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INTRODUCTION

HOUSING, PERSONHOOD, AND DIGNITY

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I. INTRODUCTION

To say that an affordable-housing symposium is particularly timely in the United States in 2007 seems an understatement. The issue has commanded the nation's attention over recent months as many regions have struggled, and continue to struggle, with a new influx of homelessness in the aftermath of natural disaster.¹ For other families, rising interest rates² and other in-

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1. U.S. Dept. Com., Natl. Oceanic & Atmospheric Admin., *Economic Statistics for NOAA* 18 (5th ed., Apr. 2006). I am referring primarily here to the devastation wrought by Hurricanes Katrina, Rita, and Wilma in 2005. The United States Department of Commerce National Oceanic and Atmospheric Administration's Program Planning and Integration Department, Office of the NOAA Chief Economist, described Hurricane Katrina as "the deadliest hurricane to strike the U.S. since 1928" and noted that "Hurricanes Katrina, Rita, and Wilma produced a record 2.733 million insurance claims." *Id.* The Congressional Research Service estimates that "as many as 700,000 families lived in areas that were acutely affected by [Hurricane Katrina]; these families may have been required to evacuate, at least temporarily." Maggie McCarty et al., *HUD's Response to Hurricane Katrina* 1, http://openers.cdt.org/rpts/RS22358_20060105.pdf (Jan. 5, 2006). The National Law Center on Homelessness & Poverty estimates the loss of homes after Hurricanes Katrina and Rita at "hundreds of thousands." Natl. L. Ctr. Homelessness & Poverty, *Know Your Rights after Hurricanes Katrina and Rita*, <http://www.nlchp.org/katrina/know%20rights.cfm> (updated Oct. 3, 2005). In remarks on the Senate floor on May 12, 2006, Senator John Kerry de-

creasing expenses,³ coupled with changes in bankruptcy law⁴ and additional economic pressures,⁵ have taxed personal resources to the point of homelessness.⁶ Affordable housing is a complex issue presenting many challenges, and a number of groups have a role in crafting the solutions: among others, the legislators, judges, and others responsible for making and implementing the laws that govern affordable housing; the attorneys who represent low-income clients; the academicians and law students who research solutions and participate in clinical programs; the architects who envision new kinds of affordable housing; and the city planners who help to incorporate affordable housing within the larger community context. Several of these groups have contributed to this symposium, which is meant to be of use and interest to each of the enumerated audiences and hopefully to others, as well.

scribed the homeless as numbering “more than 365,000” in Louisiana alone. 152 Cong. Rec. S4515-01 (daily ed. May 12, 2006). The precise number of persons made homeless by the storms seems unclear.

2. See Fed. Reserve, *H. 15 Selected Interest Rates*, <http://www.federalreserve.gov/release/H15/20061016/h15.txt> (Oct. 16, 2006) (listing interest rates over a period of time). According to Federal Reserve historical data, the daily effective federal funds rate has increased from 1 percent to 5.25 percent, from January 2004 to August 2006. *Id.*

3. See U.S. Dept. Labor, *Consumer Price Index*, <http://www.bls.gov/cpi/#data> (accessed Oct. 22, 2006) (indicating other examples of rising expenses, some of which arguably have contributed to the homelessness crisis). August 2006 Consumer Price Index data indicate a 16.9 unadjusted percent change in the index’s measure of household fuel cost since August 2005 and a 19.6 unadjusted percent change in the measure of gasoline. *Id.*

4. See Pub. L. No. 109-8, §§ 1–1502, 119 Stat. 23 (2005) (amending federal bankruptcy law). The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 requires pre-petition credit counseling for debtors, makes multiple bankruptcy filings more difficult, and limits the homestead exemption for debtors, among other measures. *Id.* at §§ 106, 221, 308.

5. See Comptroller Currency Admin. Natl. Banks, *Comptroller Dugan Expresses Concern about Negative Amortization*, <http://www.occ.treas.gov/toolkit/newsrelease.aspx?Doc=I51QIBS3.xml> (Dec. 1, 2005) (noting how economic pressures have contributed to the problem of homelessness). In a heavily reported news release, United States Comptroller of the Currency John C. Dugan urged reforms that would raise monthly minimum credit-card payments and require lenders to advise consumers as to how long it would take them to pay off their consumer debt if they paid the minimum amount each month. *Id.*

6. See U.S. Dept. Health & Hum. Servs. Substance Abuse & Mental Health Servs. Admin., *Homelessness Statistics and Data*, http://www.samhsa.gov/matrix/statistics_homeless.aspx (June 29, 2006). The United States Department of Health and Human Services Substance Abuse & Mental Health Services Administration estimates that, “over a five-year period, about 2–3 percent of the U.S. population (5–8 million people) will experience at least one night of homelessness.” *Id.*

2006]

Housing, Personhood, and Dignity

3

Langston Hughes' poem "Hope for Harlem"⁷ seems a fitting place at which to begin in discussing the role of housing in supporting personhood and dignity:

There's a new skyline in Harlem,
It's tall and proud and fine.
At night its walls are gleaming
Where a thousand windows shine.

There's a new skyline in Harlem
That belongs to you and me
As the dark old ugly houses
Tumble into memory—

Memory of those dingy stairs,
Memory of my helpless prayers,
Memory of the landlord's stares
When you asked him for a few repairs.

Now there's a new skyline in Harlem.
It's rising tall and free—
And if it keeps on rising
There'll be a brand new *me*.

Don't you know it makes a difference
When you got a clean new house?
I used to hear those old rats gnawing.
Now I don't even hear a mouse.

I used to climb those old steps,
Up dark old creaking stairs—
And sometimes I said a cuss word
Before I said my prayers.

But there's a new skyline in Harlem,
And I'm thankful when I pray
That the yard is bigger than a park,
And kids have a chance to play.

7. Langston Hughes, *Hope for Harlem*, in *The Collected Poems of Langston Hughes* 436–437 (Arnold Rampersad & David Roessel eds., Knopf 1995).

That the walls are painted pretty,
And the bathroom has a shower—
For folks who never thought they'd live
In a house that's got a tower.

*A stone to throw
Or a stone to build with?
A brick for a brickbat
Or a brick for a wall?
Stones are better
For building,
Bricks are better
For a wall.*

That's why I'm mighty happy
When I see those old walls fall,
When I see dead trees uprooted
For new trees to grow tall.

And I'm mighty glad I'm lucky
My name stayed on the list
To get a new apartment
Where I *live*—not just exist.

But I can't forget my brothers
Nor my sisters down the street
In those broken down old houses
Where both ends never meet.

Houses where the steps are creaking,
Where rats gnaw at the floors,
And a dozen names are sticking
In the doorbells at the doors.

Where clean clothes hang like banners
From dingy wall to wall—
Clothes that are *really* banners
Waving for us all—

Waving to the glory
Of those who climb the stairs
To wash the clothes of trying
In the soapsuds of their prayers.

2006]

Housing, Personhood, and Dignity

5

But the old skyline is sagging.
It looks sadder than before.
So I hope the day is coming
When there won't be any more.

Houses where the steps are creaking
And rats gnaw at the floors
And a dozen names are sticking
In each doorbell at the doors.

For there's a new skyline in Harlem.
It's rising here and there.
We're waiting for that skyline
To start rising everywhere!

