



Georgetown University Law Center
Scholarship @ GEORGETOWN LAW

2003

Rhetoric and Realities of Gentrification: Reply to Powell and Spencer


J. Peter Byrne

Georgetown University Law Center, byrne@law.georgetown.edu

This paper can be downloaded free of charge from:
<https://scholarship.law.georgetown.edu/facpub/931>

46 How. L.J. 491-497 (2003)

This open-access article is brought to you by the Georgetown Law Library. Posted with permission of the author.
Follow this and additional works at: <https://scholarship.law.georgetown.edu/facpub>

 Part of the [Housing Law Commons](#), and the [Urban Studies Commons](#)

Rhetoric and Realities of Gentrification: Reply to powell and Spencer

J. PETER BYRNE*

Gentrification represents one of the most encouraging trends in city life since the 1960s. That may be a sad commentary on the fate of American cities or on our urban policies, but it is nevertheless true. The return of affluent people to urban living offers the possibility of reversing declining populations and municipal revenues, permitting enhanced spending on basic services, and increasing employment and educational opportunities. It also brings greater ethnic and economic diversity, which can contribute to a more humane social and cultural life. The great drawback to gentrification is that increased demand for housing increases rents, at least in certain locales, making it harder for the poor to remain within those locales. My article argued that policy-makers should recognize the need to generally provide more subsidized housing in cities, dispersed throughout the entire city, and can use the increased value of housing resulting from gentrification as one source of tax revenue to provide this housing. At the same time, cities should not discourage gentrification by erecting regulatory barriers, as this might destroy the catalyst for positive change.

powell and Spencer present a very different and relentlessly critical view of the changes.¹ For them, gentrification consists of rich people using their class and race-based power to expel poor people of color from authentic and supportive communities with the help of corrupt or befuddled city governments. Of course, they point to some

* Professor of Law, Georgetown University Law Center. Thanks for useful comments go to Michael Diamond and to participants at a Summer Research Workshop at Georgetown University Law Center, and to Tom Chance for research assistance. The essay is dedicated to the memory of Cathy Pfeiffer, friend, neighbor public school librarian, and tireless catalyst for community and individual improvement.

1. john a. powell & Marguerite L. Spencer, *Giving Them the Old "One-Two": Gentrification and the K.O. of Impoverished Urban Dwellers of Color*, 46 How. L.J. 433 (2003) [hereinafter powell & Spencer, *KO*].

valid concerns; widespread indifference to the needs of the urban poor blight our public life. But powell and Spencer articulate their critique within a self-referential discourse of race and class conflict, which pre-determines their conclusions.² Reading their “updated and rigorous deconstruction” and “more inclusive discourse” tells us a good deal more about their values and allegiances than it does about cities.³

powell and Spencer maddeningly take statements of perception for statements of fact. For example, they begin by quoting remarks by columnist Julianne Malveaux concerning Whole Foods Market, a natural foods supermarket, which opened in Washington’s Logan Circle neighborhood in 2001.⁴ Malveaux admires the store’s products, but also reflects on the change in the demographics of the neighborhood and wonders what the store offers the destitute homeless who seek shelter at a local mission. The authors use these remarks to argue that the effects of gentrification are “far from benign.”⁵ Later powell and Spencer return to the description of the store, inexplicably referring to the fruits and vegetables as a “racial bribe,” and worry about the competition it offers to local business and “the people who rely on the thrift provided by these businesses.”⁶

In fact, people in the neighborhood petitioned Whole Foods Market for years to open the store.⁷ The store is nearly always thronged with all manner of customers. It makes available a wide range of natural foods and ingredients used in many culinary traditions. The store employs more than 250 people, more than half of whom live in the neighborhood.⁸ The company has been named for five years running

