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AFFIRMATIVELY FURTHERING FAIR HOUSING AT THE LOCAL  
LEVEL: A CRITICAL DISCOURSE ANALYSIS OF PRACTICES IN  
LOUISVILLE, KENTUCKY

By

Steven P. Sizemore

B.A., University of Kentucky, 1997

M.C.P., University of Cincinnati, 2004

A Dissertation

Submitted to the Faculty of the

College of Arts and Sciences of the

University of Louisville in Partial Fulfillment of the Requirements

for the Degree of

Doctor of Philosophy

in Urban and Public Affairs

Department of Urban and Public Affairs

University of Louisville

Louisville, KY

August 2019

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A Dissertation Approved on

July 11, 2019

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Dr. Kelly Kinahan

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Dr. Stacy Deck (External Examiner)

## DEDICATION

This dissertation is dedicated to my wonderful family

Mrs. Milana Boz

Miss Ella Sizemore

Mr. Alex Boz

who have supported and lifted me during my educational journey.

## ACKNOWLEDGMENTS

First and foremost, I would like to express my gratitude to my wife, Milana, for her understanding and patience in difficult moments. Her encouragement to enter this journey, persevere through it, and support my time was immense. I would like to thank my professor and dissertation chair, Dr. Margath Walker, for her guidance and patience through this process. I would also like to thank the other members of the Committee, Dr. David Imbroscio, Dr. Kelly Kinahan, and Dr. Stacy Deck for their comments and assistance over the past two years. I would like to express my great appreciation to all my professors in the Urban and Public Affairs program for allowing me to challenge the assumptions I held as a practitioner before I entered my studies. It has produced a new perspective on my field for which I am grateful. I'd like to thank my family in Hazard and Seattle and elsewhere for all your encouragement and belief in me to get through this. My mother always wanted me to be a doctor, so I dedicate this achievement to her. Also a big thank you to my "second" family, the members of Appalatin: Yani Vozos, Fernando Moya, Jose Oreta, Luis De Leon, and Marlon Obando. Thanks for driving so I could read on all our road trips over the last four years. To my dog, Laika, for the wonderful walks to clear my mind. Finally, I would like to acknowledge the support of my late cat, Diva, for supporting me through both my master's degree in Cincinnati and through most of my doctoral journey here in Louisville.

## ABSTRACT

### AFFIRMATIVELY FURTHERING FAIR HOUSING AT THE LOCAL LEVEL: A CRITICAL DISCOURSE ANALYSIS OF PRACTICES IN LOUISVILLE, KENTUCKY

Steven P. Sizemore

July 11, 2019

This qualitative research project is an immersion into the beliefs, ideas, meanings, values, and feelings of actors engaged in shaping local housing policies. The dissertation examines how discourse constitutes and shapes the knowledge of policy actors engaged in fair housing policies and practices in Louisville, Kentucky. I argue that policy discourse is the site where social problems become framed, bounded, and transformed into action. Therefore, if the objective of the Fair Housing Act's mandate for HUD and its recipients is to operate programs in a manner that "affirmatively furthers fair housing" (AFFH), it is essential to understand the discursive acts and social practices shaping policy. The analytical framework for this research applies a "critical lens" by using Critical Discourse Analysis (CDA) to study how meaning within housing policy practices is produced, reproduced, and transformed through language and discourse between policy actors. The research design involves a mixed-methods approach including semi-structured interviews with key policy actors to verify and establish context and textual analysis of key housing policy documents and related local news stories with a fair housing element since 2003. Findings of the research demonstrate the roles that power,



ideology, and veiled assumptions play in directing local implementation of the Fair Housing Act's objectives, especially the AFFH mandate. I argue that discursive strategies, such as ensuring "choice" and pursuing "dispersal" outcomes, contribute to sustaining power, ideology, and veiled assumptions that continue to limit local implementation of the Fair Housing Act's objectives, especially the AFFH mandate. I find that policy actors advocating for fair housing have been able to contest and resist the dominant discourses through raising awareness of the legacy and enduring consequences related to housing segregation and fostering a race-conscious policy approach. Through CDA, the research aims to fill a gap in the literature regarding the ways that assumed meanings and the actions of planners and housing policy actors have contributed to and perpetuated power struggles and a lack of progress on matters of housing justice.

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## CHAPTER I: INTRODUCTION

Fifty years have passed since the 1968 Fair Housing Act (Title VIII of the Civil Rights Act) was written into law. The Act laid the foundation for two principle policy objectives: (1) end racial discrimination in real estate transactions, and (2) affirmatively further fair housing (AFFH). In fulfillment of the latter objective, the Act specifies that the U.S. Department of Housing and Urban Development (HUD) require recipients of federal housing and community development entitlement funds to “affirmatively further fair housing” (AFFH), yet never fully defines the terms for this action. Subsequently, the AFFH provision has been subject to various legal case interpretations along with several federal attempts to take more “meaningful actions” (US HUD 2015a, 42277), but still “has not been as effective as originally envisioned” (ibid., 42272).

With the 2015 release of new guidelines, HUD once again attempted to clarify the meaning behind affirmatively furthering fair housing. The guidelines ask recipients to take meaningful actions “to overcome the legacy of segregation, unequal treatment, and historic lack of access to opportunity in housing” (ibid.). Despite this refocus, progress toward mitigating unbalanced patterns of racial segregation in housing and structural forms of discrimination has been slow (Massey and Denton 1993; Hartman and Squires 2010; Squires 2018). To advance the AFFH objective, HUD gives local jurisdictions the option to choose among various policy options. However, as Bostic and McFarlane (2013) acknowledge, the prevailing conditions and local political context for decision-

making is a considerable factor in effectively implementing fair housing policies. If the provisions of the Fair Housing Act are intended to require meaningful action to affirmatively further fair housing, then it is essential to understand the nuanced ways “how policy happens” (Yanow 1996). This dissertation analyzes how factors such as power, ideology, and veiled assumptions impact the local implementation of the AFFH mandate.

The most conventional epistemology to researching fair housing or housing policy in general is through a positivistic approach. Research methods in this manner typically direct attention to understanding notable successes and failures of various housing strategies. Positivism also aims at observing quantitative evidence and testing for value-free and objective knowledge on housing market challenges. In turn, this knowledge shapes the way in which policy-makers at federal, state, and local levels take action to address the ongoing challenge of housing segregation. However, as Marston (2000) argues, a positivist lens towards analyzing policy in this manner does not consider the role of certain forms of knowledge produced in policymaking. In this study, I consider how a qualitative, policy-based discourse approach can augment existing methodologies (Jacobs and Manzi 1996) by analyzing the way language use and discourse shape taken for granted knowledge and planning practices. Jacobs et al. (2003) suggest that studying social problems and housing policy through a social constructionist epistemology builds a more theoretically informed means to analyze housing policymaking processes. As an aid to positivist knowledge, a social constructionist approach starts by understanding the ways in which ideas, meanings, and evidence are historically, politically, and culturally contingent (Marston 2002). In the case of fair housing policy, unlike positivists



perspectives, a constructionist view may look beyond the evidence of housing segregation and focus instead upon the political structures sustaining or transforming the phenomenon.

To explore this perspective, my research applies a critical discourse analysis (CDA) methodology to examine how factors of power and dominant ideologies shape the development of local housing policy texts. More specifically, CDA provides a useful point of entry for understanding the ways in which organizations and social actors produce, reproduce, and transform knowledge into action. In other words, how they interact, talk about, and understand the world is a constitutive function of language use in everyday life.

This dissertation contributes to the growing body of fair housing policy knowledge by examining how Foucault's notion that language, knowledge and power are fundamentally interconnected at the level of discourse (Foucault 1977). In particular, I follow the discourse-relational CDA approach developed by Fairclough (1992; 2009) to draw upon the links between discursive events (policy text production) and social practices through a case study research investigating the changing nature of fair housing related policy in Louisville, Kentucky between 2003 and 2018. The conventional approach to housing policy analysis at all levels has been to measure the changing conditions and attitudes due to policy change or to consider the details and processes of specific decisions. At the federal level, the findings from these studies have led to program adjustments for improved performance or in the development of new housing programs. In the context of devolution and policymaking at the local level, these approaches do little to expose the way political and social dynamics at this scale affect

policy outcomes. Therefore, my aim is to use CDA to reveal the subtle ways language use and power interact and operate to produce and reproduce knowledge and action.

## **PROBLEM STATEMENT**

HUD, by mandate of the Fair Housing Act, requires that recipients of federal housing and community development dollars use the funds to affirmatively further fair housing (U.S. HUD 2015b). Since the 1968 Fair Housing Act (Title VIII of the Civil Rights Act) was written into law, progress toward mitigating unbalanced patterns of racial segregation and structural forms of discrimination has been slow (Massey and Denton 1993). A convergence of factors have contributed to this problem, including such trends as a steady decline of federal funding for housing programs, a lack of clarity on AFFH guidance, and a growing fragmentation of local government action. In addition, research has tended to reflect upon the examination of evidence and problem definitions associated with spatial strategies that best address the AFFH mandate. Others, however, have begun to suggest that the embracing of neoliberal ideologies and enactment of practices under its influence have produced a restructuring and rescaling of practices that affect the way local governments respond to social problems (Fairclough 2010; Silverman and Patterson 2011).

One key impediment to fulfilling the AFFH mandate has been the federal government's inconsistent and discretionary role in the process over time, often the product of presidential administration ideologies. Until the release of the 2015 HUD regulations on the AFFH mandate under the Obama administration, there was little guidance for local authorities and practitioners to implement the goal of affirmative action toward developing more inclusive communities and preventing further

development of housing segregation. Additionally, ongoing debates in the literature pit arguments over which spatial strategies, place-based or dispersal, produce the best outcomes for implementing the AFFH mandate (Goetz and Chapple 2010; Goetz and Orfield 2011; Imbroscio 2012; powell and Menendian 2018). Over time, the combination of local politics and variations on problem definition in interpreting the Act also contribute to a fragmented and limited level of success of the affirmative mandate.

