Democracy and City Life[*]

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Abstract

Are modern urban regions desirable sites for inclusive forms of democratic governance? Certain features of city life do hold such promise, but these same features coincide with exclusionary attitudes and activities that undermine democratic hopes. I clarify necessary conditions for more inclusive urban democracy, distinguishing my account from prominent criticisms of suburban culture and urban sprawl advanced by advocates of the new urbanism. I offer proposals for reform that emphasize creative uses of existing and emerging technologies and institutions, and a more democratic conception of eminent domain authority.

I Introduction

Political theorists have recently returned to the city, exploring modern urban regions as desirable sites for inclusive forms of democratic governance.[1] These theorists recognize that urban regions around the world exhibit profound inequalities of wealth, life chances, and political influence; they are imagining cities as they might be, not as they are. But the democratic promise and failings of cities are not easily separated: under prevailing political strategies for regulating land uses and economic activities, the very features of cities that appeal to democratic theorists coincide with patterns of wealth and influence that subvert democratic intentions, by allowing exclusionary attitudes and activities that diminish complex patterns of interdependence among citizens of a metropolitan area.

II Why Cities? Density, Diversity, and Interdependence

Why look to modern urban regions to find conditions favorable to inclusive democratic governance? After all, city life seems often to be associated with a degree of *anomie*, characterized by a multi-

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[1]Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), pp. 234 and 237; *Inclusion and Democracy* (Oxford: Oxford University Press, 2000), ch. 6, esp. pp. 204-228; Alan Ryan, 'The City as a Site for Free Association', in *Freedom of Association*, edited by Amy Gutmann (Princeton: Princeton University Press, 1998): 314-329; Susan Bickford, 'Constructing Inequality: City Spaces and the Architecture of Citizenship', *Political Theory* 28 (2000): 355-376 at pp. 356 and 371; see also Richard Sennett, 'The Spaces of Democracy', *Harvard Design Magazine* (Summer 1999): 68-72.

plicity of contacts with others, most of which lack any emotional depth and personal significance: physical proximity does not typically beget intimacy or solidarity[2] In the city we instead maintain our emotional distance from one other: the cacophony of urban life leaves us jaded, our capacity for sympathy and solidarity completely overwhelmed. Indeed the scale on which visceral human suffering is apparent in the city forces many to withdraw from it, practicing a sort of emotional triage and physical distancing from the unlucky and downtrodden while traversing urban space.

Certainly we can find in cities instances of love, friendship, solidarity, familial loyalties, and principled commitment to helping others. But many such attitudes and practices are carefully sequestered: intimate associations are woven into our daily routines as we move among strangers between locations in the city; we avoid other commitments, shutting out much of the complexity around us as we navigate the variegated urban terrain to meet acquaintances, friends, or lovers in specific places. We move between familiar enclaves, ignoring the indifferent occupants of spaces we cross; or we move furtively through spaces whose occupants might be hostile to our presence. And for those who devote substantial time and resources to helping others, the scale of social problems in large urban areas necessitates similar strategies of sequestering and exclusion: strict curfews on shelters, and informal criteria for admission and eviction, are examples of how even the most committed activists in cities must impose order on the unpleasant realities they seek to transform.

Louis Wirth believed that, in the city, a 'juxtaposition of divergent personalities and modes of life tends to produce a relativistic perspective and a sense of toleration of differences'.[3] But even if this is so, such toleration may simply be a grudging acceptance of difference as an unavoidable fact of urban life – not a fact to be celebrated but merely endured, and perhaps occasionally feared or loathed. Simmel and Wirth claim that the fractured and attenuated social psychology of the urban citizen both reflects and sustains the complex, impersonal, competitive, rationalized, and bureaucratized character of industrial society under capitalism. This may be a psychology suited to toleration of difference. But it does not seem to be the basis of an inclusive ideal of citizenship grounded in mutual respect and reasoned cooperation toward shared goals.

And yet Wirth also thought that the complexity of city life encourages individuals to join a range of associations based on shared interests, and he expected that these 'mutual interrelations' would tend to be 'complicated, fragile, and volatile'.[4] Residents of metropolitan areas depend on one another for a range of goods and services – water, electricity, police and emergency services, road and sidewalk maintenance, fresh produce, cooperation from neighbors in maintaining shared hallways, courtyards, and parks – that make daily life possible in metropolitan areas. These are intricate networks of mutual dependencies across time and space, and sometimes across distinctions of race, culture, and socioeconomic class. In such settings, citizens may understand their interests as being intertwined in ways that demand cooperative activities, but that do not challenge their

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[2]Georg Simmel, 'The Metropolis and City Life', in *Georg Simmel on Individuality and Social Forms: Selected Writings*, edited by Donald N. Levine (Chicago: University of Chicago Press, 1971): 324-348.

[3]Louis Wirth, 'Urbanism as a Way of Life', *American Journal of Sociology* 44 (1938): 1-24, p. 15.

