismantling of social supports and the denigration of public goods characterized by the shift from managerial to entrepreneurial urban governance that has characterized city development since the late 1970s

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<sup>1</sup> Jacobs also singles out planned new towns for their lack of diversity and high-rent tenants living in apartment buildings for their failure to engage with urban life at the street level.

(Harvey 1989). Fainstein critiques planning for serving the interests of finance and real estate development without articulating a vision of what the city should be. She advocates for “[a] commitment to justice over technical efficiency in evaluating the content of policy” (2010: 56) and attention to “those most directly and adversely affected” (2010: 9) by a project, not just the overall cost-benefit analysis.

For foundation, Fainstein looks to the liberal tradition of political philosophy, particularly scholarship inspired by John Rawls’ (1971) *A Theory of Justice*. Rawls advances a conception of justice as fairness through his now well-known concept of the “original position” in which individuals choose principles of justice from behind a veil of ignorance, unaware of their status in society, and, thus, acting rationally, choose a rough equality of primary goods. The two fundamental principles of Rawls’ theory are that each person has an equal right to basic liberties that is compatible with liberty for all, and that social and economic inequalities are arranged so they are both of the greatest benefit to the least advantaged while offices and positions are open to all under conditions of equality of opportunity. Amartya Sen (1999) and Martha Nussbaum (2000) draw from Rawls and his critics to articulate a capabilities approach to justice that situates the individual within a network of affiliations and focuses on ensuring that individuals have the opportunity to fulfill their basic potential through, at a minimum, rights to life, health, bodily integrity, access to education, and the ability to participate politically and materially in shaping one’s environment. These capabilities represent nontradeable, inalienable opportunities to which every person is entitled.

From this capabilities approach, Fainstein (2010: 55) articulates a theory of urban justice, asking whether policy decisions are consistent with democratic norms, whether their outcomes enhance the capabilities of the comparatively disadvantaged, and whether they recognize and respect self-chosen group identifications. In the place of narrow cost-benefit analysis, Fainstein argues, we must ask exactly who benefits from a policy and how that policy contributes to or undermines the capabilities of the relatively disadvantaged.

Fainstein’s conceptualization of urban justice rests on three pillars: equity, diversity, and democracy. Equity is defined within the Just City framework as “a distribution of both material and nonmaterial benefits derived from public policy that does not favor those who are already better off at the beginning” (Fainstein 2010: 36). Diversity is essential to ensuring that people are not “excluded according to ascriptive characteristics such as gender, ethnicity, or homelessness” and serves as the basis for taking “seriously the value of the lives of others” (Fainstein 2010: 174-175). Democracy, including transparency, inclusion, and negotiation in decision-making processes, Fainstein sees as necessary for interests to be fairly represented, but not sufficient alone for just outcomes (Fainstein 2010: 29). She notes that democracy functions poorly in contexts characterized by dramatic social or economic inequality and points out that in an unequal society, “democracy and justice are frequently at odds” (2010: 30).

In conceptualizing diversity, Fainstein draws from a range of poststructuralist critiques both of liberal individualism and of class-centered analyses (e.g. Young 1990; Hirschmann 1992; Fraser 2003). The ideal theory of liberal individualism Rawls presents relies on a conception of

atomistic, universal actors disconnected from their social relations, historical experiences, and political and economic context. Our different historical experiences and social positions, however, are an essential starting point for a conceptualization of justice that recognizes a right to difference. Further, Rawls' theory assumes an ideal, "well-ordered" society but does not provide principles of transitional justice to address questions of compensatory justice for past wrongs or how to get to Rawls' ideal from a nonideal society characterized by deep inequality (Shelby 2004; Mills 2013). Accordingly, Fainstein recognizes the persistent challenge in democratic theory of minority rights and the dangers of illiberal, exclusionary politics that reinforce inequality. From Kwame Anthony Appiah's (2006: xv) work on cosmopolitanism, Fainstein identifies two propositions at the heart of her conception of diversity: 1) "that we have obligations to others, obligations that stretch beyond those to whom we are related by the ties of kith and kind" and, 2) "that we take seriously the value not just of human life but of particular human lives, which means taking an interest in the practices and beliefs that lend them significance."

In order to operationalize her prioritization of diversity, Fainstein identifies six principles through which diversity can be advanced, seen in Figure 1. These principles combine Jacobs' (1961) concern for mixed uses, Iris Marion Young's (1990) commitment to porous boundaries, and Margaret Kohn's (2004) concern for public spaces in a compelling set of principles for planning practice.

Nevertheless, Fainstein herself describes her "use of the term diversity" as "problematic," defending it as "a convenient shorthand, [that] encompasses reference to the physical environment as well as social relations, and refers to policy ambitions that go beyond encouraging acceptance of others to include the social composition of places" (2010: 67). As evidenced by both Jacobs' and Fainstein's varying uses of diversity, the term has become more than just a convenient shorthand, but a catchall concept that makes clear principles of justice difficult to ascertain. If diversity refers to both the built environment *and* to social differentiation, what exactly *is* diversity in a just city? Fainstein (2005) asked these questions in earlier reflections on urban justice, and we suggest that Just City planning requires more than a commitment to diversity in either urban form or demographic composition.