*A new skyline in Harlem—
The answer to a prayer!*

When Hughes writes of “a brand new *me*,” when he says, “Don’t you know it makes a difference / When you got a clean new house,” and when he expresses his dream of an apartment “[w]here I *live*—not just exist,” he is arguing powerfully for the role of housing in defining personhood and supporting dignity. Those who know the history of affordable housing in the United States know, of course, that the “tall and proud and fine” buildings⁸ to which Hughes referred, the high-rise public-housing developments “[w]here a thousand windows shine,” did not always fulfill their early promise of safe, affordable housing for their low-income residents. Instead, these massive high-rise public-housing structures often themselves became “dark old ugly houses . . . [w]here rats gnaw at the floors.”⁹ Accordingly, a newly constructed affordable-housing development in 2007 is more likely to feature mixed-use, mixed-income, townhouse-style New Urban-

8. The Swiss architect Le Corbusier, who lived from 1887 to 1965 and promoted the idea of the high-rise “garden city,” was very influential in the design and development of high-rise public housing in the United States and other countries. A concise summary of his work is found in Le Corbusier, *Towards a New Architecture* (Dover Publications 1986).

9. See Camilo José Vergara, *Hell in a Very Tall Place*, 264 A. Mthly. 72 (Sept. 1989) (noting how public-housing developments do not always provide safe, habitable housing for low-income residents). One of many notorious examples is the Pruitt-Igoe public-housing development in St. Louis, Missouri, which was constructed from 1950 to 1954, quickly deemed a failure, and demolished in 1972. Camilo José Vergara’s famous article *Hell in a Very Tall Place* provides a compelling portrait of the phenomenon. *Id.*

ist¹⁰ dwellings and shops than it is to resemble the “new skyline in Harlem . . . rising tall and free” of which Hughes wrote. Even so, the underlying dream is the same today as it was when Hughes wrote that “the day is coming / [w]hen there won’t be any more” of our “[brothers and] sisters down the street / [i]n those broken down old houses / [w]here both ends never meet.”

This symposium explores some ways in which architects, planners, lawyers, academicians, and law students are working toward the goal Hughes described—and enjoying some success in doing so. None of the contributors to this symposium claims to have the answer to all of the problems that plague affordable-housing initiatives—among them poverty, crime, joblessness, poor health care, and poor education. Instead, realizing that no single initiative, standing alone, can fully respond to all of these challenges, the authors have each described how steps can nevertheless be taken now that make an appreciable difference in the lives of low-income people. In addition, even though some of the authors challenge government leaders and other policymakers to make and change laws in an effort to improve the lives of low-income persons, each author also presents solutions that are feasible today without wide-ranging systemic change. It is often easy for scholars to present only a negative thesis, describing the faults in existing ideas and policies, yet remaining comfortably removed from the fray. To present ideas that can be put into action right now, even though the legal framework may be imperfect and the problem is too great to be solved by any one person or any one idea, requires humility and courage, two qualities that are shared by each of the contributors to this symposium.

My own affordable-housing scholarship has been centered on the federal HOPE VI program. For more than three hundred years, much of the public housing in the United States has been unsafe and physically distressed, and many residents have been isolated and stigmatized.¹¹ In response to these problems and others, in 1992, Congress approved the HOPE VI public-housing-

10. See Cong. for the New Urbanism, *Charter*, <http://www.cnu.org> (accessed Oct. 15, 2006). Congress for the New Urbanism is arguably the most influential group in the move toward fine-grain, mixed-use urban development. To learn more about the New Urbanist program, visit <http://www.cnu.org> or read the group’s charter.

11. See Lawrence J. Vale, *From the Puritans to the Projects* (Harv. U. Press 2000) (discussing the history of housing for low-income people in the United States).

redevelopment program.¹² Although HOPE VI has provided funding for affordable-housing developments that incorporate attractive New Urbanist design, are marketed to persons at a variety of income levels, and emphasize lease enforcement and the provision of supportive services, I argue that the program has failed to improve the lives of the low-income persons who are most in need of assistance.

In my first affordable-housing article, *Promise Enforcement in Public Housing: Lessons from Rousseau and Hundertwasser*, which was published in 2002 by the *Tulane Law Review*, I proposed some ways to improve upon HOPE VI through a new approach to housing reform that I call Promise Enforcement.¹³ Like the other contributors to this symposium, I have endeavored to set forth a program that can be implemented right now, within the framework of existing governmental policy, rather than proposing a model that requires as a prerequisite considerable reform. Promise Enforcement is based upon the principles of Rousseauian social-contract theory. The analysis is supported through references to a controversial Viennese affordable-housing development called Hundertwasser-Haus, which was the work of late Viennese artist Friedensreich Hundertwasser.¹⁴

II. THE CONCEPT OF PROMISE ENFORCEMENT

Promise Enforcement tracks the basic components of HOPE VI—(1) New Urbanist design and planning, (2) income mixing, and (3) lease enforcement and community and supportive services—and describes how each of these components, although flawed in its current form, represents a step in the direction of

12. See generally Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act of 1993, Pub. L. No. 102-389, 106 Stat. 1571 (1992) (establishing the HOPE VI program). HOPE is an acronym for Homeownership and Opportunity for People Everywhere. To learn more about HOPE VI, visit the Housing and Communities section of the website for the United States Department of Housing and Urban Development at <http://www.hud.gov/offices/pih/programs/ph/hope6/about/index.ofm>.

13. Kristen D.A. Carpenter, *Promise Enforcement in Public Housing: Lessons from Rousseau and Hundertwasser*, 76 Tul. L. Rev. 1073 (2002).

14. The best introduction to Hundertwasser's theory of architecture can be found in Friedensreich Hundertwasser, *Hundertwasser Architecture: For a More Human Architecture in Harmony with Nature* (Benedikt Taschen Verlag GmbH 1997). Chapter five is devoted entirely to Hundertwasser-Haus. *Id.*

solving America's housing crisis. In introducing Promise Enforcement, I address each component of HOPE VI and discuss how I believe it should be modified to better address the needs of low-income persons and the larger community.¹⁵

My basic recommendations are threefold: (1) that the United States Department of Housing and Urban Development (HUD) require HOPE VI developments to be more fiscally, historically, and environmentally responsible; (2) that HUD require local housing authorities to more closely track the individuals who are relocated from the old public-housing communities during the redevelopment process and to ensure that such individuals are provided with replacement housing; and (3) that HUD require local housing authorities to invest more resources in the provision of supportive services and to allow residents of the HOPE VI developments to participate comprehensively in shaping their communities.

In making these recommendations, I point out what I believe are the best and worst aspects of each of the three components of HOPE VI. At their best, the New Urbanist style and features that typify HOPE VI developments blur the lines between public and private housing and thereby help to reconnect low-income residents with the larger community. At their worst, these same elements are artificial and even demeaning in their unreality, are fiscally irresponsible in a way that engenders societal resentment, and divert resources from the more cost-effective components of HOPE VI, such as the provision of supportive services.

Likewise, at its best, income mixing demonstrates a valuing of persons with different backgrounds and different life experiences and promotes the beneficial exchange of ideas among these groups. However, classifying persons based upon income also oversimplifies the differences among people. In addition, allowing higher-income persons to reside in HOPE VI developments transfers the valuable resource of affordable housing away from many who are greatly in need of it, and makes it impossible to rehouse all who are displaced by the redevelopment process. Furthermore,

15. The ideas in Part II were first presented in my article *Promise Enforcement in Public Housing: Lessons from Rousseau and Hundertwasser*, *supra* note 13. The text of Part II is not taken verbatim from the Tulane article, but can be considered an executive summary of its major points. Internal citations are therefore omitted.