[4]Ibid., p. 22.

distinctive values, traditions, and aspirations in any fundamental way.[5] Furthermore, in modern urban regions we find widespread implementation of technologies of communication, information processing, transportation, and surveillance. These technologies generate network externalities, reducing transportation and communication costs; they thus provide the foundations for regional networks of various associations across increasingly expansive physical spaces. Thus may city life hold the promise of meaningful participation in public life for a wide range of citizens across various differences, but also a distinctly political toleration that converges with a democratic ideal of citizenship, such as that suggested by John Rawls in his account of public reason,[6] and Amy Gutmann and Dennis Thompson in their account of reciprocity and deliberative politics.[7] By virtue of density, diversity, and complex interdependence, inclusive democracy might emerge in the noisy, messy metropolitan areas of industrialized plural societies, just the places that were so often viewed with suspicion by generations of sociologists and urban planners.

III WHY CITIES? INEQUALITY AND EXCLUSION

Democratic theorists thus have good reason to look to modern cities in search of inclusive democracy. But theorists should look to cities as much for their failings as their promise: these regions are characterized by rigid patterns of social exclusion and inequalities of wealth and political influence, especially along racial lines, and between parts of central cities and their outlying regions.

What are some of the obvious failings of cities, especially U.S. cities, with respect to democratic concerns? Of course the problems that concern me here – inequality and exclusion along lines of race and class – are not unique to North American cities. But I examine the U.S. case: if cities in this affluent and durable liberal democracy cannot resemble the democratic ideals popular in recent political theory, then the prospects for implementing core elements of such ideals elsewhere seem grim indeed.

Urbanization has generated patterns of industry and habitat that put considerable stress on surrounding ecosystems: urban residential sprawl and various commercial developments in and around cities consume arable land, deplete water tables, and contaminate ground water; and a range of associated activities – industrial production, commercial transportation, highway commuting by employees in private automobiles – contribute to declining air, water, and soil quality. Municipal and state politics rarely alter the prevailing incentives for home and industry location that reinforce these patterns; indeed, some have argued that federal and state laws guarantee that city governments are relatively powerless to do so.[8] Efforts are sometimes made by local and state governments to alter prevailing incentives, through urban growth boundaries, for instance, or new

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[5]Compare Sennett, *Conscience of the Eye: the Design and Social Life of Cities* (New York: Norton, 1990), pp. 132-37.

[6]John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), pp. 212-254; and 'The Idea of Public Reason Revisited', *University of Chicago Law Review* 64 (1997): 765-807.

[7]Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge: Harvard University Press, 1996), pp. 52-164.

[8]Gerald E. Frug, 'The City as a Legal Concept', *Harvard Law Review* 93 (1980): 1059-1154.

taxation schemes to fund municipal works and allocate more equitably resources shared by several jurisdictions.[9] But the result is often increased political antagonism between central cities and their regions. Furthermore, officials seeking reelection (or to preserve their current appointments under new administrations) often have a strong incentive to accept the *status quo* with regard to jurisdictional authority over taxation and land use.[10]

Given these ecological and political realities, the patterns of inequality and exclusion that persist between the affluent and the poor in U.S. cities, and indeed in so many cities around the world, are striking. Indeed many urban pathologies – declining environmental quality, corrupt officials, discriminatory attitudes and outright racism, low levels of trust in local government, widespread *anomie* and diminishing public spiritedness, disputes between central cities and suburbs, rampant consumerism and resulting waste – are variously implicated in disparities of wealth and opportunities. And we should be especially troubled by the consistency with which these inequalities appear to sustain legacies of exploitation, oppression, and marginalization along racial lines.

For instance, the local politics of zoning and land use restrictions in U.S. cities have been in part motivated by affluent suburban residents wishing to exclude from their neighborhoods those who are perceived as a threat to property values and the quality of public services, perceptions that are often framed in terms of racial differences. And whereas poor white households tend to be dispersed among both low-income and middle-income households in U.S. urban regions, black and hispanic poverty remains characterized by extreme concentration within central city neighborhoods that are isolated – both in terms of geography and popular imagery – from more affluent urban and suburban communities.[11] These impoverished neighborhoods tend to endure not only poorer services, but also poorer air quality, as they are often located close to urban industrial sites or highway systems, and vacant lots that are sometimes used as illegal dumping grounds, or that remain heavily polluted from past commercial tenants.[12] Residents of such neighborhoods are often pessimistic and have little trust in government,[13] which is entirely justified, given the ineffectiveness of schools and other

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[9]See Myron Orfield, *Metropolitics: a Regional Agenda for Community and Stability* (Washington, DC: Brookings Institution, 1997).

[10]Peter Peterson, *City Limits* (Chicago: Chicago University Press, 1981) argues that mobile capital undermines taxation for redistributive aims. Others argue that internal political incentives are the dominant force driving the focus on production instead of distribution in city politics; see Clarence Stone, 'Urban Regimes and the Capacity to Govern: a Political Economy Approach', *Journal of Urban Affairs* 15 (1993): 1-28. See David L. Imbroscio, *Reconstructing Urban Politics: Alternative Economic Development and Urban Regimes* (London: Sage, 1997) and 'Reformulating Urban Regime Theory: the Division of Labor between State and Market Reconsidered', *Journal of Urban Affairs* 20 (1998): 233-248 for a constructive approach. See also Ira Katznelson, *City Trenches: Urban Politics and the Patterning of Class in the United States* (Chicago: University of Chicago Press, 1981); and Gerald E. Frug, *City Making: Building Communities without Building Walls* (Princeton: Princeton University Press, 1999).