### **Anti-Subordination**

The focus within urban planning on diversity is reflective of a wider societal concern with the topic, in the United States and increasingly in Europe as well. In *Regents of the University of California v. Bakke* (1978), the United States Supreme Court considered the admissions program at the University of California at Davis Medical School and found the use of quotas in affirmative action policies unconstitutional. In evaluating the policy, the Court rejected California's argument that admissions should aid members of "victimized groups at the expense of other innocent individuals in the absence of judicial, legislative, or administrative findings of constitutional or statutory violations" but noted that the "attainment of a diverse student body" is constitutionally permissible (197: 307, 311). In areas ranging from school admissions to military

training, diversity, particularly racial, ethnic, and gender diversity, has since been a goal in many United States institutions. The decisions in *Bakke* and other civil rights cases of the time represent the triumph of an anticlassification theory of equal protection over an anti-subordination theory (Fiss 1976; Crenshaw 1988; Bell 1989).

An anticlassification theory of antidiscrimination prohibits the use of categories based on seemingly arbitrary characteristics and looks to intent to prevent actions that are consciously motivated by racial or other prohibited animus. With an anticlassification theory, a policy that adversely impacts a disadvantaged group is permissible so long as it does not distinguish explicitly on the basis of a protected characteristic (such as race, sex, religion, or national origin) and so long as no discriminatory intent can be proven.<sup>2</sup> State policies that explicitly distinguish on the basis of a protected characteristic in order to benefit disadvantaged groups are generally prohibited, except to remedy instances where there is convincing evidence of recent intentional discrimination by the governmental unit involved in the policy itself.<sup>3</sup>

An anti-subordination theory of equal protection, by contrast, looks not at intent, but at the collective effects of an action and seeks not just to prohibit arbitrary classifications, but to actually address persistent group disparities in a social system in which some are systematically disadvantaged. The anti-subordination perspective focuses on identifying and prohibiting practices that perpetuate the subordinate position of a disadvantaged group, defined as a (a) social group, (b) that has been in a position of historical subordination, and (c) whose political power is circumscribed (Fiss 1976, 154-157). On an anti-subordination theory, policies or practices that have a disproportionate adverse impact on a disadvantaged group should be prohibited, regardless of intent or classification. Policies or practices that are intended to address structural inequalities and that disproportionately benefit historically disadvantaged groups should be encouraged.

A focus on diversity is consistent with the anticlassification approach, recognizing that the “robust exchange of ideas” among individuals with different experiences is essential to advance knowledge and also potentially to overcome individuals’ irrational prejudices (Bakke 1978, 313). An anti-subordination approach, however, argues that diversity is necessary but not sufficient for justice. An anti-subordination (sometimes also called an antisubjugation) approach posits that equal citizenship is not realizable in a context of durable categorical or group-based inequalities and that both equity and democracy require the redesign of institutions that reproduce the subordinate social status of historically oppressed groups (Balkin and Siegel 2003; see also Young 1990).

The focus on equity in *The Just City* recognizes a specific history of class-based inequality, a present characterized by growing inequality of income and wealth, and an increasing concentration of political power in the hands of economic elites. Parallels can be

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<sup>2</sup> See, for instance, the United States Supreme Court decision in *Village of Arlington Heights v. Metropolitan Housing Development Corporation* (429 U.S. 252 (1977)).

<sup>3</sup> See *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701, 720 (2007); *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 499 (1989); *Wygant v. Jackson Board of Education*, 476 U.S. 267, 274 (1986).

drawn along sex, sexuality, race, ethnicity, national origin, or other lines. Discrimination on the basis of these morally arbitrary characteristics is a violation of both negative and positive rights and a breach of the norms of equal personhood and respect on which political liberalism supposedly rests. This discrimination is widespread, as “in any pluralistic society there is likely to be some disfavored out-group(s), routinely victimized by discrimination” where a set of characteristics “possessed by or ascribed to the members of a social group is widely but wrongly treated as a source of disvalue, incompetence, or inferiority” (Shelby 2004: 1708). These forms of domination or oppression may create or be associated with distributive injustices, but implicate issues of justice beyond just the distribution of material resources, such as decision-making procedures, the division of labor, culture, and respect (Young 1990). Political philosophers such as Susan Moller Okin (1989) have carefully laid out the ubiquity of patriarchy as a political and social system obscured through the seemingly “natural” relegation of women to apolitical domestic spaces. While laws upholding male dominance have been eroded, tradition, socialization, and material disparities continue to reinforce injustice and material inequality. Focusing on the United States, a context characterized by race-based slavery, genocide, and denial of basic liberties, Charles Mills (2003: 179) has similarly presented the ubiquity of white supremacy as a political and social system characterized by “racialized and vastly disproportionate concentrations of wealth, cultural hegemony, and bureaucratic control...reinforced by white political majoritarianism.”

