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Zones of Exclusion: Urban Spatial Policies, Social Justice, and Social Services

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Across the United States homeless persons, prostitutes, and drug and alcohol users are subject to policies that severely limit their freedom of movement. These new policies create spatial exclusion zones that deny these groups the right to inhabit or traverse large areas of their cities, particularly in the downtown cores, where treatment centers, shelters, food banks, soup kitchens, government services, and other social services are typically concentrated. In this paper, I examine these new spatial exclusionary policies (with a focus on Washington State’s policies), present a brief historical account of socio-spatial practices, contextualize the current spatial laws, and end with the implications of current exclusionary laws for social work practice, policy, and research.

Key words: spatial policies, exclusion zones, human rights, social justice, space, marginalization, homelessness, prostitution, drug use, urban

Across the United States homeless persons, prostitutes, and drug and alcohol users are subject to policies that severely limit their freedom of movement. On April 13, 2011, in Minneapolis, for example, James Solomon was given a court probation order restricting him from approximately 90 downtown blocks for one year. His offense: loitering with an open bottle (Minneapolis Police Restriction Order, 2011). In Miami, on March 25, 2011, Tenisha Shepard received a six-month spatial probation for prostitution, banning her from over 150 blocks. If she is found in this area she can be arrested and jailed (Goyette, 2011). Many of these new policies create spatial exclusion zones covering large areas of U.S. cities (Beckett & Herbert, Journal of Sociology & Social Welfare, September 2012, Volume XXXIX, Number 3

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Populations convicted of “social crimes” (e.g., sleeping in parks/parking lots/public spaces after hours, prostitution, drug use/buying illegal substances, drinking in public) are the focus of these spatial restrictions. Most of these probationary restriction zones are in downtown cores. Treatment centers, shelters, food banks, soup kitchens, government services, and other social services are typically concentrated in these areas, and the inhabitants denied access to these zones are those most in need of these services.

Despite the growing pervasiveness of these “no go” policies and practices, and their obvious implications for social work practice with vulnerable and underserved populations, they are receiving almost no attention in the social work literature. This paper seeks to address this gap, arguing that social workers not only need to be well informed about the current proliferation of exclusionary spatial policies, but also, in general, would benefit from critical awareness of the links between space, power, and social control.

Although the primary focus of the paper is on contemporary forms of spatial control, the use of spatial mechanisms to control and marginalize unwelcome groups of people has a long history. To situate current policies, I first present a brief history of socio-spatial exclusion in the United States from colonial times to the re-emergence of exclusionary spatial practices, in new guises, in the 1980s (with their ubiquitous use in Washington State serving as one example). The body of the paper then describes and contextualizes current laws and policies. The paper concludes with a discussion of implications for social work practice, policy, and research.

**Historical Spatial Exclusion**

Criminalizing homelessness has a long history in the United States—one which often resulted in forms of incarceration in workhouses or poorhouses, if not prison. The colonists brought vagrancy (the status of possessing no permanent home) laws with them that dated back to the Elizabethan Poor Laws of the 16th century (Amster, 2003). These laws subjected vagrants to physical punishment including beatings, scouring, and pillorying as well as a “[two year] enslavement penalty...

By the 1700s and 1800s, vagrancy laws were also being used to control criminals and those deemed nuisances (Chambliss, 1964). In 1837, the United States Supreme Court made its opinion of vagrants clear in its decision on City of New York v. Miln:

> We think it as competent and as necessary for a state to provide precautionary measures against the moral pestilence of paupers, vagabonds, and possibly convicts; as it is to guard against the physical pestilence, which may arise from unsound and infectious articles imported, or from a ship, the crew of which may be labouring under an infectious disease. (36 US (11 Pet) 102, 142-43 (1837) in Douglas, 1960, p. 2)

The use of vagrancy laws to address a wide range of “social crimes” persisted into the 1960s. In California, for example, during the Great Depression, vagrancy laws were used to stop the influx of immigrants from other states (Chambliss, 1964) and for other purposes: for example, against waterfront strikers in 1935 (Douglas, 1960) and to silence criticism of the police in 1953 (Douglas, 1960). In 1960 in Washington, DC, a law defined vagrants as anyone identified as a “pickpocket, thief, burglar, confidence operator, or felon”; persons leading “immoral or profligate life”; persons involved with houses of “ill-fame” or “gambling establishments”; persons “wandering abroad”; persons “begging”; and persons on the streets at “late or unusual hours of the night” (D.C. Code Ann. 22-3302 [supp. VIII 1960] in Douglas, 1960, p. 6).