2. powell and Spencer follow the lead of geographer Neil Smith, who theorizes gentrification as the re-conquest of urban space by the forces of capital against “minorities, the working poor, homeless people, the unemployed, women, gays and lesbians, immigrants . . .” NEIL SMITH, *THE NEW URBAN FRONTIER: GENTRIFICATION AND THE REVANCHIST CITY* 211 (1996). Elsewhere he identifies gentrification as part of a “revengeful and reactionary viciousness against various populations accused of ‘stealing’ the city from the white upper class,” *id.* at xvii, and likens it to the extermination of the Native Americans urged by General Custer. *Id.* at 230. Smith argues primarily about the “discourse” of gentrification, seeking to show that mainstream descriptions of gentrification mask the underlying and enduring class struggle. *Id.* See also John J. Betancur, *The Politics of Gentrification: The Case of West Town in Chicago*, 37 *URBAN AFF.* 780, 783 (2002).

3. powell & Spencer, *KO*, *supra* note 1, at 435.

4. *Id.* at 433-34.

5. *Id.* at 435.

6. *Id.* at 443.

7. Interview with Wendy Wasserman, Community Liaison, Whole Foods Market, in Washington D.C. See also Whole Foods Market: Investor Relations: Annual Reports: 1999: Contributions, at <http://www.wholefoodsmarket.com/wfar99/99contributions.html> (last visited Feb. 25, 2003) [hereinafter Whole Foods Market].

8. Whole Foods Market, *supra* note 7.

by Fortune magazine as one of the best employers in the nation, offering training and excellent benefits.⁹ The Logan Circle store has the lowest employee turnover of any of the Whole Foods stores in the Washington area.¹⁰ The store also has an extensive charitable program,¹¹ for example, providing food to the very mission mentioned by Malveaux, as well as donating to numerous other organizations that provide food, health services, and shelter to poor people of color. Portraying the store as an engine of oppression reflects far more the preoccupations of powell and Spencer than it does the realities at 14th and P Streets, N.W.¹²

Disagreement about how to interpret the social science literature could be a useful point of engagement. Everyone agrees that displacement occurs, but some disagree about its definition and size. My complaint about the studies that powell and Spencer cite are that they posit too high numbers because they do not adequately distinguish movement of a poor person's residence, generally, from those compelled by landlords seeking to make way for higher paying tenants.¹³ This distinction is important, because we need to know the baseline of housing experiences for the urban poor before we can assess the nature of the change that gentrification introduces. If they are moving frequently even without gentrification, it highlights the need for affordable housing generally rather than suggests a ground for prohibiting gentrification. Poor people do suffer in our housing markets from a variety of causes and they need subsidies whether they stay or move

9. *Id.*

10. *Id.*

11. *Id.*

12. powell and Spencer also take from their voluminous sources only what accords with their theses. For example, they cite three times to an article by a black journalist, Jonetta Rose Barras, *Hey D.C., It's Not a Black and White Issue*, WASH. POST, Aug. 11, 2002, at B3, in support of their claims that new white residents force existing black residents out of their neighborhoods. powell & Spencer, *KO*, *supra* note 1, at 437 n.19, 438 n.27, 445 n.67. In fact, Barras presents an extended argument, entirely consistent with mine, that gentrification on balance helps D.C. and low-income black residents.

13. The study they cite by Peter Marcuse does not even distinguish between voluntary and involuntary movements, let alone the causes of involuntary movement. See Peter Marcuse, *Abandonment, Gentrification, and Displacement: The Linkages in New York City*, in GENTRIFICATION OF THE CITY 156-57 (Neil Smith & Peter Williams eds., 1986); see also Richard T. LeGates & Chester Hartman, *Displacement*, 15 CLEARINGHOUSE REV. 207 (July 1981). Legates and Hartman do not distinguish statistically involuntary displacement caused by gentrification from involuntary displacement from other causes, such as disinvestment or rent increases unrelated to revitalization. *Id.* at 215; Jacob L. Vigdor, *Does Gentrification Harm the Poor?*, 2002 BROOKINGS-WHARTON PAPERS ON URB. AFF. 133, 149, available at <http://muse.jhu.edu/journals/urb/toc/urb2002.1.html> ("Overall, existing literature has failed to convincingly demonstrate that rates of involuntary displacement are higher in gentrifying neighborhoods.").

because of rising rents or personal distress.¹⁴ powell and Spencer do not address this.

