CHAPTER EIGHT

# Addressing Regional Dilemmas for Minority Communities

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I recently met with a high-ranking administrator in a large, predominantly African American city that faces a number of problems, including a failing school system, depopulation, business and job loss to the suburbs, and a housing crisis marked by boarded-up buildings and vacant lots. This city, like many American cities, has attempted numerous unsuccessful revitalization strategies, including enterprise zones, empowerment zones, a new downtown sports center, and other give-aways to entice businesses to remain in or return to the central city.

As the administrator, whom I will call Dr. Jones, and I discussed the problems he and the city face, we agreed that the city is in a major crisis, and that part of the solution is to build and attract businesses and a middle-class tax base. I suggested that one of the problems facing central cities and older, inner-ring suburbs is the constant pulling of resources away from the region's core toward the outer edges of the metropolitan area. I stated that this process, succinctly referred to as sprawl, not only eats up space and farmland but is a major contributor to the depopulation of central cities and older suburbs. Dr. Jones agreed and added that sprawl can only be fully understood in racial terms: the developing outer ring is always upper middle class and white.

I thank Colleen Walbron for her research and assistance with this chapter.

We agreed that while white flight has been the primary out-migration from American cities since the 1940s, more recently minorities in general, and middle-class blacks in particular, have also moved outward.

It is not just the population exodus from the urban core that makes this problem so difficult to remedy; it is the removal of resources from the core and the subsequent refusal of the suburbs to share, or fairly distribute, the benefits. This walling-off of the more affluent developing suburbs from the central cities creates fragmentation. The dynamic of sprawl and fragmentation, with its strong racial component, leaves the central cities and older suburbs with growing social needs and shrinking resources. Dr. Jones added that he had witnessed this phenomenon firsthand. He had observed how sprawl and fragmentation destroy central cities and inner-ring older suburbs, transforming today's winners into tomorrow's losers. He related that many upscale suburbs, which saw themselves as better than the core cities, are now facing many of the same problems because resources continue to move farther and farther out. Dr. Jones and I were on the same page: we had quickly arrived at a consensus and comfort level based on our respective studies and living experiences.

As I had anticipated, our consensus faltered when our discussion turned to solutions. I asserted that the city and older suburbs must find a way to coordinate and develop a regional strategy to benefit from the resources that are spread disproportionately throughout the entire region, reverse the trend of fragmentation, and halt the continual pull of resources into new, undeveloped land. Dr. Jones disagreed: "White people in the suburbs are hostile to the city largely because the city is black. They will only work with the city if they think they can take it over. They are racist, I don't trust them, and I won't work with them." While Dr. Jones believes that the problems facing the central cities and older suburbs are regional in nature, he is unwilling to entertain a regional solution, because he fears a suburban power grab. He cited a number of supporting examples. He also mentioned a number of people who share his concern and suggest a solution that depends less on cooperation with the suburbs and more on building and relying upon a competitive advantage.[1] Dr. Jones made it clear that he would not embrace a strategy that required he trust or cooperate with the suburbs.

I knew that my time with Dr. Jones was running out. His concern was one that I have heard many times from black officials and community leaders in the central city. I tried to assure Dr. Jones that what I

had suggested was not based on naive trust, and that I, too, was aware that regionalism had often been used to the detriment of the people of color living in the central cities. And while this issue must be addressed, a nonregional solution for the problems facing the urban core is not a solution at all. Dr. Jones was abruptly called away to deal with an emergency. We shook hands, both knowing that much had not been said, and we agreed to discuss the matter further at another time.

This chapter is written, in spirit, as a continuation of this discussion. Recognizing that the critical problems associated with the hollowing out of the urban core cannot be addressed without a regional approach, it focuses on how to move toward solutions that respond to the concerns raised by Dr. Jones and other like-minded individuals. In particular, the solution offered here is a form of regional policymaking best defined as federated regionalism: a type of regionalism that gives cities or communities a way to maintain appropriate control of their political and cultural institutions while sharing in regional resources and balancing participants' concerns.[2] The local municipality and the region interact in much the same way that states and the federal government do. Most issues have both regional and local aspects. Issues that are regional in scope and require regional solutions (for example, transportation systems) are addressed accordingly, whereas those matters that are mostly local in character (such as siting bus shelters in a neighborhood) are dealt with at the local level. Examples of regions that employ these strategies are explored in this chapter, and suggestions are made for further development of federated regionalism.

Metropolitan regions have become increasingly important over the last several decades. Many scholars suggest that metropolitan regions, and not nations or cities, are the key economic units in today's global economy. While this claim may be debatable, it is clear that in the United States power has decreased in the central cities and shifted to metropolitan regions at the same time that the federal government has shifted power to the states.[3]

Race and racism are central to understanding this shift in power, inscribed into our land by sprawl and political fragmentation. Although within a metropolitan region cities and suburbs are interdependent, the policies of suburban, state, and federal governments tend to isolate communities of color in the central cities and inner-ring suburbs and communities of privilege in the predominantly white suburbs. Indeed, there is often great tension between the inner cites and older suburbs on the one hand, and the newer developing

suburbs in the region on the other. Most central cities in the United States continue to lose population and resources, while the suburbs continue to grow. Increasingly, the cities are the repository of poor racial minorities, while the newer suburbs receive the greater number of jobs, infrastructure funds, wealthy individuals, and whites.

Whether one looks at the distribution of housing, schools, tax bases, or transportation, a pattern emerges in which cities and older suburbs are increasingly resource starved, while developing suburbs are increasingly resource rich. Overlapping concentrations of people of color and poverty are increasingly found in central-city neighborhoods and schools. The problem is compounded by the declining availability of adequate resources to meet the increasing social needs within cities and older suburbs.

The isolation of poor minorities in the inner cities is primarily caused by white (and increasingly middle-class minority) flight and the resultant unchecked sprawl.[4] This process is facilitated by fragmentation of political structures within our metropolitan regions, which divides the regional whole into parts and allows each part to operate relatively independently. This impedes policymaking on a regional level and benefits the perceived self-interest of wealthy communities that enact insular and exclusive laws. Gregory Weiher notes this phenomenon in *The Fractured Metropolis* when he writes: "Local government formation in the United States. . .is usually undertaken in the pursuit of parochial interests. . .[where the] intent is to protect parochial interests from interference by overarching units of government."[5] Weiher defines these parochial interests as "narrow social and socioeconomic groups."[6] Raymond Vernon stated that land-use planning could more aptly be described as land-use warfare.[7]

The fragmentation of metropolitan areas into multiple, competing local governments creates segregation and a superfluous number of entities that control key regional powers, such as planning and zoning, that exercise these powers to the detriment of the region as a whole.[8] Consequently, political geography promotes racially separate and unequal distributions of political influence and economic resources.[9]

In theory, localized political structures are designed to address local problems, and it is clear that there are many matters best suited to local decisions incorporating local beliefs and needs.[10] In reality, the proliferation of municipalities in metropolitan areas facilitates race and wealth differences through territorial segregation and fiscal separation. To an extent, the localized model for governance also has

become an anachronism as the development of our society and technological advances in information and transportation have broadened the individual's spheres of activity and influence and connected communities that at one time would have been considered distant.