As political movements around civil rights increased in the 1960s, vagrancy laws were increasingly criticized by legal scholars for their vagueness. In 1972 the U.S. Supreme Court declared vagrancy laws to be unconstitutional (Papachristou v. City of Jacksonville, 405 U.S. 156 [1973] in Ades, 1989). In response, states began using loitering (standing idly doing nothing) laws as they had been using vagrancy laws. Ten years later, in 1983, the Supreme Court declared loitering laws unconstitutional due to ambiguity (Kolender v. Lawson, 461 U.S.)

At the same time, states were faced in the 1980s with a spike in the number of homeless people due to multiple factors: economic restructuring that sent well-paying manufacturing jobs overseas while promoting low-wage service industry jobs and unemployment; an increase in inflation with a decline in real incomes for middle- to low-income wage workers; the destruction of low-income housing through the revitalization and gentrification of downtown areas; rises in property values (resulting in higher rents in cities); and the reduction of federal funds for General Assistance Benefits, AFDC benefits, and Food Stamps (Ades, 1989; Burt, 1992; Shlay & Rossi, 1992; Wolch & Dear, 1993; Wright & Lam 1987; Wright, Rubin, & Devine, 1998). Burt’s study in 1991 showed that the number of shelter beds tripled from 1981 to 1989. Another study reported homelessness almost doubling from 1987 to 1996 (Burt, Aron, Lee, & Valente, 2001).

Cities responded to the homelessness crisis of the 1980s and '90s with a host of new anti-homeless city ordinances, mostly focused on sleeping or sitting in public spaces and pan-handling. No-camping ordinances spread across the United States until almost every large city had one (Saelinger, 2006). The National Law Center on Homelessness & Poverty and the National Coalition for the Homeless (2009) examined 235 cities and found that 47% of them had bans on camping either in particular public places or city-wide. Over the same period, an acute shortage of shelter beds arose (United States Conference of Mayors, 2010). Along with increases in anti-homeless ordinances in the late 1990s and early 2000s, were increases in the number of hate crimes in the form of blatant verbal and physical attacks against the homeless (Wachholz, 2005). In the 1990s, policies to remove groups of unwanted people from particular spaces took a new turn: the creation of zones of exclusion (Beckett & Herbert, 2010).

Zones of Exclusion

Beginning in the 1990s and proliferating in the 2000s, the United States and other industrialized nations enacted spatial policies designed to keep “undesirable” populations from
particular city spaces. Under these policies, homeless people, prostitutes, and drug users are literally banned for lengths of time (often up to two years) from city cores. These new spatial laws do not exist to keep someone from committing a crime (those laws already exist); they ban groups of people from a space because they at one time committed a crime in that space. As Flanagan (2003) notes "...the excluded individual need not engage in criminal activity, nor even be suspected of it. Rather, it is the individual's mere presence in a particular area that offends." (p. 329). In essence, the spatial exclusion laws target people for who they are, not what they are doing.

Though this study focuses on the United States, there are many European cities that have adopted spatial policies to control the same populations. Both Europe and the United States have spatial ordinances regulating prostitution. The Danish government created "green-light" spaces for prostitution and in the process declared its city centers as exclusionary zones for prostitution (Hubbard, 2004). As of 2007 in Germany, cities had enacted spatial prostitution bans in 17 areas, which included center city spaces. Other "undesirables" are also excluded from the center of German cities (Belina, 2007). Anti-social behavior ordinances were first enacted in the United Kingdom in 1998 under the Crime and Disorder Act (Statewatch, 2010) to ban people from specific acts and from certain spaces of the city (Flint & Nixon, 2006).