Starting from these historically and geographically specific circumstances that continue to inscribe durable, categorical inequalities along seemingly arbitrary lines that have been given social significance (Tilly 1998), it is important to add to the principles of democracy and equity one of anti-subordination that explicitly recognizes axes of exploitation and domination in addition to class. Instead of employing the concept of diversity as a characteristic of urban life that may help dominant individuals overcome irrational prejudices through the free flow of ideas when exposed to diverse peers, we argue for policies that identify and address historical inequalities and relations of domination along the lines of sex, sexuality, race, ethnicity, national origin, or other ascriptive characteristics. Justice demands a recognition and valuation of difference as well as a commitment to creating a society in which one’s life chances are independent of ascriptive characteristics. The realization of a society in which no one is unfairly advantaged or disadvantaged because of these characteristics must begin from an explicit recognition that these categories of inequality serve as systematic, asymmetrical, and enduring structures of power and domination, not solely the basis for individualized prejudices.

An anti-subordination principle goes beyond supporting diversity to advance material equality across those socially constructed categories that have been used to perpetuate exploitation. Focusing on subordination brings attention to the agonistic relations that structure democracy and questions the legitimacy of customs and policies that rationalize the social position of established groups (Siegel 2004; Mouffe 2013). Proposing what seems to be “differential solicitude” for some groups runs contrary to a common notion of equality as treating each person the same. It rests instead on the idea that equal citizenship cannot be truly realized



in a context of pervasive social stratification and that justice requires not simply formal inclusion or identical treatment but “attending to the social relations that differently position people and condition their experiences [and] opportunities” (Young 2002: 83). An anti-subordination approach thus foregrounds discussion of power in planning and focuses attention on those disparities plausibly connected to historic and continuing exploitation.

From that starting point, we propose in Figure 1 amending Fainstein’s six principles for advancing diversity into six principles for advancing anti-subordination in the context of white supremacy in the United States (other parallel principles for advancing anti-subordination in the historically and geographically specific context of other regions and with regard to other ascriptive characteristics should also be proposed).

Figure 1: Principles of Diversity and Anti-Subordination

Principles of Diversity in <i>The Just City</i> (Fainstein 2010)	Proposed Principles of Anti-subordination
1. Households should not be required to move for the purpose of obtaining diversity, but neither should new communities be built that further segregation.	1. Recognizing the history of public and private policies that have limited access for African-American and Latino households to well-resourced neighborhoods as well as the pressures of contemporary investment and gentrification, new publicly-subsidized housing should ensure that historically disadvantaged groups have access to permanently affordable housing in neighborhoods rich in access to opportunity, such as high-performing public schools and public transportation.
2. Zoning should not be used for discriminatory ends but rather should foster inclusion.	2. Recognizing their role in facilitating exclusion, local land use policies must not have significant disparate impacts on disadvantaged groups, and all municipalities should be required to create their fair share of permanently affordable housing units.
3. Boundaries between districts should be porous.	3. Recognizing the role that municipal fragmentation has played in facilitating the hoarding of opportunities by wealthy households, not only should neighborhood boundaries be porous, but municipal boundaries and financing structures should be redesigned to ensure that tax revenue is shared so that all schools and other municipal institutions perform at a level that allows individuals to realize their capabilities, specifically access to education and the ability to participate politically and materially in shaping one’s environment.
4. Ample public space should be widely accessible and varied....	4. In addition to public spaces being ample, varied, and accessible, future investment should be distributed in a way that eliminates racial and ethnic disparities in access to open space and that incorporates the planning and design input of disadvantaged groups most lacking access to public space.

5. ...[L]and uses should be mixed.	Contemporary land use policies should foster a mix of uses that realizes a more equal distribution of the benefits and burdens of land use across space, with attention to durable categories of inequality. For example, land use policy should take into account the cumulative impacts of uses that contribute to environmental hazards and facilitate a fair share of those hazards across jurisdictions and neighborhoods.
6. Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity....	5. For all proposed public policies, public agencies should estimate the effect policies will have on groups who have historically suffered from discrimination, prohibit the implementation of policies that widen disparities, and prioritize those policies that narrow disparities.

These six principles would go further than the existing diversity principles towards achieving racial justice. This commitment to anti-subordination is essential to democracy and equity. Given that “a democracy’s legitimate strength and stability derives from the allegiance of citizens,” Danielle Allen (2004: xviii) has noted that “minorities must actually be able to trust the majorities on whose opinions democratic policies are based.” In the United States, Allen (2004: 18) points out, the experience of citizenship has long been one characterized by domination and acquiescence in which different groups were subject to different laws depending on race (and sex and national origin), and, even when individuals are subject to the same laws, they continue to have different experiences of what is treated as legal. The consequence is that “in democracies that are marked by settled patterns of distrust, citizens develop modes of political behavior designed to maintain boundaries; such citizenly habits corrode democratic citizenship from within” (Allen 2004: xix-xx). There is undoubtedly a high degree of complexity in urban inequality globally and therefore there must be a diversity of definitions of social justice and anti-subordination in different cities of the world. Nevertheless, we believe a commitment to principles of anti-subordination is essential to establishing the trust on which a well-functioning pluralist democracy relies in urban contexts characterized by durable categorical inequalities.

