Un-real Estate: Proprietary Space and Public Gardening

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Many contemporary neo-liberal urban programs are enacted in order to protect private property, structured according to a logic of property, or designed to extend the workings of private property to public domains. My focus is on the latter, especially in relation to the principles of Crime Prevention Through Environmental Design (CPTED). Here, residents are encouraged to act in a proprietary way toward public space in order to expel anti-social forms of behaviour. Drawing on Oscar Newman’s analysis of “defensible space”, I document the link between CPTED and certain characterizations of property—that property is largely synonymous with private property, that it is communicated to others through clear acts, such as gardening, and that it is, or should be certain and clear. These principles, I note, echo hegemonic accounts of property. Perhaps for this reason, defensible space principles remain important to neo-liberal urban governance. I document their significance in relation to attempts to create a “Community Greenway” in inner city Vancouver. Drawing from interviews, I demonstrate that while residents did, indeed, lay claim to public space, they did so in complicated and collectivized ways that depart from the privatized certainties of neo-liberal notions of property. Such complications are also echoed in other accounts of defensible space. I conclude by urging geographers to take property more seriously, yet also acknowledge the overlapping and collectivized ways in which people can lay claim to urban space.

Introduction

Contemporary urban governance and policing strategies, with their embrace of public–private partnerships, deregulation, fiscal austerity, cross-subsidies, and market solutions, have been characterized as a form of urban neo-liberalism (Peck 2001). Neo-liberalism is, in part, a language of property—a return to central axioms of eighteenth century liberalism, which locates private property as the foundation for individual self-interest and optimal social good (Smith 2002:429). Similarly, much contemporary urban policy turns on property, whether it is enacted in order to protect private property, sustained according to the logic of property, or entailing the extension of private property to public domains (Rogerson and Boyle 2000). However, geographers have had little to say about property in general, or considered the ways in which it has been put to work in the contemporary city.

The lure of property, for neo-liberals, rests on its promise of individuality and certainty. These, in turn, entail a particular set of spatial representations. This paper seeks to demonstrate the ways...
in which particular geographies of property—as individualized and certain—inform one area of urban policy. Although defensible space predates neo-liberalism, its principles have been taken up in contemporary public order regulation and policing. Although institutionally powerful, this theorization of property is a limited one, failing to acknowledge the diverse, contradictory and sometimes collectivized ways in which property can be put to work. I demonstrate this through a case study concerning an attempt to enrol urban residents in a public gardening project, termed a greenway. Although my empirical study is modest in scope, I aim to prove that the basic precepts of defensible space as they relate to property were confounded and complicated. Property, at the core of the neo-liberal urban agenda, is a more diverse category, both empirically and politically, than we often suppose (Blomley 2004a). Therein, perhaps, lies its radical potential.

CPTED and Private Property

In 1995, some residents on a street in a low-income, inner city neighbourhood of Vancouver, called Strathcona, approached the City under its Neighbourhood Greenway project. Under the City’s programme, neighbourhood greenways are initiated by community groups. Partial funding and design, development and construction assistance comes from the City, with residents providing funds and/or in-kind contributions to their planning, construction and maintenance. Once created, local residents are expected to maintain the greenway. After some controversy, a greenway was created in 1997. One hope, it seems, was that the greenway would reduce public disorder, in particular that associated with prostitution and drug use. As one planner put it, the greenway was supposed to demonstrate the truth of what he termed “the broken window theory”: “actually having people out there caring for it sends a very strong message that this is territory that is being cared for, it’s not open game” (Interview, July 30 2000). Its development, according to the City, would “allow local residents to take ownership of their street” (City of Vancouver 1997:3). At a public meeting, convened following the concern of some residents that the greenway would attract “undesirables”, a City Police Officer spoke on the merits of these forms of “ownership”. Unlike more passive forms of community securitization, such as community policing, the act of gardening was seen as a means by which these enactments would occur.

The language here echoes an assumed relationship between property, public space and disorder, which has been popularized by the Crime Prevention Through Environmental Design (CPTED) movement. CPTED derives from the work of writers such as Jane Jacobs, who wrote of the “marvellous… complex order” (1961:50) that encourages “eyes upon the street, eyes belonging to those we might call the natural
proprietors of the street” (1961:35). However, it was first formalized by Oscar Newman, who developed the concept of defensible space. This uses urban design to encourage residents to control the areas around their homes (Newman 1996:9).

CPTED has become influential across North America, Continental Europe, Australia and the UK. In Britain, CPTED has received support from interests such as the Home Office, the Royal Institution of Chartered Surveyors, the Association of Chief Police Officers, and the Royal Town Planning Institute (Cozens, Hillier and Prescott 2002:122). Specific examples include the “Secured by Design” programme of the British police, which seeks, in part, to “introduce appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development” (quoted in Schneider and Kitchen 2002:221). Institutional interest in the United States has been longstanding. The National Institute of Law Enforcement and the US Department of Justice funded Newman’s original work. Given Newman’s particular interest in public housing, it is perhaps not surprising that Henry Cisneros, the Secretary for Housing and Urban Development (HUD), would endorse his ideas in the 1990s (Cisneros 1995). HUD’s Office of Policy Development and Research commissioned Newman to prepare a casebook on defensible space in 1996, affirming defensible space as a “proven strategy for enhancing our Nation’s quality of urban life” (1996:4). So prevalent has CPTED become in the United States that legal actions have been brought for a failure to take reasonable security measures, including CPTED, in building design (Cozens, Hillier and Prescott 2002:123). While Canada has been said to have made fewer contributions to CPTED theory, research and practice than the United States or the United Kingdom, there has been sustained interest in the concept since the 1970s (Schneider and Pearcey 1996). The International CPTED Association, for example, is based in Calgary. The City of Vancouver’s Planning Department notes the significance of CPTED principles. Vancouver is also reportedly the only Canadian police service to assign a full-time police officer to City Hall to review various development proposals (including greenways) for crime and safety issues. CPTED provides the organizing paradigm.