I argue that income mixing is simply not effectuating the larger societal goals that were expected of it. Instead, merely housing persons of various income levels together has not, without more, tended to improve the lives of low-income persons.

Finally, at their best, programs that emphasize lease enforcement and community and supportive services are relatively cost-effective and have a demonstrably positive impact on the life outcomes of low-income individuals. Alone, however, these endeavors cannot eliminate the distress and stigma that plague low-income housing. In addition, HOPE VI programs have tended to underemphasize supportive services, and the provision of supportive services to relocated former public-housing residents has often not been effective. Furthermore, when imposed from outside the community, lease enforcement can deteriorate into harassment. I examine each of these propositions briefly below.

A. New Urbanist Design and Planning

HOPE VI has changed the physical appearance of many low-income housing developments and has attempted to change the relationship of such developments with both the neighborhoods and the regions in which they are located. HOPE VI housing appears much like private housing in both its physical design and amenities. Superblocks have been broken into smaller units, and interior streets, often missing from low-income housing, have been threaded through to eliminate the physical isolation of the developments. Neighborhood resources such as grocery stores have been another major part of this effort. Because market forces alone often have not been sufficient to support such retail establishments, generous government subsidies are frequently employed. At the regional level, HOPE VI encourages a societal recognition that low-income housing is not merely a matter of local concern. Instead, a regional focus has been encouraged through initiatives such as region-based funding for public services.

New Urbanist design and planning come at a high cost, however; because the new HOPE VI developments cost more than the housing units are worth on the private market, it is impossible not to think of these programs as charitable, a concept that engenders resentment in our market-based system. In addition to employing more fiscally responsible building techniques, afford-

able housing can contribute to the community in nonmonetary respects, through greater attention to what I have called environmental and historical responsibility. First, low-income housing should be built in such a way as to benefit, rather than tax, the environmental resources of the larger community. Including green space, trees, and other natural elements to filter noise, dust, and water are fairly simple mechanisms to accomplish this goal. Along the same lines, I argue that affordable housing should be historically responsible. Including features of historical significance in new buildings and “recycling” sturdy older buildings of historical value, rather than tearing them down, are two ways to reach this goal.

B. Income Mixing

HUD requires some degree of income mixing in each HOPE VI community, and each community has significant leeway in crafting its own plan to achieve the required mix. Whatever the specific mechanisms employed, however, each experiment in income mixing has the same ultimate goals—facilitating networking between market-rate or moderate-income and low-income tenants, so as to encourage the development of positive social norms, better education, higher rates of employment, and lower rates of crime among members of the low-income community. Income mixing and New Urbanist planning and design work together, in that market-rate tenants are unlikely to be attracted to traditional low-income housing.

The attractive New Urbanist design of the HOPE VI developments has made success with income mixing, at least at a literal level, fairly easy to achieve. The larger societal goals that were expected of income mixing, however, have proven to be more elusive. In addition, programs that emphasize income mixing can be criticized as oversimplifying the differences between people and tending to group people according to fairly opaque categories such as “market-rate tenants” and “low-income tenants,” rather than valuing individuals as such.

Of perhaps even greater concern, however, is the effect that income mixing, combined with the elimination of the “one-for-one replacement requirement,” which ensured a fairly steady number of affordable-housing units would be maintained despite any demolition or redevelopment projects that might be undertaken,

has had on those individuals who have been displaced from their homes through HOPE VI. The net loss of thousands of low-income housing units, coupled with the fact that housing has never been a legal entitlement in the United States, has created a disproportionate negative impact on the low-income community and particularly, as many scholars have noted, on low-income African-Americans. Although HUD requires that relocation resources be provided to displaced individuals, many housing authorities require that tenants maintain the status of residents in good standing at the time at which the old development is demolished, to be eligible for relocation assistance and potentially eligible for residence in the new HOPE VI community. This dynamic has led to allegations of abuse, with many former residents claiming they were forced out early through misuse of the eviction process, simply so that the housing authority would be relieved of any obligation to them. Many of the problems reported seem to stem from the fact that the former public-housing residents felt they were not given an effective voice in the planning of the new community.

The requirement that HOPE VI residents be either employed or at least actively participating in job training has led to allegations that only the most functional residents of the former public-housing projects have been offered homes in the new communities. Thus, it appears that HOPE VI may not be of benefit to those most in need of assistance. In addition, despite the fact that HUD provides guidance to local housing authorities regarding appropriate relocation measures, the tracking of relocated residents and provision of supportive services to this group have been unsatisfactory.

Finally, even some former public-housing residents who have been given the opportunity to live in redeveloped HOPE VI communities have complained of alienation in their new homes. Some have claimed that the landlords cater to the market-rate tenants, while others decry a loss of their former community or a dilution of their political power.

C. Lease Enforcement, Community Services, and Supportive Services

I argue that this last component of HOPE VI is the most important—and the most undervalued. Lease enforcement involves the bilateral enforcement of responsibilities between landlord and

tenant and is the keystone to a safe, clean living environment. Indeed, my term “Promise Enforcement” is meant to suggest healthy, robust expectations by landlords and tenants of one another; that is, each group should expect to be treated as if it is capable of making and keeping important promises to the other, and worthy of having promises made to it—and kept. This critical element can go awry if the rules being enforced are imposed wholly from outside the community, rather than being the product of collaboration between both contracting groups. Relatively mild problems can include cultural clashes, while more severe problems might include the deterioration of neighborhood security protection into harassment of residents. HOPE VI communities, and, indeed, all affordable-housing developments, should include some meaningful role for the natural leaders in the low-income community. Community-service programs that provide an opportunity for low-income persons to contribute to the larger community through volunteer work and other civic initiatives are consistent with the bilateral spirit of Promise Enforcement.

Supportive services such as computer-skills training, household management, and job-training programs are demonstrably effective in improving the life outcomes of low-income persons, at least when these programs are intensive and carefully tailored to provide skills that are marketable in the specific geographic area where the participants are located. HUD funds a wealth of such services. HUD’s overall commitment to supportive services as a component of HOPE VI, however, is difficult to assess because HUD apparently does not require local housing authorities to show that any portion of the HOPE VI grant was spent on the provision of these services. Thus, the extent to which these essential services are provided depends strongly on local culture. In addition, the elimination of a former requirement that cities provide matching funds for part of the grant money to be spent on supportive services—a small but important symbolic gesture—reinforces local housing authorities’ impression that HUD perceives these services to be of secondary importance.

Because lease enforcement and supportive services are relatively cost-effective and have produced positive results, HUD should explore the extent to which these programs alone may create significant results. This effort may be of particular importance because sufficient funds do not exist for a HOPE VI-style over-

haul of every distressed public-housing development in the country.

D. Why Study HOPE VI, If It Is Flawed?

Because HOPE VI is the primary federal housing program for new construction that is being funded at this time, albeit in smaller and smaller amounts,¹⁶ I believe it is important to show how its resources can better be allocated, building upon the program's successes while addressing some of its failings, rather than positing an entirely new regime for housing. The advantages of this approach are, I believe, twofold. First, from a practical perspective, it makes sense to show how an existing framework can be used, rather than insisting on perfection that cannot be obtained. Second, given the urgent need for affordable housing in this country at this time, I believe it is important to present ideas that can be put into immediate action. This symposium is intended to set forth other such ideas for the consideration and, perhaps, the implementation, of policymakers at all levels of government.