In the United States, spatial exclusion orders are usually attached to a probation agreement for two reasons: first because spatial exclusionary orders not attached to probations were often rejected by courts as too broad and too restrictive (this was true in court cases in Fresno, 1979, New York City, 2000, and Cincinnati, 2002) (Hill, 2005) and second because the connotation of probation has dramatically changed over forty years. Probation was previously thought of as a less punitive sentence than jail, imposed by judges on case-by-case basis and reserved for offenders who were considered more tractable to rehabilitation (McAnany, 1995). In the 1980s punishment became more emphasized over rehabilitation through stricter sentencing and ever-increasing imprisonment (McAnany, 1995), and probation became a spatial fix to rid city streets of undesirables. Furthermore, Snider (1998) noted that almost anything can be attached to a probation or parole restriction:
Most jurisdictions have held that any condition, so long as it is not illegal, immoral, or impossible to perform, may be attached to a parole or a pardon. Banishment as a condition of a parole or pardon has been upheld... even in cases where the state constitution contained a provision outlawing banishment. (p. 471)

Because, judges, police, and lawyers know that those convicted of spatial crimes (the homeless, prostitutes, and drug users) rarely have the time, money, or energy to refuse parole or probation, spatial restrictions typically are not fought in court (Snider, 1998). Spatial probations are being used with a variety of existing city laws, ordinances, and orders, including Park Exclusion and Trespass Orders, Prostitution Laws and Drug Laws.

Spatial Exclusions Probations Attached to Park Exclusion and Trespass Orders

Washington State provides useful examples of these types of orders. The cities of Everett, Monroe, Seattle, Tenino, and Vancouver have Park Exclusion Orders in their municipal codes. Below is an example of a Park Exclusion Order, SMC 18.12.278, Seattle's Park Exclusion Code:

A. The Superintendent may, by delivering an exclusion notice in person to the offender, exclude from a City park zone or zones, anyone who within a City park: ...

The offender need not be charged, tried, or convicted of any crime or infraction in order for an exclusion notice to be issued or effective. The exclusion may be based upon observation by the Superintendent or upon the sort of civilian reports that would ordinarily be relied upon by police officers in the determination of probable cause. (Seattle Municipal Code, 1997-2011)

Since free food services are often provided in downtown parks, those excluded speak over and over again about the impact of being deprived of the right to go to parks (Beckett & Herbert, 2010):
But if somebody's feeding at the park, uh, I can't go to the park and partake of the meal being offered? That's bullshit.

Now you're going to arrest me for, for going where you put the services for me to get? You know, that doesn't make sense! It's crazy.

Those places that they're telling them that they cannot be, they're not moving. But they're asking the people to move ... and I know if I can get in there and around the police I can eat. I'm going to do it, you know, and at all cost. (pp. 135-136)

Figure 1. Seattle Trespass Program Sign (North Precinct)

Note: Source: No Trespassing or Loitering Sign in Seattle Parking Lot near the University of Washington. Notice Trespass Sign has a map showing the area of the North Precinct and being “Trespassed” (spatially banned) from one parking lot means being trespassed from all parking lots with trespass signs in the precinct.

The number and types of spaces of exclusion are proliferating. Some cities are banning people from businesses (or combined businesses, so for example, being banned from a McDonalds might, under the parole requirements, mean banishment from twenty-five to thirty different types of businesses in the city) and from parking lots (Seattle has a trespass program where being banned from one parking lot bans the
person from 320 other downtown core parking lots) (Beckett & Herbert, 2008). (See a Trespass Program Sign in Figure 1).

An interview with a homeless individual in Seattle under spatial restriction orders due to trespass probation speaks to the scope of these restrictions:

I mean, they [downtown parking lots] are everywhere. And I’m not just talking about the ones on the surface... there’s the underground ones; they’re on almost every corner that you take shortcuts through, like we just did. You know, and my feet aren’t so good, so I take shortcuts...It’s too much.

On the back of the card, you know on the back of the card, it says when you sign the card, you trespassed from all these places on the back of the card. That’s everywhere! You can’t go to Sorry’s, you can’t go to Feathers, you can’t go to Rainier Beach, you can’t go to Bank of America, you can’t go to the Moore place, you can’t go to Safeway, you can’t go nowhere! (Beckett & Herbert, 2010, pp. 130-131)

Some cities are banning people from a variety of public spaces, such as alleys, bus stops, busses themselves, churches, libraries, hospitals, university and college campuses, apartment buildings, public housing complexes, and social service agencies (Beckett & Herbert, 2010).