The principles of CPTED have been applied in various ways, and under different rubrics: however, a strong case can be made that Oscar Newman’s principles of defensible space are at its core. For that reason, I will provide a close reading of Newman here, drawing out, in particular, his characterization of the spaces of property. At the centre of Newman’s account is a particular understanding of territory. Broadly defined, defensible space is said to concern a set of territorial mechanisms—real and symbolic barriers, “areas of influence”, and
forms of surveillance—that “combine to bring an environment under the control of its residents” (Newman 1972:3). Design elements, such as the positioning of windows, allow residents to survey public space. However, central to his treatment of territory is the argument that design must encourage residents to extend the property claim they have to their private space to adjacent public space. This reflects the maxim, as one CPTED primer puts it, that “people will take care of space in which they have a proprietary concern” (Crowe 1991:103). Through physical design, this sense of proprietary concern can be extended into public space. This extension is said to deter potential offenders: “The better a place is defined regarding ownership, the more likely a non-resident or visitor is to be conspicuous” (Crowe 1991:104). Unlike the actual privatization of public space noted in other settings, this extension is provisional and extra-legal. Residents’ claim to adjacent space is, in that sense, a form of “illusory property”, or “un-real estate”.6

Private ownership as a territorializing device, then, is at the core of Newman’s analysis. However, the spaces of ownership are more than simply functional but carry deeper resonances. Property ownership, Newman argues, signals maturity, power and belonging. He begins his discussion of territory in Defensible Space with the private detached home, which “by its very nature” is the preeminent “statement of territorial claim” (1972:51).

The single-family house, set on its own piece of land…has been the traditional expression of arrival in most every Western culture. It is the symbolic token of having a stake in the social system; it is deeply rooted in notions of proprietorship and belonging to the establishment. To many, it represents the reaching of maturity and the achievement of success and potency. (Newman 1972:51)7

The secure residential environment is “understood by a resident as a haven and interpreted by outsiders as the expression of the inhabitants’ egos” (1972:13). Territorial definition, in this sense, is a form of “self-assertion” (1972:52). Human territory—notably constituted by real property—is lauded as “a stage for enacting the drama of life, a focus of existence for the total man” (1973:15).8 Clearly, property is meant to do important work, as far as Newman is concerned.

The territorialization of property relations, moreover, appears to be pre-social. One CPTED primer argues that territorial behaviour is endemic to “all human, as well as animal, existence” (Crowe 1991:98). Humans have “a need to establish both temporary and permanent ownership of space…Humans and animals mark their turf” (Crowe 1991:99). Design, in this sense, is not manipulative, but rather “catalyze[s] the natural impulses of residents” (Newman 1972:11, my emphasis). Yet, for Newman, while “ethnic and cultural divisions provided previous
generations of city residents with a form of solidarity”, territorially defined space has been eroded in the modern city, he argues (1973:13), in what reads as a frankly nostalgic account:

…the terrible byproduct of a diverse, highly mobile society unfettered by past moral constraints may be a devastating loss in civility and commonality among neighbors. We have always known that the old bases for community were disappearing: Since the 1940s, common ethnic backgrounds, shared religions, and extended families have been becoming a thing of the past. (Newman 1995:155)

Without such “long-standing attachments to place”, contemporary urbanites are “merely living in momentarily occupied sites on this abstract urban landscape” (1973:16). The effects of such societies is to create incomplete citizens: “In our newly-created dense and anonymous residential environments, we may be raising generations of young people who are totally lacking in any experience of individuality, of personal space, and by extension, of the personal rights and property of others” (1972:4).

What is needed, then, is to reintroduce principles of territorial definition that reflect our human (and perhaps biological) legacy. Newman acknowledges that this may appear anti-liberal: “[T]erritory and surveillance have after all traditionally been understood as the devices of the propertied classes and their agents or police authority” (1972:204). However this is justified as a democratizing and liberatory tool, a check not only against crime, but despotism: “We … are advocating territorial definition and the creation of surveillance opportunities to allow the citizen of the open society to achieve control of his environment for the activities he wishes to pursue within it—to make him instrumental in curtailing others from destroying his habitat, whether the others are criminals or a reactionary authority” (1972:204, original emphasis). Citizens are to be enrolled in governmental programs, whereby they police themselves.

Property, then, plays a central role in Newman’s account. It is understood as a powerful valuable form of rule, compromised in the contemporary city. Design should thus seek to encourage residents to extend the proprietorial claims that the individual feels toward their own residence outward into public space in order to create “defensible space”. Three additional points relating to this extension are important for my purposes. First, it is clear that the defensible space is understood as exclusively individualized and quasi-private, reliant upon a particular set of spatial arrangements. The territorial definition of public space is imagined as zonal, with the external environment subdivided into imaginary parcels toward which “adjacent residents easily adopt proprietary attitudes” (1972:9). The defensible space environment “extends
the area of the residential unit into the street and within the area of felt responsibility of the dweller” (1972:4, my emphasis).

Of course, this extension into public settings generates an interesting tension, given that public space is conventionally assumed to be a shared and collective resource. However, Newman still insists on treating it in essentially individualized terms. Design principles, he argues, in one particularly convoluted moment, should make public space “the shared extension of the private realms of a group of individuals” (1972:2). He is clearly uncomfortable with the possibility of a faceless collective, suggesting that there “an upper limit, an entropy principle, beyond which the critical mass becomes a collection of homogenous individuals who bear no relationship to one another, and who do not participate in a sense of collective responsibility” (1973:17). “The larger the number of people who share a territory,” put simply, “the less each individual feels rights to it” (1996:17).

Indeed, Newman seems unwilling to accept the possibility of any collective entitlement to space. “Proprietary attitudes” are imagined as self-regarding; they concern the owner and that which he owns, set against those who might threaten those entitlements. Conversely, as property theorist Carol Rose notes, the commons is seen as a space of “violence and danger” (1994:291). In the recent re-design of a public housing project in Yonkers, New York, for example, Newman was insistent that collective garbage dumpsters be replaced by individual garbage cans, within the territorial domain of each family (1996:90) on the assumption that “all private and public areas had to be assigned for the specific private use of individual families” (1996:88). A photo juxtaposes the “tragedy of the commons” that common property heralds, with an image of a responsible, tidy and—of course—private garbage bin (Figure 1).

This reproduces, I think, the pervasive assumption that while there they may be many owners of land, there are “for practical purposes,… two classes of ownership” (Geisler 2000:65). On the conventional account, “markets are based on private rights, or, when markets fail, property may be governmentally managed” (Rose 1994:110). Other possibilities (such as non-state common property) are deemed vestigial or even incoherent.

Secondly, Newman notes the significance of garden space, and the act of gardening as a means by which this process of privatized extension can occur. In his treatment of the private home, the preeminent statement of territorial claim, he suggests that the garden acts as a “penumbra of safety” (1973:16) “reinforced by symbolic shrubs or fences” (1972:51) that creates an important buffer with others. Unfortunately, in high-density urban settings, or public housing, this periphery is absent. In these environments he advocates the creation of buffers, deploying gardening, on occasion, as a means by which a proprietary claim can be enacted. In a redesign of a row house public
housing project in the South Bronx, for example, Newman describes how he sought to reclaim a central public area, characterized as a “no-man’s land” of crime, by “assigning all the previously public grounds to individual families” (1995:76). In part, this was achieved by encouraging residents to seed lawns, plant perennials and shrubs and set up fences in front of their units, thus marking out spaces over which they had proprietary feelings (Figure 2). Such “unassigned” spaces,
as noted below, are particularly significant to CPTED as they do not have explicit signs of ownership. In one Canadian example, that of a neighbourhood in Kitchener, Ontario, CPTED trained police encouraged the creation of a community garden in a vacant lot. This was said to have “effectively assigned a purpose to the space and compensated for the parcel’s lack of legitimate activity and overt signs of ownership” (McKay, no date, my emphasis).