III. THE CONTRIBUTORS TO THIS SYMPOSIUM: PROMISE ENFORCEMENT IN ACTION

The contributors to this symposium exemplify what I have called "Promise Enforcement" and demonstrate how members of many different groups, including, but not limited to, legal-services attorneys, public defenders, urban planners, architects, academi-

16. See U.S. Dept. Hous. & Urb. Dev., *supra* n. 12, at <http://www.hud.gov/offices/pih/programs/ph/hope6> (listing funding information for the HOPE VI program from the years 2004–2006 and showing the decrease in funding for the program). The White House proposed budgets for 2004, 2005, 2006, and 2007 included no funding for HOPE VI; in each year, Congress chose to fund the program anyway, albeit at much lower amounts than had originally been allocated for its initiatives. The White House has also sought to rescind congressional appropriations in each of these years, once made. See U.S. Dept. Hous. & Urb. Dev., *supra* n. 12, at <http://www.hud.gov/offices/cfo/reports/cforept.cfm> (updated Oct. 16, 2006) (listing the requested and actual budgets for fiscal years 2003–2007). House Report 5347, introduced by Representative Christopher Shays of Connecticut and co-sponsored by twenty-eight others, seeks reauthorization for HOPE VI and was recently passed by the House of Representatives. Rep. Christopher Shays, *Shays' Hope VI Reauthorization Bill Passes House*, <http://www.house.gov/shays/news/2006/September/Septhope.htm> (Sept. 27, 2006).

cians, and law students, can contribute to solving the problems of homelessness and underhousing.

I became familiar with the work of architect Sam Davis through his influential book *The Architecture of Affordable Housing*.¹⁷ His latest book, *Designing for the Homeless: Architecture That Works*,¹⁸ is equally compelling. Davis makes a number of powerful observations in the chapter of this book that is included in this symposium. As he points out, even those persons who do not find the provision of housing to be morally compelling should take note of the fiscal reality that there is no avoiding the cost of homelessness. Indeed, by ignoring the underlying problem and dealing only with the resultant emergencies, the public expends the greatest sum for the least benefit: Davis identifies enormous outflows of public funds to address public-health and safety concerns associated with what is sometimes euphemistically called “urban camping,” for example, while the problem of homelessness itself remains unaddressed. Davis also addresses the criminalization of homelessness, which, in addition to the fairness issues it raises, simply contributes to a culture of hopelessness and even greater public expense. As Davis shows, social services and housing go hand in hand—neither alone is sufficient to solve the problem of homelessness. He also describes how thoughtful architecture is a crucial part of the solution, not a matter of aesthetics or a luxury that should be dependent on the perceived worthiness of low-income people. In making this point, he shows that mass production and low-quality materials are not the answer to cost-effective construction of affordable housing. Davis also reminds the reader of the importance of focusing on people rather than merely on buildings—a statement that is particularly powerful when made by an architect, and he emphasizes the benefit to the larger community—not merely the residents—of attractive low-income housing.

Professor James A. Kushner and I share an interest in approaching affordable-housing issues from an interdisciplinary perspective. He is the author of a number of influential articles and books including *Comparative Urban Planning Law: An In-*

17. Sam Davis, *The Architecture of Affordable Housing* (U. Cal. Press 1995).

18. Sam Davis, *Designing for the Homeless: Architecture That Works* (U. Cal. Press 2004).

Introduction to Urban Land Development Law in the United States through the Lens of Comparing the Experience of Other Nations.¹⁹ The title of his article for this symposium is *Urban Planning and the American Family*. In this article, employing a mantle sometimes worn by opponents of low-income housing, Professor Kushner explains how the process of planning for affordable housing is actually a family-friendly endeavor. He writes of the importance of community engagement and environmental responsibility as crucial parts of this endeavor, and shows how the isolation that can result from poor planning can affect the suburban family as well as the family in an urban high-rise. His work demonstrates the value of thoughtful design and the importance of creating opportunities for individuation.

I became familiar with the work of attorney Julie Levin through my colleague Professor Candace Zierdt, who herself has accumulated an outstanding record as a legal-services attorney. Professor Zierdt told me of Levin's courageous and exceedingly successful litigation work on behalf of Legal Aid of Western Missouri, through which the Housing Authority of Kansas City (HAKC) was placed into receivership in 1993. In their contribution to this symposium, Tinsley v. Kemp—*A Case History: How the Housing Authority of Kansas City, Missouri Evolved from a "Troubled" Housing Authority to a "High Performer,"* Julie and Murray Levin tell this impressive story. In doing so, the authors also explore the United States' systemic historical discomfort with the idea of low-income housing, a discussion that brings to mind the excellent work of Lawrence Vale in his book *From the Puritans to the Projects*.²⁰

In telling the story of HAKC and its revitalization through receivership, Julie and Murray Levin also tell the story of federal housing policy as it has evolved over the last several decades. The article provides useful guidance for attorneys and policymakers who are considering—or who might, in the future, be considering—the option of receivership for a troubled housing authority. Readers needing an overview of the federal HOPE VI program

19. James A. Kushner, *Comparative Urban Planning Law: An Introduction to Urban Land Development Law in the United States through the Lens of Comparing the Experience of Other Nations* (Carolina Academic Press 2003).

20. Lawrence J. Vale, *From the Puritans to the Projects* (Harv. U. Press 2000).

and HUD's process for evaluating public-housing authorities will also benefit from the authors' discussion of both.

The authors show how litigation involving one HAKC property with uninhabitable conditions sparked enormous, system-wide change for HAKC that not only improved the physical environments in which residents lived, but also greatly improved the relationships between HAKC, its residents, and the larger community. Fairer lease provisions; strong resident involvement in renovation, rebuilding, and other HAKC initiatives; and Family Self-Sufficiency Programs are examples of the successes Julie Levin and others have achieved through their advocacy, vision, and hard work.

Dr. Saad S. Yahya is one of the authors of the book *Double Standards, Single Purpose: Reforming Housing Regulations to Reduce Poverty*.²¹ I first learned of this work when I was researching *Promise Enforcement in Public Housing*. In our first e-mail correspondence, Dr. Yahya, a professor and scholar in Kenya, took note of the perhaps surprising similarity between the affordable-housing problems in our respective parts of the world. His words have stayed with me, and his work shows the universality of many of the challenges that communities and governments face in seeking to provide low-income housing, as well as some of the attempts to address these challenges at the global level. In his article for this symposium, *Unmaking the Slums: Emerging Rules, Roles, and Repertoires*, Dr. Yahya describes the power of individuals—which can be used for good purposes or for destructive ones—in determining the future of low-income housing. At the same time, his work demonstrates the important role of central and local governments, which he describes as holding the “duplicate key” to the success of any affordable-housing initiative.

Dr. Yahya's emphasis on persons rather than buildings as the major focus for housing reform brings to mind the example of late Viennese artist and architect Friedensreich Hundertwasser. Hundertwasser wrote of housing as humankind's “third skin,” thus emphasizing both the primacy of persons, rather than buildings, and the importance of housing to identity.²² Dr. Yahya's work also

21. Saad Yahya et al., *Double Standards, Single Purpose: Reforming Housing Regulations to Reduce Poverty* (ITDG Publ. 2001).