### **Anti-Subordination and Public Space**

Jacobs, Fainstein, and Allen all highlight the significance of public spaces either for cities or for democracy, and principles of diversity and anti-subordination can be seen in those spaces as well. Allen (2004: 10) notes that the interaction that takes place in public spaces is intertwined with politics: “long-enduring habits of interaction give form to public space and so to our political life.” She goes on to argue that political order is supported by the institutions each of us belongs to and participates in as well as by the norms that shape interactions in public spaces: “citizens enact what they are to each other not only in assemblies, where they make decisions about their mutually intertwined fates, but also when, as strangers, they speak to one another or don’t, or otherwise respond to each other’s presence” (Allen 2004: 10). Like Okin

(1989), Young (1990), and Mills (2003), Allen highlights the importance of representing how the world actually works and identifying its principles publicly, particularly in the quotidian spaces of daily life: “Anyone who offers citizens narratives of who they are, how their political world works, and what its structuring principles are acts as a representative, and such representation is carried out not only in schools, churches, and businesses, but also in newspapers, movie theaters, and even airplanes” (Allen 2004: 168). Cities and their public spaces have long been used to represent physically how the political and social world works (e.g. Hayden 1982; Harvey 1989) and represent alternative visions of how the political and social world could work and who belongs in it (Pinder 2005).

Jacobs advocates for sidewalks, parks, and public spaces that increase the diversity of uses and of users, but she does not analyze how users will be incorporated, instead relying on an essentially market-based system for allocating the uses of public space (see Connolly, submitted for this special issue). Furthermore, for Jacobs, diversity of users is more about encouraging use of public spaces by residents, business owners, employees, and shoppers at different times of day than it is about creating spaces that invite people from diverse backgrounds, be they diverse by race, sex, or other characteristics, to use the space together. To Jacobs’ emphasis on the built environment, Fainstein adds attention to formal governance of public space as an essential aspect of their accessibility and diversity (2010: 72). Other scholars have added attention to the informal social norms that also govern public spaces and encourage either subordination or inclusion. For example, Mary Pattillo (2007: 264) writes about the “progressive criminalization of ‘quality of life issues’” by middle-class residents who attempt to control the use of public spaces by low-income neighbors (see also Freeman 2006: 107). Addressing these ways in which certain groups are subordinated in public places through formal laws and informal norms, on the basis of historic social and political relations of domination, is an important first step towards achieving both equal access to public spaces and the conditions for interaction in a more just city.

What might define a built environment or public spaces that are not just formally non-discriminatory but are also consistent with an anti-subordination perspective? What challenges arise in efforts to create more racially just urban environments? We use the example of the Villa Victoria housing development in Boston, Massachusetts, to analyze some challenges of an anti-subordination approach to urban development.

Image 1 approximately here: An aerial view of the Villa Victoria site pre-demolition.

<http://hdl.handle.net/1721.3/163425>



Image 2 approximately here: An aerial view of the Villa Victoria site after construction.