A service provider for the homeless stated that most of the employees at her agency were accustomed to having one or more of the people they are serving subjected, at any given time, to a spatial exclusion order. The service provider said that many of the agency’s clients get exclusion orders at downtown parks, bus stops, and tunnels (personal communication, March 28, 2011).

Stay Out of Prostitution Area Orders

In the United States, spatial parole policies create banned zones for prostitutes, like the SOAP Orders. Cities in California, Florida, Louisiana, Missouri, Nevada, Oregon, and Washington have all enacted forms of SOAP ordinances (See a SOAP Sign in Figure 2).
Judges and correction officers are using probation restrictions attached to orders against convicted prostitutes to ban those considered unwholesome from certain spaces in the city, and in some cases from entire downtown areas (Beckett & Herbert, 2010). Portland, Oregon, enacted a SOAP Ordinance in 1995. Though the Ordinance was repealed in an Oregon court on the grounds that people can’t be arrested twice for the same violation (double jeopardy), the Oregon State Supreme Court upheld the Ordinance on the basis that the violation was of the probation restriction, not a re-arrest for prostitution.
Whether intentional or not, the acronym SOAP, signifying the need to rid public spaces of the "unclean," conveys lawmakers' conception of prostitutes. By creating space in which prostitutes are not allowed, the law is saying that any prostitute in that space is seen by the law as acting as a prostitute, no matter the activity in which he or she is engaged. In this regard, Sanchez (2004) writes that such a law:

...reifies the prostitute identity on women and men who have once engaged in street prostitution, assuming that street work is a permanent and full-time occupation, and arresting women and men for their mere existence in public space. But this neglects to consider that many, if not most, street workers move in and out of prostitution, sometimes by the week, and it deprives them of the opportunity to shift their energies onto other work, family, and activities. Moreover, it ignores the fact that sex workers use the five major city streets of the zone for all of the same purposes that others do: to buy groceries, catch the bus, walk to the park, care for children, and so forth. (pp. 869-870)

Since 2003, Seattle has implemented five SOAP areas, comprising a total of 3.2 square miles, which is almost the entire downtown core (Hill, 2005). These SOAP orders are affecting arrests for prostitution; for example, from 1996 to 2002 prostitution arrests increased from 97 to 403 (Hill, 2005). One woman under a SOAP order, who was interviewed by Beckett & Herbert (2010), said:

I told you about that experience when the bus door opened, the police officer seen me on the bus ... I was traveling through, going to where I lived right on Pacific Highway, out there by Larry's Market. I stayed in a trailer park over there ... I mean, once I got off the bus he was right behind the bus there and stopped me. And took me right back to jail ... Cuz I had just got out of jail that day for a SOAP violation, being in a SOAP zone, which is where I was living. And, when I got out, and walked out of the bus, here he is ... I have enough time to get out of that jail, walk into the store, get on the
bus and go uptown ... get off the bus, and don’t even make it across the street, and I’m gone, back to jail. He just drove me back to Tukwila. Just drove me right back down to the jail house. (pp. 123-124)

Stay Out of Drug Area Orders

Another common banishment zone is associated with SODA parole attachments. Forms of SODA ordinances have cropped up in cities in California, Florida, Hawaii, Nevada, Ohio, Oregon, Virginia, and Washington. Below is an example of a SODA Order:

10.13.025 Stay Out of Drug Areas Orders Everett, WA, SODA Ordinance. Any order issued pursuant to this chapter that specifically orders as a condition of pretrial release and/or deferral or suspension of sentence that the defendant stay out of areas with a high level of illegal drug trafficking shall be hereinafter referred to as a “SODA” (“Stay Out of Drug Areas”) order.

B. SODA orders may be issued to anyone charged with or convicted of possession of drug paraphernalia, manufacture/delivery of drug paraphernalia, delivery of drug paraphernalia to a minor, selling/giving drug paraphernalia to another person, possession of marijuana, or any of the aforementioned crimes that occur within a drug-free zone.