22. Pierre Restany, *Hundertwasser: The Painter-King with the 5 Skins* (Benedikt

stresses the importance of positive social norms in sustaining a healthy community, and the need to ensure that housing for low-income persons is integrated into the larger community. His statement, “the slum is part of the city,” makes the point clearly: issues that affect low-income housing ultimately affect the entire community.²³ Dr. Yahya also discusses the role of microlending and community-development credit unions in strengthening the financial position of low-income people.²⁴

Professor Ann M. Piccard is my colleague at Stetson University College of Law, where she serves as advisor to the Public Service Fellows, among many other academic and pro bono endeavors. Prior to joining the Stetson faculty, she was an attorney with Bay Area Legal Services, Inc. in Tampa, where she coordinated the Bay Area Volunteer Lawyers Program. In her article *Residential Evictions in Florida: When the Rent Is Due, Where Is the Process?*, Professor Piccard presents a reasoned approach to what she calls “the deadest of dead ends,” eviction from public housing. She describes the current law in Florida as fostering “utter helplessness,” both for low-income persons and for those who represent their interests.

As Professor Piccard’s article demonstrates, the Uniform Residential Landlord and Tenant Act (URLTA) is an example of Promise Enforcement, protecting the reasonable interests and expectations of both the landlord and the tenant. The Act was drafted by the National Conference of Commissioners on Uniform State Laws and was promulgated in 1972.²⁵ As of the date of this writing, twenty-one states have adopted the Act, which was en-

Taschen Verlag GmbH 1998). Restany sets forth at length Hundertwasser’s explication of man’s five “skins”: epidermis, clothing, housing, social environment, and global environment. *Id.*

23. Saad S. Yahya, *Unmaking the Slums: Emerging Rules, Roles, and Repertoires*, 36 *Stetson L. Rev.* 121 (2006).

24. Michael S. Barr and Anthony D. Taibi have written compelling articles on these issues. See Michael S. Barr, *Microfinance and Financial Development*, 26 *Mich. J. Intl. L.* 271 (2004) (discussing microfinance as an essential element in “a developing country’s overall financial development strategy”); see also Anthony D. Taibi, *Banking, Finance, and Community Economic Empowerment: Structural Economic Theory, Procedural Civil Rights, and Substantive Racial Justice*, 107 *Harv. L. Rev.* 1463 (1994) (discussing how the American financial system disempowers minorities and arguing for community-based solutions).

25. Unif. Residential Landlord & Tenant Act (URLTA) §§ 1.101–5.101, 7B U.L.A. 527–647 (2000 & Supp. 2005).

dorsed by the American Bar Association. Although Professor Piccard's article focuses on the law of residential evictions in Florida, her article should also be useful to attorneys and policymakers in other jurisdictions evaluating the URLTA.

I met Professor Jacqueline Dowd through The Florida Bar Public Interest Law Section Homelessness Committee, an organization in which she and I are both involved. Professor Dowd writes of the roles that academicians and law students can play, through clinics, in making a difference in the lives of low-income persons. She describes two clinics, established by legislative mandate, that have brought together her own law school with other community resources. She provides a clear picture of several important matters with which advocates for low-income persons must contend, such as the issue of worthiness and the importance of treating clients, not as saints or objects of pity, but simply as other humans with whom the attorney might ultimately connect on a personal level.

Professor Dowd also enumerates some of the particular expenses associated with being poor, bringing to mind Professor Kushner's discussion of the existing governmental subsidies for higher-income persons through tax breaks for homeowners. As an example, Dowd points to the higher filing fees tenants must pay when they wish to sue landlords, rather than vice versa. Professor Dowd also explains how law-school clinics can help to address these fairness issues and other concerns facing low-income persons. Importantly, the benefit of the clinics Professor Dowd describes does not flow in only one direction, from advocate to client. Instead, her article shows that students who participate in these clinics also receive some powerful benefits, both educational and practical.

I met attorneys Luis Almodovar and Stacy McNally through the same Homelessness Committee function where I met Professor Dowd. At the event, their supervising attorney, Public Defender Bob Dillinger, was making a presentation regarding the Homeless Outreach Program that is the subject of Almodovar and McNally's article for this symposium. In listening to Mr. Dillinger and visiting with Stacy and Luis, I was immediately impressed with the way in which the program treats homeless persons with dignity and respect. As I wrote in the *Tulane* article, I feel strongly that being treated as a person capable of making and

keeping promises and worthy of having promises made to and kept, is fundamental to dignity and personhood.

I hope that readers will benefit from and enjoy this symposium issue of the *Stetson Law Review*. I look forward to any feedback that might be forthcoming and will be pleased to continue discussing these crucial issues with any interested parties.

IV. A SELECTED ANNOTATED INTERDISCIPLINARY BIBLIOGRAPHY

The following are some of the many books and articles that may be useful and interesting to persons who are interested in affordable housing. I have chosen them for their influence, ideas, and the ways in which they represent the contributions of many disciplines, including but not limited to law, urban planning, architecture, and philosophy. There are many other excellent resources that I have not included; these are my favorites, and, all other factors being equal, I have tended to include those that may be less familiar to readers with a traditional legal background.

Jane Aiken & Stephen Wizner, *Law as Social Work*, 11 Wash. U. J.L. & Policy 63 (2003). The authors suggest that lawyers should embrace and learn from, rather than bristle at, the notion that the practice of law incorporates social work as well as legal advocacy in the usual sense. As Professor Dowd suggests in citing this source in her symposium article, this perspective is perhaps particularly appropriate and useful for advocates of low-income persons.

Christopher Alexander, *The Timeless Way of Building* (Oxford U. Press 1979). In this first volume in the Center for Environmental Structure series out of Berkeley, California, Alexander sets forth his theory of architecture. As the author states in his introduction, "There is one timeless way of building. It is thousands of years old, and the same today as it has always been."

Christopher Alexander et al., *A Pattern Language: Towns, Buildings, Construction* (Oxford U. Press

1977). This second volume in the Center for Environmental Structure Series is meant to provide archetypes by which all planners and builders—from architects and city planners to laypersons—can design and build meaningful and coherent structures.

Gaston Bachelard, *The Poetics of Space: The Classic Look at How We Experience Intimate Places* (Beacon Press 1994). First published in 1958, this book is still influential. In the foreword to the most recent edition, Professor John R. Stilgoe describes Bachelard as introducing his readers “to the titanic importance of setting.” Stilgoe aptly describes this as a “magical book” in which Bachelard explores the unique role of “home” in consciousness and memory: “Bachelard guides the reader into wondering why adults recall childhood cellar stairs from the top looking down but recall attic stairs from the bottom looking up, into musing on the significance of doorknobs encountered by children at eye level, into pondering the mysteries of fingertip memory.”

Stewart Brand, *How Buildings Learn: What Happens after They're Built* (Penguin Bks. 1994). Exploring the thesis that an architect or builder cannot possibly know all of the future uses for his or her work, and that architecture should therefore respond to the changing needs of its inhabitants over time, Brand shows how buildings can improve with age, rather than deteriorate, while retaining the flexibility needed to serve a changing population.

Sam Brownback, *Resolving HUD's Existing Problems Should Take Precedence over Implementing New Policies*, 16 St. Louis U. Pub. L. Rev. 235 (1997). Brownback describes how public housing, as an outgrowth of the Depression, was intended both to create jobs in the construction industry and to house low-income persons. This dual purpose, Brownback asserts, helps to explain the cost differential between project-based and voucher-based housing programs.