Therefore, this knowledge has helped shape the way in which policymakers at federal, state, and local levels take action to address the ongoing challenge of housing segregation. No matter how problems are defined, or how solutions are proposed in the act, part of the challenge remains that HUD gives local jurisdictions the option to choose among various policy options to meet the AFFH objective (Bostic and McFarlane 2013). As Bostic and McFarlane acknowledge, the decisions made “depend fundamentally on the local context and prevailing circumstances when issues are considered” (263). Therefore, there is a greater need to examine the role that local jurisdictions, and particularly the role of individual actors, play in interpreting and advancing the objective of creating more inclusive communities. In response, I ask the question of how knowledge on fair housing policies and practices are constituted or shaped by local discourses. I argue that discursive strategies espousing greater housing “choice” and advancing “dispersal” outcomes contribute to sustaining power, ideology, and veiled assumptions that limit effective responses to meeting the AFFH mandate.

The literature on fair housing practices have shaped the ways in which policy research and action around issues of fair housing continue to be understood. A considerable amount of literature has been published on the persistent challenge of

housing discrimination and differential treatment toward people of protected class status. These studies have shown how citizens and institutional actors conceive meaning from fair housing laws (Abravanel and Cunningham 2002; Patterson and Silverman 2011), how structural barriers impede progress (Squires 2008; Tighe 2011), and how discourses of advocacy coalitions (Sidney 2003) impact the implementation of the Fair Housing Act. This dissertation is more closely tied to the social constructionist policy design approach as explored by Sidney (2003) who examined the policy design of the original Fair Housing Act to trace how it influenced fair housing advocates' work and political strength. Whereas Sidney focused on the federal policy, much less is known about the influence of discourse on local policymaking. Therefore, I seek to fill a gap in the literature by exploring locally produced discursive acts (e.g. policy texts) to understand how language use and discourse by policy actors influence the development of strategies to address the AFFH mandate.

This study will contribute to fair housing policy knowledge by understanding the process of how policy actors construct meaning through action. These actors offer valuable insights as social agents engaged in the practices and to the structures and practices of policy making. In order to better understand this dynamic, this study has four primary aims: (1) to recognize how policy actors' knowledge on fair housing practices are shaped by discourse; (2) to explore how fair housing knowledge is recontextualized at the local level by policy actors; (3) to interpret how different views of fair housing problems are negotiated or mediated through discursive practices; and (4) to study the ways in which language plays a performative role in sustaining dominant ideologies or potentially resist and transform social practices. In order to fulfill these aims, I will use

critical discourse analysis (CDA) methods to study the way social practices are constituted and maintained by discourses and discursive practices. This research advances theoretical and methodological practices surrounding housing policy research by considering the contribution of non-material aspects such as ideas, values, practices, institutions, and people to the socially constructed nature of housing problems. The intent is to employ CDA to interrogate the ways taken for granted meanings and actions have served and perpetuated power struggles and lack of progress on matters of housing justice.

## **RESEARCH PURPOSE**

This research presents an immersion into the beliefs, ideas, meanings, values, and feelings of actors engaged in shaping local housing policies. It focuses on the constitutive role of discourse in shaping the knowledge of policy actors engaged in fair housing policies and practices at the local scale of governance. Using Louisville, Kentucky as my case study, I explore policy discourse as the site where social problems become framed, bounded, and transformed into action. Local-level government policymaking involves a set of practices and social groups who impose competing agendas, perspectives, and relations of power that affect policy outcomes. In order to understand these practices, I focus on the discursive events surrounding the local implementation of the Fair Housing Act's mandate for HUD and its recipients to operate programs in a manner that "affirmatively furthers fair housing" (HUD 2015b). In the case for Louisville, I analyze five key policy documents produced following the merger of the city and county governments between 2003 until 2018. Documents produced prior to merger were not included in the detailed text analysis because policy actors interviewed for this research

did not reference these documents nor did these documents appear referenced to the same degree as those produced in the period following merger. Post-merger is also important for analysis because it reflects the transformation of Louisville's scale of governance and also occurs during a time of continuing devolution of authority and policy discretion from the federal to the local level. In order to gain further background information on the policy texts, I reviewed published news articles related to housing policy in Louisville during the analysis period and performed 11 semi-structured interviews with policy actors who in some capacity participated in the development of the policy texts. The use of interviews in the CDA methodology assists the research design in what Fairclough (1992) views as an important method to backgrounding the organizational structure and exploring new insights and issues arising from document analysis (228).

This dissertation employs a CDA methodology to study how policymaking maintains and obscures social inequalities through discursive practices in the housing system. Therefore, the goal of this work is to contribute to a deeper understanding of the interaction between language use and power in shaping local implementation of the Fair Housing Act's AFFH mandate.

## **RESEARCH QUESTIONS**

To guide my research, I have developed four core questions. Each serves to inspect different elements of the process for local housing policy development, particularly how discourses around issues of fair housing and the objective to reduce the effects of historical patterns of racial segregation in the housing market shape the practice. The questions will be useful to critically interrogate the deep context of power relations, dominant ideologies, truth claims, representations and framing practices in

which this study is anchored. Additionally, I devised questions to explore with policy actors through semi-structured interviews (see Appendix). These questions helped establish a context to analyze and interpret the policy documents used as data in this dissertation.

**Question 1: How is knowledge on fair housing policies and practices constituted or shaped by the discourse of local policy actors?**

First, the primary question engages with the relatively unexplored aspect the way knowledge on fair housing policies and practices is constituted or shaped by discursive acts of local policy actors. The influence of power and knowledge production become critical influences within and between discourses in shaping fair housing policymaking and practices. This question responds to one of the first steps in Fairclough's (2010) approach to CDA which frames the ways a social wrong is interpreted and responded to through discourse. In this case, fair housing policymaking at the local level is intended to identify and remove the institutional impediments that prevent affirmative action to further fair housing practices. Since meaning surrounding fair housing practices is shaped by the situated knowledge and constitutive nature of discourse, it is important to understand the influence of factors such as assumptions, values and beliefs on social practices.

**Question 2: How has federal fair housing policy knowledge recontextualized at the local level affected the practices of policy actors charged with implementing fair housing outcomes?**

Second, in order to investigate how knowledge shapes practice, I ask how federal fair housing policy knowledge recontextualized through texts or other social practices, affect the practices of local level policy actors charged with implementing fair housing outcomes. Important to this question is the need to excavate the dominant discourses and

“truth claims” that frame the problem. Through a social analysis, the CDA approach helps explain the relationship between broader sociocultural practices and the production of policy texts at the local level. This will involve the inspection of how practices at the global and national level have shifted and produced new realities for local actors, including neoliberal practices of rescaling and restructuring. For example, under this influence there has been a steady decline in federal funding for housing which has resulted in a shift in fiscal responsibility and policymaking authority to local governments. As a result, these practices produce discourses which perform ideological work shaping practice. By responding to this question, this research will attempt to analyze the social, political, and economic factors influencing local actors’ interpretation and response to the underlying social problems.

**Question 3: How are structural constraints to fair housing practices discussed differently between actors?**

Next, it is important to explore how structural constraints to fair housing practices are discussed differently between the actors. If discourse is constitutive, then it could be seen as contributing to the production, transformation, and reproduction of the objects and subjects of life (Fairclough 1992, 41). Without discourse signaling the subjects and objects of fair housing, the objects of analysis would not exist. Therefore, this question will consider the interactive nature between the more immediate institutional structures and the policy texts. This question explores the link between power and knowledge in the production of the policy texts. Another way to view this is by understanding the way in which dominant structures sustain the social order (e.g. housing segregation) or are, in fact, being resisted or contested in the process. This perspective supports an



understanding of what is included or excluded in the discourse and more importantly, what role the power/knowledge nexus play in shaping policy outcomes (Foucault 1980).

**Question 4: How can problem definitions within fair housing policies be negotiated or mediated in order to generate social change through the policymaking process?**

Finally, the last question informs the findings and recommendations of this research project. It examines what possible implications the disjuncture between knowledge and practice have for local actors' effectiveness to generate social change through policymaking. This question informs the overall practices of local practitioners in their role of interpreting the federal mandate to further fair housing practices as established in the Fair Housing Act as well as the recent HUD regulation. In this way, through CDA, I infuse a more critical perspective that "focuses upon action but seeks to do so in a way that is inclusive rather than (by default) perpetuating inequality" (Allmendinger 2002, 128). Therefore, research provides a point of entry for understanding the possible ways of contesting or transforming the current dominant system to develop and implement new strategies to respond to the federal mandate to affirmatively further fair housing.

**STUDY IMPLICATIONS**

The rationale for this study is driven by the need to understand how prevailing conditions and the local political context for decision-making are considerable factors in effectively implementing fair housing policies. Policymaking is inherently a deliberative process between social groups, many of whom are under the influence of dominant ideologies and discourses. Therefore, the use of CDA methods aims to bridge the gap between the micro process of policymaking, including the role of agency in defining the problems and solutions within the macro structural and organizational influences. As

such, this approach permits a glimpse into the taken for granted assumptions that policy actors hold in the development of policy, including the ways they think or talk about concepts, how they explain them to each other, and how they grasp and interpret the concepts. In this process, there are often misunderstandings and contradictions influencing action on social problems like housing segregation.

One of the themes of this study is the inquiry into the socially constructed nature of policymaking, especially in the context of housing program restructuring and rescaling of regulation practices. It also challenges the dominant approach of positivism in housing research and the tendency to overlook or underestimate such factors as the disjuncture between policy intent and how it is received and acted upon by social actors. Finally, this research will help to fill a gap in the body of knowledge on U.S.-based housing by incorporating CDA to the corpus. CDA is a relatively unexplored methodology in analyzing U.S. social policy and would help open new questions for researchers by foregrounding the context of language use and discourse in producing and reproducing policy knowledge and action.

Therefore, this study contributes to fair housing policy knowledge by understanding the process of how policy actors construct meaning through action. It is important to discover how practices are discussed differently between actors and how fair housing knowledge is transferred to the local level of policy actors, and to interpret how different ways of seeing the problems with fair housing are negotiated or mediated through discursive practices. The results from the study will contribute to the field of housing policy studies by addressing the following:

1. **Construct meaning through policy analysis:** The linguistic and critical perspective assists in uncovering and critiquing the nature of taken for granted attitudes and knowledge in order to understand how differences in seeing the problems with fair housing can be negotiated and mediated.
2. **Discover dominant truth claims and problem definition:** The analysis will inform what key stakeholders emphasize as specific issues and structural factors when discussing impediments to fair housing in addition to contributing to policy discussions about approaches to overcome existing institutional barriers.
3. **Identify possible ways past the obstacles:** The analytical framework is designed to identify both the structural obstacles and the possible ways they can be resisted or contested in order to transform for the social good. The implications of this are developing a better understanding how different beliefs, values, ideas, and perceptions of the social problem contribute to or constrain possible new avenues for action. As both a theory of discourse as well as a methodology, CDA is well positioned to explore and expose the role of power as a productive force in shaping inequalities in housing policymaking.