Those of us who advocate regionalism are troubled by the resistance to it, not only from the developing suburban communities, but from communities of color as well. While the suburban resistance may be shortsighted, the reluctance to embrace something that will have a short-term negative economic consequence appears to make sense. What is more surprising, at least initially, is resistance from minority communities at the urban core. This resistance is often based on noneconomic concerns: the loss of political control and cultural control or identity. Supporters of regionalism often discount these concerns, suggesting that minorities do not have meaningful political control or cultural identity to begin with, and that the price paid for this minimal control is too high.[11] But to ignore these claims from the minority community is a serious mistake, because it underestimates the value of identity and makes regionalism feel like another solution imposed on people of color by whites who "know better." On a more practical level, proponents of regionalism will undermine the success of their efforts if they do not engage minority communities. The possibility of success for a policy that faces strong opposition from the inner-city core and the developing suburbs is minimal at best.[12]

Federated regionalism has the potential to balance this need for an integrated regional approach with the need to preserve local control on some issues. Its success depends upon recognizing that a number of important inner-city problems are caused by regional forces and that the failure to confront central-city problems adversely affects the entire region. There are a number of examples of federated regionalism in practice, in which metropolitan governments of limited power or regional policies of limited effect coexist with a municipal government. Tax-base sharing, as practiced in the Twin Cities, exemplifies this type of federated regionalism: local governments retain control over most traditional functions, while a portion of their commercial tax revenue is placed in a regional pool and redistributed to municipalities in an equitable manner. (See subsequent discussion under "Twin Cities.")

Regionalism properly conceived is an important strategy for addressing some of the most serious problems facing minorities living at the urban core. The increase in concentrated poverty is possibly the

most important issue facing cities and older suburbs in the United States. Sprawl and jurisdictional fragmentation implemented in a racially discriminatory way are the primary causes of this concentrated poverty. To effectively address concentrated poverty, regionalism is necessary though not sufficient. And regionalism should be viewed as a strategy to combat concentrated poverty, not as an end in and of itself.

One may question the focus on concentrated poverty, which may appear to be just another way of discussing economic concerns and not political or cultural dilution issues. But when one looks at the impact of concentrated poverty, it becomes clear that it destabilizes a community not only economically but also culturally and politically. Indeed, what is often referred to as a culture of poverty may more accurately be described as the culture produced by concentrated poverty. This chapter then is as much about concentrated poverty as it is about regionalism.

The following discussion attempts to examine how law and public policy, along with private discrimination, have created and maintained patterns of concentrated poverty and racial segregation in metropolitan areas. The theory behind a regional approach to these problems is outlined and accompanied by a review of some of the efforts undertaken and frustrations experienced in implementing such regional policies. Minority community resistance to regionalism is analyzed and addressed by articulating an approach that responds to the needs of minority communities in areas of concentrated poverty without compromising their political identity.

## Segregation and Concentrated Poverty

"Neighborhood poverty is not primarily the product of 'the people' who live there or a 'ghetto culture' that discourages upward mobility, but the predictable result of the economic status of minority communities and the degree to which minorities are residentially segregated from whites and from each other by income."[13] In his book *Poverty and Place: Ghettos, Barrios, and the American City*, Paul Jargowsky explains the negative relationship between inner cities, older suburbs, and newer suburbs in the United States. He states that the segregation and concentrated poverty found within metropolitan areas is not self-induced but is the predictable result of a concerted effort to isolate poor

minorities. That such segregation and concentrated poverty exist and are worsening, despite the healthy national economy, cannot be denied.

By definition, concentrated poverty occurs where 40 percent or more of a neighborhood's residents live at or below the poverty line. As of 1990, approximately 2,800 census tracts (among the nation's 45,000) experienced poverty rates of greater than 40 percent. Only 1,200 such tracts were recorded in 1970.[14] More than 8.2 million people live in areas of concentrated poverty—more than double the number of people who did in 1970. Furthermore, this concentration of poverty has disproportionately affected people of color, particularly blacks. Of those living in concentrated poverty, more than half are black (despite the fact that blacks make up only 12 percent of the national population), and one-fourth are Hispanic.[15] In fact, between 1970 and 1990, there was a 69.7 percent increase in the number of blacks living in neighborhoods of concentrated poverty, despite the fact that the 1990 national poverty rate for African Americans was the lowest ever.[16]

Such segregation and concentrated poverty are not self-induced, despite the nation's desire to describe itself as "color blind" and its tendency to look for behavioral causes of poverty. Nor did these problems arise by accident: they were generated by and perpetuated through governmental policies, institutional practices, and private behaviors.[17]

For decades federal, state, and local governments, the banking industry, and white homeowners directed their efforts at maintaining white dominance and separation through a number of policies and practices. For example, in 1933 the federal government established the Home Owners' Loan Corporation, which systematically undervalued racially diverse central-city neighborhoods, deeming them too risky for investment. Instead, the loan corporation channeled mortgage funds to white, outlying neighborhoods.[18]

Redlining was further institutionalized through Federal Housing Administration (FHA) policies that, from their inception in 1934, rendered FHA-guaranteed loans for minority homeownership practically unattainable while ensuring that home ownership for whites became more feasible than ever.[19] The racially discriminatory policies of the FHA were not merely de facto; the underwriting manual explicitly reflected its policy of refusing loans to homebuyers in minority or racially integrated neighborhoods: "Areas surrounding a location are

[to be] investigated to determine whether incompatible racial and social groups are present, for the purpose of making a prediction regarding the probability of the location being invaded by such groups. If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social and racial classes."[20]

The FHA also preferred new construction to the purchase of existing units, thereby writing the prescription for sprawl as well as residential racial segregation. These programs paid whites to leave the central cities and confined blacks to these areas, which were then divested by the federal government and private capital. By some estimates, this subsidy of white out-migration cost nearly $1 trillion.

In the late 1950s, the federal government exacerbated the effects of these housing programs by embarking on a national highway campaign, for the ostensible purpose of national defense. The campaign facilitated the exodus from the central cities and destabilized many urban neighborhoods.

At the same time, public housing projects were administered in a segregative fashion, and "urban renewal" destroyed stable black neighborhoods to make room for elite institutions such as hospitals, businesses, and universities.[21] Local governments also contributed to the problems of segregation and concentrated poverty through the ongoing practice of exclusionary zoning, which made it nearly impossible for poor families to find suitable housing in white suburban communities. The banking industry contributed to this polarization through continued discriminatory policies, as evidenced by the rejection of minority loan applications at a rate nearly triple that of white applications.[22] Realtors, too, discriminated through practices such as racial steering[23] and blockbusting,[24] and private homeowners fashioned restrictive covenants to keep minorities out of their neighborhoods.[25]

Until the late 1960s, the flight from the central cities was composed of business, capital, and an overwhelmingly white population. The passage of the Fair Housing Act in 1968 began to change the racial composition of this migration. A crack emerged in the nation's housing caste system, and the growing black middle class began to leave the central cities in pursuit of opportunity. Accommodation of this flight from the central cities meant claiming more agricultural land and open space for suburban development, expanding suburban sprawl and fragmentation. Sprawl, as it developed in the United States, was not simply a spatial phenomenon without political, social,

and racial motivations; it was spurred by the desire to flee the core, to be away and separated from the racial other. Until the 1960s, suburbs were nearly all white. Even as middle-class blacks moved out of the central city, they still found themselves in racially segregated neighborhoods as whites continued to flee farther out, avoiding both low-income as well as middle-class blacks. This racialized sorting process was carved into our metropolitan landscape with the support of powerful public and private institutional players, thus setting the stage for racialized concentrated poverty at the core and sprawling white suburbs at the edge.