[11]See William Julius Wilson, *The Truly Disadvantaged: the Inner City, the Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987), pp. 46-62; but see also Paul A. Jargowsky, 'Beyond the street corner: The hidden diversity of high-poverty neighborhoods', *Urban Geography* 17 (1996): 579-603. On concentrated poverty in a predominantly white neighborhood of Columbus, Ohio, and the similarities between such neighborhoods, black or white, see Yvette Alex-Assensoh, 'Myths about Race and the Underclass: Concentrated Poverty and "Underclass" Behaviors', *Urban Affairs Review* 31 (1995): 3-19.

[12]See Vicki Been, 'Locally Undesirable Land Uses in Minority Neighborhoods: Disproportionate Siting or Market Dynamics?', *Yale Law Journal* 103 (1994).

[13]See, for instance, Michael R. Greenberg, 'Improving Neighborhood Quality: a Hierarchy of Needs', *Housing*

public services in these neighborhoods, and the uninspired efforts of municipal agencies to improve matters.

And in more affluent neighborhoods, the play of local politics only rarely suggests a keen sensitivity to either alternative land uses or the broader consequences of their favored land uses. Cities tend to have relatively low rates of citizen involvement in local electoral politics.[14] When citizens do participate in local affairs it may involve 'not in my backyard' activism, by members of a specific neighborhood who see a proposed commercial development or public service as a threat to their property values. Public expressions of these fears invariably reveal widespread misperceptions about the relationships between race, gender, poverty, crime, and neighborhood quality.[15] For instance, stifling opposition can arise to affordable housing initiatives,[16] or proposed bus routes to better serve central city (and often black or hispanic) workers commuting to jobs near affluent (and most often predominantly white) suburbs. And in many cities there is considerable resistance even to uses of tax revenues that seem widely beneficial and relatively inexpensive, such as drug treatment programs for nonviolent offenders, subsidized prenatal care and training for low-income mothers, or job training programs for unemployed youth, especially those in low-income neighborhoods where public schooling is largely inadequate, and where informal social support networks tend to be less effective than in more affluent suburban areas. Furthermore, prevailing laws hinder the power of cities to direct development in their surrounding regions, instead giving community councils and municipal bodies considerable freedom to determine zoning regulations and investment decisions.[17]

Policy Debate 10 (1999): 601-624.

[14]On class homogeneity and declining political engagement in suburban areas, see J. Eric Oliver, 'The Effects of Metropolitan Economic Segregation on Local Civic Participation', *American Journal of Political Science* 43 (1999): 186-212. More generally, consider Oliver, 'City Size and Civic Involvement in Metropolitan America', *American Political Science Review* 94 (2000): 361-373.

[15]See Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Random House, 1997); Martin Gilens, *Why Americans Hate Welfare: Race, Media, and the Politics of Antipoverty Policy* (Chicago: University of Chicago Press, 1999; and Heidi Hartmann, Hsiao-ye Yi, Megan DeBell, and Jacqueline Chu, 'The Rhetoric and Reality of Welfare Reform', in Nancy J. Hirschmann and Ulrike Liebert, eds. *Women and Welfare: Theory and Practice in the United States and Europe* (New Brunswick, NJ: Rutgers University Press, 2001): 160-176.

[16]Affluent prospective homeowners seem to use race as a marker for factors (unemployment, welfare dependence, poor schools, low property values, high crime rates) associated with lower neighborhood quality, but this may be changing: see Ingrid Gould Ellen, 'Welcome Neighbors? New Evidence on the Possibility of Stable Racial Integration', *Brookings Review* 15 (1997): 18-21, and 'Stable Racial Integration in the Contemporary United States: An Empirical Overview', *Journal of Urban Affairs* 20 (1998): 27-42. More generally, see Paul A. Jargowsky, *Poverty and Place: Ghettos, Barrios, and the American City* (New York: Russell Sage Foundation, 1997) on spatial sorting by socioeconomic class, and especially ch. 6 on the responsiveness of neighborhood poverty to regional economic opportunities. On class-related patterns in racist attitudes among white Americans, see J. Eric Oliver and Tali Mendelberg, 'Reconsidering the Environmental Determinants of White Racial Attitudes', *American Journal of Political Science* 44 (2000): 574-589.

[17]Again see Frug, 'The City as a Legal Concept' on the political and legal precedents that have left some cities competing for lucrative investments while outlying communities pursue their own land use policies, thus hindering the capacity of city governments to maintain a range of public services through tax revenues and administrative authority over the surrounding region. There is some modest empirical support for this claim; see David Rusk, *Cities without Suburbs* (Cambridge, MA: MIT Press, 1995); and Orfield, *Metropolitics*. Others argue that several independent jurisdictions may result in desirable competition among local governments, allowing citizens to sort themselves according to their preferences and budget constraints. See Charles M. Tiebout, 'A Pure Theory of Local Expenditures', *Journal of Political Economy* 64 (1956): 416-424; Vincent Ostrom, Charles M. Tiebout and Robert

Affluent citizens in urban regions tend not to exhibit the attitudes associated with the urban democratic hypothesis drawn from recent political theory. These citizens do not typically appear to embrace racial or class diversity in their decisions about residential locations, nor do they evince an eagerness to engage, in any serious and sustained fashion, in deliberative activities across various lines of difference. Instead, many affluent Americans have, since the 1950s, sought to live intensely private family lives within relatively large homes, located in carefully policed residential neighborhoods that are relatively homogeneous in terms of race and socioeconomic class. These neighborhoods are often located well away from central cities, or are maintained in carefully policed enclaves within what have traditionally been the 'city limits'. These citizens have often been able to harness local politics to sustain this spatial *status quo*.