A number of cities with SODA parole policies have been accused of using them to keep African Americans out of downtown cores (England, 2008). Certainly African Americans appear to be overrepresented among those receiving SODA paroles. For example, in Portland, Oregon, between June 1 and October 31, 2006, 58% of whites arrested for drug possession were given SODAs compared with 100% of blacks (Moore & Davis, 2007).

SODA orders also exist in Seattle (since 1991); here too African Americans are overrepresented among arrestees. England states:
During the first three months of SODA’s original implementation, over 50% of those arrested for drug loitering were African Americans. Less than one-third of those arrested led to actual charges, lending credence to the charge by some that the law was primarily implemented as a device to remove Black males from downtown streets. (England, 2008, p. 198)

This overrepresentation of African Americans receiving SODA orders is not surprising, given the findings of a study by Beckett (2008) for the ACLU and the Defender Association that demonstrated that African Americans are disproportionally arrested for drugs in Seattle. Though African Americans comprise only 7.9% of Seattle’s population (2006), and through numerous different measurements represent well under one-half of Seattle drug users, they are over-represented in arrests for drugs, because the Seattle Police have focused on arresting crack cocaine users in the downtown area of Seattle, the majority of whom are African Americans (Beckett, 2008).

SODA laws have other impacts on vulnerable and marginalized populations. The spaces being demarcated are also often the spaces where those being restricted live or where their social networks are located. Beckett and Herbert (2010) wrote of the hardships imposed upon those denied the right to traverse the city. A Seattle woman kept from visiting her mother due to spatial banishment explained:

The judge was like, “No way. I don’t care if that’s your mother or not, there’s no way. That’s a drug area, that’s around the area you got caught in, so we don’t want you in there.” I’m like, “That’s my mom, I mean, either you’re gonna have to just keep taking me to jail and give me SODA violations, because I’m not gonna stop seeing my mom.” (Beckett & Herbert, 2010, p. 4)

In King County, Washington, thirty-one SODA zones currently exist; these include the majority of Seattle’s downtown core. The magnitude of the SODA zones is felt by many SODA parolees:
There's too many, they have way too many. Everywhere! Have you ever seen the SODAs? They're crazy! You may as well just say, well, I'm not supposed to go out today!

Pretty soon, there's nowhere for you to go but in your house because the SODA zones are all over Seattle ... They say these are the areas where the drugs are sold. Drugs are sold almost everywhere. (Beckett & Herbert, 2010, p. 130)

If a person violates a SODA order they face a longer jail term and a longer probation. A service provider noted that the Drug Court is diligently enforcing SODAs:

Many in this group, when faced with an exclusion order, come to it by way of Mental Health [or] Drug Court, which includes lots of formal Department Of Corrections supervision. Our sense is that our severely mentally-ill clients don't see the spatial orders strongly enforced by their DOC supervisors, who understand the client's limitations to following them. Those clients in Drug Court, however, see their SODAs enforced closely and most of them say they benefit from that, seeing it as supportive structure. (personal communication, March 28, 2011)

Not surprisingly, Herbert and Beckett (2011) found that only one-third of people with exclusion orders whom they interviewed said that they "mostly complied" with the banishment. Keeping people out of the spaces where they grew up, obtain services, their relatives live, and they are acclimated to is not an easy proposition. We are all tied to spaces: as Jackson (1994) insists in his book, *A Sense of Place, A Sense of Time*, the essence of a sense of place is when we think of it as home.