<http://hdl.handle.net/1721.3/163477>

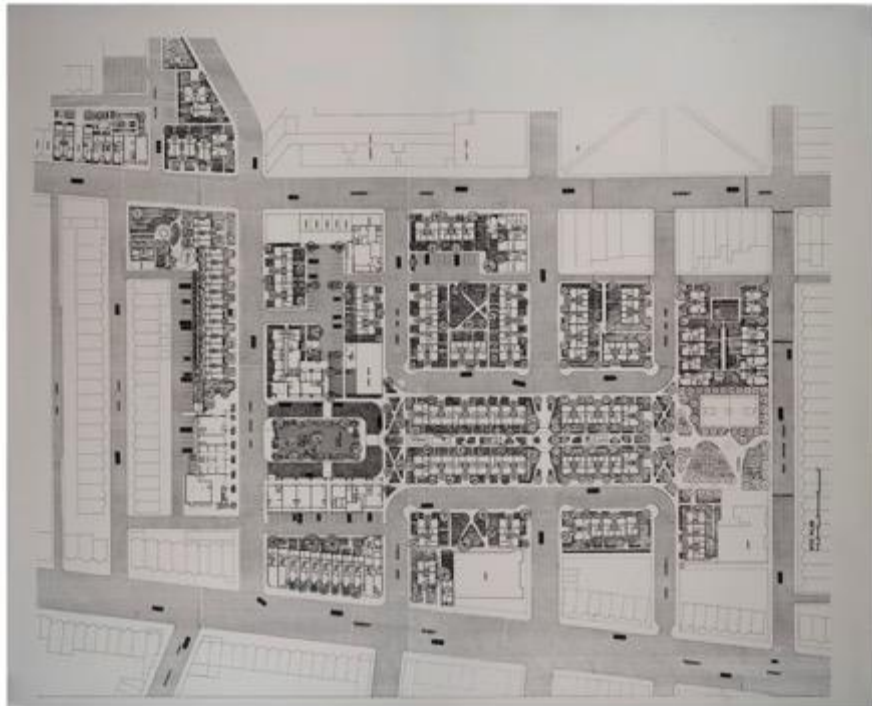


The story of Villa Victoria fits within the greater context of urban renewal that affected many low-income urban neighborhoods across the United States in the 1950s and 1960s and against which Jane Jacobs fought. Pursuant to urban renewal laws, a diverse, low-income community with a large share of Puerto Rican residents in Boston's centrally-located South End was slated for demolition by the Boston Redevelopment Authority. The Redevelopment Authority proposed replacing existing privately owned housing, stores, and industry on the site, known as Parcel 19, with luxury housing, without providing relocation housing for displaced residents. Instead of acquiescing to the plan designed to displace them (or simply resisting redevelopment altogether), the neighborhood's residents in 1968 created an organization, the Emergency Tenants Council and later Inquilinos Boricuas en Acción, to ensure that residents would be able to determine the future of their neighborhood, instead of being forced out. After gaining power from the Boston Redevelopment Authority to develop the site themselves and raising the required funds within 90 days, the Tenants Council worked closely with an architect to design a housing complex with buildings and public spaces inspired by the architecture, landscape, and urban form of the island of Puerto Rico (Small 2004). Designing 435

permanently affordable units in a mix of townhomes and apartment buildings that are in conversation with the brick townhouses typical of the surrounding neighborhood, the Tenants Council included colorful walls, pitched roofs, and front yards reminiscent of those in Puerto Rico. The site fits into the existing street grid, has porous boundaries, and mixed uses, including low and high-rise residential units for varying incomes and ages, a school, retail spaces, several community centers, and social service agencies. It has pedestrian streets, small parks, and a location with easy access to public transportation and jobs.

Image 3 approximately here: A site plan of Villa Victoria.

<http://hdl.handle.net/1721.3/163507>



A Puerto Rican plaza in Aguadilla inspired the design of Plaza Betances at the heart of Villa Victoria, with chess tables, benches, and trees. Later, youth created a mural in the Plaza that depicts the “self-perceived history of the neighborhood, running from the sixteenth century Taínos in the island before the Spanish invasion through the construction of the Villa’s quaint houses” (Small 2004; 139). At the center of the mural is a quote in Spanish from Puerto Rican abolitionist, Ramón Emeterio Betances: “We know how to fight for our honor and liberty.” Surrounding the Plaza are small stores catering to residents, a frequently used community center, and social service providers.

Image 4 approximately here: Villa Victoria mural in Plaza Betances.



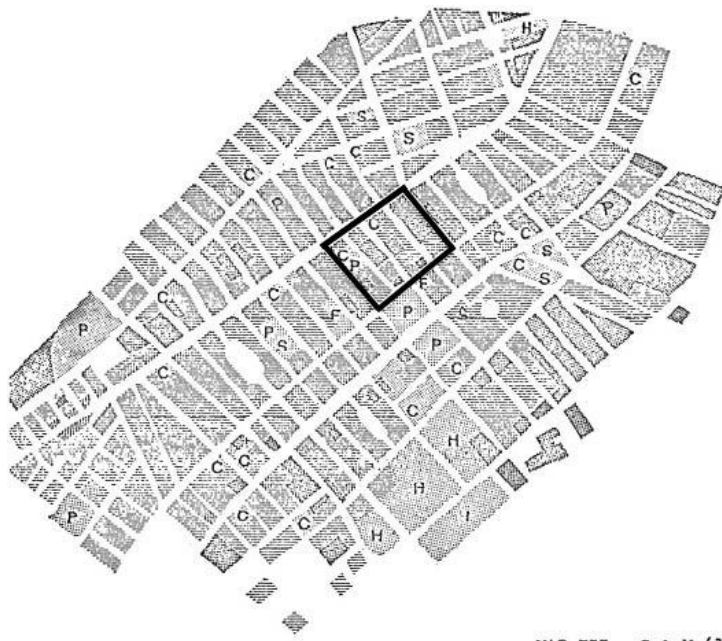
In the five decades since Villa Victoria’s construction, the surrounding South End neighborhood has become a highly desirable place to live, with an influx of white, high-income residents. Condominiums and brownstones abutting Villa Victoria now sell for millions of dollars. In this sea of contemporary gentrification, the Plaza and the development’s now 521 permanently affordable units are an island of stability and affordability, with stores, institutions, and public places shaped not primarily by market forces and aimed not at the wealthier recent arrivals but instead meeting the needs of the neighborhood’s poor and working class Latino and Black residents. Table 2 presents the demographic composition of the Census Tract in which Villa Victoria is located, illustrating the rising median income and the growing share of white, non-Hispanic residents since 1990.

Table 2: Demographic Composition and Income of Residents of Census Tract 705 in Boston’s South End, 1970-2010





Census Tract 705	1970	1980	1990	2000	2010
Total Population	4,844	5,361	5,810	5,435	5,460
Latino (%) <sup>4</sup>	13.7	22.3	25.4	26.0	19.6
White non-Hispanic (%)	N/A	41.3	40.9	47.6	54.2
Black non-Hispanic (%)	N/A	9.7	11.7	8.8	7.0
Asian non-Hispanic (%)	N/A	25.6	21.5	15.4	17.2
Median Household Income (USD)	N/A	\$11,850	\$28,154	\$43,636	\$81,331

Image 5 approximately here: Land use in the South End before development.