Racialized concentrated poverty affects not only individuals but also entire neighborhoods, and all residents' life chances are compromised. High levels of crime, drug use, and other social pathologies emerge and become self-perpetuating. In addition to this poor quality of life, residents experience severely limited social and economic opportunities. The quality of schools, housing, and municipal services as well as the availability of transportation and employment are all undermined.[26] This in turn means that entire regions—not just the inner cities and older suburbs—have a real interest in reversing the policies that have concentrated poverty at the urban core, as well as contributed to the lesser, but nonetheless serious evils of traffic congestion, destruction of precious land, and pollution.

Fragmentation of urban areas and sprawl lead to extreme racial and economic segregation and the creation of persistent poverty and hopelessness. The more fragmented a metropolitan area is, the more segregation and concentrated poverty it will experience.[27] Federated regionalism is a solution to the failed "model" of metropolitan fragmentation.

## The Contemporary Framework of Regionalism

If "the desperate struggle for exclusivity in the affluent suburbs is part and parcel of an effort by the upper class to reduce its responsibilities to society,"[28] then regional or metropolitan equity offers policymakers a way to reconceptualize metropolitan areas for the common good of all residents, affluent or not. Instead of calling upon each locality to take responsibility only for itself, regionalism recognizes the entire area as a system of interdependent parts. The whole will prosper only if all parts are able to function. Allowing richer parts of the region to externalize

their social responsibility creates resource-starved, poorly functioning communities at the core. When one part becomes dysfunctional, the entire system is compromised. This is what is happening with the inner cities and their older suburbs—their difficulties are negatively affecting entire regions. Among other things, a poor and racially segregated urban core harms the reputation of the metropolitan region as a whole and makes it less inviting to international, national, and local businesses, as well as to families looking for homes. While the negative impact on poorer parts of the region is sometimes acknowledged, there is a failure to recognize this growing neighborhood poverty as a consequence of the creation of rich suburban enclaves.

Despite this reality, white suburbanites have traditionally resisted regional policies and denied any connection with the fate of the central city. The justifications offered have changed over time. The current one is expressed as the fear that the "culture of poverty" found in the inner cities will infiltrate their protected enclaves—a justification that is simply a new name for the long-standing racial hostility and aversion directed toward blacks and other people of color. White suburbanites attribute the lot of minorities to behavioral patterns and absolve themselves of any responsibility for institutional racism or white privilege. (Those white suburbs that do address some of the problems associated with fragmentation are usually working-class white suburbs, which are also subject to the negative consequences of the same process.) Proponents of regionalism challenge this line of thinking partly by redirecting the focus away from the issues of nonwhite poverty and toward the interaction between core cities and their suburbs.

Beyond the fear that regionalism would defeat the carefully constructed containment of poor minorities in the central cities, an economic rationale has historically served as a justification for whites' policymaking—a rationale tethered to the drive for political dominance. Douglas Massey and Nancy Denton described this historical resistance of whites to resource sharing with blacks in *American Apartheid*:

> Resources allocated to black neighborhoods detracted from the benefits going to white ethnic groups; and because patronage was the glue that held white political coalitions together, resources allocated to the ghetto automatically undermined the stability of the pluralist machine. As long as whites controlled city politics, their political interests lay in providing as few resources as possible to African Americans

> and as many as possible to white ethnic groups. Although blacks occasionally formed alliances with white reformers, the latter acted more from moral conviction than self-interest. Because altruism is notoriously unreliable as a basis for political cooperation, interracial coalitions were unstable and of limited effectiveness in representing the black interest."[29]

The surest way to avoid or reverse patterns of racial and economic segregation is to create effective metropolitan governments or ensure that all local governments are pursuing common policies that will foster fiscal integration that is rationally related to collective needs. Because fiscal and other resources are more sensitive to jurisdictional boundaries than neighborhood boundaries, the priority must be to challenge jurisdictional as opposed to neighborhood fragmentation. Orfield calls this process of achieving regionalism "metropolitics."[30] One of the questions invariably asked is, if whites benefit economically and otherwise from opposing a more integrated regional structure, why should they support regional government? Orfield argues that most whites do not economically benefit from a fragmented, sprawling region; only about one-quarter—the favored quarter—of a region's population benefit from this arrangement. To state this differently, most whites living in the suburbs also are hurt economically by the lack of an effective regional structure. This analysis also suggests that the problems of sprawl and fragmented governance are not simply a city-versus-suburb issue; more accurately, they pit the city and developed suburbs against the growing new suburbs.

While there may be increasing support for these ideas, today only 3 percent of all people live in areas with regional governments. Orfield's approach may treat a number of white concerns about regionalism, but does it address black concerns about political and cultural dilution? To better answer this question, one must first understand the minority community's resistance to regionalism.

## Minority Resistance to Regionalism

The concern about regionalism reflects a deep sentiment in the minority community and is not based solely on economic fears. Indeed, one of the primary attractions of a regional approach is the possible economic benefit to communities of color. Yet given the his-

tory of urban renewal, and racism in general, there is a strong concern that regionalism, if successful, would deal with concentrated poverty by dispersing the inner-city minority community.[31] Although this is not required by a regional strategy, the dispersal and dilution approach has been used, often without regard for whether people were moved closer to or farther away from opportunities.

Regionalism as a response to the problems of racial segregation and concentrated poverty is often associated with "mobility" strategies rather than "in-place" strategies, and the former is closely associated with dispersal. What distinguishes a mobility strategy from a dispersal strategy is its intent; while mobility strategies do disperse population, they do so with the aim of moving people toward opportunities that lie elsewhere in metropolitan areas. In a sense, mobility strategies can be seen as a positive subset of dispersal strategies, because they attempt to break down geographic barriers to housing, education, employment, and wealth creation for communities of color. Advocates of mobility strategies believe that if people who are segregated and isolated by race and poverty can move into neighborhoods with adequate community resources, they will gain access to the means and mechanisms of progress.[32]

In-place strategies, such as urban community development, attempt to move resources and opportunities to low-income, central-city residents and try to generate improvements in urban neighborhoods of color. Many of these neighborhood-level initiatives have had positive effects in the form of home renovation and mortgage loans, new affordable housing, new business development, and commercial revitalization. However, when they are not linked to a regional framework, in-place strategies are not able to redress concentrated poverty, the hollowing out of the urban core, and other issues associated with these phenomena.[33] The need to choose between a mobility strategy or an in-place strategy is a false choice; the effort should be people based and include a mix of both mechanisms.