I do not want to overstate the cultural and racial homogeneity of suburban areas as a general point; these areas are increasingly diverse. And there is some evidence that emerging communities of affluent black and hispanic families are beginning to mirror the suburban location decisions and neighborhood-building strategies pursued by affluent white families since the 1950s.[18] Yet the contrast between specific affluent urban and suburban residential neighborhoods, on the one hand, and dense central city areas characterized by concentrated poverty, racial homogeneity, and limited employment and investment opportunities and personal mobility, on the other, remains as striking today as it was to commentators in the 1960s and 1970s.[19] A great many affluent citizens still sort themselves into neighborhoods – whether in urban enclaves or outlying areas – that are relatively homogeneous with respect to race and socioeconomic class. And many Americas families continue

Warren, 'The Organization of Government in Metropolitan Areas: a Theoretical Inquiry', *American Political Science Review* 55 (1961): 831-842; Robert L. Bish, *The Public Economy of Metropolitan Areas* (Chicago: Markham, 1971); Elinor Ostrom, 'The Social Stratification-Governmental Inequality Thesis Explored', *Urban Affairs Quarterly* 19 (1983): 91-112; Mark Schneider, *The Competitive City* (Pittsburgh: University of Pittsburgh Press, 1989); and David R. Morgan and Patrie Mareschal, 'Central-City/Suburban Inequality and Metropolitan Political Fragmentation', *Urban Affairs Review* 34 (1999): 578-595. The threat of exit by mobile citizens may encourage local governments to be responsive to voice; see William E. Lyons and David Lowery, 'The Organization of Political Space and Citizen Responses to Dissatisfaction in Urban Communities: an Integrative Model,' *Journal of Politics* 48 (1986): 321-346; and more generally, Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge: Harvard University Press, 1970). But critics note that effective mobility and political influence are dramatically constrained for just those urban residents who endure poor services and unresponsive institutions, and these inequalities reinforce historical legacies of racial discrimination and subsequent isolation, a fact that should trouble us deeply as a point of justice; see Owen Fiss, *A Way Out: America's Ghettos and the Legacy of Racism*, Joshua Cohen, Jefferson Decker and Joel Rogers, eds. (Princeton: Princeton University Press, 2003). Furthermore, these constraints are arguably sustained in part by the combination of spatial sorting and local control associated with Tiebout-style prescriptions; see Richard Child Hill, 'Separate and Unequal: Governmental Inequality in the Metropolis', *American Political Science Review* 68 (1974): 1557-1568; and also Jargowsky, *Poverty and Place*, chs. 6-7, esp. pp. 201-8.

[18]On such spatial patterning, but also the economic heterogeneity and growing income disparities among black Americans, and the enduring legacies of discriminatory zoning and mortgage financing facing affluent black families, see Bart Landry, *The New Black Middle Class* (Berkeley: University of California Press, 1987); Mary Pattillo-McCoy, *Black Picket Fences: Privilege and Peril among the Black Middle Class* (Chicago: University of Chicago Press, 1999) and 'The Limits of Out-Migration for the Black Middle Class', *Journal of Urban Affairs* 22 (2000): 225-242; and Bruce D. Haynes, *Red Lines, Black Spaces: the Politics of Race and Space in a Black Middle-Class Suburb* (New Haven: Yale University Press, 2001).

[19]Again, Jargowsky's *Poverty and Place* reveals both the diversity of poor urban neighborhoods and the contrast between these and more affluent areas.

to seek relatively large houses in outlying residential neighborhoods with very little variety of land uses, near good schools and characterized by stable property values.

Given these widespread attitudes and motivations among so many affluent Americans, structures of local decision-making and public service provision tend to sustain the spatial patterns of land development that favor extended suburbs and exclusive urban enclaves, on the one hand, and the isolation of impoverished central city neighborhoods, on the other. Nor is this tendency obviously misguided, from the perspectives of commercial interests and political actors: developers, planners, and officials can plausibly argue that they are simply responding to what Americas consumers have wanted for several decades, as reflected in market demand for personal automobiles, large suburban retail centers (featuring chain stores that can reap economies of scale), and large houses on private lots in low-density residential developments, located in communities that are relatively homogeneous with respect to race and class. And insofar as developers and planners are in fact meeting widespread demand for particular goods and services, politicians are motivated to support policies favorable to these commercial interests.

IV   Democratic Citizenship and the Spaces of City Life

By virtue of their demographic, economic, and spatial features, urban regions easily generate diversity, disorder, and complex interdependence. These same features also bring a range of values and interests into conflict. Given conflict, agreement cannot rest reliably on mere appeals to shared beliefs or traditions, nor on discriminatory racial preferences that some fellow citizens cannot reasonably be expected to find persuasive. Spatial patterns of land use may thus emerge as a tentative and fragile stasis in the multifaceted process of social cooperation among the bearers of diverse and sometimes-conflicting values and interests. But this vision is corrupted by allowing market forces and local politics to demarcate and sustain homogeneous zones of limited land uses: under such circumstances, the exclusionary motives of some citizens are shielded from public scrutiny and challenge.