By gardening, in other words, a sense of ownership is supposedly cultivated amongst residents. At the same time the garden, as an improved, bounded and marked space, signals this claim to outsiders. The cultivation of ownership through gardening, it can be argued, reflects some particular understandings of the enactment of property. Property, in this sense, is not a static statement, but requires active forms of human doing that constitutes the self at the same time as it communicates a claim to others (Rose 1994). Moreover, as both a metaphor and practice, gardening has been linked to Anglo-American conceptions of property (Williamson 1995) such that the garden is “a symbol of possession” (Seed 1995:29). Similarly, Saugeres (2000) notes that the failure of public housing tenants to maintain their garden is read by state officials as an index of the failure of the individual. Gardening, like property, comes freighted with notions of propriety and civic worth (Blomley 2003b).

The third point to draw from Newman’s account is his insistence that territorial definitions, if they are to effect behaviour, must be certain and non-ambiguous. Newman stresses the importance of legible symbols which define clear spatial boundaries, marking transitions from public to private spaces: they serve to “inform that one is passing from a space which is public where one’s presence is not questioned through a barrier to a space which is private and where one’s presence requires justification” (1972:63). By definition, space that is “unassigned”—such as the “no-man’s land” in the South Bronx—is problematic. More recent manifestations of CPTED are even more explicit on the need for legible assignations. Crowe enumerates the “Three-Ds” of CPTED which holds that all space should have some designated purpose; that all space should have social, cultural, legal or physical definitions that prescribe the desired and acceptable behaviours, and that all human space be designed to support or control the desired behaviours (Crowe 1991). Gardening, with its evidence of “improvement” and its marked boundaries, is one useful means of communicating these designations, definitions and designs to the extent that it signals a legible and clear statement of ownership (Blomley 2004b).

In all cases, there is an assumption of spatial legibility and clarity to property and its boundaries. Property, whether public or private, must be clearly assigned and certain. This is a familiar legal world of bright lines and determinacy. The assumption that property can be clearly
delineated into private and public realms, of course, is pivotal to liberalism. The supposed definitional certainties of property—Bentham’s “established expectations” (1843/1978:52)—are valuable to social ordering (Pipes 1999). The security of knowing which is mine, and which is thine is said to reduce the possibility of conflict.

These three principles—that property is largely synonymous with private property, that it is communicated to others through clear acts, such as gardening, and that it is, or should be, definitionally certain—accords with hegemonic accounts of property, characterized usefully by Singer (2000) as the ownership model. This sees property premised on

Figure 2: Gardening in the South Bronx. Source: Oscar Newman (1996)
consolidated, permanent rights vested in a single identifiable owner, identified by formal title, exercising absolute control, distinguished from others by boundaries that protect the owner from non-owners by granting the owner the power to exclude. The owner is also marked off from all others: the actions of the owner are self-regarding—they concern him or herself alone and the things owned. Property, in that sense, is almost exclusively private property. The centrality of the ownership model renders other modalities of ownership invisible. Common property, declares one scholar, “means no property” (Harris 1995:438). The ownership model presents property as fixed, natural and objective, transforming the historical and social contingency of social history into a limited number of structural arrangements and ideological commitments (Blomley 2004b).

Urban Neo-liberalism and the Spaces of Property
As the opening words of Defensible Space make clear, Newman’s ideas were conceived at a moment of urban crisis, characterized by a “breakdown of the social mechanisms that once kept crime in check” (1972:1). Middle-class families, Newman notes, were fleeing to the suburbs, yet the “horizons of escape promised by suburbia and barricaded inner city towers seem to be narrowing” (1972:2). Deindustrialization, fiscal crisis, and macro-economic instability, white-flight and ethnic unrest combined with a rejection of modernist planning to create a palpable sense of disarray.

In part, perhaps, it is the sense that the contemporary city is also in a state of crisis that explains Newman’s renaissance (indeed, it has even been invoked as a tool in the fight against terrorism; Atlas 1999). However, I think the contemporary resonance of Newman’s conception of property can better be explained by its ideological appeal. As we have noted, Newman’s conception of defensible space entails the propertization of public space. Not surprisingly, then, CPTED can easily fold over into other forms of propertized regulation. An example is the influential “broken windows” metaphor of policing and public order, which makes interesting use of notions of property and ownership. Wilson and Kelling’s (1982) examination of the “disorder” of the street that spawns criminality focuses explicitly on that which is “untended” (that is, spaces which are unclaimed, and unowned). They describe a test, involving two abandoned cars left in a low-income area. The licence plates were removed from one car. Within minutes, the unlicenced car began to be stripped, and within a day, random destruction began. From this, they conclude “Untended property becomes fair game for people out for fun or plunder”. The effect of removing clear signals of ownership is to signal “that no one cares” (1982:31). The effect is to lower “communal barriers—the sense of mutual regard and the obligations of civility” (31). Consequently,
what are needed are modes of regulation that focus on visible manifestations of disorder. On the principle that, for example, “the unchecked panhandler is, in effect, the first broken window” (34), the regulation of apparently minor activity must become a priority.

While CPTED and broken windows policing are not identical, there are important similarities. Newman’s attention to the environmental signs of public incivility have been said to anticipate broken windows theory (Schneider and Kitchen 2002). Both share an environmental optimism in visual markers of ownership that, by signaling that someone “cares”, will repel antisocial behaviour. Both treat the public domain as un-owned and, thus, unstable space. Both are openly nostalgic for previous systems of informal policing. In both cases, shared assumptions about the workings, geographies and logics of property are also operative. Perhaps we can forgive, then, those practitioners who run them together: the City of Vancouver Police Department, for example, treats broken windows as a component of CPTED. Under this broad umbrella, civic authorities in many jurisdictions have embraced attempts at improving “civility” through an array of environmental crime prevention programs, such as the regulation of street beggars, open drug dealing, graffiti and so on.