## **LIMITATIONS OF THE STUDY**

While this research attempts to demonstrate the potential use and benefits critical discourse analysis provides public policy analysis and housing research in general, its general methodology is not without challenges. In order to become an accepted and relevant influence on urban policymaking, this research must overcome a number of

limitations. As some authors have claimed, any research employing the CDA methodology must clearly articulate the ambiguous and complex set of concepts to provide useful information and practical resources for both institutional and non-institutional actors (Marston 2002; Jacobs 2006; Wagenaar 2011). This includes the need to clearly define concepts and establish a clear analytical framework, including what "discourse" entails and how the analysis is operationalized. Otherwise, studies become too abstract, overly-theoretical, and potentially too narrowly focused on the detail of text or spoken word to have any influence in the field. Jacobs (2006) argues this may result in over-generalizing and inferring too much from a partial example, such as only referencing one text in an analysis.

In the design for this research project, I selected a series of policy texts, many of which have an interdiscursive and intertextual relationship, meaning the texts and discourses are linked to related texts and discourses within the same field of action (Reisigl and Wodak 2009). Many of the texts produced prior to merger in Louisville were not referenced by policy actors interviewed for this research nor do they present strong interdiscursive or intertextual relationships. Therefore, the texts analyzed do not encompass the entirety of discursive events that define fair housing policymaking and practices in Louisville. It would be beyond the scope and capacity, and time allocated for this study to include the potential entirety of this corpus of texts. On the other hand, some texts earlier than 2003 are incorporated where there is a related discourse that serves as background information. In CDA methodologies, the assumption is that all discourses are historical, yet they "only can be understood with reference to their context" (Meyer 2001, 15). As a result, the selection of texts for this study represent those which I have

determined to be typical or representative of the context of fair housing policy and practices during the period in which the political merger between city and county governments began in 2003 until the present context.

Similarly, another key critique is that CDA involves a steep learning curve to fully apply techniques of discourse analysis. As a researcher, I am not as adept with the knowledge on linguistics, therefore, a detailed textual analysis is a constraint to fully operationalizing the CDA method. It is true that CDA involves a complicated set of concepts that involve both linguistics applications and a broad spectrum of social theories. This complexity and ambiguity often make it difficult to translate for the practical context, including policy analysis. As Fairclough cautions, “language analysis is a complex and quite technical sphere in its own right, and one can no more assume a detailed linguistic background from its practitioners, than one can assume detailed backgrounds in politics, sociology and psychology” (1992,74). To avoid this potential pitfall, Marston (2002) suggests that a well-executed critical discourse analysis go beyond the linguistic properties of the text by engaging with the agents that produce and interpret policy texts. Or, as Hastings (2000) points out, the linguistic idea of “discourse” involves the study of a single text or groups of text, but discourse analysis with its reliance on social theory provides a rich interpretation of language use within context.

From an epistemological perspective, CDA has received criticism for its relativist account of the socially constructed nature of reality (Clapham 2012; Jacobs 1999). Jacobs suggests that with the absence of an objective “truth”, discourse analysis challenges researchers who operate in a positivist dominant field. By selecting CDA as my methodology, I do not aim to produce solutions, or validated experiments which may

explain or predict phenomena. In the field of housing research, which leans toward more positivist approaches, there is the risk of its acceptance as a legitimate analytical tool. Jacobs (1999) adds that instead of attempting to “discover” facts when searching for knowledge, the interpretation should be more concerned with the social processes related to the field. For example, policymaking as a deliberative process is inherently political. As such, the results may reflect a disconnect between the intent of a policy and how it is received and acted upon by social actors. Therefore, rather than contesting positivism, CDA’s relativist perspective should only augment the understanding of social processes by studying the context of policymaking and ways language mediates practices.

A final limitation of CDA within the context of policy-oriented housing research is its insufficient engagement with the promotion of social justice (Lees 2004). Lees argues that as a “benign form of social scientific research”, it lacks traction in actually being used by those actors who advocate for justice (105). Marston adds that more attention must be paid to those whose voice is “silent” in the text, or about those who become the "objects of policy discourses" (Marston 2002, 90). At a glance, this critique is misunderstood if considering a key tenant of a constructionist and interpretive analytical framework like CDA: what makes it such a useful tool is how it enables the analyst to be reflexive by taking an explicit socio-political stance. For example, I have used my experience as trained city planner engaged in decision making processes as a reflection of the position taken in this research. By working in collaboration with the people or within the interest of those who are also the “objects” of research, the analytical questions can mirror the needs of the public (Wagenaar 2011). As Lees proposes, in order to avoid the shortcoming of engaging with issues of social justice, discourse analysis can serve as the

first step in the agenda to actually promote it. If CDA is to become a viable analytical framework for addressing some of housing policies most immanent challenges, this research should attend to these limitations.

## **ORGANIZATION OF THE DISSERTATION**

In the following chapters, I will use CDA to interrogate the ways taken for granted meanings and actions have served and perpetuated power struggles and limited progress on matters of fair housing. Chapter 2 will provide an introduction to the literature that has informed the research design for this study. The literature review begins by providing a brief overview of the history and development of the Fair Housing Act of 1968 and the “affirmatively furthering fair housing” mandate, the problems with and solutions to housing segregation in the United States, and a review of the literature on the influence the dominant ideology of neoliberalism has had on local housing policymaking.

Chapter 3 sets up the research design, including a description of the CDA methodological approach in the study, data collection tools and analysis technique. I describe how the theoretical background of CDA, including critical theory, discourse and discursive practices, ideology, and hegemony inform my study. The chapter also provides a brief overview setting the context of the site of analysis, Louisville, Kentucky and the policy reports examined for the textual analysis component of the research.

In Chapter 4, I will operationalize the three-dimensional framework as designed by Fairclough (1992). Applying Fairclough’s dialectical-relational approach to CDA, I will analyze the selected fair housing policy texts as a text, as a discursive practice, and as a social practice. Building on this analysis, Chapter 5 will discuss the findings from the

analysis and provide a discussion on the ways in which discourse is produced, reproduced, and transformed through local policymaking in Louisville. A key element of this chapter is a description of the ways in which the discourse is sustained by dominant ideologies or is, in fact, being resisted and transformed with the goal to affirmatively further fair housing.

Finally, I will conclude this dissertation with a reflection on the findings from Chapter 5 and focus on ways to generate social change through the policymaking process in response to the mandate to affirmatively further fair housing. By looking beyond the discursive events, I will consider the possibilities within the existing social processes to overcome the political and social obstacles for realizing fair housing objectives. As part of this focus, I will identify ways in which policy actors can challenge and resist dominant practices.



## CHAPTER II : LITERATURE REVIEW

The second chapter of this dissertation reviews the literature informing the research design for this study. The framework looks at fair housing policymaking at the local level in the context of considerable socio-political transformations in U.S. city governance in recent decades. At the same time, progress towards mitigating unbalanced patterns of racial segregation in housing and structural forms of discrimination since the passage of the Fair Housing Act of 1968 has been slow and poorly implemented (Silverman and Patterson 2011; Tighe 2011; Bostic and Acolin 2018). Shifts in fiscal responsibility, policymaking authority, and general rescaling of governance have converged to shape how local governments address the goals as established in the Act (Dreier and Keating 1990; Trudeau and Cope 2003; Tighe 2012; Gotham 2014).

Concurrently, given the transformation of economic and social practices on a global scale under the influence of neoliberal ideologies, there has also been a shift in the prominence of language use and discourse in how social policy in general is talked about (Fairclough 2000). However, discourse theory can only explain a limited scope of the material context in which discursive events (text production) takes place (Chouliaraki and Fairclough 2002). The analysis of social practices surrounding policymaking at a micro scale (local government) demands the use of a transdisciplinary body of theory from the perspective of looking “beyond the obviousness of the topic” (Fairclough 2010, 236). Therefore, I argue that it is imperative to consider how taken for granted assumptions and

knowledge shapes practices. In the context of implementing the spatial mandates of fair housing policy at the local level, it is particularly useful to study the ways in which local socio-political context constitutes practice.

In this chapter, I identify the ideological underpinnings that have shaped discourses surrounding fair housing policymaking at the sublevel of local government. In this dissertation and as part of this literature review, solutions to housing segregation serve as the primary object of research. Instead of focusing on the phenomenon of it, the broader purpose of this chapter is to contextualize how meaning, problems, and solutions are constituted around the spatial disparities associated with housing segregation in the United States.

The conventional study of housing policy (or urban policy) generally reflects what Hays (2012) identifies as two paths of analysis. The first includes studies that analyze the changing conditions and attitudes due to policy change. In the area of fair housing policy, this perspective seeks to understand a variety of empirical evidence to identify the notable successes and failures of housing strategies as well as explain persistent challenges of housing discrimination and segregation. The other focus considers the details and processes of specific decisions (e.g., the process surrounding the passage of the Fair Housing Act of 1968) and how the role of individuals factors into the decision-making. Using this approach, researchers have been able to identify the consequences and implications to implementing the provisions established in the Fair Housing Act.

In recent years, there has been an increasing amount of scholarship documenting the progress, obstacles, and opportunities addressing the Act's provisions following 50

years of experience (e.g., Galster 1999; Lamb and Wilk 2009; Tighe 2011; Massey 2015; Squires 2018). A large and growing body of literature has investigated spatial strategies aimed at fostering more inclusive communities (Duncan and Zuberi 2006; Popkin, et al. 2009; DeLuca and Rosenbaum 2010; Turner 2017). There is a relatively small body of literature that is concerned with the way institutional elements and political dynamics operate at the local level. For example, some researchers have studied how citizens and institutional actors understand fair housing laws (Abravanel and Cunningham 2002; Patterson and Silverman 2011), while others have mainly been interested in questions concerning the role structural barriers play in realizing the Act's objectives (Lake and Winslow 1981; Squires 2008; Tighe 2011; Seicshnaydre 2015). By drawing on social constructionism, Sidney (2003) has been able to show how the federal level focus on policy designs influenced advocates' work and political strength in the urban context. Sidney's research tells us a great deal about how fair housing policy designs at the federal level affect local advocacy work. Can this work be generalized to explain how federal policy structures translate to the development of local housing policy? My contribution to the literature explores the ways the network of practices by local policy actors through discursive acts affect implementation of the AFFH mandate. As Hastings (2000) argues, this perspective provides a point of entry to explore new questions and explanations produced for housing research. It also serves to disclose the various ways in which contemporary social life reflects the dynamic transformations of discursive practices under the influence of a globalized economy (Fairclough 2001).