When our own values, interests, and aspirations are threatened, we can be led toward either of two strategies. We may retreat from the broader public sphere, escaping the mutual dependencies of city life, perhaps by finding those who share our values and establishing an insular, purified community with them. Or we may accept interdependence and engage with others, considering their values and interests, and perhaps also reconsidering some of our own, so as to come to agreements that are mutually acceptable across a variety of differences. Prevailing patterns of metropolitan politics and planning have tended to privilege the first strategy, whereas the diversity and disorder of city life could instead make the second strategy viable, if the social and spatial forms of cities were allowed to unfold without unjustifiably privileging the exclusionary motivations of affluent citizens.

But the experiences of modern urban regions, in the U.S. at least, suggest that any such transformative effort will be fraught with difficulties, given prevailing incentives and entrenched interests. What hope, then, for more inclusive democratic politics in these urban settings?

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I now want to trace the broad contours of an account of inclusive metropolitan democracy, but without making heroic demands on citizens in terms of preferences and motivations, and without assuming any sort of simplistic *spatial determinism* – that is, without relying on a narrow account of what spatial and demographic forms of city life are acceptable, from a democratic point of view.

I want to avoid such demands and assumptions because much of what has been said so far resembles prominent criticisms of urban sprawl and suburban culture, and these critics are arguably democratic in orientation: they worry about the pernicious impact of market forces on solidarity and citizenship, and they imagine a world of more responsive municipal governments and widespread civic engagement. But these popular criticisms cannot sustain inclusive metropolitan democracy, because they rely on contentious and ultimately exclusionary claims about what a city ought to look like, and how citizens ought to think and act therein.

To be sure, my favored account of democracy and the city draws a connection between the myriad forms of socioeconomic interdependence in urban regions, on the one hand, and the possibilities for inclusive and responsive democratic governance, on the other. But there are, I suggest, many specific values, aspirations, and spatial and organizational forms that comport with my favored account of democracy and city life, a point I hope to make clear by way of contrast with the less promising alternative approach suggested by the new urbanism. I conclude with some proposals that are consonant with my account.

4.1   Metropolitan Democracy without Spatial Determinism

Consider the vision of city life advanced by 'the new urbanism' (a recent movement in architecture and urban planning). New urbanists decry the prevailing spatial forms of modern urban regions, arguing that suburban sprawl, dependence on the private automobile, and single-use zoning are inimical to vibrant communities and engaged citizens. Incentives for home and industry location outside central cities have led to inefficient uses of physical space and congested traffic arteries, features that benefit no one but construction and automobile companies, property developers, and realtors. Residents may not especially value sprawling low-density residential developments, yet they must accept them given prevailing incentives: an affordable house near good schools, in a safe neighborhood with reliable public services, often requires a private automobile and a suburban location. But the resulting spatial forms undermine public-spiritedness, leading to widespread alienation, antagonism, mutual distrust, and despair.

The new urbanism offers instead a vision of neighborhoods where workplaces, shopping centers, and recreational activities are all within a reasonable walking distance for most residents; and where the near-constant use of public spaces for a variety of activities make the streets safe, and motivate residents to participate in public activities aimed at maintaining the quality of their shared spaces.[20] New urbanists criticize the extraordinary power of private developers to shape

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[20]See James Howard Kunstler, *Home from Nowhere: Remaking our Everyday World for the Twentieth Century* (New York: Simon and Schuster, 1996).

the character of public spaces without much by way of constructive citizen involvement,[21] and they thus question the widespread reification of personal preferences and market forces in urban politics. And, like Jane Jacobs,[22] the new urbanists draw our attention to how the built forms of our shared spaces can affect our attitudes and motivations. But as David Harvey notes, the new urbanists seem to embrace – with insufficient reflection and argument – a particular vision of authentic and desirable communities, and they suppose that such communities will emerge from particular built forms.[23]

Spatial factors do shape and constrain social possibilities, certainly, but the relationship is complex and reciprocal, and we should be sceptical of any claims that spatial forms strictly determine social processes. Nor should we conclude that there are but one or a few viable combinations of spatial forms and social practices. We must adopt a nuanced view of the relations between built forms, norms and practices, and public institutions, acknowledging the contingency and complexity of the historical relations between ethical and aesthetic ideals, particular norms and practices, and associated spatial forms. And these relations need to be critically assessed at every turn against other important standards, such as the safety and economic viability of neighborhoods.

This approach has the virtue of not committing us to any one conception of what a city is: there are myriad particular configurations of residential and business land uses, and associated communications and transportation networks, that are arguably urban, and that sustain stable patterns of socioeconomic interdependence suitable to inclusive and deliberative forms of democratic governance. Nor does this approach require that citizens be bound together by a particular view of what their shared spaces ought to look like, and what activities are appropriate therein.