But it can be argued that similar assumptions about private property as a vector of order and control fold over into other programs. New Urbanism also seeks to use design principles to strengthen the civic commitments (or “stewardship”) of residents (Schneider and Kitchen 2002:241–256). There is also a link to programmes of urban “renewal” and “revitalization” (Cozens, Hillier and Prescott 2002), something Newman explicitly noted as a priority in his original work, and has later revisited (1995b). Programs that seek to encourage “social mix” in inner cities—such as that espoused by Britain’s Urban Task Force are, in part, designed to attract not only the middle class, but also owners, to the city (Cole and Goodchild 2001; Smith 2002). When we remember that many of these programs are sustained by calls to “reclaim” a city that has been “lost” to threatening hostiles, the propertied dimensions become even more striking.

The Atlantic Street Greenway

The persuasiveness of Newman’s analysis rests not only in its ideological roots in certain hegemonic views of property, but also in its empirical grounding. Newman seeks to prove his arguments by detailed, visual, statistically arrayed case studies—such as his famous comparison between the Brownsville and Van Dyke housing projects in New York. It is appropriate, therefore, that I return to the empirical domain. Given the neo-liberal embrace of property as a policy tool, it is also important that I consider this dimension in particular. I do so with particular reference to Newman’s assumption that property is largely synonymous
with private property, that it is communicated to others through clear acts, such as gardening, and that it is, or should be, certain.

My assessment of the Atlantic Street Greenway in Vancouver is part of a larger research project in the neighbourhood of Strathcona, carried out with the help of several research assistants (Lorraine Gibson, Milo Wu, Aurian Haller and Kathleen Yan). Strathcona is a largely low-income neighbourhood, made up predominantly of renters. Long an ethnically diverse place, it is predominantly Chinese-Canadian. However, some gentrification is beginning to occur, driven by white, middle-class residents. In all, we conducted 36 interviews with 42 respondents during 2000. These included renters and owners, whites and Asians, men and women, and were conducted in English, Cantonese and Mandarin. The sample also included a number of gay and lesbian respondents. I was also a resident of Strathcona from 1994 to 1999. This project sought to explore resident’s practices and understandings concerning their gardens. In so doing, I wanted to explore the ways people think about and act in relation to property. Like Ackerman (1980:351), rather than asking “what is property?”, “I wanted to ask how people used property talk”. Gardening, because of its practical, embodied geographical qualities, seemed a useful and accessible way to get at this question. As noted, gardening is also said to have a particular relation to the enactment of property.

This research explores a number of questions, including people’s attitudes and practices to private boundaries—that is, those between neighbours and between owners and the state (Blomley 2004b). However, I have also aimed to explore more public forms of gardening, including encroachments (Blomley 2003a) as well as the ways in which private owners garden in the public eye (Blomley 2003b). The Greenway, similarly, stands at the interface between private and public gardening. Data were derived from several sources. Most immediately, they draw from participant observation. As a resident of Atlantic Street, I was involved in the greenway initiative, engaged in informal conversations with neighbours, and attended public fora and meetings with city officials. More formally, a series of extended interviews were conducted in 2000 (that is, three years after the greenway was created) with seven residents (one of whom was a renter). Two interviews were with couples. Four of the respondents were men, three women. Most were owners. Two of the respondents were Chinese-Canadian (one interview was conducted in Cantonese). I also interviewed three City officials and a University of British Columbia landscape architect.

Atlantic Street has a mix of renters and owners, and people of Chinese, Italian, Vietnamese and Anglo background. Some are long-standing residents, others more recent. The street is only two blocks long. Houses line one side of the street, while the other side
abuts a bluff, below which are a number of commercial warehouses. Beyond that, one finds a large tract of land, formerly rail-yards, but now largely vacant. The City holds half. One slice of this land (the False Creek Flats) had been designated as parkland.

The creation of the greenway on Atlantic Street proved a more drawn-out process than expected. Some residents (especially some older people, and some Chinese-Canadian residents) had opposed the formal creation of the greenway—a point to which I return below. This prompted the city’s Engineering Department to undergo a series of public consultations and two local plebiscites. Considerable energy was devoted to what became a contentious issue, resolved finally when the City voted to approve funding. The city provided a strip of turf, a gravel path, and plantings of trees and hardy perennials, as well as a set of steps. Residents are expected to maintain the greenway, and have added to the plantings. Although there was a sense that it would provide a connector between an adjacent community garden and a planned park—still undeveloped—over the road, the result is rather modest (Figure 3). Indeed, in an interview, a city official laughed at the notion that a two-block strip of land could constitute a “greenway”.

From a CPTED perspective, the domestication of a “wild” space, and its conversion into a “gardened” space, over which local residents would have a claim, by virtue of their “investment” in the greenway was intended to signal a property claim that would persuade the disorderly to go elsewhere. Superficially, there is some apparent evidence for the success of the greenway on these terms. In a public meeting one resident noted that the Greenway “would enable us to claim ownership of this strip of neglected land and send a message to [drug-users, prostitutes etc] that this is a place where people ‘care’… With residents maintaining the Greenway the result will bring…

Figure 3: Map of Atlantic Street greenway

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a responsibility for the street as a whole rather than for only your ‘own’ property” (City of Vancouver 1997, no page, original emphasis). Viewing the greenway retrospectively, Don, a resident, seemed to agree:

Don: I think it’s really improved the look of the whole block and I think it has done what we hoped it would do, which would be kind of send out a message that this is a cared for area, and it’s not derelict and it isn’t going to go unnoticed if somebody wants to do something criminal there.

Q: Why would it reduce crime?
Don: I think when people tend to care for a piece of land, others are less likely to abuse it, whereas if the land is left derelict, it looks as if nobody cares and people are more comfortable abusing it.

Nearly all of the residents interviewed felt that the greenway had been an improvement. Previously, as one put it, the site had looked “untended and anonymous”. Now the area looked “more cohesive”: “it just looks more of a residential…sort of a nicer setting”.16

True to the individualized logic of defensible space, the original impetus for the greenway came from one resident who had taken it upon himself to scythe the grass and clean up rubbish. John had long had a very proactive view, he noted. His act of individual cultivation had fostered the involvement of others. This, he suggested, was intended: “So my philosophy is ‘I’ll just go do it’ and if somebody doesn’t like it they can say something and I can change it—and then that gets them involved, and that’s one more person involved in the project”. This then initiated a series of conversations and modest interventions by others into street space that culminated in a request to the City under the Greenway programme.

However, although the catalyst for the greenway was an individual, engaged in cultivation, Newman’s notion of the private claiming of space did not seem realized. When asked: “Whose land is it”, most seemed to think it was “ours”, not “mine”.

Q: One of the greenway’s goals is to encourage residents to take ownership of a public space. Do you think this has happened?
Don: Yeah, I mean take ownership in the sense that the neighbourhood … takes common ownership of it. Yes, I think so.