This literature review begins by providing a brief overview of the history of implementing the Fair Housing Act of 1968. The introduction serves as a backdrop to the

current landscape for local governments implementing the affirmatively furthering fair housing mandate of the Fair Housing Act. Over the past 50 years, attention to this provision has ebbed and flowed and currently rests on fragile political territory due to the position taken by the Trump administration to suspend the 2015 regulations until after 2020 (Capps 2018). Until the Act is eradicated or amended, local jurisdictions are still subject to lawsuits under the Act's provisions. Given the history and need for enforcement and protection in U.S. cities, it should remain a critical component of the urban policy landscape.

Following the introduction and overview of the Act and the AFFH mandate, the chapter considers how previous research has defined the problems associated with housing segregation within the United States and how solutions to it have been presented. Housing segregation, as Fullwood argues is a “keystone support for racial and economic discrimination in the United States”(2018, 41). While there exists little debate on the injustices produced by segregation and discrimination, less is understood about the root causes or the solutions to dismantle it. As a result, scholars have engaged in a long conversation about possible solutions, including those surrounding spatial perspectives on poverty concentration, segregation and integration.

Looking beyond the debates, I next take up Gotham's (2014) argument for a more nuanced examination of the influence of processes of political economy upon local action to address housing segregation. In particular, I review literature exploring how the dominant ideology of neoliberalism has influenced two social practices affecting housing policy at all scales: restructuring and rescaling. Since the early 1970s, the restructuring of global economic processes have transformed governance practices, shifting from a

managerial form focused on social responsibility and welfare provision to an entrepreneurial role of fostering economic development and employment growth (Harvey 1989). At the same time, there has been a systematic rescaling of governance which has resulted in a transference of regulation, fiscal responsibility, and authority of government programs to the lower scales (Jessop 2002). I argue for the need to understand how the social, political, and economic changes associated with these neoliberal concepts have had a profound effect on the ideologies behind the practice of implementing the AFFH mandate in recent decades, especially at the local scale. I conclude by highlighting how this dissertation fills a gap in the existing fair housing literature by examining how macro discourses construct and reconstruct social life at the micro level of housing policymaking.

## **OVERVIEW OF FAIR HOUSING ACT OF 1968 AND THE AFFH MANDATE**

Nearly fifty years after the passage of the 1968 Fair Housing Act (Title VIII of the Civil Rights Act), federal housing policy has been ineffective in reducing U.S. racial segregation and housing inequalities (powell 2008; Massey 2015; powell and Menendian 2018). Through the 1950s and the civil rights movement prior to the passage of the Act, the fight to eliminate housing discrimination and pursue a more balanced racial integration of U.S. communities defined the core objectives set forth in the Act. The driving force behind the Act was to end the racial discrimination practices that had scarred African American households' experience in the housing market for so long. The Act also specifies that the U.S. Department of Housing and Urban Development (HUD), require recipients of federal housing and community development entitlement funds to "affirmatively further fair housing" (AFFH). However, progress since 1968 toward

mitigating unbalanced patterns of racial segregation in housing and structural forms of discrimination has been slow (Massey and Denton 1993; Hartman and Squires 2010; Squires 2018). Despite the legal protections and years of limited success enforcing and implementing the provisions of the Act, segregated residential patterns remain an indelible issue for researchers and policy actors to address.

There has been a wealth of scholarship published on legal implications and progress addressing the enforcement of the anti-discrimination provision of the act (see Roisman 2007, 2010). Strategies developed for this provision focus on the prosecution and elimination of individual acts of discrimination against people of protected class status and therefore have no direct spatial dimension (Goetz 2018). The research has focused on such issues as predatory lending, foreclosure practices, and other types of housing discrimination against individuals revealed through the practice of housing audits or paired testing<sup>1</sup> (Hartman and Squires 2013; Turner, et al. 2013). These studies have indicated that much institutional effort has been devoted to this provision despite levels of measured discrimination still remaining high (Oh and Yinger 2015). Significant attention has focused on private-sector actors, a component that is beyond the scope of this dissertation. On the other hand, the spatial strategies intended to address the AFFH objective of the Fair Housing Act have implications for public-sector actors. In research and in practice, a much-debated question is whether there are optimal solutions that should be pursued to dismantle systematic segregation. In this overview, I will examine questions of what has been done over the past 50 years to address the AFFH, including its

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<sup>1</sup> Paired testing involves two equally qualified renters or homebuyers, one white and the other minority, who inquire about available homes or apartments in a particular market. The paired test tool has been used by HUD to systematically measure how often discrimination occurs across housing markets and what forms it takes (Turner, et al. 2013).

contemporary status, how it's been studied and addressed to date, and what's known about the causes of housing segregation and the inability for local governments to effectively address it. Finally, in contributing to possible ways to address the mandate, I will review theories that help us understand the challenges to implementing it. Each of these topics establishes the framework presented in this research and informs the analysis presented in later chapters.

### *Backdrop to the Contemporary AFFH Mandate*

There is a well-established body of research identifying the various factors contributing to housing-related discrimination and segregation in the U.S. Although passed in 1968 and amended in 1988, the Fair Housing Act never fully defined exactly what was meant by the AFFH mandate. It also omitted any clear guidance outlining the path for housing production specifically provided by government. With a lack of statements to shape a shared meaning behind AFFH, the result has been years of competing discourses shaping practice. In general, there is an agreement that the AFFH mandate should focus on the deep structural attention needed to overcome the legacies of discrimination and segregation from such practices as government-backed redlining processes and the approval of restrictive racial covenants, in addition to the cultural forces of racial violence and intimidation (Galster 2012; Massey and Denton 1993; Sampson 2012; Sharkey 2013; Sugrue 2014; Wilson 1987). The Fair Housing Act is clear on language which assigns HUD and any agencies who receive federal housing funding to work toward promoting racial integration in U.S. cities. Despite initial efforts to strengthen HUD's ability to enforce the Act and establish a system of desegregation practices, weak enforcement and ineffective guidelines continue to limit the progress at

promoting fair and equitable access to housing. In addition, the strict adherence to and interpretation of the Act's core objectives have ebbed and flowed, contingent upon the tensions and priorities set by subsequent presidential administrations in power (Goetz 2016). As explored in this study, a restructuring of government's role in service provision and a rescaling of fiscal responsibility and policymaking authority to the local scale have also affected the social, political, and economic dynamics producing and reproducing practices.

In order to understand the roots of the contemporary discourses in fair housing policy and research, it is necessary to reflect on the influence of the national civil rights movements and federal legislative action of the early to mid 20th Century. Against this backdrop, considerable effort unfolded to identify and eliminate discriminatory housing practices perpetuating neighborhood racial segregation. I note three contributing moments that both established the premise for the Act and have shaped today's knowledge and action on fair housing. First, federal and local mechanisms forged institutionalized patterns of segregation of U.S. cities and suburbs, including the public housing program and FHA lending policies (Briggs 2005; Squires and Kubrin 2005). These practices were the result of what Rothstein (2017) refers to as "de jure" policies, or those policies intentionally devised by federal, state, and local governments to relegate racial minorities to marginalized spaces. The result is that most subsidized housing continues to be sited in central city, high-poverty neighborhoods. As Goetz (2018) observes, a fair housing argument would claim that these same neighborhoods are also spaces of urban inequalities including high crime, inferior public service, and higher risk of environmental contamination. Next, the Supreme Court cases of *Buchanan v. Warley*



(1917, ending racially defined zoning practices) and *Shelley v. Kraemer* (1948, ending racially restrictive covenants) both contributed to outlawing discriminatory local practices contributing to housing segregation. These cases formed among the most historically significant legal foundations for future affirmative action to fight housing segregation and acts of discrimination.

The third key moment involves the cumulative advocacy efforts of the National Association for the Advancement of Colored People (NAACP), the “open housing” movements of the 1950s and 60s, and the release of the Kerner Commission report in 1968 which set forth the arguments and evidence resulting in the passage of the Fair Housing Act later that year (Dawkins 2018). At the core of these moments is the social problem of housing segregation, strongly correlated with racial exclusion/isolation and the systematic concentration of poverty (Massey and Denton 1993; Tighe 2011). The report is a particularly important contributor shaping future fair housing-related discourses and should be further explained.

The charge and focus of the Kerner Commission report was to respond to the increasing trend of inner-city violence and rioting occurring within the urban core of many large U.S. cities during the summer of 1967. The principle proposals defined preventative measures to avoid future rioting and to link segregation with racial disparities and urban poverty (Farley 2008). America, the report asserted, was moving toward “two societies, one black, one white—separate and unequal” (National Advisory Commission on Civil Disorders 1968, 1). The Commission presented a set of strategies to address the problems associated with housing segregation. Two prominent strategies emerged among the others that continue to shape today’s debates in housing

policymaking and scholarship (Goetz 2018). The first pertained to “ghetto enrichment” strategies focused on place-based improvements for the existing conditions of racially segregated urban neighborhoods. The second comprised “integration” strategies which promoted more integrated communities by primarily dispersing racial minorities into suburban housing opportunities. Obviously eschewing a status quo scenario, the Commission expressed preference for allocating resources to address both the enrichment (place-based) and integration (dispersal) options, but conceded the need for substantial relocation of racial minorities from urban neighborhoods (Farley 2008).