But in contrast to this stance, the new urbanists seem to assume a relatively straightforward connection between specific spatial forms and authentic, livable communities; and so they are led to encourage neighborhood solidarity and civic engagement through specific forms of architecture and land use that, while perhaps fostering a sort of democratic engagement at the neighborhood level, may nonetheless be in tension with a broader and more inclusive vision of democracy and city life. Rather than fostering complex interdependence among citizens from diverse walks of life and across a variety of built forms, the new urbanism may instead permit the purification of public spaces according to particular standards of acceptable behaviors and appearances.

There are, of course, standards of behavior that, when enforced, protect anyone and everyone. But how often are matters so clear? The fear of difference, and resultant efforts to purify public and semi-public spaces, are common themes of suburban development in cities throughout the industrialized world: buildings are designed, and public spaces bounded, in ways that discourage all but a few sanctioned uses; and private security forces patrol shopping malls and gated suburban communities, assigned by property owners the duty of monitoring or evicting those who 'seem suspicious' – which is to say, those who occupy these spaces, but whose appearance and activities

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[21] Ibid., pp. 234-49.

[22] *The Death and Life of Great American Cities* (New York: Random House, 1961).

[23] David Harvey, *Spaces of Hope* (Berkeley: University of California Press, 2000), pp. 164-79.

do not conform to a specific conception of what behaviors are appropriate to these spaces.[24] The new urbanists do not give us sufficient moral resources to interrogate and challenge these attitudes and activities.

We can and must go beyond the new urbanists' appeal to a particular vision of the livable urban community. Jane Jacobs's important early work reminds us that forms of urban life once deemed undesirable, even intolerable, may appear in an altogether different light when evaluated according to alternative criteria of desirability. Sprawling suburbs and edge cities may well reflect reasonable preferences that we have no good reason to question in a free and fair society. But perhaps more importantly, they may also feature emergent identities, associations, and artistic expressions that require a reconsideration of prevailing moral and aesthetic standards regarding the desirability of these spatial patterns. Furthermore, these forms of community may themselves generate demand for new technologies to manage more effectively the environmental and civic failings of these spatial forms.

This said, prevailing incentives for residential and commercial locations impose rigid constraints on ways of life in and around the city: in many cities, a pedestrian-based lifestyle is restrictive and outright hazardous, and these incentives are in part sustained by local, state, and federal laws and government subsidies. Even if these incentives ultimately reflect the reasonable preferences of many or even most residents, we should be sceptical that the preferences of the majority ought to constrain the possible forms of urban life as severely as they often do. Some locational and associational preferences may be reasonable, but they are not immutable and beyond reproach simply by virtue of their reasonableness: they are not exempt from calls for justification by those who feel that their aspirations are unjustifiably limited by the choices of others.

Thus we should be open to new technologies and institutions, and innovative applications of existing technologies and legal categories, that lessen the constraints imposed by prevailing preferences, incentives, and existing infrastructure upon our choices of where to live, how to live our lives together, and how to weigh long-term social and environmental costs. What we must pay close attention to are the patterns of interdependence that attend particular choices and associated spatial forms, and whether these patterns are compatible with inclusive and responsive democratic politics.

To this end a variety of initiatives present themselves as desirable, insofar as (i) they use both existing and emerging technologies and legal norms in creative ways that secure desired benefits while ameliorating, and more equitably distributing, social costs; (ii) they do not threaten to sever ties of interdependence among residents of a metropolitan region, and indeed may foster such ties, by enhancing mobility and employment opportunities; and (iii) they do not merely sustain the values and interests of the majority as exempt from widespread public scrutiny and contestation.

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[24]See David Sibley, *Geographies of Exclusion: Society and Difference in the West* (London: Routledge, 1995); and Lyn H. Lofland, *The Public Realm: Exploring the City's Quintessential Social Territory* (New York: Aldine de Gruyter, 1998), pp. 208ff.

Consider the issue of urban transportation choices. The private automobile is a dominant feature of urban life in North America, and designing neighborhoods around car travel has had the consequence of making some urban lifestyles less desirable: walking to and from work or shopping is often difficult and sometimes unpleasant, even dangerous, especially when traveling along narrow, poorly maintained sidewalks next to busy streets. Furthermore, carrying heavy loads for any significant distance by foot, or on public transportation, is awkward and time-consuming. And bicycle travel in and around many cities is a perilous undertaking, given prevailing road design and inattentive and sometimes hostile drivers. Improved road design (wider sidewalks, distinct bike lanes with periodic physical barriers on some stretches of road, to separate cyclists from auto traffic) and regular maintenance, and more consistent policing of roads and intersections, would mitigate these problems. And insofar as investments in roadways and parking areas amount to an implicit subsidy to drivers, we should encourage government incentives that reward alternative commuting strategies by employees (for instance, expanding employer rebate programs for workers who use public transit, and providing grants for companies that install shower and changing facilities at the workplace for those who bike to work). In concert with such initiatives, the development of defunct or underused urban rail networks into multiuse pathways, as well as bicycle and pedestrian pathways alongside active urban and suburban rail lines, may foster pedestrian and bicycle commuting from outlying areas into central business and residential districts, provided these pathways are well-maintained and routinely patrolled to ensure the safety of users.