In fact, many respondents were explicit in arguing that their relationship was not individualized. Carolyn, a renter, was asked if she felt as if it was “your space”:

Carolyn: No I feel…you mean me personally, or our space?
Q: Yes, however you interpret the question.
Carolyn: I would say it’s ours, I feel it’s “our space”, yes.
This became a repeated refrain:

Q: Do you feel like it’s kind of “yours” now?  
Darlene: It’s definitely a community thing, but I don’t feel like I “own” it, I feel like we share it.  
Q: Does it feel like it’s “your” space?  
John: Not mine personally, but it feels like it belongs to everyone on the street. It’s ours.

Yet this does not necessarily create the exclusionary mindset imagined by Newman. While for some, as noted, a space that appeared “cared for” was less likely to be “abused”, others worried at the notion that the greenway would repel the “anti-social”. For them, the goal was to create a space that could be attractive, but not necessarily exclusive.

Carolyn: Antisocial activity…I’m a bit torn about that.  
Q: In what way?  
Carolyn: Well I look at, for instance, how they clear by the viaduct [a nearby road, cleared of brush] so nobody can sleep out there. People who have nowhere to sleep…Why not let them have somewhere, at least in summer, to sleep out under?  
Q: Do you think that clearing does discourage people from sleeping out somewhere?  
Carolyn: I suppose it pushes them endlessly somewhere else.  
Q: Do you agree or not agree with that?  
Carolyn: No, I don’t. I don’t agree. Though the clearing here, it improves the look of it, obviously, I assume.

Diane also noted that while she had “eyes on the street”, she did not necessarily treat strangers as potential threats:

Well sometimes I see people hanging around in that park and sometimes I’ll look at them and I’ll think our greenway. And I’ll always check them out to see if I know them. And if I don’t know them sometimes…I’m a bit uneasy, but am I worried about it because I don’t know them? Because sometimes it’s just people that might live in a rooming house on Hastings Street [i.e. a poor person] and they go for a walk and they go “wow, this is really amazing” and they sit down, you know? (Original emphasis.)

Others were explicit that the greenway entailed a different sort of claim than that of the individual encroacher who appropriates public land. For John, who had effectively begun the greenway,

People that put a fence around [space], they are taking ownership, and that is different. We were talking [earlier in the interview] about putting fences around our houses, well, that’s taking ownership, but I would never put a fence on the boulevard…
The act of working the land had, indeed, vested title in those who had transformed it: yet, contra CPTED, this was a collective entitlement. This entitlement, however, overlay formal public ownership in a complex set of overlapping estates.

Don: I think it belongs ... legally it belongs to the city of Vancouver, and I think that everybody understands that, but we are part of the city of Vancouver so we do own it as taxpayers and residents and rent payers. We do own it, we own it communally with the city. But because we have improved it I think we have more sense of ownership than somebody from a different part of the city would have. The city is probably happy with that ... [I]t’s common land, it belongs to everyone. Legally it belongs to the city of Vancouver, but I think people think of it as belonging to the neighbourhood. There’s a sense of neighbourhood ownership because the neighbourhood created it, and worked quite hard to build it, I think there is a sense of local neighbourhood or street ownership.

Q: So you think that once the residents have worked on it, it makes it theirs?
Carolyn: Well yes, they've earned the right to enjoy the land. They are improving it, they are beautifying it, they're doing the city's work for them.

Q: So for example what if, five years down the road, the city said well we’re going to take it out and do something else with it, what would you think about that?
Carolyn: I wouldn’t like that. We’d have to get the placards out and have a sit in. Oh yeah, I’d fight that.

This entitlement, by extension, was only as good as the continued enactments that made it “ours”:

Q: Whose land is it?
John: It doesn’t matter whose it is—we’re doing stuff there, it’s ours for now.

In fact, some noted that this collective “taking” encouraged them to contemplate more ambitious claims, particularly to the large tract of vacant land (slated for parks) over the road. A local commons was further extended, as Niles and Diane noted in conversation

Diane: Do you think doing the greenway (...) a different attitude towards the rail-yards, that we kind of cast our eyes on that next on the rail-yards and kind of went “hmmm”?
Niles: Yeah.
Yet these collective claims were also cross cut by more individualized entitlements. The same respondent who was willing to get the placards out noted that John had a particular claim to the greenway as a consequence of his labour:

Carolyn: I suppose to be honest, I sort of assumed because John is the one who’s out there most, I sort of feel it’s his territory but um …

Q: Do you think that John has some special claim to this land because he’s always working on it, or …?

Carolyn: He probably doesn’t feel like that. But I would be hesitant to go and do something without talking to him.

John, in fact, did note that his public gardening caused some confusion, with some observers thinking he was a city worker and, in one case, an eccentric millionaire who owned the land. However, he was clear that he gardened differently in “public” than in “private”:

[I]n my backyard I can do what I want, right? If I don’t want those raspberries, I’ll rip them out. But over there [on the greenway], I don’t quite have that amount of freedom so I sort of have to second guess what all the neighbours are going to want here. What they are going to say. I started making a path up the slope and Margaret [an Atlantic Street resident] came out and said “I don’t want that there, I want it over here” … okay, okay … [laugh] … I covered up the part I’d already started and made it a little further over [laugh].

John and his partner Flora also suggested that the collective claim was also overlain with the localized entitlements of individuals, based on their own particular patterns of use and investment:

Flora: Really when you are out there on it, what does it feel like? Even though we know who owns it … each little bit feels like whoever is taking care of it. So down there, it feels like it’s Margaret’s because she’s worked like crazy over there. She’s always out there. She knows every little plant and she’ll show it to you. So that’s her garden.

John: But the plum tree is mine.

Flora: The plum tree is John’s …

John: I bought it and planted it.

Flora: … and the apples—the branches that you grafted on the apple tree.

John: Oh yeah, the apple tree is mine now too.

Flora: But the curly willows are Margaret’s—but you helped her.

John: I helped her plant them, so they’re partly mine, sorta mine [laugh].
Flora: Whoever feels the most nurturing towards one particular area, that’s theirs—their spot.\textsuperscript{17}

If the greenway is “illusory property”, in other words, it is owned in multiple and intersecting ways. Formal city ownership is acknowledged, but layered by a collective entitlement. While in some senses this was imagined as a function of residence (Don talked of a “local neighbourhood or street ownership”), others noted that this was enacted by individual acts of appropriation, such as Margaret’s “garden” or John’s apple tree. However, even here it was hard to identify the owner: Margaret’s curly willows were also partly John’s, he joked. A pear tree was public, but the pears were John’s, though he was happy to share.