White segregationism manifests itself as resistance to regionalism and support of in-place strategies, because these keep minorities "immobile" and out of their suburban neighborhoods. In-place strategies frequently receive support from minorities as well, though for a different reason: this approach allows people of color to remain in the urban core and preserve their cultural identity and political power.[34] The mobility strategies of regionalism are thus viewed as a threat to these interests. Reluctance to move to a suburb where jobs and other

opportunities exist also arises because of perceived and actual racial hostility and the lack of people of color.

As Charles Smith, manager of the Access and Equity Centre of Metro Toronto argues, communities are more than just economic units; they also have social and cultural significance.[35] It follows, then, that integration through regional mobility programs can fragment a minority community and tear apart its "soul." Many argue that what is called integration is really assimilation. Cornel West, for example, argues that the dispersion of black professionals and entrepreneurs into predominantly white communities does little to change the culture and values of the white opportunity structure.[36] Instead, deconcentration of minorities is said to assimilate those who are pocketed in more affluent areas and diminish minority culture in predominantly black areas by removing valuable human resources.

To avoid the negative effects of cultural dilution, Smith and others, like Dr. Jones, argue for in-place strategies rather than integrationist urban planning: "For integration to be more than a ticket 'out of the ghetto' to a stress-filled life as an integration pioneer or neighborhood buster, governments must increase access to services and resources and work to improve the economic base within these communities. . . . Such strategies could recreate poor neighborhoods and make them vibrant cultural, social, and economic centers capable of supporting an opportunity structure that may attract and satisfy well-to-do racial minorities as well as white people."[37]

Minorities also resist regionalism out of a desire to preserve political power. Orfield notes that regionalism is often perceived as a threat to the power base of officials elected by poor, segregated constituents.[38] It is feared that control over the political process would be lost if the base of minority communities was diminished or if the minority population was dispersed throughout the region. Frequently, minorities would rather retain this control, even if opportunity structures are lacking in their communities. As Lani Guinier acknowledges, despite its capacity to marginalize, the recognition of race can be "empowering, affirming, and energizing."[39]

Geographic districting by race, however, has its limitations. First of all, it does not always work—that is, minority candidates are not always elected by this approach. Indeed, in places like Oakland and Los Angeles in California and Gary, Indiana, minority voters are not satisfied with minority elected officials who cannot improve economic conditions because they are isolated in the region and from the state legis-

lature. In addition, as Guinier points out, the assumption that minorities, wherever they reside, are politically cohesive is unfounded.[40] Also, because the Supreme Court has severely limited majority-minority districting,[41] the number of minority electoral opportunities under this traditional approach has been reduced significantly.[42]

These limitations have led some to attack the viability of majority-minority districting and to support a mobility strategy that would create influence districts for minorities that are not dependent upon their geographic concentration and isolation. The assumption is that minorities, particularly blacks, living in communities with whites are able to influence the political agenda of their district through the "swing" value of their votes. While they may not be able to elect a representative in such districts, their elected officials would not be able to ignore their issues and concerns in the way that white elected officials from virtually all-white districts can. The indifference or even hostility of white, suburb-dominated legislatures to minority concerns—as embodied in the interests of central cities—appears to lend credence to this assessment.

While the city-suburb split in political interests is often real, the theory of influence voting does not accurately describe the political voice that minorities gain by living in majority-white districts. One limitation to their retention of political power is the backlash of the white electorate when the number of black voters within their district increases beyond a very small share. The premise that the mere presence of minorities in an electoral district will "influence" voting, and thereby ensure representation responsive to their needs, is true only when the size of the black population is not threatening to the white population. Pamela S. Karlan states, "As the possibility that blacks might be a dominant component of a biracial coalition grows, white backlash increases as well."[43] Thus the political influence of minorities does not increase proportionally with an increase in the minority voting population. According to Karlan, "Black influence grows as blacks increase to roughly 30 percent of the electorate; black voters face increasing resistance when they constitute between 30 percent and 50 percent of the electorate; and beyond 50 percent, the relationship between presence and influence is again positive."[44] In a metropolitan area with a small minority population, the percentage of minorities mobilized would only result in a small increase in their voting share in a suburb, and that population would most likely face little resistance or "white punishment" and could function as a sort of swing vote. However, in metropolitan areas with larger populations of color,

mobilization could cause a substantial increase in the minority population of a voting district—enough to trigger white backlash.

Edward A. Zelinsky, professor of law at Columbia Law School, echoes minority concerns over the political implications of regional approaches. He fears that metropolitan governments would be less responsive than more local governments and "less likely to encourage citizen participation and civic life."[45] Moreover, he believes that these governments will not achieve increased racial and ethnic integration. Zelinsky argues that instead of focusing on the structures of urban governance, those concerned with segregation and concentrated poverty should spend more time on schooling and employment issues, where more practical results can be achieved.[46] But it is the very fragmented nature of sprawl and the racial segregation it engenders that Professor Zelinsky is trying to address: if he were successful in making regional educational and employment resources available to communities that are currently isolated, he would be moving toward a federated regional structure.

Alternatively, Orfield suggests that proponents of regionalism must carefully communicate to minorities the hopelessness of the present course of action and the patterns of polarization it produces.[47] However, regionwide approaches should not be proposed as alternatives to existing programs or as competition for resources and power. Instead, they should be presented as complementary efforts that reduce problems in the center cities to a manageable size and provide more resources for development through such programs as tax-revenue sharing. While Orfield's approach also seems to favor a federated structure, it is not explicit about protecting minority influence.

Each solution only addresses part of the problem, proposing either political and cultural control in economically resource-starved and isolated areas or access to resources at the cost of a silenced political voice and cultural assimilation or marginalization. These approaches must be rejected, because they fail to meet minority needs for both resources and political and cultural empowerment. These are the goals of federated regionalism.

## Federated Regionalism as a Response to Minority Resistance

Federated regionalism requires entities within a metropolitan region to cooperate on some levels and leaves them relatively autonomous

on others. It is based on two premises: first, many important problems within the inner cities and older suburbs can only be dealt with adequately at a regional level; and second, some issues, or some aspects of issues, are of a local nature and thus are more effectively handled by a local government. Federated regionalism also acknowledges the racial issues that underlie political polarization. Just as the choice between in-place and mobility strategies presents a false dichotomy,[48] so, too, does a rigid choice between regional and local approaches to solving the problems of segregation and concentrated poverty. Federated regionalism advances both approaches by striving to be sensitive to the concerns of communities of color and integrating regional and local policymaking. While there will often be conflicting interests and proposals from the white, black, and other communities of color, federated regionalism would balance them without allowing the parties to opt out of regional problem solving or to completely ignore the concerns of the other communities. It is not voluntary regionalism nor is it totally dependent on consensus. It is not mobility focused or in-place focused; it is people focused.