But the private automobile is undeniably convenient, allowing us considerable mobility and flexibility in deciding where to live and work. Furthermore, technological advances (such as hybrid gas-electric engines and fuel-cell power sources) promise less pollution and greater energy efficiency. How might we reap the considerable benefits of cars in and around cities, while mitigating their objectionable costs?

Promising in this respect are car cooperatives that have arisen in several European and North American cities, providing flexible short-term rental arrangements for members, who pay a modest monthly fee. Cars can be leased by the hour, or for one or several days, with reservations made over the telephone or from a networked computer, and reserved cars are unlocked with an electronic keycard. Most of the cars provided by these cooperatives are compact, fuel-efficient models that are ideally suited for short trips within and around the city, or to nearby towns and recreational areas. Several of these cooperatives have begun to include the newest hybrid-engine cars in their fleets, allowing members to take advantage of emerging technologies at relatively low personal cost. Vehicles are made available at parking areas throughout the city, including several at major public transit hubs. Hourly rates for cooperative members typically include the costs of both gas and insurance, and are competitive with those offered by conventional auto rental agencies. Such cooperatives provide a convenient 'middle ground' between car ownership, on the one hand, and reliance on public transit, bicycle, or pedestrian travel, on the other.

These are examples, then, of how judicious transformation and regulation of urban space, paired

with creative ownership and use schemes for existing and emerging technologies, can help reap the benefits of those technologies in equitable ways, while simultaneously ensuring that some ways of urban life are not unreasonably foreclosed by the transportation and location choices of others.

4.3   Land Uses

Or consider the issue of land use policy and the power of eminent domain in and around cities. Urban eminent domain claims typically involve the city or state government taking private property for some use that is in the public interest, and compensating owners at fair market value. Eminent domain authority is often used to site controversial facilities (or 'locally unwanted land uses', as they are sometimes described) such as highways, prisons, power lines, land fills, and waste processing plants. The power of affluent neighborhoods to influence land uses in their jurisdictions, and to mount aggressive campaigns against unwanted developments, means that these facilities are likely to be located in areas where residents will not or cannot easily object.

The siting of undesirable facilities near poorer neighborhoods might not in itself be problematic from a democratic standpoint, if the personal costs of moving from an established home (for those who leave), or accepting dramatic changes in the character of one's community (for those who stay), are carefully researched in consultation with residents themselves, and if terms of compensation take these assessments into account. But this is rarely the case. Instead, cities often site highway extensions and waste facilities in or near poorer neighborhoods with only cursory consultation, and in spite of concerns over health risks and the vulnerability of displaced families. And even if some facilities are sited without much controversy, the result may be potentially hazardous neighborhoods that, instead of being transformed into nonresidential areas by local, state, or federal legislation, are left as the only feasible residential options for citizens of limited means.

Other exercises of eminent domain authority involve the construction of large chain stores, sports stadiums, or conference centers. Although these facilities often do provide significant benefits to nearby residents, there are almost always powerful parties who also stand to profit, and who can influence politicians and sway popular opinion through media campaigns. Indeed, the politics of these sorts of location decisions generally involve the clash of a few very wealthy or very vocal interests, or both. Developers sometimes succeed in having the city oust families from their homes and communities, without due consideration as to whether or not these citizens can afford to live elsewhere in the city given the market value of their properties. On other occasions a few vocal activists may succeed in preventing a proposed development that would in fact benefit many locals, and which these residents would probably support were they sufficiently informed. In some cases these efforts may be grounded in reasonable concerns about environmental impact, preservation of historical sites, or the maintenance of neighborhood character; but in other cases, such concerns may mask narrower and more controversial aims, such as the maintenance of property values for a small group of existing homeowners, or maintaining an aesthetic ideal or ideological stance only supported by a minority of residents.

All of which is to say that assessments of the public interest in metropolitan eminent domain

cases do not seem especially inclusive or deliberative in character; furthermore, they are vulnerable to distortions associated with privileged voices in urban politics. And yet vital facilities must be located somewhere, and some commercial developments (affordable housing, retail centers) would be widely desired (or at the very least, judged to be acceptable) by most residents were they sufficiently informed and given the opportunity to deliberate together on the matter, without the distorting effects of wealth and privileged voices. How, then, should we accurately assess the public interest, provide vital services, and negotiate fair compensation?

One plausible solution involves the creative use of existing legal precedents to foster interdependence through a more equitable distribution of influence over land uses: extend eminent domain authority to nontraditional organizations that are sufficiently representative of a distinct constituency, members of which cannot easily find voice under prevailing legal and political institutions. This vision of eminent domain authority is consistent with a normative model of regional democracy that encourages informed and sincere deliberation, by a range of interested parties, both within and across various spatial and institutional scales. On this model, such deliberation is taken to be vital to legitimate democratic governance. According to a deliberative principle of democratic legitimacy, those who exert political power must offer sincere and plausible reasons to those affected by their exercises of authority, regardless of prior constituencies; the consequences of political authority forge a constituency. Given this principle of legitimacy, centralized authority structures are to coordinate local associations as they regulate their own activities and cooperate across jurisdictional boundaries with other associations.