But the question of who “owns” the street is even more complex. As far as the City is concerned, local ownership is provisional and partial. While one planner saw the greenway and related initiatives as pushing the envelope, a “letting go of fear”, there is still a sense that the private and public are to be clearly delimited and separate, with the public realm held as “municipal property” (Interview, 30 July 2000). As Macpherson (1978) notes, state ownership, in this sense, is of a particular form, entailing a right that the state creates and retains for itself (for example, public utilities, or parkland). In effect, the state is acting as an artificial person, or corporation. This makes it possible for the City to claim a tree planted in public as “our tree”, as if it had been planted on private property:

People have often planted trees behind the sidewalk kind of thing, that have become public trees, sometimes to their sorrow because then they’ll want to cut it down and we’ll say you can’t cut it down because it’s our tree. It belongs to the public now and we’ve maintained it, we’re going to maintain it and the fact that you planted it, it’s no different than if you planted it on your neighbour’s property. If you wanted it to be under your control you should have put it on your property. (Interview, Parks Board official, 28 July 2000, my emphasis.)

This clear separation between private and municipal property also seemed to be a priority for local opponents of the greenway. As noted, there was far from unanimous support for the creation of the greenway amongst local residents. It is hard to establish the logic—in part, perhaps, there was a sense that newer residents were unduly throwing their weight around. However, this also seemed underlain by the claim that private and public needed to be clearly distinguished, and that acts such as community gardening or the greenway were illegitimate private takings of a pure public good. For some, only the rightful owners, the state, should conduct public gardening. When
asked about private individuals planting in public, Ray, a Chinese-Canadian senior who lived on Atlantic Street was clear:

I don’t think it’s right. It should simply be grass. Just green. This is privately grown. If it is on government land, then it is not right at all. It should be grass. Then the entire city would be green. The government should lay grass there.\(^{18}\)

Property was to be exclusively confined to private space: indeed, some worried that their enjoyment of their private property would be compromised by the greenway, which would attract transients and other threatening types.

Yet, to further complicate the supposed certainties of defensible space, private space was effectively included within the greenway. When John began clearing rubbish and cutting grass on the street, prior to the creation of the greenway, he had also gardened on a parcel of private land—landscaping, planting trees and scything the grass—owned by a neighbouring fruit and vegetable wholesaler. The owners had been happy to let John do this, even giving him produce in return. Although this had been left out of the design for the official greenway, John and others had effectively included it within the gardened space, though they’d named it “Marvin Gardens” (after the Monopoly set that includes “Atlantic Avenue”). Asked if they thought of this space differently, Flora and John described Marvin Gardens as a “less official space” that allowed them greater latitude. The “Three-Ds” of CPTED seem far from certain on Atlantic Street. The supposed clear markers that distinguish the transition from private, semi-public and public land would seem to be uncertain:

Flora: Yes, so we’ve probably done more there [Marvin Gardens] and we’ve neglected the beds here [on the official greenway]. I’ve planted things outside of the beds … but because the city put in all the flowers, they’re there … you’re just like “there’s the beds”. You don’t do anything with them … But down there, it is sort of “open season” and so we’ve done lots more down there. The people that live down there have too.

Q: So why are people doing more there, do you think?
John: It’s less official, I think. It’s just land that we decided to do something on without any organization. So you feel free to do whatever you like.

While my analysis is based on a small sample, and is thus not necessarily generalizable, I trust it begins to suggest some empirical complexities that depart from Newman’s treatment of defensible space. While there is a
sense of “ownership” on the Atlantic Street Greenway, then, it is far from straightforward. It does not appear individualized; or rather, if it is, this is overlain by collective understandings. The greenway “belongs” to the municipality, the public, the neighbourhood, the street, some (largely Anglo) residents, John, private owners and whoever felt “the most nurturing towards one particular area”. Although initiated by one individual, public gardening created overlapping and multiple claims that were both individual and collective. Put another way, if the ghost of John Locke haunted Atlantic Street, so did Gerard Winstanley and the seventeenth century Diggers of radical England.

**Alternative Forms of Public Gardening**

The language of broken windows, CPTED and defensible space has become so prevalent as to appear commonsensical. As I have suggested here, this may be because of its roots in certain taken-for-granted notions of space and property. As a consequence, it becomes hard to imagine alternative analyses. However, Newman’s analysis and related neo-liberal initiatives can productively be contrasted to other scholarly attempts to address greenways and public safety. These re-conceive the relation between territory, property and the public domain in ways that perhaps better reflect the everyday geographies of property on Atlantic street. What is particularly interesting for my purposes is the ways in which property is treated in a more diversified and socialized way.

One interesting Canadian example is that of the Safer Cities Movement that, according to its proponents, offers an alternative to conventional approaches to law and order, given its attention to marginalized groups, including women and the elderly, its reliance upon a mix of both social and physical interventions, and its orientation to community mobilization. While Safer Cities’ approaches may incorporate some CPTED principles, the emphasis may differ. Thus, in one important primer, Wekerle and Whitzman acknowledge the potential benefits of territoriality as a form of crime prevention. However they see territory as necessarily collective and open, and formed through inclusive policy:

Designers assume that breaking urban space into smaller spaces shared by a limited number of households will make them accountable to one another and encourage informed social control. Paradoxically, such environments may increase vulnerability to certain types of crime. Enclosed spaces are often underused, isolated, and unintelligible … [T]erritoriality-inducing measures, such as creating private gardens from open spaces … do not work in isolation to reduce crime. These measures are part of a larger set of interventions that truly listens to a community’s needs. (Wekerle and Whitzman 1995:51)
Jane Jacobs’ conception of “eyes on the street”, claimed by Newman and others as a progenitor of CPTED’s notion of territoriality, is also reworked in this literature, it being argued that CPTED ignores the subtlety of Jacobs’ argument, and her injunction against the claiming of “turf” (Wekerle 2000a). There have also been attempts to re-conceptualize greenways in the Canadian context through the Safer Cities prism: while attentive to design and environmental conditions, the argument here focuses on the differentially gendered nature of urban space, as well as the importance of community mobilization and input. Although there is an attempt to achieve local ownership and stewardship, this is not individualized: “In terms of actual and perceived safety, the most important stakeholders in urban greenways are the users themselves. Those users who are most sensitive and vulnerable in society—women, children, those with physical disabilities and aging people—are often the most reliable barometers of greenway safety” (Luymes and Tamminga 1995:396). The central issue, it is argued, is “personal control and freedom of use, essential to the development of ‘democratic’ places in increasingly diverse urban communities” (Luymes and Tamminga 1995:400; cf Wekerle 2000b). Carol Rose (1994) reflects on the work of William Whyte who, not coincidentally, coined the phrase “greenway” (Little 1990:23). Whyte considers the way design can be used to invite urbanites to “make themselves at home” in public places in ways that, while offering some level of protection and security, encode spatial invitations to participate and co-inhabit.