But you got to realize, too, this is the only place I know... good or bad, good or bad. It's the only place I know. I can get food, get housing, take a shower, brush my teeth, this place it provides for me, you know what I'm sayin', it provides for me, and then, even if I'm doing wrong, it still provides. Cuz if I mess up on my money, I can still go up to the park to eat. You know what I'm
saying. So, you have to know that some people live here. This is home for us. (Beckett & Herbert, 2010, p. 115)

Neoliberal policies reduce funding for social services while creating harsher restrictions on receiving services. Providers find themselves between a rock and a hard place. Yet there is a vast difference between struggling to make do with funding shortages and supporting neoliberal policies. British researchers Sarah Johnson and Suzanne Fitzpatrick have written numerous articles suggesting that spatial restrictions are helpful for the needy. In a 2008 article they quote drug users saying:

"...this ASBO, in a kind of weird way, has done me a favour because I've faced my demons..." and [Interviewer]: "Where would you be now, do you think, if you hadn't had your ABSO?" [Street user]: "Dead or in jail on a life sentence or something." (Johnson & Fitzpatrick, p. 198)

Another service provider notes, "Some clients tell us they value the orders because they help them stay out of areas of drug dealing and in compliance with Department of Correction Supervision" (personal communication, March 28, 2011). However, Beckett and Herbert (2010) found that only 12% of those they interviewed in Seattle said they obtained some positive outcomes from their exclusion orders, whereas the majority of respondents focused on negative consequences.

Contextualizing Zones of Exclusion

Much of the contemporary rationale for spatial exclusion policies is economic. For many years, through referendums and requests for city improvement funding, cities have been suggesting to their inhabitants the need to clean up waterfronts, parks, and downtown areas so they can attract corporate investment and people for shopping, housing, and cultural events (Lefebvre, 1996). Under the facade of urban renewal/redevelopment, corporations have obtained public space in de-industrialized cities' cores for close to no cost (Herbert & Brown, 2006; Hubbard, 2004; Mitchell, 1997; Smith, 1996). Corporations have profited while contributing to social and economic disparities by destroying low-income housing,
raising rents to prohibitive levels for the poor, not creating sufficient living-wage jobs, thus throwing large numbers of people into homelessness (Katz, 2001; Mitchell, 1997). Moreover, the old deindustrialized cores were the spaces that cities had pushed their most marginalized groups into, and now these marginalized people hinder redevelopment (Herbert & Brown, 2006; Hubbard, 2004; Mitchell, 1997; Smith, 1996). All of these practices are occurring in U.S. cities today; they continue to be framed for the public as acceptable practices in order to maintain order, civility, and safety.

Exclusion of homeless populations from the public sphere, for example, is linked by governments to "the broken window" argument (Wilson & Kelling, 1982), used by Mayor Guiliani in New York City (Mitchell & Beckett, 2008). This argument posits that a broken window invites crime and disorder. Similarly, the mere presence of a homeless person is seen as inviting crime and disorder. Since the early 1990s, some police, lawyers, and public servants have been calling for new laws to limit access to public spaces, because panhandlers, park-campers, and homeless people make these spaces unsafe and uncivil (Ellickson, 1996; Siegel, 1992; Teir, 1993). Teir (1993) makes this argument by suggesting it is a middle approach between the civil-libertarian method of allowing all people access to the city and the old-English/Scottish style of beating and maiming the homeless person:

Legislation aimed at unwelcome panhandling is a key element in returning safety and civility to urban streets. Other measures being tried with success, but also being routinely challenged by radical individualists, include anti-drug loitering ordinances, regulations of the locale of public sleeping, asset seizures for drug and prostitution customers, and limitations on the public consumption of alcohol. All of these efforts have in common an effort to strengthen communities and make the streets safe so that community life can flourish. (p. 291)

In 1992, George Kelling encouraged the police to quell the public's "fear of disorder" by cracking down on "petty crime and inappropriate behavior such as public drunkenness, panhandling, and loitering." The following year, in 1993, Kelling
stated, "...the signs of disorder—panhandling, street prostitution, graffiti—help create the spiral of urban decline, as fearful citizens retreat into their homes, ceding the streets to criminals. Halting this spiral requires a strong set of laws against disorderly behavior..." (¶10). The problem of urban decline, according to Kelling, is the panhandler, the loiterer, the homeless, the drug-user, and the prostitute inhabiting public spaces, with no consideration of the reasons why they are inhabiting these spaces (sky-rocking housing costs and unemployment). In the early 1990s, new laws were created to rid city cores of the marginalized people living on the streets, and this was accomplished using a construct of disorder, incivility, and endangerment as the rationale for such laws.