Sherban Cantacuzino, *Re-Architecture: Old Buildings, New Uses* (Abbeville Press 1989). Using examples from Europe, the United Kingdom, and the United States, the author describes a trend away from demolition of old buildings, in favor of reconstruction and reuse. As he shows, this trend can be seen in public and private buildings, places of worship, and urban and rural areas alike. In addition to chronicling examples of the reuse of buildings, the author also provides guidance as to how the process can best be accomplished and encouraged.

Congress for the New Urbanism, *Charter of the New Urbanism* (Michael Leccese & Kathleen McCormick eds., McGraw-Hill 2000). This book sets forth the vision of the Congress for the New Urbanism, a group established in 1993 with a view toward restoration of communities in both urban and suburban areas. The book, which consists of a collection of essays by a variety of contributors, sets forth the twenty-seven principles of the organization's charter.

Michael J. Crosbie, *Color & Context: The Architecture of Perry Dean Rogers & Partners* (Rockport Publishers 1995). Color is one of the most powerful, cost-effective ways to enliven a space, and this book shows some of the ways in which the architectural firm of Perry Dean Rogers & Partners has used color to transform environments.

William J.R. Curtis, *Modern Architecture since 1900* (3d ed., Phaidon Press Ltd. 1996). Anyone who wishes to study the affordable housing of the last century must be familiar with the modern architecture that dominated its form for much of this time. Curtis' book provides a clear overview of the phenomenon. The book is not focused on affordable housing specifically, although it does include the Pruitt-Igoe project in St. Louis, built from 1950 to 1954 and demolished in 1972, as well as other examples of mass housing from around the world.

Sam Davis, *The Architecture of Affordable Housing* (U. Cal. Press 1995). This influential book, which opens with an acknowledgement that its very concept could be seen as “an oxymoron of classic proportions,” is notable for its honest, clear-eyed treatment of the nationwide housing crisis. In his introduction, Davis addresses directly the notion that quality architecture is, “like [culture], only for the lucky, moneyed few.” He also takes on the misconceptions that “housing is a commodity, like refrigerators” that can “be produced in a single location and distributed throughout the nation” and that “affordable housing should not exceed a minimum standard [of being] basic, safe, and clean—but no more.” In the balance of this excellent book, Davis argues powerfully and practically for the importance of architecture in affordable housing which, as he shows, encompasses far more than housing for those at the very lowest income levels.

Sam Davis, *Designing for the Homeless: Architecture That Works* (U. Cal. Press 2004). Davis’ most recent book, from which his contribution to this symposium issue is taken, not only describes with compelling clarity the urgent need for societal attention to the problem of housing the homeless, but also presents an array of thoughtful, innovative solutions that may be effective in a variety of environments.

Andrea Oppenheimer Dean, *Rural Studio: Samuel Mockbee and an Architecture of Decency* (Princeton Architectural Press 2002). This book chronicles the work of Coleman Coker and the late Sam Mockbee with Auburn University’s innovative Rural Studio, where Auburn students are focused “on the design and construction of modest, innovative houses for poor people” in the neighboring communities of rural Alabama.

Cheryl P. Derricotte, *Poverty and Property in the United States: A Primer on the Economic Impact of Housing Discrimination and the Importance of a U.S. Right to Housing*, 40 How. L.J. 689 (1997). Derricotte focuses

on the 1965 United Nations Convention on the Elimination of All Forms of Racial Discrimination, using the Convention to argue that the United States should recognize a right to housing.

Robert C. Ellickson, *New Institutions for Old Neighborhoods*, 48 *Duke L.J.* 75 (1998). Professor Ellickson employs the “broken windows” theory of crime made famous by James Q. Wilson and George L. Kelling, making the point that “physical disorder signals social breakdown.”

Nan Ellin, *Postmodern Urbanism* (Rev. Ed., Princeton Architectural Press 1999). My favorite part of this notable urban theorist’s book is chapter five, in which the author explores “Themes of Postmodern Urbanism,” which she enumerates as “Form Follows Fiction,” “Form Follows Fear,” “Form Follows Finesse,” and “Form Follows Finance.”

Hassan Fathy, *Architecture for the Poor: An Experiment in Rural Egypt* (U. Chi. Press 1973). The foreword by William R. Polk, president of the Adlai Stevenson Institute of International Affairs, jolts the reader with the directness of its opening sentence: “At least one billion people will die early deaths and will live stunted lives because of unsanitary, uneconomic, and ugly housing.” The book goes on to explore the social, economic, and aesthetic costs of housing, focusing on Fathy’s work with a village in rural Egypt, where he taught inhabitants to design and build their own homes with locally-available materials. The book is no fairy tale—the project encountered considerable opposition that is chronicled in the book—but it describes the endeavor in great detail and reminds the reader, again borrowing the words of Polk’s foreword, that “[t]here is no substitute even in the world of speed, mass, and abstraction for the gifted individual who cares.”

Francis Ferguson, *Architecture, Cities, and the Systems Approach* (George Braziller 1975). Ferguson presents a system by which the many constituencies who must be included in the planning of any new community can be brought meaningfully into the decision-making process.

Maria Foscarinis, *Advocating for the Human Right to Housing: Notes from the United States*, 30 N.Y.U. Rev. L. & Soc. Change 447 (2006). Ms. Foscarinis is the founder and executive director of the National Law Center on Homelessness & Poverty, and has written extensively in the area of housing and human rights. This recent article is one of several excellent pieces in which she argues for the right to housing. In other influential work, including *Downward Spiral: Homelessness and Its Criminalization*, 14 Yale L. & Policy Rev. 1 (1996), she focuses on the criminalization of homelessness.

Arthur B. Gallion & Simon Eisner, *The Urban Pattern: City Planning and Design* (D. Van Nostrand Co. 1950). I smiled when I read the dedication of this half-century-old book: “Dedicated to the Future Generation.” The issues the authors discussed—zoning, traffic control, population density, and blight, among others—are as timely now as when the book was written, and the authors’ perspectives remain remarkably fresh.

Manuel Gausa, *Housing: New Alternatives, New Systems* (Actar Publishers 1998). This book focuses on mid- to large-scale housing developments by a variety of architects around the world, showing, by photograph, model, and plan, the problems each development faced and the solutions that were employed.

Henry Glassie, *Vernacular Architecture* (Ind. U. Press 2000). The book’s first sentence sums up the author’s thesis: “Buildings, like poems and rituals, realize culture.” Glassie goes on to explore the ways in which

“neglected” forms can typify vernacular architecture and can help to separate meaningful, contextual architecture from that which is merely imposed upon a space or community.

Nora Richter Greer, *Architecture as Response: Preserving the Past, Designing for the Future* (Rockport Publishers 1998). With section headings such as “Respectful Response: Renewing and Reshaping,” “Harmonious Response: Adding New to Old,” and “Congenial Response: Inserting New into an Existing Environment,” the architects of Einhorn Yaffee Prescott demonstrate their understanding of the contextual nature of architecture.

Chester W. Hartman, *Housing and Social Policy* (Prentice-Hall 1975). This book explores the concept of a right to housing in the context of the market system, examining whether such a right can be realized in a profit-driven housing market.