One way to describe the ability of federated regionalism to reconcile local and regional political interests is to analogize it to cumulative voting. Direct democracy and individual access to the ballot are inadequate primarily because they are based on certain pluralistic assumptions: the winner should take all, winners will vary and not be determined along racial and ethnic lines, and the majority can adequately represent the interests of the whole.[49] As Guinier argues, however, direct democracy reduces democracy into "its most crude. . . form, . . . simply an arithmetic exercise [which] allows little room for interactive democratic conversation."[50] If democracy is to be a broad-based public collaboration, continues Guinier, then "we should ensure representation for racial groups. . . particularly disadvantaged racial groups who have been denied historical access to this collaboration."[51]

Cumulative voting creates large electoral districts with multiple representatives and allows each voter to have as many votes as there are seats to be filled. Voters are not limited to casting only one vote for the candidate of their choice; they can "plump" or cast all of their votes to one candidate if such an intense preference for that candidate exists. This allows minority groups greater opportunity to win representation in elections beyond the municipal level—even without being geographically districted together.[52] Instead, voters "district" themselves by the way they cast their votes,[53] facilitating racial-group

representation without race-conscious districting.[54] Cumulative voting in a metropolitan region would protect the political interests of people of color even when a mobility policy results in their geographic deconcentration. Thus people of color could pursue the benefits and opportunities of living in areas that are not poor and segregated while retaining the political voice that traditionally comes from geographic segregation.

Cumulative voting provides an "exit opportunity" for individuals.[55] In particular, it allows minorities a chance to vote as a community without staying in a geographic, racial cul-de-sac. Similarly, federated regionalism gives minorities the choice to stay in their communities and strive for more equitable regional plans that will improve their neighborhoods (as well as the entire region) or to move from their communities and retain their political power through a pooling of interests. In-place and mobility strategies become more a matter of personal choice, because no matter where minorities live, they can remain politically cohesive.[56] In addition, where minorities were once alienated by their lack of agency within the political process, they may become more politically active.[57]

However, cumulative voting must still be characterized as a long shot in the realm of political reform; it has been adopted in only a few areas and is frequently met with resistance from traditional majoritarians who fear that cumulative voting will empower "fringe dwellers" and will "create mosaic governments paralyzed by factionalism."[58] Sixth District Congressman James Clyburn, a cosponsor of the Voter's Choice Act, which would repeal the 1967 federal statute requiring states to draw single-member congressional districts and permit the adoption of methods like cumulative voting on a larger scale, warned in a March 1998 editorial that "the likelihood of this bill passing any time soon is at best negligible."[59] A more modest and familiar voting arrangement that moves toward a balance between large regions and local concerns is the way we elect members of the House of Representatives and the Senate: it allows local concerns and the voice of the community, as reflected in the House, to be balanced with larger regional and statewide concerns, more accurately reflected in the Senate, where small states have a voice numerically equal to large states. The fact that both bodies have to agree on bills to become law is a clear example of managing the tension between regional and local concerns. Without advocating for the particular form of federalism that we have adopted at the national level, this is an important exam-

ple for study, and it underscores the familiarity of the concept of federalism in the United States.

Federated regionalism is like cumulative voting or the more familiar House and Senate arrangement in that it allows communities to maintain influence within a regional context. Federated regionalism rejects the Hobson's choice often posed to minorities regarding regionalism or voting: it does not lock minority members into isolated "districts," in the context of voting, or into segregated neighborhoods, isolated in the context of acquiring regional power and resources. Instead, it allows more dynamic decisionmaking processes to be used for metropolitan planning.[60]

A federated or cumulative voting structure coupled with regional districting is one of several initiatives that could constitute a form of federated regionalism. Other initiatives include tax-base sharing (as practiced in the Twin Cities),[61] metropolitan-wide school districting (as practiced in Charlotte-Mecklenburg County, Louisville-Jefferson County, and Raleigh-Durham),[62] and joint powers boards. Joint powers boards have been formed in metropolitan and rural areas throughout the United States to achieve specific short- and long-term goals, lobby for the solution of regional problems in state legislatures, and reduce bureaucracy. An example is the joint powers board established to combine planning strategies for both the city of Santa Fe and Santa Fe County. Recognizing that the city and county had collaborated successfully in a couple of areas—waste management and land use in the belt of land surrounding the city—the two governing bodies decided to expand their cooperation. The city and county agreed to form a joint powers board that would oversee urban boundary, water, housing, economic development, transportation, and growth issues; each entity is represented equally on the board.[63]

An examination of the evolution and results of regional strategies enacted within the last several decades demonstrates that regional improvement can be achieved when a sensitive balance is struck between local and regional matters. In particular, the forms of regionalism adopted by the Twin Cities and Portland have shown that the more multifunctional and politically balanced among the cooperating governments a regional approach is, the greater is its likelihood of success. That success is measured by the degree to which the strategy remedies the problems of racial segregation and concentrated poverty.

Conversely, Indianapolis exemplifies a regional government that failed because it was unbalanced and not federated to protect minor-

ity interests as identified in this chapter. As a result, it was nonresponsive to the concerns of communities of color. The following is a more detailed description of Indianapolis's regional government and the more successful forms of regionalism at work in the Twin Cities and Portland.

### *Indianapolis*

The history of Indianapolis and its regional "Uni-Gov" illustrates how a regional government of selectively limited authority can exacerbate the problems of racial segregation, concentrated poverty, and the political disenfranchisement of people of color. Created in the 1970s to retain federal funding, which would have been lost due to depopulation, Uni-Gov combined many of the fragments of the Indianapolis metropolitan area. However, proponents of regionalism in Indianapolis were also motivated in part by a desire to defeat the expansion of political power of communities of color in the central city and to maintain Republican power over the increasingly Democratic urban core. Significantly, certain functions of local government were not united under Uni-Gov: school districts remained under local control, as did police and fire departments. In fact, the decision to leave school districts alone was largely political. Politicians were well aware that consolidation of school districts would spark racial tension among whites who had fled to all-white enclaves in Marion County. Without their support, the legislation creating Uni-Gov would not have passed.

However, the decision to leave schools under local control ran counter to the opinions voiced by members of communities of color because it effectively perpetuated racial segregation and benefited only the residents of suburban Indianapolis. This decision was later corrected as the result of a racial discrimination lawsuit.[64]

The suburban municipalities and townships of Marion County were not consolidated. Although townships have fewer functions than the county, they still create another layer of local government that contributes to fragmentation. Indiana is unique in that individual townships are partially responsible for their welfare costs—"poor relief"—and some rudimentary municipal-type services.[65] This places a heavy burden on those townships with a disproportionate share of poor people, particularly Center Township (Indianapolis). Instead of pooling Marion County's tax resources for poor relief, individual townships are expected to support their "own."

Uni-Gov today is both divided and inequitable. Because so many of the region's poor live in Indianapolis, it has to tax its residents and businesses for poor relief at rates ten times that of any other township in the region. Because Indianapolis houses a disproportionate amount of tax-free governmental, educational and cultural facilities—which benefit the entire region—the burden of property tax is assumed by only two-thirds of the township.

Marion County houses the overwhelming majority of the state's poor and minority populations, and its residents pay the highest taxes for the least adequate public services. While the creation of Uni-Gov has helped secure federal funds that aided in revitalizing downtown Indianapolis, it is a highly fragmented form of regional government with an insufficient power base to significantly affect regional issues. Equalizing mechanisms, such as tax-base sharing, are beyond the scope of Uni-Gov's powers, and as long as the metropolitan tax base remains fragmented, residents of Center Township will pay dearly for substandard public services.