<sup>4</sup> The way that the United States Census Bureau measures Latinos has changed over time: “Puerto Rican or Spanish Surname” in 1960; “Spanish Origin or Descent” in 1970 and 1980; “Hispanic Origin” in 1990; and “Hispanic or Latino” from 2000 through 2010.



LAND USE PATTERN circa 1962  
Source: E.R.A.

	RESIDENTIAL		INSTITUTIONAL
	COMMERCIAL	H	Hospital
	INDUSTRIAL	C	Church
		S	School
		F	Community Facility
		P	Park/Playground

MAP III - C & H (1)  
Overview of recreational,  
facilities, hospitals,  
schools, etc.

 VILLA VICTORIA

## SOUTH END AREA

At the time of redevelopment, there were roughly 1,500 residents of Parcel 19, mostly low-income. The site was largely multifamily residential buildings, but also included churches, commercial buildings, retail stores, light manufacturing, and gas stations. Table 3 presents the demographic composition and income of the subset of Census Tract 705 that corresponds approximately to Villa Victoria and of the remainder of the tract. Today, there are approximately 2,400 residents of Villa Victoria, with median household incomes of approximately \$30,000. Villa Victoria is highly diverse, and in 2010 one-third of the residents of the land that was once Parcel 19 identified as Latino, one-third identified as white, one-fifth identified as Asian-American, and just over one in ten as Black. Within the one-third who identified as Latino, there was also significant heterogeneity. Just over half of the Latino residents of the tract identify as being of Puerto Rican descent, with the remainder of Latino residents identifying origins in Central America and the Caribbean, South America, and Mexico, in that order. In the remainder of the Census Tract, by contrast, the 3,000 residents in 2010 had median household incomes of \$115,000. The overwhelming majority of the remainder of the

tract is now white, non-Hispanic, with 15 percent identifying as Asian-American and less than 10 percent as Latino.

Table 3: Demographic Composition and Income of Residents by Block Group, 2000-2010

	Villa Victoria Census Tract 705, Block Groups 2 and 4		Outside Villa Victoria Census Tract 705, Block Groups 1 and 3	
	2000	2010	2000	2010
<b>Year</b>	2000	2010	2000	2010
<b>Percent Hispanic or Latino</b>	44.2%	32.7%	11.7%	9.6%
<b>Percent White non-Hispanic</b>	28.8%	33.2%	62.4%	70.3%
<b>Percent Black non-Hispanic</b>	15.0%	12.3%	4.0%	2.9%
<b>Percent Asian non-Hispanic</b>	9.8%	20.0%	19.7%	15.0%
<b>Median Household Income (2010 USD)</b>	27,040	30,426	91,285	115,452

In a neighborhood where market-rate apartments now rent for thousands of dollars a month, Villa Victoria offers centrally-located, affordable apartments that are reserved for low- and moderate-income individuals, families, and seniors making less than half of the area median income. As Jorge Hernández, the former head of *Inquilinos Boricuas en Acción*, stated, “Design was a means of developing the resources we needed to do other things—a tool for economic, social, and cultural development” (Bond 1982). Through agonistic conflict and participatory democratic processes, the low-income tenants designed a neighborhood that made historically discriminated groups feel not only welcome in, but also owners and caretakers of, residential and public spaces.

The community’s identity has gradually expanded over the years to include populations from throughout Latin America as well as those of other backgrounds. The Festival Betances, which is a celebration of Latino dance, music, crafts, and culture, presents one example of how the community has negotiated this change. In 1973, during the inaugural festival, the program consisted of almost exclusively Puerto Rican performers. Over the years, however, the festival grew to incorporate Brazilian, Peruvian, Trinidadian, Cuban, Dominican, Ecuadorian, and other Latino, Afro-Caribbean, and African performers. In this sense, the continuing evolution of the Festival offers a window into the ways inclusively governed public spaces and events can overcome tensions about including others and contribute to meaningful social and economic incorporation for other subordinated groups.

The changes experienced by the community, however, have also tested what it means to be inclusive. In its twentieth year, the Festival program recognized the community’s changes, while also asserting the event’s Puerto Rican identity: “although the racial and cultural makeup of the neighborhood has changed significantly, the Puerto Rican spirit of struggle and brotherhood endures as the symbol of our community” (*Inquilinos Boricuas en Acción* 1992). Two years later, continuing tension between a desire to maintain an exclusively Puerto Rican identity and the responsibility to welcome others was still evident: “although the community



might prefer that the Festival remain a local celebration, it is not possible to prevent people from neighboring communities from coming to Villa Victoria to take part in this traditional celebration” (Inquilinos Boricuas en Acción 1994). Today the festival takes place over three days. The first day includes speeches, a parade, and a concert; the second day is International Day, with music and food from around the world, and basketball and dominoes tournaments; the third day includes a traditional Puerto Rican greased-pole competition and more music. The changes in the identity of Villa Victoria were not always easy. These conflicts raise the important question of what it means to support leadership by members of a subordinated group, in this case low-income Puerto Ricans, while ensuring that spaces are also welcoming of others. After all, Puerto Ricans have been just one of many populations that were historically discriminated against in Boston and for whom there are a dearth of spaces in which they are welcomed and included.