Thomas S. Hines, *Irving Gill and the Architecture of Reform: A Study in Modernist Architectural Culture* (Monacelli Press 2000). Irving Gill, who lived from 1870 to 1936 and worked primarily in Southern California, was known for his commitment to creative, high-quality housing for low-income persons. His work is also characterized by simple, long-lasting design intended to improve, rather than deteriorate, with age. Gill is sometimes compared with noted Viennese architect Adolph Loos, a comparison I find interesting given fellow Viennese architect Friedensreich Hundertwasser’s own distaste for Loos, recorded in an essay called “Loose from Loos,” and some similarities I see between the mission and social and environmental concerns of Gill and Hundertwasser, if not their designs.

Friedensreich Hundertwasser et al., *Hundertwasser Architecture: For a More Human Architecture in Harmony with Nature* (Benedikt Taschen Verlag GmbH

1997). This book catalogues the architecture of the late Viennese activist-artist-architect Friedensreich Hundertwasser, whose Hundertwasser-Haus, a low-income housing development in Vienna that opened its doors in 1986, influenced me in developing the concept of Promise Enforcement.

Institute for Policy Studies, *America's Housing Crisis: What Is to Be Done?* (Chester Hartman ed., Routledge & Kegan Paul 1983). In the words of Mr. Hartman's introduction, the contributors to this volume shared the belief that "decent, affordable housing is a *right*, an *entitlement* (not merely a goal), and . . . the country unquestionably has the resources to make this available to all its people." The essays in this book are thus centered on the theme of a right to housing.

Blair Kamin, *Why Architecture Matters: Lessons from Chicago* (U. Chi. Press 2001). This collection of columns, written by the Pulitzer Prize-winning architecture critic for the *Chicago Tribune*, employs an approach to architectural critique that the author calls "activist criticism." As Paul Goldberger, architecture critic for *The New Yorker*, wrote of Kamin's work, "Kamin doesn't simply write about architecture, he writes about human life—about communities and cities and politics and planning and history, and the way buildings, good and bad, can affect these things."

Larry Keating & Carol A. Flores, *Sixty and Out: Techwood Homes Transformed by Enemies and Friends*, 26 *Urb. Hist.* 275 (2000). Keating and Flores provide a comprehensive history of the Techwood/Clark Howell public-housing community in Atlanta, Georgia. They draw parallels between the initial redevelopment of the neighborhood in the 1930s that resulted in the Techwood/Clark Howell project's construction, and the 1990s transformation of Techwood/Clark Howell into Centennial Place through HOPE VI.

James A. Kushner, *Comparative Urban Planning Law: An Introduction to Urban Land Development Law in the United States through the Lens of Comparing the Experience of Other Nations* (Carolina Academic Press 2003). Professor Kushner addresses many of the most important issues facing contemporary urban planners, including, among others, sprawl, affordable housing, planning for transportation, and environmental sustainability.

Le Corbusier, *Towards a New Architecture* (Dover Publications 1986). The work of this architect and city planner who lived from 1887 to 1965 has been enormously influential in modern architecture, and his influence is especially notable in the architecture and design of the high-rise low-income housing that has dominated many skylines in the United States.

Donald MacDonald, *Democratic Architecture: Practical Solutions to Today's Housing Crisis* (Whitney Lib. Design 1996). MacDonald's work is motivated by four principles: (1) the right to housing, (2) the primary goal of housing to meet the needs of its inhabitants, (3) the need for environmental responsibility in housing design and construction, and (4) the need for housing design to reflect the diversity of those who will live there.

Tracey L. Meares & Dan M. Kahan, *Urgent Times: Policing and Rights in Inner-City Communities* (Beacon Press 1999). Meares and Kahan argue, in their provocative book, that residents of the inner city should be permitted, if they so choose, to waive their Fourth Amendment rights for the purpose of policing their community. The authors assert, in supporting this thesis, that gang dominance has already rendered these rights meaningless in many communities.

Margaret Morton, *Fragile Dwelling* (Aperture Found. 2000). This collection of powerful photographs of the dwellings created by homeless persons in New York

City is presented, in the words of the introduction written by Alan Trachtenberg, “[w]ith a combination of determined curiosity and tactfulness,” managing to show the reader “something beyond a culture of despair, something to wonder at, to admire, even to celebrate,” without “flinch[ing] from the facts of abject poverty.”

Lewis Mumford, *The City in History: Its Origins, Its Transformations, and Its Prospects* (M.J.F. Bks. 1989). This book, which won the National Book Award, traces the development of cities from the cemeteries and shrines of ancient times to the suburbs of today.

Kenneth Powell, *City Transformed: Urban Architecture at the Beginning of the 21st Century* (te Neues Publ. Co. 2000). Powell writes about the New Urbanist movement and the reintroduction of housing into the city center, providing examples from around the world. In emphasizing the importance of the return of housing to cities’ urban cores, the author writes in his introduction, “Housing is fundamental to a viable city—a city where nobody lives is dead.”

Vicky Richardson, *New Vernacular Architecture* (Watson-Guptill Publications 2001). Arguing against what Richardson calls “global blanding,” this book explores the importance of local context and an understanding of local needs and culture in creating architecture with meaning. Although only a few pages are devoted to the problem of affordable housing, other civic construction is featured more prominently.

Florence Wagman Roisman, *National Ingratitude: The Egregious Deficiencies of the United States’ Housing Programs for Veterans and the “Public Scandal” of Veterans’ Homelessness*, 38 Ind. L. Rev. 103 (2005). Professor Roisman is one of the great leaders in affordable-housing scholarship, and choosing from her work—even her recent work—is a near-impossible feat. I have selected this article because it presents a

perspective not otherwise represented in this bibliography: the problem of homeless veterans. A second recent article that is also outstanding is *Keeping the Promise: Ending Racial Discrimination and Segregation in Federally Financed Housing*, 48 *How. L.J.* 913 (2005).

Witold Rybczynski, *Home: A Short History of an Idea* (Penguin Bks. 1986). The book's context, according to the author's introduction, is the traditional omission of the concept of comfort from the formal study of architecture. In part to respond to this omission, the book explores the evolution of the idea of a comfortable environment as part of what makes a home "home." The author is also known for his excellent biography of Frederick Law Olmstead, *A Clearing in the Distance: Frederick Law Olmstead and America in the Nineteenth Century* (Scribner 1999).

Witold Rybczynski, *The Most Beautiful House in the World* (Penguin Bks. 1989). In describing the process of building his own house, the author writes more generally of the ways in which a home is an extension of one's own identity. He writes, "Inhabiting does not only mean living within. It means occupying—infusing a particular site with our presence, and not only with our activities and physical possessions, but also with our aspirations and dreams."

Jerry J. Salama, *The Redevelopment of Distressed Public Housing: Early Results from HOPE VI Projects in Atlanta, Chicago, and San Antonio*, 10 *Hous. Policy Debate* 95 (1999). The author argues that the elimination of the "one-for-one replacement requirement," a very controversial policy decision, has been crucial to the success of HOPE VI in those communities that have had positive experiences with the program.

Peter W. Salsich, Jr., *Thinking Regionally about Affordable Housing and Neighborhood Development*, 28 *Stetson L. Rev.* 577 (1999). Professor Salsich argues for a

regional approach to affordable housing that would encompass inclusionary land-use policies and efforts to share the regional tax base.

Michael H. Schill, *Distressed Public Housing: Where Do We Go from Here?*, 60 U. Chi. L. Rev. 497 (1993). In this article, Schill argues that both the revitalization of existing low-income housing and the federal programs that facilitate mobility, such as voucher initiatives, have an appropriate role in resolving the crisis in affordable housing.