The civil rights movement of the 1960s produced several important federal acts aimed at ending the racial disparities that had plagued the country since its founding. Passed in the days following the assassination of Dr. Martin Luther King Jr., Title VIII of the Civil Rights Act of 1968, best known as the Fair Housing Act of 1968, set forth what civil rights activist had hoped would provide a new path forward for equity and justice in housing practices. Essential to this desire was the anticipation that by prohibiting racial discrimination in the housing markets, the problems with housing segregation in the U.S. could also be resolved (Massey 2015). The Act’s principle thrust and most defined provision has always been directed at private acts of discrimination by landlords, realtors, and the buyers/sellers of private real estate rather than defining and fulfilling the AFFH mandate (Goetz 2018). As described earlier, the Act’s omitted definition of the AFFH mandate established a pattern of ongoing debates and discourses which have shaped practice over the last 50 years. As a result, fair housing policy would prove to be a contested battleground of ideological perspectives which have produced decades of inconsistent action (Hays 2012). Despite the Act effectively outlawing practices of overt

discrimination in real estate practices, the failure of policy action to affirmatively further fair housing can be attributed to more covert practices of discrimination, prejudice, and implicit bias in both public and private action.

The post hoc political resistance to taking action set the tone for the AFFH mandate from the beginning. Upon assuming the HUD secretary position in early 1969, George Romney made the mandate among his initial priorities by addressing programs focused on dispersing low-income and racial minorities into suburban areas. From the beginning, it was clear that political tension would determine whether HUD would truly further fair housing practices. Romney was so influenced by the findings in the Kerner Commission report, especially the integration strategy, that one of his first initiatives became the “Open Communities” program. This program sought to increase the production of affordable housing units in areas that offered improved access to work, quality housing, and social and economic mobility opportunities. The intent was to link HUD funding to the acceptance of affordable housing in these “opportunity areas” and advance desegregation by race and income (Roisman 2007; Massey 2015). As Romney reflected, “the impact of the concentration of the poor and minorities in the central city extends beyond the city boundaries to include the surrounding community...To solve problems of the ‘real city,’ only metropolitan-wide solutions will do” (Roisman 2007, 387). The push for dispersal and integration, as Romney proposed, remains a central tenant of fair housing policymaking today.

One of his first undertakings as HUD secretary was to establish a task force to develop the program and test it on a trial basis in a few select suburban communities. The initiative received significant resistance and ultimately failed to receive support from the

Nixon White House. Following this fledgling attempt to implement the AFFH mandate, Romney and the task force decided to end the program in 1970 with nominal influence (Massey 2015). In subsequent years, HUD's exercise of fulfilling the AFFH mandate weakened under Nixon's tepid support for affirmative action on issues of race and civil rights. Consequently, this early retreat led to a series of lawsuits by fair housing activists (Bonastia 2006).

Several important Supreme Court case rulings within just a few years of the act represent the pressure on HUD to advance the 1968's Act's provision to affirmatively further fair housing. The Gautreaux cases, both the 1969 *Gautreaux v. Chicago Housing Authority* decision and subsequent appeal in 1976, *Hills v. Gautreaux* would have a significant impact on how to pursue desegregation. The 1976 case forced the Chicago Housing Authority to terminate further pursuance of concentration of public housing in the city's poorest neighborhoods and mandating dispersing units in order to integrate with low-minority areas. As a result of the litigation, between 1976 and 1998 the Chicago Housing Authority operated a detailed system in which recipients of Section 8 vouchers holders were randomly assigned to majority-white neighborhoods in the suburbs (Rosenbaum, et al. 2002). The Gautreaux programs in Chicago would set the stage for the Moving to Opportunity (MTO) demonstration program starting in 1992 in order to promote dispersal strategies for subsidized housing.

In the 1970 decision on *Shannon v. United States Department of Housing and Urban Development* case, based on a plaintiff complaint about an urban renewal project in Philadelphia, the court ruled against HUD deciding that the agency must take account of racial segregation and must take the affirmative mandate to further fair housing

seriously (Massey 2015a). Since the case only required consideration of racial impacts and did not mandate the dispersal of subsidized housing, it did not have significant influence on spatial outcomes (Bonastia 2006). While this and other cases set forth more affirmative action by HUD and local PHAs to promote equal housing opportunities, the more important implication was defining the role of local governments in the AFFH mandate. The means to achieve this would remain unsettled, but as Goetz credits, the “Gautreaux cases” filed in the decade following the original case had an influence on privileging fair housing strategies in favor of the direction of forced deconcentration (Goetz 2015). First, it triggered a series of lawsuits filed against housing authorities who had been siting subsidized project-based housing in minority and high-poverty neighborhoods. Next, similar cases would set up subsequent reforms to public housing, eventually leading to the systematic demolition of public housing projects and eventual redevelopment of the sites under the Homeownership and Opportunity for People Everywhere program, which became best known as HOPE VI starting in 1993. Likewise, the practice of scattered-site housing projects and dispersal programs justified HUD’s increased use of taking into account racial composition of locations when placing public housing and subsidized units.

The 1972 case *Trafficante et al. v. Metropolitan Life Insurance Company*, one of the first Supreme Court cases interpreting the Fair Housing Act, also forged a significant role in supporting the spatial mandate for residential integration. The case diverges from previous discrimination situations due to the nature of the plaintiffs. In this case, tenants of Parkmerced, an apartment complex in San Francisco, claimed that they were deprived of the opportunity to live in a racially integrated community by the landlord’s decision to

discriminate against non-whites. Scholars acknowledge the case engendered a disparity of views over whether the AFFH mandate focuses on promoting equal access to housing or in fact establishes integration as a key component of the Act (Goetz 2018). For example, Orfield, et al. (2015) assert that “integration” is the key goal of the Fair Housing Act even though the word does not appear in the law. They argue that reducing segregation is the embodied concept of the AFFH mandate. In contrast, Goetz (2015; 2018) maintains the mandate entailed a multiplicity of objectives rather than privileging an explicit spatial objective. As Roisman (2010) points out, however, the *Trafficante et al. v. Metropolitan Life Insurance Company* case established the integration imperative as a key intent of the mandate. Despite these disagreements, the legal basis established from these three cases along with subsequent rulings in the ensuing years would incrementally determine the legal justification and interpretation of the AFFH objective of the Act.

Although these actions have attempted to shape a more just direction for federal housing policy, segregation and the concentration of poverty continues to plague U.S. cities. Part of the challenge reflects the persistence of institutional barriers still impeding progress today. Subsequent litigation has challenged local jurisdictions and HUD to advance practices which prevent further segregation. Still, contested interpretation of the AFFH mandate and structural impediments remain significant barriers. Over the years, case law has helped to clarify the intent of the AFFH mandate (Lake and Winslow 1981; Roisman 2010). More importantly, the court decisions have produced a greater purpose for justifying and enforcing program recipients to address fair housing goals.

In 2015 two important developments would justifiably establish a renewed focus on federal housing policy. First, the ongoing challenge of racial segregation and housing

policy was once again the focus of the U.S. Supreme Court in the case *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project*. In a 5-4 decision, the Supreme Court upheld that disparate-impact claims are cognizable under the Fair Housing Act. In other words, under disparate-impact claims, policies adversely affecting minorities may be determined discriminatory under the Act. In his majority opinion, Justice Kennedy concluded that “the FHA must play an important part in avoiding the Kerner Commission’s grim prophecy that ‘our Nation is moving toward two societies, one black, one white—separate but equal’” (Semuels 2015).

Meanwhile, also in 2015, HUD issued new AFFH regulations changing the way jurisdictions eligible for federal housing entitlement funding report their efforts. The new regulations seek not only to expand the planning focus on fair and affordable housing, but also to include fair housing goals into their plan of action on a number of topics, including dismantling other disparities impacting the availability of fair housing choice, such as access to quality schools, employment, and transportation (US HUD 2015b). The release of the regulations had long been deferred by previous administrations, but the Obama administration decided to more aggressively pursue the AFFH mandate (Goetz 2016). A key impetus for the new regulation reflects years of advocacy work, enhanced enforcement under the Obama administration, and ultimately a 2010 U.S. Government Accountability Office (GAO) report. The report reviewed 441 Analysis of Impediments to Fair Housing Choice (AI) plans submitted to HUD by local jurisdictions and identified a number of issues, including widespread non-compliance, lack of clarity and unspecified timeframes of action (U. S. GAO 2010; Dawkins 2018). In response, the new regulation requires an analysis to affirmatively further fair housing by performing an Assessment of

Fair Housing (AFH) that establishes tangible and measurable goals. Progress toward those goals are measured in four areas: (1) overcoming historic segregation by improving integration; (2) reducing concentrated poverty in minority neighborhoods; (3) reduction of uneven distribution of neighborhood quality by race and/or ethnicity; and (4) better responses to the housing needs of those with mental and physical disabilities (US HUD 2015a). Most critically, the rule establishes guidelines on how communities in their use of HUD funds assess their needs for affordable housing and community development in a way which affirmatively furthers fair housing. Specifically, the AFH then becomes a required component of the communities' subsequent Consolidated Plans, a HUD mandated planning document that outlines a jurisdiction's three- to five-year plan for using Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and public housing allocations. Overall, the new approach represents a reframing of the relationship between federal and local jurisdictions in response to the proactively addressing the AFFH mandate.

With these rulings, HUD renewed its commitment to “take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice, and foster inclusive communities that are free from discrimination” (U.S. HUD 2015). Unlike the core objectives of the original Fair Housing Act aimed at eliminating discrimination by private-sector actors, the challenge going forward now is reliance upon public agencies and local governments to devise effective strategies for meeting the Act's affirmatively furthering provisions. A decentralized structure of government in the United States has relegated a significant share of the burden for the provision of goods and services along with providing the substantial share



of government revenue to municipal governments. As a consequence, Goetz (2018) argues that despite the absence of an explicit spatial objective in the original Act, the inferred spatial objectives present new challenges to housing advocates and policymakers alike.

Therefore, until the release of the 2015 HUD AFFH regulations, the limited attention by presidential administrations resulted in inconsistent guidance for local authorities and practitioners to implement the goal of affirmative action toward developing more inclusive communities and overcoming historic patterns of housing segregation (Bostic and Acolin 2018). The regulations established under the Obama administration sought to increase the capacity of local governments in their assessment of fair housing issues and require more definitive fair housing goals into a plan of action in order to receive entitled federal funds for housing and community development (US HUD 2015). This elevated action at the federal level established a set of standardized procedures to help local jurisdictions develop plans that aim to fulfill the obligations set in the Fair Housing Act. Based on early indications, the current Trump administration have reshaped the political environment with efforts to re-interpret how federal policies shape local action around race and discrimination in housing (Capps 2018).