### *The Twin Cities*

A better balance has been struck between local and regional concerns in the Twin Cities, where the strategy involves regional policymaking and tax-base sharing. The Metropolitan Council ("Met Council") was formed by the Minnesota Legislature in 1967 as a policy-setting and planning agency whose members were appointed by the governor.[66] The Met Council had a duty to review "all proposed matters of metropolitan significance,"[67] including land development, and to adopt a development guide that addressed the present and future needs of the metropolitan area.[68] The council also had a duty to review all applications made by local government units for federal and state aid to ensure that project proposals were consistent with its goals for metropolitan development.[69]

The Met Council had direct control over funding for key metropolitan services such as regional transit, waste disposal, and airports. With these powers the Met Council was able to institute in the 1970s one of the most progressive suburban affordable-housing programs in the United States. It did so by conditioning infrastructure funding for individual municipalities upon their compliance with regional growth plans and affordable-housing goals.[70]

In the early 1980s, political changes led to the abandonment of

these progressive policies, and the Met Council's broad powers to regulate growth and condition funding went unused.[71] This was due largely to the composition of the Met Council, whose members at that time had been appointed by Republican governor Arne Carlson.

In 1995 the Minnesota legislature passed the metropolitan Livable Communities Act (LCA), which focuses on community efforts to bolster economic vitality, job growth, and efficient use of existing public services. The LCA also supports metropolitan communities in their efforts to expand affordable-housing opportunities, recycle polluted sites, and restore neighborhoods. The act creates three funding accounts that make loans and grants available annually for

—affordable and life-cycle housing programs (the latter referring to transition period housing for college students, individuals, senior citizens, and divorcees, rather than to housing for low-income families) to meet the needs of people of all incomes and life stages,

—clean-up of polluted lands for business development and job growth,

—compact, creative, and transit-oriented development and redevelopment projects.[72]

Participation is voluntary for metropolitan municipalities, and to date more than half of the area's communities have signed on as partners under the LCA, including Minneapolis and St. Paul. To be eligible for these funds, participating communities must negotiate affordable and life-cycle housing goals with the Met Council. Ultimately, these negotiations must culminate in the municipality's submission of an action plan that states how it intends to establish affordable and life-cycle housing that will meet the needs projected by the council. Ideally, these goals should suit the council's long-term regional investment plans. They also must meet benchmarks in the following areas: percentage of affordable housing, both owned and rented; percentage of non-single-family detached units; owner-tenant split of housing stock; and density of residential development for both single-family and multifamily units.[73]

The framework of the Livable Communities Act legislation has several key weaknesses that prevent it from functioning effectively. One is that participation by municipalities is voluntary. Another is that the LCA does not even require the Met Council to critically review the plans once they are submitted, but only to serve as a depository. Nor does the LCA provide the council with any authority to reject the plans. Another weakness of the LCA is that it defines "affordable hous-

ing" very liberally. These generous definitions have enabled many municipalities to claim that they have satisfied their commitments under the LCA without actually building any integrative housing.[74]

The track record of the Livable Communities Act reveals its impotence in the face of municipal resistance. Because the act requires the Met Council to negotiate rather than impose integrative housing goals for suburban municipalities, exclusive municipalities have been able to attain key regional funding from the council with little or no commitment on their part. However, the newly appointed council has expressed a willingness to limit the delivery of essential benefits to municipalities unless commitments are made.

Minnesota also has a partial tax-base-sharing scheme under which each city in the region contributes 40 percent of its commercial-industrial tax revenues to a regional fund. This money is then redistributed so that those municipalities with lower commercial tax capacities receive more funds. The regional fund totals $367 million annually and accounts for 20 percent of the regional tax base.[75]

Because this tax-base sharing is only partial, there are still fiscal disparities between municipalities; the "effective net capacity" of households, after redistribution for the period 1980–1990, ranged from only $1,800 in the central cities to $2,749 in the suburbs to the south and west. However, the reduction in disparities is significant: without a system of tax-base sharing, the disparity between affluent suburbs and the cities would be 50:1, but the actual disparity ratio under the scheme is approximately 12:1. According to Orfield, this has resulted in marginal improvement, but actual disparity levels remain high. Nevertheless, this system has channeled significant funds to poorer districts that need them.[76]

### *Portland*

Another example of an existing regional strategy that comes close to the ideal of federated regionalism is Portland's attempt to control growth and affect regional mandates. There is some degree of racial and economic polarization in Portland, and it is increasing over time. However, this polarization is less extreme than that found in older, larger metropolitan areas. One reason for this is the urban growth boundary (UGB), administered by Portland's regional governing body, Metro. Because there is limited space for new housing on the suburban fringe, the demand for housing from middle- and upper-

income homebuyers is directed back toward the neighborhoods of Portland proper.[77] This same phenomenon holds true for business and commercial development that might otherwise move outward. There is evidence that the UGB, as a powerful regional land-use planning tool, has created a more balanced pattern of redevelopment and shared economic growth. Metro's growth management policy also includes investments in transit projects and downtown revitalization, which has increased the amenities available to Portland neighborhoods, thus contributing to their vitality and desirability.[78]

Portland's regional strategy for housing is federated in that, while the regional governing body sets the requirements for affordable housing, the municipalities themselves are ultimately responsible for zoning and how they choose to meet their share of the regional affordable-housing need. The measures taken are reviewed, but the exact steps to be taken are not mandated. For communities of color, this retention of local power may not be sufficient, given Portland's small (but increasing) minority population and the difficulty minorities have had in exerting political influence, even at the local jurisdictional level.[79]

While the UGB has helped restrict the allocation of monetary resources to a well-defined metropolitan area, there have been unintended side effects. Of particular concern are the clustering of affordable housing, loss of affordable housing as a result of escalating housing prices, the presence of new sprawl beyond the UGB, and the disproportionate impact these phenomena are having on minority populations. Portland has begun to explore ways of addressing these issues by a fair-share housing plan that includes protecting low-income communities from gentrification. The elected Metro Council is crucial to the success of this plan. This advance limits the fragmentation of housing planning in the region. Despite troubling side effects, Portland's efforts to contain sprawl and address fragmentation demonstrate the positive results of a well-planned federated regional strategy.

### *Neighborhood Control*

A federated regional strategy could address fragmentation without specifically targeting sprawl, as David Rusk has discussed in *Cities without Suburbs.* Rusk asserts that without fragmentation there is less disparity between the core and the edges. His focus is on Albu-

querque (and cities like it), which has been able to annex outlying areas, making it one large city rather than a hub surrounded by spokes. Rusk contends that the positive effects of this form of regionalism include less segregation in the school system, less concentrated poverty, and a unitary tax base. The issue that is not raised is that of cultural identity and dilution of political power for communities of color. It is clear that large, sprawling cities can be structured so that the influence and control of minorities is diluted—as occurred in Indianapolis after the adoption of Uni-Gov. On the other hand, cities could create neighborhood control of important institutions, which would afford minority communities greater autonomy. One example is the Neighborhood Revitalization Project in Minneapolis, which allows neighborhoods to have control over certain funds.[80] Similarly, charter schools and site-based management are other types of neighborhood control that would empower minorities where their numbers may be quite small, as in a place like Albuquerque.