Such prescriptions, ironically, are not too dissimilar from the original conception of the greenway within Vancouver. Moura Quayle, a University of British Columbia landscape architect, chaired the Urban Landscape Task Force that first proposed greenways (termed “public ways” in the report to signal their link to her vision of an enriched public realm). She is openly hostile to CPTED, which she sees as a sterilization of space that places blame on the landscape (interview, 14 September 2000). She cautions against seeing the public domain as a fearsome and incomprehensible zone, and encourages a view of greenways as productive of citizenship and community. Greenways and public ways are “the hearts and minds of people—an urban attitude characterized by cohesion, pride, identity and community life” (Quayle 1995:468) and the rebuilding of citizenship. The Task Force report uses a similarly collective language, with calls to create “truly public spaces” and “democratic streets”. Public space is not simply “municipal property” but is imagined as in the “public realm”, spaces of shared citizenship and the bringing together of strangers. Streets are to be made into “places and spaces” (City of Vancouver 1992:62). The public and private are to “intermingle” (1992:67). Private property rights must accommodate the needs of the collective: for example, the Task
Force argues that property owners who clear their land of trees do ecological and visual damage to the larger community. Conversely, private owners can “present ‘gifts’ to the public realm by having their yards open to visual appreciation from streets and sidewalks” (1992:69).

In this, the Task Force echoes some of the language of the US greenway movement. While much of the literature on greenway movement acknowledges the realities of private property, encouraging greenway activists to negotiate creatively with private property owners, Little also argues that the greenway should utilize what he terms the “linear commons of a community” (1990:33), such as riparian lands and abandoned right-of-ways, over which some form of public interest is recognized in law and policy as well as linear routes over which the public has a less formalized, but still viable claim, such as land along a road that “is agreed to be historic or scenic [and] also has common value, as part of the public landscape, in maintaining a community’s sense of itself. Although the title to ownership of such lands may be lodged in private hands, the public’s interest in their use and conservation is generally understood” (1990:34).

Like Newman, these alternative accounts tend to make a connection between space and property. However, they do so in different ways, departing from the reliance upon the individualized propriety spaces of mainstream CPTED. Property is not reduced to the state–private binary. Instead, we find other possibilities, including the recognition of forms of ownership that are neither. Such claims are not unprecedented: the public trust doctrine within Anglo-American property law vests ownership in neither the state nor private hands, but in the public (Sax 1970). Ownership need not only be vested in private parties or organized governments: “…these two options do not logically exhaust all the possible solutions…the common law…with surprising consistency, recognizes two distinguishable types of public property” (Rose 1994:110).

One can discern, in other words, a form of ownership that exists “somewhere between individual private property on the one hand and the tragic commons on the other” (Rose 1994:292; 1998). Such arrangements, it has been suggested, are ubiquitous, though often overlooked (Ingerson 1997). “The commons”, it has been argued, “…is an underrated, much-ignored reservoir of valuable resources, system of social governance, and crucible for democratic aspirations” (Steinberg 1995:15). Such claims, of course, sound hopefully old fashioned and fragile, especially given the supposed death of public space, lamented by many. And there is much to lament when, for example, business associations privatize parks, or police show “zero tolerance” for the homeless. But this supposes that the commons is a static space, rather than something produced through social action,
such as public gardening. It also characterizes public land as municipally owned land, such as the street. However, as Atlantic Street shows, “private owners” can convert municipal property into a commons. And as I have tried to demonstrate elsewhere, private spaces can also be laid claim to in the name of a local community (Blomley 2004b) while “private” owners can think of “their” land in relational and socialized ways (Blomley 2003b; 2004a).

**Conclusion: The Diverse Politics Of Property**

Neo-liberalism is not simply a set of “economic” beliefs and practices, such as a faith in the market as an ordering mechanism. It also, obviously, draws from political and legal understandings, of which property is perhaps one of the more important. Rather than running scared, it is therefore imperative that we take property seriously. The concept has been appropriated by the Right, effacing a long interest in property by progressives such as Kropotkin, George, and Proudhon. Marx, for example, documented the ways in which the traditional entitlements of the European rural peasantry were expropriated under emergent forms of liberal ownership, savagely and sarcastically characterizing this history as “written in the annals of mankind in letters of blood and fire” (2000:522) Yet he was also clear that the ownership model is not synonymous with property: “[I]t is a tautology to say that property (appropriation) is a condition of production. But it becomes ridiculous when from that one jumps at once to a definite form, eg, private property” (2000:383).

With Marx, we must acknowledge property’s oppressions. Property, as a set of practices, rhetorical claims and legal relations can—of course—be used for socially harmful ends, as has been demonstrated by a number of geographers (Blomley 2003c; Mitchell 2003). It must be remembered that the way we think about property and the public sphere shapes the sorts of policies that are put in place to govern such spaces. The adoption of punitive and mean-spirited forms of urban regulation has a lot to do, I think, with the dominance of certain notions of property in which the commons, a space of not-property, is imagined as inherently disordered and dangerous. The solution, therefore, is to extend property rules to such spaces. Property is here conceived as essentially private property, structured according to the logic of the ownership model. But per Marx, to characterize property only in these ways is to accept a neo-liberal definition. It is akin to treating categories such as “citizenship”, “rights”, or “economy” according to hegemonic prescriptions. The danger, of course, is that we lose sight of the diversity of such categories. More productive is Gibson-Graham’s suggestion (1996:ix) that we “depict social existence at loose ends with itself, rather than producing social representations in
which everything is part of the same complex and therefore ultimately ‘means the same thing’ (eg capitalist hegemony)”. Refusing such representations, Gibson-Graham (1996:xi) suggests, allows us to “represent economic practice as comprising a rich diversity of capitalist and noncapitalist activities that had until now been relatively ‘invisible’ because the concepts and discourses that could make them ‘visible’ have themselves been marginalized and suppressed”.