Such arguments ignore the socioeconomic and sociopolitical processes that in the preceding decades resulted in the ghettoization of deinstitutionalized, mentally-ill patients (Dear & Moos, 1986; Moos & Dear, 1986), the homeless, prostitutes, and drug users in the inner cities. The decades after World War II saw the exodus of the middle class from urban spaces to suburbia. In the 1960s and 1970s, the destruction of single-room occupancy (SRO) housing (without building alternatives), and in the 1980s the discontinued funding of developers for the building of low-income housing (ending tax breaks) and the cutting of social services pushed hundreds of thousands of people into the streets, creating a huge homeless crisis in the United States (Burt, 1992; Rossi, 1989; Shlay & Rossi, 1992; Wolch & Dear, 1993; Wright & Lam, 1987; Wright, Rubin, & Devine, 1998). As Moos and Dear (1986) discussed, the transfer of federal funding to the state level created budgetary constraints for social service delivery. Due to lack of client transportation and the costs of a facility and wages for service providers, social services were forced into specific central locations in the urban cores (Dear & Moos, 1986). The location of these services, in turn, encouraged the movement of the homeless, drug users, and prostitutes to the cores of the cities, helping create these urban ghettos (Dear & Moos, 1986). Certainly the homeless, drug users, and prostitutes had no say in the policies that moved them into these urban cores, just as they are not having any say in the current policies that are moving them out of these cores.
Lefebvre’s discourse on space and “the right to the city” (1991, 1996) provides a useful analytic lens here. Lefebvre (1991) argued that social relations “project themselves into a space, becoming inscribed there, and in the process producing that space itself” (p. 129). Space thus reveals how, what, and where power is at play. Spatial exclusion policies reveal the city government’s perceived right to deny certain people the right to a space open to everyone else in the city, but also to designate who the public comprises. These new spatial policies give city governments the power to control who has the right to the city spaces, thus implicitly deciding who is not given the rights of a public citizen.

Implications for Social Work and Social Services

Over the last thirty years, these new and more punitive spatial policies have been formulated by city governments to push “undesirable” populations out of city cores. These spatial probationary restrictions surely just move these unwanted people and their behavior to other spaces, while denying them the right to enter spaces where they must go to survive: food banks, food kitchens, substance abuse centers, mental health clinics, hospitals, courthouses, libraries, and transportation services. The production of public spaces for only a particular sphere of the public and not for others is, in a sense, offering the right to the city to the chosen. The whole construct fits within current neoliberal ideology, which defines a citizen as one who buys products (Brown, 2003); all others do not belong.

In addition to the general construct of “the chosen,” concerns around social justice and the targeting of people of color and women, as well as class issues, need be considered. Feminists and critical race scholars describe how full social citizenship has been bestowed by those in power only on those who share the same identity, i.e., male and white (Benhabib, 1992; Fraser, 1989; Haney-Lopez, 1996). Exclusionary practices throughout U.S. history are linked to race and gender. The full rights of citizenship have been granted to people who conform to the accepted social standards of society (Carr, Brown, & Herbert, 2009). Prostitutes, drug users, and the homeless are populations outside of normative societal standards.
Social work practitioners and researchers need to examine the effects of spatial policies on those being excluded, as well as on the agencies that may find themselves in city spaces bereft of clients. Social welfare scholars should explore how providers perceive the positive and negative outcomes of spatial bans. If we accept that some individuals benefit from spatial exclusion orders, we need to determine who is helped and who is not, and why, to inform better practices.

At the policy level, researchers should undertake comparative studies of cities with and without exclusionary spatial probation restrictions to discover whether cities with these policies have different rates of homelessness, prostitution, and drug abuse. In addition, researchers need to evaluate whether these policies work. Do they prevent re-offending or do they push the problem elsewhere?

Finally, social work researchers are well placed to examine how power is played out in space. With neoliberal-based cuts to social services, as well as policies that shift national distribution of aid for the poor to the state level, welfare benefits dry up in economically distressed periods, widening inequality and creating more unsheltered homeless people. The new economic transformation of society as a whole has resulted in new spatial regulations on local levels. This paper represents a starting point for policy makers, researchers, and practitioners to consider the effects of spatial policies on the marginalized populations that we all serve.

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