They caricature my arguments as defending the fairness of the market or suggesting that urban redevelopment should be “left to market forces.”¹⁵ It would be as absurd to claim that the urban housing market is fair as it would natural selection or the aging process. A central aspect of my argument is that the market will not provide adequate low-income housing in cities, that more public funds must be made available, and that gentrification creates wealth that can be taxed to provide this housing. The market is a force, but economics cannot be ignored. Doing so will condemn high-sounding reforms to painful failure and generate unintended consequences that may dwarf any improvements. powell and Spencer’s suggestions for urban revitalization too often do ignore both market and political realities. For example, they argue for more rigorous enforcement of housing codes, but in most cases that will increase rents to pay for the improved conditions; good things are not free. Similarly, they urge large new federal programs to build housing and strengthen the Fair Housing Act, ideas that in general I support, but which seem less rather than more politically likely with each passing year.¹⁶ Discouraging movement of affluent people to the cities will not make these policies more likely to be adopted. Rather, reformers need to look to the cities themselves to be agents of support for development, and cities need reasonably healthy economies to support poor residents.¹⁷

An important difference between my views and those of powell and Spencer is that I see gentrification creating new opportunities for existing low-income residents in terms of jobs, shopping, and education, while they view the existing residents as incapacitated from tak-

14. Indeed, Vigdor makes the point that displacement may not be as great a problem as high rents consuming too high a percentage of personal income. Vigdor, *supra* note 13, at 172-73.

15. powell & Spencer, *KO*, *supra* note 1, at 490.

16. One might well argue that I make similar assumptions about increases in funds for subsidizing housing. Admittedly, it is unlikely that funds will be made available in the near future to meet adequately the need for affordable housing. Yet programs like the D.C. and Florida transfer tax dedicated funds represent new and substantial initiatives. See J. Peter Byrne, *Two Cheers for Gentrification*, 46 *How. L.J.* 405, 430 (2003). Cities have direct political and economic interests in providing affordable housing to its citizens, at least those who work. There seems a consensus in favor of subsidizing housing.

17. I agree with powell and Spencer that regionalism seems fair and efficient because it gives voice to lower income people in a polity large and diverse enough to address their needs. While waiting for suburbs to surrender the advantages of their power to exclude low-income people, however, cities need to grow economically and politically strong enough to sustain their low-income residents.

ing advantage of any opportunities by racism and poverty and locked in a losing, zero-sum game with rich whites. They chastise me for seeing existing residents of color as too like myself in being able to make choices. There is some truth in this critique. Poverty and market conditions constrain choice. The very poor will be least able to capitalize on new opportunities and most hurt by rising costs, particularly if they also suffer from addiction or disability. Rising rents will most injure those who cannot improve their incomes. For such people, any benefits from gentrification may be indirect and attenuated.

But both common sense and available data suggest that for many poor residents, increased job opportunities, personal safety, and amenities provide a context in which they can improve their economic standing and claim their citizenship. One must be struck by findings both Jacob Vigdor and by Lance Freeman and Frank Braconi that poor people in gentrifying tracts are less likely to move from a gentrifying neighborhood than from other neighborhoods.¹⁸ Even if those findings cannot be generalized confidently, they suggest an encouraging hypothesis about the ability of some poor people in some gentrifying neighborhoods to grasp the opportunities presented them. This accords with the liberal belief that the chief problem for poor people is that they lack resources. Also, gentrification has been found to enhance the success of subsidized mixed income projects, creating new prospects for economically integrated living.¹⁹ Additional studies need to track the changing fortunes of poor people in gentrifying neighborhoods.