In a recent editorial, Wendy Larner worries that recent research has treated neo-liberalism as monolithic and unstoppable. She urges critical scholars to attend to its diversity, hybridity and contradictions. One area for scholarship concerns the techniques of neo-liberalism, “the apparently mundane practices through which neoliberal spaces, states and subjects are being constituted in particular forms” (2003:511). As critical academics, it seems to me, we have some useful, if traditional, skills here. One is analytical. This involves carefully unpacking the core categories of neo-liberalism (including liberalism itself), such as property, and attempting to make sense of their contradictions, diversity and political possibilities. This is, in part, an old-fashioned definitional game, of traditional academic standing that asks “what is property, what is not?”. As I have tried to suggest here, however, the answer to such representational questions can be of political significance. Another skill is empirical, asking “how do liberal categories, such as property, actually get put to work, and with what effect?”. This can usefully entail exploring opposition to the actions of the state or private capital, noting, for example, the ways in which even marginalized groups can deploy property claims to advance collective goals and resist displacement (Blomley 2004a). However, as shown here, it can also usefully concern governmental programmes themselves, exploring the messy ways in which (largely) private property owners are enrolled in an attempt at regulating public disorder. When spatialized, property appears a more protean category. The spaces and subjects of neo-liberalism, in other words, may be more slippery than we think.

The politics of neo-liberalism, especially in relation to property, should not be taken as a settled fact, but as an analytic question. Let us not take the politics of neo-liberalism at face value. Even neo-liberalism can contain, if you like, forms of neo-socialism. Crime Prevention Through Environmental Design can mutate into Collective Property Through Environmental Design. The power of prevailing categories of property is such that these alternative possibilities—that are both external to “private property” and also internal—are easily rendered invisible. If we are to give capitalism an identity crisis (Gibson-Graham 1996:260) we will need to unsettle some core political categories, like property, and acknowledge their diversity and loose ends.
Endnotes

1 I am extremely grateful for the assistance of Oscar Newman, Gerda Wekerle, Lorraine Gibson, Moura Quayle, Alan Duncan, Pat Brantingham, Albert Klassen and three anonymous reviewers. Thanks also for the research assistance of Lorraine Gibson, Milo Wu, Aurian Haller and Kathleen Yan, and the generosity of those Strathcona residents who participated in this study. A version of this paper was presented at the Annual Meeting of the Association of American Geographers in 2003. Research was funded by the Social Science and Humanities Research Council.

2 http://www.city.vancouver.bc.ca/engsvcs/streets/greenways. Urban greenways have a long pedigree: they were prefigured by the ideas of urbanists such as Frederick Law Olmsted and Ebenezer Howard. In the United States, the greenway movement was given prominence by Charles Little’s influential 1990 *Greenways for America* book. For Canadian urban examples, see Taylor, Paine and Fitzgibbon (1995).

3 http://www.city.vancouver.bc.ca/commsvcs/planning/infobul3.htm#design

4 http://www.city.vancouver.bc.ca/police/opServDiv/comServ/cpted.html

5 Schneider and Kitchen (2002) distinguish defensible space from CPTED, the latter being more associated with C Ray Jeffery’s work, who coined the phrase (though the subtitle to *Defensible Space* was “Crime prevention through urban design”). However, they also note that the fundamental principles are nearly identical. Jeffery has also acknowledged that CPTED was essentially “based upon Newman’s concepts and not mine” (quoted in Cozens, Hillier and Prescott 2002:121). Newman’s website can be found at www.defensiblespace.com. He died in April 2004.

6 The characterization is Rose’s (1994:290).

7 A number of commentators have alerted us to the centrality of the private home as a model for structuring our thinking on property rights (eg Robertson 1995, McClain 1995).

8 The degree to which Newman’s analysis, with its clear public–private divide, anxieties concerning public disorder, and celebration of the private home, reproduces patriarchal geographies is worth acknowledging. As we shall see below, feminist CPTED-like analyses treat property and urban space differently.

9 There may also be echoes here of the Chicago School’s account of the disorganizing effect of urban society. CPTED advocates often claim the Chicago School as a precursor.

10 Although he seeks to encourage collective behaviour, such as public surveillance by a number of local residents, the collective appears construed only as the sum of its parts, rather than anything more. Individual, self-regarding behaviour is buttressed by the self-regarding behaviour of other individuals in a relation that is additive, not combinative: when residents “open their own window to investigate a strange sound” he urges, “they must hear the comforting sound of windows opening all around them” (Newman 1973:17).

11 Even when Newman considers “community”, he tends to do so in somewhat constrained ways. His *Community of Interest*, for example, acknowledges the potential of community in attaining some measure of racial integration and crime prevention, yet argues that most collective associations today “are formed for the purpose of pursuing narrow interests and limited associations” (1980:12).

12 http://www.city.vancouver.bc.ca/police/opServDiv/comServ/cpted.html. James Q Wilson was brought to Vancouver by the conservative Fraser Institute in May 2003 to speak on public order and policing.

13 This despite Newman’s claim that his prescriptions are an alternative to what appears the only recourse to the urban crime crisis: “total lockup and self-restriction of movement: a self-imposed curfew and police state” (1972:2). Yet a comparison of the “gated community” with his prescriptions in *Communities of interest* (1980) is instructive.

14 I have not found any empirical studies that consider this particular question.

15 Enabling legislation vests the “real property comprised in every street, park, or public square in the city” in fee-simple in the City (Vancouver Charter, section 289.1). Case
law affirms the ownership of the street by the municipal corporation (in trust for the public). Private owners cannot acquire prescriptive rights to public land (on municipal ownership and private encroachments; see Blomley 2003a).

16 While all felt that the Greenway had reduced prostitution and drug use, they gave different and often more pragmatic reasons for this than Don’s CPTED-like analysis. These included the fact that more people were walking in the space, and that the grass had been cut. I suspect for others the plantings of the greenway actually served as a useful screen for some residents, visually blocking out “anti-social activity”.

17 In reviewing this paper, John noted that though he thinks of the plum as his, he is happy to share, though according to a detailed “etiquette”: “Although I think of the plum tree as mine, my intention has always been that anyone walking by should help themselves to the plums. I’ve had neighbours tell me they saw someone about to pick a plum and they told the person ‘Those are John’s plums, you better leave them alone.’ I have my own plum tree in my back yard and those plums are all mine but the tree … is public. If someone were to pick them all in one day however I would be disappointed. The standard etiquette should be you may pick one tenth of the remaining plums. If there are 200 plums you may pick 20. That leaves 180 for the next person who then picks 18 etc. As long as I get one plum I’m happy. Last year I ate about 20 so I’m way ahead of the game. I have also planted a fig tree near the bottom of the steepest part of the hill”.

18 Translated from the original Cantonese.

19 It may also say something about national conceptions of property and planning that the Safer Cities movement has been stronger within Canada than the United States. Yet despite some important differences, proponents have worried that it has been largely co-opted by neo-liberal forms of public order policing (Wekerle, personal communication, March 2003).

20 Although Newman paid tribute to Jacobs in Defensible Space, he now claims that Jacobs and he differ, and that any similarities are only superficial (personal communication, April 2003).

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