A more democratic conception of eminent domain power, encouraging as it does more exchanges among more empowered associations, might seem to invite exclusionary impulses. After all, community associations would, on this view, have considerable authority to exclude others from their neighborhoods, and to control activities therein. But my analysis has suggested that this concern is not limited to the proposal I am endorsing: many affluent communities already possess *de facto* eminent domain authority, insofar as they are able to influence zoning ordinances and local taxation policies to control the character of their shared public spaces, often through corporate entities such as homeowner associations. A broader conception of eminent domain authority does not obviate concerns for personal freedoms and fair equality: some fundamental liberal and democratic constraints must apply to any association that exercises authority within a jurisdiction.

A more pragmatic concern is that broader eminent domain powers will lead to more deadlock in regional siting decisions: if many different associations have effective influence over land uses in their jurisdictions, then controversial facilities will almost certainly never be built, and vital public services will not be provided. But this scenario would not be obviously worse than the *status quo*: deadlock is already common on controversial land uses in and around cities. The difference, under a democratic conception of eminent domain authority, is that more parties would be able to wield influence over siting decisions. More opportunities for deadlock, perhaps; but perhaps also more opportunities for fair bargaining. It is no virtue of the *status quo* that it results in somewhat less deadlock than a more democratic alternative, simply by ensuring that bargaining positions are often

dramatically unequal, and so facilities are generally sited near those citizens with relatively little bargaining power. While this may be an expedient rationale, it cannot be a satisfying justification from a democratic point of view.

Certainly we should be concerned if newly empowered associations were to use their authority to take property and control land uses in arbitrary or merely self-serving ways, without offering sincere and plausible reasons to affected parties, both within and outside their jurisdictions. We should be similarly concerned if these associations sought to distance themselves from important regional concerns. But again, these caveats apply as forcefully to gated suburban communities and urban condominium associations as they would to empowered community associations in distressed central city neighborhoods.

Furthermore, these caveats do not speak directly to the pressing concerns of the sorts of urban communities that might plausibly seek eminent domain authority. In many poorer city neighborhoods, vacant lots, empty houses, and deserted commercial properties are often used for criminal purposes, or become illegal dumping sites for both household and commercial waste. Effective control over these spaces is vital to improving the safety and vitality of these neighborhoods; but indifferent (and often nonresident) property owners and unresponsive public agencies make such transformation difficult, if not impossible. If community organizations in these neighborhoods could translate the informed deliberations of committed residents into effective control over these spaces, then these residents would gain the power to shape the character of their public spaces, to a degree comparable to that already possessed by affluent homeowners elsewhere in the metropolitan area.

Such efforts would require considerable institutional flexibility, certainly, in particular a willingness to forge new legal precedents and regional oversight procedures with respect to eminent domain claims. State and federal subsidies may also be required, specifically funds to match grants and guarantee loans taken by the association in question to compensate property owners for takings. It is an important question whether or not private agencies could, in general, be relied upon to meet wider demand for grants and loans; but regardless, it seems likely that public funds and government regulation will be required to foster and sustain any such initiatives. Unlike many existing government subsidies in agriculture and industry, however, these proposed uses of public resources have the virtue of enhancing democratic fairness, by ensuring that effective influence over shared public spaces is not merely a luxury of the affluent.

V Concluding Remarks

My aim has been to evaluate the claim that modern urban regions are ideal sites for inclusive democracy, especially in plural societies. The hope is that myriad mutual dependencies will foster and sustain an engaged public and responsive institutions, without threatening freedom and stifling diversity. I have suggested that this hope, while not unreasonable, is undermined by the exclusionary realities of metropolitan politics. The density and diversity of city life may well tend to generate complex interdependence across cultural, racial, and class distinctions; but citizens do not necessarily embrace these linkages, and indeed much of urban politics seems to involve attempts

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to diminish interdependence, and such efforts may well appear democratic, as citizens with shared values and interests come together to forge a shared way of life – or, more often, to maintain the value of their homes and quality of their public services against perceived threats from outsiders. Nor is some such sorting of citizens into distinct communities necessarily objectionable in itself, from a democratic standpoint,[25] But free association and shared preferences do not uniformly justify exclusionary efforts, least of all those based on odious racial prejudices. More generally, I have argued that we should object to the privileging of certain voices in urban and suburban land use decisions, and the extent to which the preferences of some citizens can limit the life choices of others in ways that are not open to the public interrogation and contestation that democracy requires.

To make city life more democratic we must structure institutions and apply technologies in ways that allow citizens themselves to distinguish, through public activities, between reasonable and unreasonable preferences and activities. By improving the bargaining positions of citizens who face diminished life prospects through no choices of their own, and by giving them effective influence over the character of their shared spaces, we sustain interdependence by ensuring that no one community or neighborhood can be easily imposed upon by the choices of others, or effectively excluded from a variety of metropolitan markets and public services. Every community, every neighborhood, can, under the proposals I have outlined here, realistically challenge decisions made by others that impose unreasonable costs on them.

Indeed, the reasonableness of costs is precisely what should be at issue in municipal politics. By enhancing opportunities for alternative urban lifestyles and effective influence over local land uses, citizens can realistically engage in debates about such costs without their voices being discounted merely by virtue such factors as relative poverty, undesirable location, or unpopular transportation choices. In this way, interdependence is maintained in the metropolis, and democratic fairness is satisfied.

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[25]See Young, *Democracy and Exclusion, op. cit.*