But powell and Spencer go beyond this and claim to argue that choice “actually coerces impoverished people of color.”²⁰ Their approach seems to me to diminish the self-improvement many poor people accomplish, denying them agency in their own destinies. For example, powell and Spencer briefly address the situation of persons of color who own homes in a gentrifying neighborhood and sell because of rising prices, but they describe such sellers only as victims because they “don’t think the decision through” and fail accurately to

18. Lance Freeman & Frank Braconi, *Gentrification and Displacement*, 8 URBAN PROSPECT 1, 2 (2002), available at <http://www.chpcny.org>; Vigdor, *supra* note 13, at 142. Vigdor adds the further remarkable finding that poor families in gentrifying neighborhoods are more likely to emerge from poverty than leave the neighborhood. *Id.* at 156.

19. Elvin K. Wyly & Daniel J. Hammel, *Islands of Decay in Seas of Renewal: Housing Policy and the Resurgence of Gentrification*, 10 HOUS. POL’Y DEBATE, 711, 741, 745 (1999).

20. powell & Spencer, *KO*, *supra* note 1, at 457.

estimate alternatives for housing.²¹ No doubt such mistakes are made, but presenting them as typical belittles the capacity of such homeowners to decide what is best for them. Similarly, the authors portray blacks leaving Washington D.C. as being forced out by gentrifiers, while it seems more likely that most have chosen to move to the suburbs in search of a better life, much as whites have done for fifty years, now that the pressures of race discrimination have lessened.²² Indeed, that is the explanation advanced by most of those quoted in the very article powell and Spencer cite for the population decline, which notes that the city ward experiencing the largest population decline is the poorest and has had no gentrification.²³

powell and Spencer view race as a determining barrier to residents of color being able to forge their own lives. A half block down P Street from Whole Foods Market, Studio Theater has been presenting to enthusiastic racially-mixed audiences Jovan Johnson's new play, *Runaway Home*. The play centers on a young unwed mother of five, Betty Ann, who must choose between continuing to imperfectly parent and support her children in rural South Carolina or depart for New York with a former boyfriend who is now a successful soul singer. All the characters are black and the only white person referred to is a whore in Idaho.²⁴ Two virtues about this fine play stand out. First, it is not in any sense about race relations or what it means distinctively to be black in a white dominated world; a comparison with another fine black play about choice and duty in the family, Lorraine Hansberry's 1958 *A Raisin in the Sun*, suggests how less central to the deepest personal experiences of blacks white racism has become. Second, while faithfully depicting a black cultural situation, it explores profound universal issues of identity and moral choice to an extent that invites comparison with Ibsen's *Doll's House*. Betty Ann understands fully the importance and tragedy in either choice she makes, but is determined to chart her own destiny. The terms of her choice have been shaped by the social and economic circumstances of

21. powell & Spencer, *KO*, *supra* note 1, at 455-56.

22. *Id.*

23. D'Vera Cohn & Manny Fernandez, *Black Exodus Drove District's Population Loss*, WASH. POST, March 31, 2001, at A1. The article quotes a community organizer in Anacostia as saying, "people left. They looked elsewhere for employment, adequate schools for their children, and some saved enough money to buy new homes in Prince George's County." *Id.* powell and Spencer also fail to note that the article reported that the ethnic groups that increased most in D.C. in the 1990s were Asians and Hispanics. *See id.*

24. Allowing one character to use the joke, "Idaho. You da' pimp."

Reply to powell and Spencer

a black woman in her time and place, but no audience member can fail to recognize the fundamental human drama.

The urban polity needs to engage the interest and agency of all citizens. Inability to perceive a common humanity among ethnically diverse populations has long fostered divisions debilitating to creating community. While the barriers of race and economic disparity remain real, they should not be reinforced by rhetorical barbed wire. powell and Spencer's bombast burdens collaboration in the world we actually live in. We are unlikely to have a chance to work together in any other.