Despite the recent suspension of the AFFH rule, there remains several forces to sustain the intent and strength in the act. First and foremost, as this research shows, an increasing community interest in promoting racially and economically integrated neighborhoods seems to be on the rise. Local communities will still be developing policy to respond to the provisions of the Fair Housing Act and remain committed to principles of social justice and equity. As communities experience higher rates of inequalities in the

housing market, fair housing related issues such as affordable rental, differential treatment, and other factors remain critical needs to locally address. In the remainder of this chapter, I will set up the discussion of how housing segregation is conceptualized, identify claims of its principle cause and effects, and present how proposed solutions for addressing it have been discussed.

## **THE FUNDAMENTAL ASSUMPTIONS OF HOUSING SEGREGATION**

Having provided an overview of the development and general legal and regulatory pathways the AFFH mandate has taken since 1968, this section will focus on defining the problem with and solutions proposed for housing segregation. The past several decades have produced a plethora of powerful demographic, economic, and social shifts that have transformed and increased the complexity of our conceptualization of housing segregation in U.S. cities. Therefore, in this section, I focus on housing segregation as an issue of social justice for three reasons. First, the literature has highlighted that de facto housing segregation is highly correlated with other forms of disparities, including income, schools, employment, and health, among others (Massey and Denton 1993; Sampson 2012; Sharkey 2013; Sharkey and Faber 2014; Rothstein 2014). Second, due to its spatial and political implications, housing segregation has far-reaching consequences for democratic practice, including the violation of equal access to opportunity and producing or reinforcing structures of privilege and disadvantage (Young 2000; Anderson 2010). Third, by understanding how the problem of housing segregation is understood and addressed, this provides a useful backdrop to some of the dominant discourses that shape local policy actors in their production of fair and affordable housing policy. While there exists little debate on what defines segregation or how it produces

social inequities, there is much less agreement around the question of optimal solutions to the means for affirmatively furthering fair housing. As a result, scholars have engaged in a long conversation about possible solutions, including the spatial implications of poverty concentration, racial segregation and integration. The question remains: how has previous research defined the problem of and solutions to housing segregation in the United States? In this section, I begin by providing an overview of the literature on housing segregation, including the identified causes and consequences. Following that, I introduce the debates which have unfolded over recent decades on the optimal policy solutions to address the problems associated with housing segregation.

### *Housing Segregation*

One of the most influential works in examining housing segregation in U.S. cities is Massey and Denton's 1993 publication, *American Apartheid*. Their research demonstrated the extent of housing segregation patterns and its impact upon cities beginning in the early 20th century. Their central argument remains the dominant perspective shaping policy action on housing segregation. They show that the perpetuation of racially segregated neighborhoods reflects the conscious efforts of whites to "isolate and control growing urban black populations" and that even into today's context, these conditions are maintained by a "set of institutions, attitudes, and practices that are deeply embedded in the structure of American life" (1993, 217). Despite the passage of the Fair Housing Act in 1968, degrees of residential racial concentration have declined very little (Logan and Stults 2011).

As important as Massey and Denton's book has been to conceptualizing housing segregation in America, much more knowledge has developed on the phenomenon and

issues associated with it. In order to explore that development, it is necessary here to clarify how the meaning of housing segregation has been structured in the literature. At a fundamental level, segregation can be defined as the separation of racial groups in urban space. Some, such as Jargowsky (2018) reference the phenomenon as a persistent issue in need of evaluation and monitoring, whereas Anderson (2010) considers it as a process. Racial segregation, as Anderson defines it, consists of "processes that prevent interracial contact or structure it in terms of inequality, and resulting conditions of spatial separation by race and disproportionate black occupation of subordinate social roles" (25). Young (2000) also sees segregation as a process, but uses the term to reference the way it "enacts or enlarges many material privileges and economic opportunity, quality of life, power to influence actions and events, and convenience" (198). This view of segregation reflects another prominent interpretation linked with poverty since the poor are often disproportionately of protected class groups (Dreier, et al 2014; Jargowsky 1997; Wilson 1987; Spinner-Halev 2010). As such, fair housing discussions are often synonymous with the need to deconcentrate poverty. In this view, providing opportunities of greater economic and social mobility for low-income households should also be the intent of fair housing policy.

Like Young, many view segregation as a form of domination and a serious threat limiting democracy and the pursuit of opportunities in life. Various terms have been used to mark the physical representation of segregation in this light, but as an object of analysis, the legacy and imagination of the *ghetto* looms large in U.S. cities. From this perspective, representing urban space as ghetto has required researchers to consider the ways to identify segregation as a form of isolation from the dominant society. Marcuse

(2001) employs the use of ghetto to explain segregation as a process producing and sustaining involuntary isolation. In this sense, it is a spatial representation of dominance and power, relegating particular ethnic or racial groups to an inferior position in society. This conceptualization of segregation is reflective of Jargowsky's (2018) view, who writes that not only are the groups physically isolated in the community, but this spatial position precludes them from "the resources, housing, and public amenities that the advantaged group enjoys" (211). Overall, U.S. cities in the 20th century exemplified the plight and challenges produced and reinforced by the increasing degree of segregation between blacks and whites.

On the question of measuring housing segregation, researchers' most accepted means for quantifying the extent of it are the dissimilarity index (DI) (Duncan and Duncan 1955; Taeuber and Taeuber 1965) and the isolation index (Massey and Denton 1988). The less commonly referenced isolation index measures the extent of exposure one subgroup living in one specific neighborhood has to another subgroup. For example, if a neighborhood has a 100 percent isolation index for African Americans, this would indicate that members of that group are completely isolated from any other group. The more commonly referenced measure is the DI, which indicates the proportion (expressed from 0 to 1) of a racial subgroup that would have to move across a metropolitan sub-region to achieve some level of integration. For example, a 2010 study at the University of Michigan indicated that thirty-nine of the largest metropolitan areas have indices beyond 60, a threshold that experts consider very or hyper-segregated (Population Studies Center n.d.). In order to achieve a more balanced racial distribution in these places, 60 percent or more of the population of that subgroup would have to move to achieve

evenness. As a convention among demographers and social scientists, a DI under 30 percent is considered well integrated, between 30 and 60 percent is considered moderately segregated, and 60 percent or higher is considered very segregated (Massey and Denton 1993, 20).

Systems of classification, typologies, or other resources such as these provide scientific fields or practices with specialized language to help construct meanings (Luke 1995). In addition, these systems for establishing meaning are not permanent and are subject to debate. They are essential to providing an orientation for actors to draw upon for interpretation and knowledge production. In the case of housing segregation knowledge, even though isolation and dissimilarity indices are the most common indicators, they are not the only ways to describe segregation. For example, in housing research, a typology widely used by social scientists views the phenomenon of segregation along five dimensions: evenness, exposure, concentration, clustering, and centralization (Massey and Denton 1988; Massey, et al. 1996). Respectively, these dimensions represent the degree of differential distribution, probability of interaction, spatial concentration, proximity to other racial enclaves, and proximity to the urban core. As Lens (2017) acknowledges, this classification system continues to provide the standard and widely applied approach to measuring segregation.

In contrast, other scholars problematize these quantitative concepts of housing segregation for their failure to consider the material and social processes which produce these categories (Kobayashi and Peake 2000). As Wacquant (1997) argues, categorizing populations by some arbitrary threshold with these measurements may result in problematic terms such as ghetto. Deeming geographic areas as ghettos objectifies the

space as a “disorganized social formation”, thus disregarding the contested and complex realities that “underlie its internal order and govern its specific mode of functioning” (Wacquant 1997, 342). Critical race theorists find troublesome the way that “race” (and “poverty”) are viewed as social constructs and therefore representative of discursive and social processes (e.g., see Kobayashi and Peake 2000; Zuberi and Bonilla-Silva 2008). These categories and critiques not only demonstrate the contested nature of our understanding of segregated spaces, but they also generate assumptions or ideological dimensions within language use and the discourse of policymaking.

Despite claims by economists Glaeser and Vigdor (2012) that America had now moved into a new era which marked “The End of the Segregated Century”, contrary evidence demonstrates that patterns of racial segregation remain strong and persistent in the United States today (Massey and Rugh 2014). What is truly at stake in the contemporary policy landscape is the question of whether and how federal and local housing policy continues to perpetuate segregation or unequivocally serves to potentially dismantle segregated communities. There is strong agreement that housing segregation and poverty concentrations significantly contribute to the racial and class disparities existent in U.S. cities (Darden 1986; Massey, et al. 2006; Jargowsky 2018). Likewise, there are others who argue that if action fulfilling the AFFH mandate is to be taken seriously, an incremental and often misguided response to the problem of removing spatial disparities will not be enough (Silverman and Patterson 2011; Seicshnaydre 2015). In addition, the proven disparities in evolving U.S. cities occur at a time when race and ethnicity alone are no longer the only represented protected class citizens (Allen and Crook 2018). Congress amended the Fair Housing Act in 1988, thus expanding the law’s

definition of protected classes to now include those with disabilities, families with children, and other vulnerable populations. Therefore, increasing numbers of claims of discrimination and enforcement efforts have developed to include these new groups. Even with the intent to dismantle segregation, it is important to note that the action taken at the local level and the assumptions that their policies adequately serve the AFFH mandate may not be enough to protect local governments from liability.

As discussed in the previous section, the 2015 U.S. Supreme Court case *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project* (TDHCA vs ICP 2015) serves as one of the most critical legal cases helping to further define the spatial objective of the Fair Housing Act. In this case, the plaintiff, ICP, claimed that TDHCA use of Low-Income Housing Tax Credit (LIHTC) subsidized housing funds in a manner which perpetuated segregated housing in low-income minority neighborhoods. The case relied on statistical evidence to establish whether there was intent or not in the policy decision for differential treatment, the result constituted a disparate impact under the Fair Housing Act (Dawkins 2018). As Dawkins (2018) adds, the Supreme Court case advanced the understanding and spatial interpretation that racial and ethnic integration is a principle goal of the AFFH mandate.

Courts, local jurisdictions, and researchers have all contributed to various ways to construct meaning around the unjust practice of housing segregation. As previously noted, there is a shared understanding that segregating disadvantaged populations produces and reinforces the differential treatment and prevents equal opportunities in space. In summary, it has been shown from this review that the definition of the phenomenon has evolved and continues to be subject to new interpretations and



challenges, particularly in relation to the Fair Housing Act. The conceptualization of housing segregation as a standard measure is one component constituting knowledge production of policy actors. As the next section demonstrates, another important aspect of shaping an understanding of the reality of housing segregation are the various contributing factors that produce and sustain it.