Image 5, 6, and 7 approximately here: Image 5, Puerto Rican folkloric dancers in the Festival Betances parade; Image 6, the National African Community Organization, whose offices are within Villa Victoria, marching in the Festival Betances parade; Image 7; the parade arrives at Plaza Betances.



Villa Victoria presents an example of how some aspects of an anti-subordination approach might be pursued, as well as instructive examples of the challenges that lie within such an approach. Consistent with the principles we proposed, Villa Victoria ensures that the existing

Puerto Rican and other low-income tenants continue to have access to permanently affordable housing in a neighborhood that is rich in access to opportunity. The zoning of the site has positive impacts on disadvantaged groups and includes all affordable units. The public spaces are ample, varied, and accessible, and they are distributed in a way that reduces racial and ethnic disparities in access to open space. Furthermore, they incorporate the planning and design input of disadvantaged groups most lacking access to public space. Finally, the project overall narrows disparities by race and ethnicity in access to affordable housing and resources like public transportation, social services, libraries, and theaters, all of which are close to its relatively central location.

Some might challenge the particular balance between redistribution and recognition that Villa Victoria strikes. Indeed, as the example of Festival Betances highlights, issues of inclusion and exclusion remain. While it is difficult to see how self-segregation and social closure among whites could promote justice in the context of the United States, African American or Latino solidarity is arguably different, “since it can be defended as a group-based effort to fight for racial justice or to protect the group’s members from race-based maltreatment” if it does not have the effect of hoarding advantages but is “rather a component of an ethic of resistance to injustice” (Shelby 2014: 270). The residents of Villa Victoria ultimately realized that they could not and should not exclude others from its public spaces and public events, even as they maintained a focus on the lessons of the Puerto Rican struggle for equality. The challenges of the approach at Villa Victoria and the moves toward inclusion provide an interesting counterpoint to more recent policies that mandate geographical integration, exclude disadvantaged individuals from particular neighborhoods, or force dispersion, such as the Dutch Urban Areas Act of 2006 (Uitermark, Hochstenbach, and van Gent, 2017) or the dispersal policies for asylum seekers in the Netherlands, Sweden, and the United Kingdom (Robinson, Andersson, and Musterd, 2003).

Even if a group based effort to protect group members from maltreatment is philosophically justified, the question remains whether members of a subordinate group are better off socioeconomically or otherwise in segregated neighborhoods over which they exercise significant control as compared with more integrated neighborhoods in which they do not. For groups with higher mean levels of human capital, group concentration is associated with better outcomes in employment and earnings, while for groups with lower mean levels of human capital, segregation is generally linked to lesser benefits or negative effects (Edin, Fredriksson, and Åslund 2003; Bayer, Fang, and McMillan 2014; see also Marcuse, 1997). The benefits of more integrated neighborhoods do not come from social interaction or “role models,” however, but from greater collective efficacy and access to higher quality services (Chaskin, Joseph, and Webber, 1997). The social and spatial context that residents of Villa Victoria have created is one rich in collective efficacy and one that benefits from both the services that *Inquilinos Boricuas en Acción* provides within the site and the significant services available in close proximity because of Villa Victoria’s integration into a diverse, central city neighborhood. In other words, the

experience of residents might be very different in another neighborhood farther from the amenities of the city center and with less economically and politically powerful neighbors.

Jacobs might say that Villa Victoria's mix of building types, porous boundaries, short block lengths, and distinct public spaces make it a diverse and vital urban space. Fainstein might laud the permanent affordability of the units for their promotion of equity, the inclusive design and governance process for its furtherance of democracy, and the social diversity of its residents. While all of these characteristics certainly contribute to the overall success of the development, we argue that what makes Villa Victoria distinctive is the effort by a historically subordinated group of low-income, primarily Puerto Rican tenants to create an institution accountable to the residents that has also been able to include, even if with obstacles, other subordinated groups. Through cooperation, advocacy, and continuing struggle, the residents of Villa Victoria created a well-designed community with permanent affordability that provides a foundation of safe, stable, housing and supportive neighborhood institutions that can help members of historically disadvantaged groups realize their potential. Contrary to Jacobs' argument that the right physical environment will create a desirable social and economic environment, we put forth an example of how social and political action creates a desirable physical, social, and economic environment. Furthermore, the anti-subordination framework demonstrates how attention to dimensions of power and history are needed to analyze urban justice.

## **Conclusion**

An anti-subordination approach to planning seeks to address the continuing manifestations of durable inequalities that structure our social lives and urban spaces. Allen (2004) argues for the importance of offering public narratives of the principles by which our political world functions. Villa Victoria offers a durable, physical narrative of how the political world of a more just city could work, of what some structuring principles could be. As Allen notes, Ralph Ellison writes in the working notes to *Juneteenth* (2000: 356), "[t]his society is not likely to become free of racism, thus it is necessary for Negroes to free themselves by becoming their idea of what a free people should be." So, too, the primarily Puerto Rican residents of Boston's South End, facing the urban renewal bulldozer, created their own representation of what a neighborhood should be.