Michael H. Schill & Susan M. Wachter, *The Spatial Bias of Federal Housing Law and Policy: Concentrated Poverty in Urban America*, 143 U. Pa. L. Rev. 1285 (1995). Schill and Wachter explore the manner in which federal housing law has exacerbated the isolation and concentration of low-income persons in the inner cities of America.

Sanford F. Schram, *After Welfare: The Culture of Postindustrial Social Policy* (N.Y.U. Press 2000). In the author's words, this book offers "a cultural critique of social welfare policy in the United States at the end of the twentieth century."

Alex Schwartz & Kian Tajbakhsh, *Mixed-Income Housing: Unanswered Questions*, 3 Cityscape: J. Policy Dev. & Research 71 (1997). The authors state that research has not shown conclusively whether income-mixing has been successful in achieving its desired outcomes and supporting the best interests of low-income persons. They propose an alternative framework for evaluating the success of such programs.

Vincent Scully, Jr., *Modern Architecture* (Rev. Ed., George Braziller, Inc. 1975). Scully's mission was not to provide a comprehensive history of modern architecture, but rather to discuss its meaning and major trends. He calls modern architecture "the architecture of democracy" and places considerable emphasis on

public housing as a source of many important examples of the genre.

Section of State & Local Government Law, Forum on Affordable Housing & Community Development Law, ABA, *The Legal Guide to Affordable Housing Development* (Tim Iglesias & Rochelle E. Lento eds., ABA Publ. 2005). This book, written for a broad range of audiences, brings together the perspectives of many leading scholars in the field of affordable housing, and catalogues and discusses many of the most important current legal and regulatory issues.

Jean Sizemore, *Ozark Vernacular Houses: A Study of Rural Homeplaces in the Arkansas Ozarks 1830–1930* (U. Ark. Press 1994). Sizemore's work, based upon extensive fieldwork, shows the interplay between traditional architecture and traditional culture among the people of the Arkansas Ozarks.

Robert M. Solow, *Work and Welfare* (Amy Gutmann ed., Princeton U. Press 1998). The author argues in favor of programs that support the increased self-reliance of low-income persons and a concomitant decreased need for altruism on the part of others.

Southeastern Center for Contemporary Art, *The HOME House Project* (David J. Brown ed., MIT Press 2004). This book documents the best proposals from a group of more than 800 submitted from around the world, which set forth "new designs for affordable and sustainable single-family housing for low- and moderate-income families," with a budget mirroring the specifications generally followed by Habitat for Humanity International for a three-bedroom or four-bedroom house in Winston-Salem, North Carolina.

Gerald D. Suttles, *The Social Order of the Slum* (U. Chi. Press 1968). The author describes the isolation and distrust that can be endemic to a distressed low-income community.

Emily Talen, *The Trouble with Community in Planning*, 15 J. Plan. Literature 171 (2000). Talen argues that New Urbanist literature generally oversimplifies the complex concept of community. She advocates in favor of a focus on what she calls “more tangible” goals such as “quality, accessible public space.”

Lawrence J. Vale, *From the Puritans to the Projects: Public Housing and Public Interests* (Harv. U. Press 2000). Vale’s book provides a comprehensive history of the United States’ centuries-long struggle to deal with its ambivalence toward the notion of public provision of housing for low-income persons.

Robert Venturi, Denise Scott Brown & Steven Izenour, *Learning from Las Vegas* (MIT Press 2001). First published in 1972 amidst considerable controversy, this book suggests that more attention should be paid to “A&P parking lots,” to borrow language from the title of Part I of the book, and less attention to what the authors call “heroic, self-aggrandizing monuments,” to understand truly the symbolism of the American architectural form.

Camilo José Vergara, *Hell in a Very Tall Place: Conditions in New York City Public Housing Projects*, 264 A. Mthly. 72 (Sept. 1989). This very famous exposé helped to make public-housing high-rise towers infamous in the public eye.

Camilo José Vergara & Timothy J. Samuelson, *Unexpected Chicagoland* (New Press 2001). Chicago is known for great architecture. As the foreword by Bonita C. Mall, vice president of Programs and Tours for the Chicago Architecture Foundation, reminds the reader, some buildings are great, not for their own architecture, which might be quite mundane, but rather for “the roles they have played in the changing lives of people.” This book is focused on this second kind of greatness in architecture.

Graham Vickers, *Key Moments in Architecture: The Evolution of the City* (Da Capo Press 1999). This book chronicles the evolution of cities, tracing their development from 9000 B.C., in what is now the country of Jordan, to present times.

Stephen Willats, *Between Buildings and People* (Acad. Eds. 1996). Willats has studied the social and psychological effects of living in high-rise apartment towers on public-housing residents. His work involved interviews with high-rise public-housing residents in Germany and England over a period of more than fifteen years.

William Julius Wilson, *When Work Disappears: The World of the New Urban Poor* (Knopf 1996). Wilson argues for a comprehensive Works Progress Administration-like program to bring jobs into the inner city, where they are most needed.

Saad Yahya et al., *Double Standards, Single Purpose: Reforming Housing Regulations to Reduce Poverty* (ITDG Publg. 2001). This book, focused on the needs of developing countries, describes how housing regulations can be reformed to support—rather than quash—the development of affordable housing. The book provides concrete guidance for those involved in the process by which regulations are made.

American House: Domestic Architecture in the USA (Jeffery W. Howe ed., PRC Publg. Ltd. 2002). Focused primarily, but not exclusively, on single-family homes, and accompanied by useful essays describing each of the major forms presented, this book serves as a resource and an idea book. Chapter seven, entitled, “The Modern Age,” includes thoughtful expositions of the problems of mass housing and environmental responsibility.

The City Reader (Richard T. LeGates & Frederic Stout eds., 2d ed., Routledge 2000). This interdisciplinary

anthology is meant to gather “essential writings” for students of urban studies and planning, crossing the boundaries of geography and time.

Critical Perspectives on Housing (Rachel G. Bratt, Chester Hartman & Ann Meyerson eds., Temple U. Press 1986). With sections entitled “The Workings of the Private Housing Market,” “The Role of the State,” and “Strategies for Change,” this book analyzes the major challenges in the provision of affordable housing and presents various strategies for solving these problems.

Housing Urban America (Jon Pynoos, Robert Schafer & Chester W. Hartman eds., Aldine Publg. 1973). Rather than focusing on the physical inadequacies of housing for low-income persons, the authors of the fifty-one articles in this book address “the economic, social, and political factors that account for poor housing, and some of the policies and strategies that may be brought to bear to improve conditions in this area.”

Mockbee Coker: Thought and Process (Lori Ryker ed., Princeton Architectural Press 1995). This monograph of the work of Coleman Coker and the late Samuel Mockbee brings together writings, photographs, drawings, and other media that reveal the architects’ unique and innovative approach to their work, which includes “a recognizable language of form the people know and can identify” and a dedication to “social responsibility, stewardship of the land, and nurturing of culture.”

Welfare: A Documentary History of U.S. Policy and Politics (Gwendolyn Mink & Rickie Solinger eds., N.Y.U. Press 2003). This book collects documents from myriad sources spanning the years from 1884 to 2002 and presents a historical and cultural perspective on welfare policy as it has evolved in the United States during this period.