### *Causes of Segregation*

In this section, I explore what has been most commonly understood as the causes of housing segregation. As discussed above, the state of housing segregation continues today despite decades of enforcement and changing socio-economic dimensions. Despite the claims that segregation is slowing to a “standstill” (Logan and Stults 2011) or ended at the millennial as Glaeser and Vigdor (2012) claim, contrary evidence demonstrates its relevance as an injustice today. The literature on the causes of segregation covers a vast body of empirical evidence to identify the various causes of housing segregation (see, e.g.,; Massey and Denton 1993; Ihlanfeldt and Scafidi 2002; Charles 2003; Dawkins 2004). Although this literature review does not cover the full extent of the literature, the purpose of its inclusion here is to briefly discuss some of the most common identified causes of housing segregation. To better understand how they are theorized and interpreted, I will review a diverse range of perspectives highlighting how research has demonstrated various ways of seeing segregation and concentrated poverty as both a problem of institutional barriers (structure) and individual choices (agency).

Research also shows the debates about whether market forces or racism contribute more to maintaining the phenomena (Clark 1986; Galster 1988). Many researchers have demonstrated that in metropolitan areas there is an unambiguous relationship between

race and poverty (Rothwell and Massey 2009; Goetz 2010; Massey and Rugh 2018).

Since systematic analysis of the underlying causes and effects of segregation reflects the shifting dynamics of U.S. political economy, variables such as race, poverty, and market forces should also contribute to a better understanding of unequal relations of power.

One of the most frequently debated questions researchers investigate is whether race and ethnicity play a central role in determining outcomes of housing segregation. The academic literature has revealed the emergence of several themes leaving little disagreement that race is a significant variable, though not the only one upholding housing segregation in America. Some studies argue that race is the principal determining factor of segregation (Denton and Massey 1988; Massey and Denton 1993; Bobo and Zubrinsky 1996; Emerson et al. 2001; Charles 2003; Iceland and Wilkes 2006). On the other hand, when controlling for other variables that may be associated with race, such as income or housing values, it no longer represents the principle factor in some studies (Clark 1986, 1988, 1989; Ihlanfeldt and Scafidi 2002). Conversely, racial segregation and income inequality are strongly correlated in some metropolitan areas (Reardon and Bischoff 2011). Most importantly, these debates reveal that whether race is the sole factor, when compounded by income inequality, housing segregation is clearly one of the most critical urban problems challenging U.S. social policy.

Housing studies have produced several debates over which causal factor contributes most significantly to persistent housing segregation. The debates between Clark (1986, 1988, 1989), who argued against racial discrimination as the principle cause in favor of economic factors, and Galster (1986, 1988) who disagreed stating private acts of racial discrimination is the main contributor, demonstrate the range of interpretations

produced in the literature. As Dawkins (2004) acknowledges, despite no common ground established on the Galster-Clark debates, they did reach agreement that “the interaction between prejudice, discrimination, and economic inequality and segregation is a complex phenomenon that involves multiple feedback effects among a variety of factors” (394). Thus, whether it is racial discrimination, economic factors, or institutional factors at play in shaping patterns of housing segregation, the important take away is that discourses on its causes remain open to reinterpretation and continuation.

In his review of empirical evidence, Dawkins (2004) examined five hypotheses that explain the root causes of black-white housing segregation. These include racial income differences, racial differences in tastes for housing services, racial differences in housing market information, racial prejudice, and housing market discrimination. His analysis concludes that the hypotheses are useful because they provide a way to tie causation to racial processes, particularly the strong roles played by prejudice and discrimination. Other researchers have examined perspectives similar to these structural forces (e.g. the institutional acts which impede fair housing progress) and conclude that racial segregation is not always the result of private acts of discrimination and market factors. For example, data from several studies suggest that self-segregation is often a matter of choice by the *homo economicus* conception of the self favored by neoclassical economists (Clark 1985; Bobo and Zubrinsky 1996; Schilling 2006; Dawkins 2018). In their analysis of data collected from the Multi-City Study of Urban Inequality (MCSUI) in the early 1990s, Ihlanfeldt and Scafidi (2002) suggest that housing segregation may reflect voluntary factors rather than structural factors. Their study found evidence of black households’ preference to live among blacks and whites’ preferences to live among

whites. In another studying interpreting the MCSUI data, Krysan and Farley (2001) find that blacks “overwhelmingly” prefer a much higher threshold (50/50) of balance of racial mix than white populations. The authors caution that although preferences do matter in free and open choices of residency, the interpretation of this result must not ignore other causes that shape these preferences. The overt practice of discrimination has long been outlawed, yet more covert practices of it along with white hostility and implicit bias (Kang 2014) factor prominently today. In recent years, other researchers have argued that public policy has weighed significantly in the creation and persistence of housing segregation (Massey and Denton 1993; Pendall 2000; Rothwell 2011; Rothwell and Massey 2009, 2010; Resseger 2013; Goetz 2018).

A prevailing assumption in housing policy literature recognizes that federal and local mechanisms have forged institutionalized patterns of segregation of U.S. cities and suburbs (Massey and Denton 1993; Dreier, et al. 2014; Rothstein 2017). The government’s support for programs that discriminated against minorities was once the norm and unfortunately has had enduring effects of systematic segregation. Progress toward mitigating the effects of formal institutional support for inequality began in part due to case law and federal policy, including such action as the Supreme Court’s case *Shelley v. Kraemer* in 1948 ruling racial covenants as unenforceable (Jackson 1987) and the provisions of the 1968 Fair Housing Act. In the decades leading up to the civil rights movement, public housing programs, Federal Housing Administration (FHA) lending policies, and exclusionary zoning practices helped to sustain segregated living patterns (Galster 1999; Briggs 2005; Squires and Kubrin 2005; Tighe 2011). These practices were the result of what Rothstein (2017) refers to as “de jure” policies, or overtly sanctioned

policies and practices sponsored by federal, state, and local governments designed to produce and maintain spaces of racial segregation. In other words, de jure segregation was an exercise of power by whites, structuring relations of domination and control over the subordinated group, racial and ethnic minorities.

Urban history scholars have established that the legacy of more overt federal programs and practices of race-based restrictions set by home mortgage programs in the 1940s by the FHA and mirrored by the Veterans Administration had serious ramifications for segregating minority neighborhoods (Jackson 1987; Bonastia 2006). The practice referred to as redlining has established a particular legacy. It essentially deemed neighborhoods with a presence of minorities as “high-risk” for government-backed, FHA/VA loans and thus not eligible for financing. While redlining practices embedded inequitable outcomes for minority households by cutting off access to capital, contemporary evidence shows that federally-assisted housing concentrated in segregated, high-poverty areas still perpetuate the problem of segregation (Rohe and Freeman 2001). A much-debated question is whether programs such as LIHTC, a tax credit program administered by the U.S. Treasury Department since its creation in 1986, has been misguided in its practice of concentrating affordable housing projects in high-minority and low-income neighborhoods. On one hand, some researchers argue that LIHTC projects do not contribute to increased segregation (Ellen, et al. 2009; Horn and O’Regan 2011; Freedman and McGavock 2015). On the other hand, others have found that LIHTC projects are more likely to be located in neighborhoods with higher rates of poverty and concentrated minorities (Dawkins 2013; Ellen, et al. 2018; McClure 2019). However, others like fair housing attorney Elizabeth Julian (2009) points out, “when the

LIHTC program was created, the legacy of segregation in prior housing programs for low-income people was ignored in both the statute and the regulatory process” (186). Together, the perspectives argued in these studies concur that federal programs continue to have implications on the spatial disparities correlated with and reproduced by housing segregation.

Despite claims that federal housing programs produce or perpetuate housing segregation, local policy practices have also contributed to the legacy of segregation. Over a century ago, cities such as Louisville and Baltimore maintained racial segregation through the institutionalized practice of racial zoning ordinances. This local practice designated areas of cities reserved for whites while limiting housing options for blacks to only certain areas. Although the 1917 Supreme Court case *Buchanan v. Warley* ended this practice, local governments continue to promote zoning codes which covertly affect segregation patterns today (Pendell 2000; Connerly 2002; Rothwell and Massey 2009; Rugh and Massey 2014; Goetz 2018). For example, Rugh and Massey (2014) found that as of 2010, restrictive density zoning in suburban communities contributed to high levels of black segregation and high levels of anti-black prejudice across metropolitan areas. These exclusionary zoning provisions compromise local fair housing advocates’ efforts to address housing segregation issues due to prohibitive development costs and procedural barriers protecting low-poverty, mostly white neighborhoods. As the 2015 U.S. Supreme Court case *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project* highlights, policies which result in perpetuating the segregation of racial minorities in the highest poverty neighborhoods entail a disparate impact and thus violate the provisions of the Fair Housing Act (Zasloff 2017).

Thus far, I have highlighted how research has demonstrated various ways of seeing segregation and concentrated poverty as both a problem of structure and agency. To conclude this section, I highlight two influential works that have shaped research around issues of racial and economic segregation in recent years. William Julius Wilson's 1987 publication *The Truly Disadvantaged* posited that urban neighborhood decline and continued racial segregation since the 1970s is attributed to the global economy's shift from a manufacturing to a service sector economy. Wilson's main thesis is that in the wake of this shift, inner-city households experienced significant job losses in a manufacturing sector that once served as the backbone of their livelihoods. In this wake, he connects the destabilization of inner-city neighborhoods with the exodus of middle-class black families from these areas to the suburbs (Wilson 1987). While Wilson's argument frames a significant structural argument, Massey and Denton (1993) in their highly influential work *American Apartheid* found it problematic. They argued that many blacks were able to find new housing options in the years after the Fair Housing Act. Despite this progress, many formal and informal barriers, including discrimination, continued to restrict the majority to remain in the economically marginalized and declining inner-city neighborhoods. Massey and Denton found that the perpetuation of the black ghetto was a factor of the conscious efforts of whites earlier in the 20th century to "isolate and control growing urban black populations, and it is maintained today by a set of institutions, attitudes, and practices that are deeply embedded in the structure of American life" (1993, 217). As Dreier, et al. (2014) argue, regardless of whether economic forces or racial dynamics are the main issue with segregation, what is more certain is "how race and class interact to produce enduring patterns of spatial inequality"

(52). If race and class do indeed interact to maintain housing segregation patterns in the U.S., this concept is a fundamental factor in shaping knowledge and action on fair housing practices at all levels.