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## References

- Allen, D. S. (2004). *Talking to Strangers: Anxieties of Citizenship Since Brown v. Board of Education*. Chicago: The University of Chicago Press.
- Appiah, A. (2006). *Cosmopolitanism: Ethics in a World of Strangers*. New York: W.W. Norton & Co.
- Balkin, J. M., & Siegel, R. B. (2003). The American Civil Rights Tradition: Anticlassification or Antisubordination? *University of Miami Law Review*, 58, 9–34.
- Bayer, P., Fang, H., & McMillan, R. (2014). Separate When Equal? Racial Inequality and Residential Segregation. *Journal of Urban Economics*, 82, 32–48.
- Bell, D. (1989). *And We Are Not Saved: The Elusive Quest for Racial Justice*. San Francisco: Basic Books.
- Biondi, M. (2009). *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*. Harvard University Press.
- Bond, E. (Ed.). (1982). *La Comunidad: Design, Development, and Self-Determination in Hispanic communities*. Washington, D.C.: Partners for Livable Places.
- Crenshaw, K. W. (1988). Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law. *Harvard Law Review*, 101(7), 1331–1387.
- Edin, P.-A., Fredriksson, P., & Åslund, O. (2003). Ethnic Enclaves and the Economic Success of Immigrants—Evidence from a Natural Experiment. *The Quarterly Journal of Economics*, 118(1), 329–357.
- Fainstein, S. S. (2010). *The Just City*. Ithaca: Cornell University Press.
- Fiss, O. M. (1976). Groups and the Equal Protection Clause. *Philosophy & Public Affairs*, 5(2), 107–177.
- Fraser, N. (2003). Social Justice in the Age of Identity Politics. In A. Honneth & N. Fraser (Eds.), *Redistribution Or Recognition?: A Political-philosophical Exchange* (pp. 7–109). London: Verso.
- Freeman, L. (2006). *There Goes the 'Hood: Views of Gentrification from the Ground Up*. Philadelphia, Pa: Temple University Press.
- Gotham, K. F. (2002). *Race, Real Estate, and Uneven Development: The Kansas City Experience, 1900-2000*. SUNY Press.
- Harvey, D. (1989). From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism. *Geografiska Annaler. Series B, Human Geography*, 71(1), 3–17.
- Hirschmann, N. J. (1992). *Rethinking Obligation: A Feminist Method for Political Theory*. Ithaca, NY: Cornell University Press.
- Inquilinos Boricuas en Acción. (1994). Festival Betances Program.
- Jacobs, J. (1961). *The Death and Life of Great American Cities*. New York: Vintage Books.
- Joseph, M. L., Chaskin, R. J., & Webber, H. S. (2007). The Theoretical Basis for Addressing Poverty Through Mixed-Income Development. *Urban Affairs Review*, 42(3), 369–409.
- Marcuse, P. (1997). The Enclave, the Citadel, and the Ghetto: What has Changed in the Post-Fordist U.S. City. *Urban Affairs Review*, 33(2), 228–264.
- Mills, C. W. (2003). *From Class to Race: Essays in White Marxism and Black Radicalism*. Lanham, Md: Rowman & Littlefield.
- Mouffe, C. (2013). *Agonistics: Thinking the World Politically*. London: Verso.
- Okin, S. M. (1989). *Justice, Gender, and the Family*. New York: Basic Books.

- Pattillo, M. E. (2008). *Black on the Block: The Politics of Race and Class in the City*. Chicago, Ill.: University of Chicago Press.
- Pinder, D. (2005). *Visions of the City: Utopianism, Power, and Politics in Twentieth-Century Urbanism*. New York: Routledge.
- Rawls, J. (1971). *A Theory of Justice*. Harvard University Press.
- Self, R. O. (2003). *American Babylon: Race and the Struggle for Postwar Oakland*. Princeton University Press.
- Shelby, T. (2003). Race and Social Justice: Rawlsian Considerations. *Fordham Law Review*, 72, 1697–1714.
- Shelby, T. (2014). Integration, Inequality, and Imperatives of Justice: A Review Essay. *Philosophy & Public Affairs*, 42(3), 253–285.
- Siegel, R. B. (2004). Equality Talk: Antisubordination and Anticlassification Values in Constitutional Struggles over Brown. *Harvard Law Review*, 117(5), 1470–1547.
- Small, M. L. (2004). *Villa Victoria: the Transformation of Social Capital in a Boston Barrio*. Chicago: University Of Chicago Press.
- Sugrue, T. J. (2014). *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*. Princeton University Press.
- Tilly, C. (1999). *Durable Inequality*. Berkeley: University of California Press.
- Uitermark, J., Hochstenbach, C., & van Gent, W. (2017). The Statistical Politics of Exceptional Territories. *Political Geography*, 57, 60–70.
- Robinson, V., Andersson, R., & Musterd, S. (2003). *Spreading the “Burden”? A Review of Policies to Disperse Asylum Seekers and Refugees*. Bristol, UK: Policy Press.
- Wilder, C. S. (2000). *A Covenant with Color: Race and Social Power in Brooklyn 1636-1990*. Columbia University Press.
- Young, I. M. (1990). *Justice and the Politics of Difference*. Princeton University Press.
- Young, I. M. (2002). *Inclusion and Democracy*. Oxford: Oxford University Press.