Rusk's observations of Albuquerque and the above-mentioned ideas for recentralizing some power at the neighborhood level suggest that while sprawl is a serious problem in the production of concentrated poverty and residential segregation, fragmentation may be even more central. Massey and Denton suggest as much when they note that the new form of segregation based on municipal jurisdiction is much more pernicious than neighborhood segregation because it creates more fragmentation.[81] Federated regionalism, then, is an important response to the problem of fragmentation while being sensitive to the need of communities of color for political power and retention of cultural identity.

## Conclusion

None of the examples discussed is the sort of federated regionalism that will fully redress concentrated poverty and residential segregation. However, some clearly demonstrate the potential of strategies presently at work and suggest approaches to be developed in the near future. Crucial to any current and future attempts at reform is establishing a balance between regional and local concerns—the *federated* component of federated regionalism. Portland's tactics with respect to housing demonstrate this balance: the metropolitan government sets affordable-housing goals for its member municipalities but allows

those municipalities to choose the ways in which those housing goals will be met. In contrast, the regional government in Indianapolis exemplifies an imbalanced system, where regional concerns such as the schools were intentionally treated as local concerns until the courts intervened; the result was aggravation rather than reparation of the problems of concentrated poverty and racial segregation.

If federated regionalism is not balanced, it runs the risk of being too respectful of local autonomy or becoming too fragmented to function. This is demonstrated by the problems with the Livable Communities Act in the Twin Cities, which gives too much weight to local autonomy; therefore, it has inadequately implemented its housing goals and failed to protect the urban core. A lack of balance can also produce an overemphasis on regional concerns, resulting in a large political entity that can dilute the political power and cultural identity of minority communities. Uni-Gov in Indianapolis demonstrates the worst of both kinds of imbalance with respect to its schools and other regional issues. The ideal balance between local and regional control will hinge upon recognition of the concerns of communities of color, which require regional approaches to address concentrations of poverty and local approaches to address the need for political and cultural empowerment.

Representation of communities of color on a regional level is critical and could be implemented through neighborhood and interest groups or entities at the municipal and even federal level. The governance structure could also involve floors, ceilings, and the requirement of a supermajority. One example of a potential regional-federal engagement that could address concentrated poverty, sprawl, and local job growth is a scheme whereby the U.S. Department of Housing and Urban Development (HUD) could make its presently unconditioned federal funding contingent on municipalities' development of Housing Assistance Plans (HAP) that actually deal with these issues. HUD could spur local stakeholders to design a HAP application that demands that municipalities articulate solutions to problems of sprawl and poverty and draft implementation steps.

Minorities have cause to be wary of regional solutions to the problems of segregation and concentrated poverty. What little political power they wield seems at risk of dilution if the regional framework created ignores their interests. Federated regionalism, however, offers communities of color hope that their interests will not be compromised under a regional system, but rather will be balanced and aug-

mented. The tension between local concerns and the needs of the whole metropolitan region can be healthy if properly managed. The challenge is to balance these tensions in a way that leads to true democratic cooperation in metropolitan planning—a cooperation that transcends racial polarization. The suggestions discussed in this chapter are illustrative; while a particular suggestion may or may not work in a given region, it is clear that some structure must be put in place to address minority concerns and a myriad of others. As long as we continue to allow and support a racialized and fragmented jurisdictional structure, we will continue to limit the reach of civil rights, social justice, and environmental protection.[82] Federated regionalism can begin to meet these challenges.

## Notes

1. See Michael E. Porter, "The Competitive Advantage of the Inner City," *Harvard Business Review,* vol. 73 (May–June 1995), p. 55. Porter calls on the cities not to mimic the suburbs but to build on their own competitive advantages. Given the fluidity of capital and people, as well as how regions are structured, I doubt that the concept of competitive advantage is sufficient to address the pressing needs of central cities without a more integrated and aggressive regional strategy involving some coordination and cooperation.

2. The idea of federated regionalism is both old and new. It is new in my explicit application to regional issues that affect minority communities. It is old in the sense that our government has always been based on a federated model that balances larger concerns with the need for local control.

3. See Neal R. Peirce, Curtis W. Johnson, and John Stuart Hall, *Citistates: How Urban America Can Prosper in a Competitive World* (Washington D.C.: Seven Locks Press, 1993).

4. Some would argue that federal public housing policy has played an equal, if not more important role. As Florence Wagman Roisman makes clear, however, "the presence of large public housing developments and poor neighborhoods stem from the same cause," namely racial animus that is empowered through local control of public housing policy and inadequate oversight of racist implementation. Florence Wagman Roisman, "Intentional Racial Discrimination and Segregation by the Federal Government as a Principal Cause of Concentrated Poverty: a Response to Schill and Wachter," *University of Pennsylvania Law Review,* vol. 143 (1995), pp. 1351, 1368.

5. Gregory Weiher, *The Fractured Metropolis* (State University of New York Press, 1991), p. 165.

6. Ibid., p. 188.

7. Raymond Vernon, "The Myth and Reality of Our Urban Problems," *City and Suburb: The Economics of Metropolitan Growth* (Englewood Cliffs, N.J.: Prentice-Hall, 993), p. 101.

8. David Rusk, *Cities without Suburbs* (Washington, D.C.: Woodrow Wilson Center Press, 1995).

9. Richard Thompson Ford, "The Boundaries of Race: Political Geography in Legal Analysis," *Harvard Law Review,* vol. 107 (1994), pp. 1841–1921.

10. Richard Briffault, "Our Localism: Part II–Localism and Legal Theory," *Columbia Law Review,* vol. 90 (1990), pp. 346–454.

11. In the context of political control, many proponents of influence districts in voting, instead of majority-minority districts, make this claim. See Lani Guinier, "More Democracy," *University of Chicago Legal Forum* (1995), pp. 1–22.

12. This does not mean that there needs to be complete consensus. Indeed, such a requirement is probably a recipe for inaction.

13. Paul Jargowsky, *Poverty and Place: Ghettos, Barrios, and the American City* (Russell Sage Foundation, 1997), p. 193.

14. Ibid., pp. 34–35.

15. Paul Jargowsky, "Ghetto Poverty among Blacks in the 1980s," *Journal of Policy Analysis and Management,* vol. 13 (1994), p. 288.

16. Institute on Race and Poverty, *Examining the Relationship between Housing, Education, and Persistent Segregation* (Minneapolis, 1998), p. 11.

17. Douglas S. Massey and Nancy A. Denton, *American Apartheid: Segregation and the Making of the Underclass* (Harvard University Press, 1993), p. 19.

18. Ibid., pp. 51–52.

19. Ibid., pp. 54–55.

20. Michael H. Schill and Susan M. Wachter, "The Spatial Bias of Federal Housing Law and Policy: Concentrated Poverty in Urban America," *University of Pennsylvania Law Review,* vol. 143, no. 5 (1995), pp. 1285–1342 (citing Dennis R. Judd, *The Politics of American Cities: Private Power and Public Policy* [Boston: Little Brown, 1979], p. 281, as the source for FHA underwriting material).

21. Massey and Denton, *American Apartheid,* p. 56.

22. "Boston Fed Issues Study Showing Connection Between Race and Credit," *Fair Lending News,* vol. 3 (1994).

23. In the practice of "steering," the prospective home buyer is taken only to neighborhoods whose demographics are consistent with his or her own race or ethnicity.

24. Blockbusting is the inducement of panic selling of homes by realtors who prey upon white fear of minority "invasion."

25. Massey and Denton, *American Apartheid,* p. 36.

26. Paul A. Jargowsky, "Metropolitan Restructuring and Urban Policy," *Stanford Law and Policy Review,* vol. 8, no. 2 (1997), pp. 47, 49. See also James E. Rosenbaum, "Changing the Geography of Opportunity by Expanding Residential Choice: Lessons from the Gautreaux Program," *Housing Policy Debate,* vol. 6 (1995), p. 231. The Gautreaux Mobility Program in Chicago showed that when low-income minorities are moved to less segregated areas, they fare substantially better in terms of graduation, teen pregnancy, employment, higher education, and salaries.

27. Rusk, *Cities without Suburbs.*

28. Myron Orfield, *Metropolitics: A Regional Agenda for Community and Stability* (Brookings, 1997), p. 38.

29. Massey and Denton, *American Apartheid,* p. 155.

30. Myron Orfield, *Metropolitics.*

31. Ibid., pp. 104–05.

32. Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (Oxford University Press, 1985).

33. For a discussion of the limits of in-place strategies, see John Foster-Bey, "Bridging Communities: Making the Link Between Regional Economies and Local Community Economic Development," *Stanford Law and Policy Review,* vol. 8, no. 2 (1997), p. 25.

34. Advocacy of in-place strategies by members of communities of color as a means of preserving political power and cultural identity is undermined, to a degree, by the fact that many middle-class minorities are moving away from the central cities. There is a conflict between this act of moving away from the central cities and the need for a solidarity of culture and political power that is impervious to the assimilationist influences located outside of the central cities.

35. Charles Smith, "Racism and Community Planning: Building Equity or Waiting for Explosions," *Stanford Law and Policy Review,* vol. 8, no. 2 (1997), p. 64.

36. Cornel West, *Keeping Faith: Philosophy and Race in America* (Routledge, 1993), p. 282.

37. Smith, "Racism," p. 65.

38. Orfield, *Metropolitics,* p. 169.

39. Lani Guinier, "More Democracy," p. 6.

40. Lani Guinier, *The Tyranny of the Majority* (Free Press, 1994), p. 98.

41. See *Shaw* v. *Reno,* 509 U.S. 630 (1993) and its progeny: *Lawyer* v. *Department of Justice,* 117 Sup. Ct. 2186 (1997); *Abrams* v. *Johnson,* 117 Sup. Ct. 1925 (1997); *Bush* v. *Vera,* 116 Sup. Ct. 1941 (1996); *Shaw* v. *Hunt,* 116 Sup. Ct. 1894 (1996); and *Miller* v. *Johnson,* 115 Sup. Ct. 2475 (1995).

42. Richard L. Engstrom and Robert R. Brischetto, "Is Cumulative Voting Too Complex? Evidence from Exit Polls," *Stetson Law Review,* vol. 27 (1998), p. 813.

43. Pamela S. Karlan, "Loss and Redemption: Voting Rights at the Turn of the Century," *Vanderbilt Law Review,* vol. 50, no. 2 (1997), pp. 312–13.

44. Ibid.

45. Edward Zelinsky, "Metropolitanism, Progressivism, and Race," book review, *Columbia Law Review,* vol. 98, no. 3 (1998), p. 667.

46. Ibid., p. 668.

47. Orfield, *Metropolitics,* p. 169.

48. Scott A. Bollens, "Concentrated Poverty and Metropolitan Equity Strategies," *Stanford Law and Policy Review,* vol. 8, no. 2 (1997), p. 19.

49. Guinier, "More Democracy," pp. 11–12.

50. Ibid., p. 10.

51. Ibid., p. 11.

52. Engstrom and Brischetto, "Cumulative Voting," p. 815.

53. Guinier, "More Democracy," p. 15.

54. Guinier, *Tyranny,* p. 142.

55. Guinier, "More Democracy," p. 17.

56. Ibid., p. 18.

57. Guinier, *Tyranny*, p. 97.

58. David Van Biema, "One Person, Seven Votes," *Time*, April 25, 1994.

59. James E. Clyburn, "In Search of a Better Voting Method," *Capitol Column* (http://www.house.gov/clyburn/col1980313b.html [March 13, 1998]).

60. Guinier, *Tyranny*, p. 111.

61. Under Minnesota law, approximately 188 municipalities in the seven-county metropolitan area pool 40 percent of the increases in taxes from commercial-industrial property, which is then redistributed among all municipalities based on annual estimated population and how per capita market value of property compares with the metrowide value.

62. Gary Orfield, "Metropolitan School Desegregation: Impacts on Metropolitan Society," *Minnesota Law Review*, vol. 80, no. 4 (1996), pp. 827, 845.

63. Dale Lezon, "Forum Sets Stage for Cooperation," *Albuquerque Journal*, October 23, 1997.

64. *United States* v. *Board of School Commissioners of Indianapolis*, 332 F. Supp. 655 (S.D. Ind. 1971), affirmed, 474 F.2d 81 (7th Cir. 1973), petition for certiorari denied, 413 U.S. 920 (1973).

65. For example, volunteer fire and ambulance departments.

66. Orfield, *Metropolitics*, p. 182.

67. Minnesota Statutes, sec. 473.173.

68. Minnesota Statutes, sec. 473.145.

69. Minnesota Statutes, sec. 473.171. This duty is what enabled the council to advance desegregation in the 1970s by enabling it to condition approval of aid applications on a municipality's willingness to allow low-cost housing within its borders.

70. Orfield, *Metropolitics*, p. 183.

71. Ibid.

72. Ibid., p. 188.

73. Metropolitan Council, "Minority Population Distribution Trends in the Twin Cities Metropolitan Area." Pub. No. 620-93-085 (1996).

74. Orfield, *Metropolitics*.

75. Ibid., pp. 153–54.

76. Ibid., pp. 64–65, 87.

77. Ibid., p. 157.

78. Consolidated Plan, *Action Plan for City of Portland, City of Gresham, and Multnomah County* (May 12, 1997).

79. Orfield, *Metropolitics*, pp. 157–58.

80. Kevin Diaz, "For NRP, Survival Likely Has a Price," *Minneapolis-St. Paul Star-Tribune*, April 26, 1999.

81. Massey and Denton, *American Apartheid*.

82. john a. powell, "Race, Poverty, and Urban Sprawl: Access to Opportunities Through Regional Structures," *Forum for Social Economics*, vol. 28, no. 2 (1999), pp. 1–20.