While this section has focused on the various perspectives describing the root causes of segregation, it has also highlighted the ways researchers have continued to frame the need for fair housing. In today's policy landscape, researchers and policy actors frequently conflate racial desegregation in terms of poverty deconcentration under the assumption that dispersing low-income households will by extension result in reduced racial segregation (Goetz 2010). Overall, as these studies highlight, there is a case made that the factors causing segregation are manifold.

#### *The Consequences of Segregation and Poverty Concentration*

There has been a wealth of perspectives in the academic and policy literature on housing segregation emphasizing the negative consequences of the persistent concentrations of low-income minority households. Several recent works have highlighted the need for better understanding of the effects of housing segregation and its strong link with concentrated poverty. For example, Aceveo-Garcia, et al. (2010) remind us that racial segregation is a key determinant in a broad range of social disparities. As noted above, Dreier, et al. (2014) point out the link between race and class in sustaining patterns of spatial inequality. Similarly, as Chetty, et al. (2016) find in their study of evidence from the federal Moving to Opportunity experimental program, living in high-poverty, racially segregated neighborhoods is associated with intergenerational persistence of poverty. In light of these claims, there is an unambiguous relationship between segregation and urban inequities. In order to understand how this knowledge



shapes fair housing practices, I briefly highlight further evidence linking the social, economic, and political consequences of housing segregation.

In the social science literature, disparities in outcomes between blacks and whites in such areas as employment, health, and education may also be determined by the neighborhoods in which individuals reside. Previous studies have explored the relationships between segregation and social outcomes, including personal safety and health (Squires and Kubrin 2005; Acevedo-Garcia, et al. 2010; Dreier, et al. 2014). The mounting evidence of negative effects due to housing segregation is far too extensive for the focus of this research. Nevertheless, it is important to highlight some of the key findings that have served to justify action on housing segregation. For example, residents in segregated neighborhoods are more likely to experience incidents of violent crime (Popkin 2000; Keels, et al. 2005; De la Roca, et al. 2014), have greater risk of exposure to environmental hazards (Carr and Kutty 2008; Kozol 2012; Dreier, et al. 2014) and have poor access to health care (Acevedo-Garcia, et al. 2010). Other key findings relate to the fact that minority children growing up in racially and economically segregated neighborhoods are particularly at risk in relation to quality of life outcomes, especially education and health (Carr and Kutty 2008; Dreier, et al. 2014). The attention on children merits special attention as what Goetz (2018, 20) argues “produces inequities of opportunity that reinforce themselves over the course of a lifetime”. This is especially pertinent considering the impact on economic mobility opportunities in life. Finally, to note other pertinent indicators underlying the need for policy action, factors such as lower life expectancy and higher neighborhood mortality rates of blacks than whites (Acevedo-Garcia, et al. 2010) and lower educational attainment outcomes due to inferior access to

higher quality schools and other public services (Frankenberg, et al. 2003; Hartman and Squires 2010) all raise concern for action to address the problems associated with segregated neighborhoods.

The economic disparities between minorities residing in segregated neighborhoods and non-minority counterparts are also well understood. There is a strong relationship between an individual's likelihood to find employment and their neighborhood of residence. Limited access to economic opportunities, affected by spatial mismatch (Kain 1968) conditions can determine economic mobility opportunities. In this condition, residents of inner-city, segregated neighborhoods lack access to areas of job growth centers which over many decades have incrementally migrated to suburban locations. This mismatch occurs between the low-income job seekers and job opportunities (Turner 2008). Kain's hypothesis on spatial mismatch can be seen in Wilson's (1987) theory of urban decline which views the exodus of work to the suburbs as producing high unemployment among black men left behind in the urban core. According to Wilson, this produced a negative feedback cycle which contributed to increases in concentrated poverty and socio-economic distress in segregated neighborhoods. With instability of inner-city employment, limited transportation options, and limitations to safe and affordable housing in these neighborhoods, it is clear to see how these factors justify fair housing advocates push to disperse the affected households (Rubinowitz and Rosenbaum 2000; Goering and Feins 2003; Briggs, et al. 2010).

As seen in the housing crisis of 2008, residents of segregated neighborhoods are more likely to be victims of predatory lending. For those who own homes, minority households in these areas are more likely to see lower home values and lower rates of

appreciation than residents of less segregated areas (Anacker 2012; Krivo and Kaufmann 2004). Rusk (1999) refers to this as a “segregation tax” which in effect compromises black households’ ability to accumulate wealth through real estate investments. As a result, the “tax” prevents financial mobility and perpetuates the socioeconomic disparities that have existed between whites and blacks due to public policy. Carr and Kutty (2008) draw on an extensive range of sources to argue that families are also disproportionately exposed to fringe financial and banking services relegated to segregated neighborhoods such as payday lenders, check cashers, rent-to-own, and pawn shops.

The field of sociology has provided a rich body of theoretical and empirical knowledge on *neighborhood effects*, which as Sampson (2012) conceptualizes as the structural effects neighborhoods directly or indirectly produce upon life outcomes for households and individuals. The literature on neighborhood effects (see, e.g. *ibid*; Wilson 2009) has guided substantial understanding of outcomes associated with both people-based and place-based approaches to addressing the mandate to desegregate. Most importantly, factors such as neighborhood stability, change, civic health, and as Sampson deems them “social pathways...transmitted in the contemporary city” generate substantial material for research inquiry (2012, 23). The exposure to neighborhood effects is what Imbroscio (2016) describes as a defining limiting factor for the urban poor reaching their full potential.

Housing segregation also has political implications for poor, minority households and individuals especially its role in reproducing structures of privilege and disadvantage (Young 2000). Anderson (2010) identifies that the political power held by white, suburban interests compromises minority household’s equal access to public services. In

times of fiscal crisis, she argues that segregated communities are more vulnerable to the effects of cuts to essential services, including fire, police, and health resources. Young also points to the way segregation impedes political and democratic participation, arguing that these processes “exclude and marginalize members of segregated groups from political influence” (2000, 209).

This section has outlined the various negative social, economic, and political consequences housing segregation has had on individuals living in these spaces. Any analysis or research inquiry surrounding the structural role of space in everyday life necessitates a critical lens. Questions such as who determines and controls the bounds and functions of physical space, who uses it, and for what purposes, generate significant knowledge that intersects with other social structural factors. These forces don't necessarily replace what Goetz (2003, 2018), Wilson (1997), and others deem to be the impacts of racial segregation and concentrated poverty tied to fair housing outcomes, but they can inform a more balanced and critical view of the role of space under the influence of socially constructed perspectives. The fact there remains a perpetuation of housing segregation, high levels of poverty concentration, and enduring debates for ways to answer the AFFH mandate, reflects a need in the literature to look beyond the means to an end. If the purpose of this investigation is to explore the relationship between discourse and policymaking, then it is necessary to understand the role how policymaking still affects outcomes. In the next section of the literature review, I discuss the ways the structural impediments have been debated and understood. Each of these three areas of research are expansive on their own and are not covered in their entirety here. Rather, the

intent is to introduce the overlapping thought and provide a backdrop to some of the dominant discourses that shape local actors in their production of fair housing policy.

## **DISCOURSES ON HOUSING SEGREGATION SOLUTIONS**

In recent decades, there have been a number of unsettled debates amongst advocates, scholars, and policymakers on the affirmative mandate to promote fair housing throughout the United States. The source of the debate stems from two conflicting elements in the discourse which has evolved over recent decades. First, since the 1968 Act left the terms “fair housing” and “affirmatively further” ambiguous in the statute, the meaning behind these terms and subsequent guidelines remain open to interpretation (Sidney 2003; Dawkins 2018; Goetz 2018). Second, as some scholars have observed, the challenge to achieving fair housing reflects the conflict in interpretation of the means rather than the ends for achieving racial and social justice in housing policy (Chapple and Goetz 2011; Goetz 2018; Hartman and Squires 2010; Anderson 2010; Dawkins 2018). In other words, there is consensus in the debates on the need for effective strategies to address disparities related to segregation, but there is much less agreement on which solutions provide the most fair and just outcome. As far as understanding the phenomenon of racial housing segregation, there is less debate. Policymakers and empirical social scientists are apt to accept the most dominant information and data as a priori knowledge in response to social problems like housing segregation.

Meaning interpretation is an essential element of constructing a social actor’s ideological framework which is contingent upon their assumptions and general understanding of reality. As Jacobs, et al. (2004, 3) argue, “rather than assuming that facts are given and discoverable through scientific investigation, constructionism

questions the status of given assumptions and interrogates the process of 'claims-making' in social policy". In order to understand which truth claims dominate the discourse of a particular social problem, it is important to highlight the most prevailing claims. The following section presents an overview of the two key approaches which reflect the various ways local governments consider appropriate policy action to meet the AFFH mandate. Ongoing debates in the literature pit arguments over which spatial strategies for distributing fair and affordable housing resources, place-based or dispersal, produce the best outcomes for implementing the AFFH mandate (Goetz and Chapple 2010; Goetz and Orfield 2011; Imbroscio 2012; powell and Menendian 2018; Goetz 2018). Truth claims gleaned from these debates influence the general housing policy field, particularly in ways that shape how institutional actors view the "problems" and "solutions", shape basic assumptions, and act to address the legacy of housing segregation.

#### *Dispersal Approach*

A key premise of the dispersal approach centers on distributing low-income and protected class families to suburban neighborhoods of low-poverty and racial diversity. In contemporary fair housing approaches, dispersal strategies have tended to dominate the discussion with the primary goal of integration (Anderson 2010; Goetz 2018). Over the past several decades now, fair housing advocates have pushed for opening up the suburbs by espousing the dispersal or integration approach to comply with the AFFH mandate (Dawkins 2018). The assumption guiding this approach is that distributing fair housing opportunities on a regional basis achieves two outcomes. For one, it opens access to opportunities, including employment, high-quality schools and services, and quality of life outcomes for disadvantaged households. On the other hand, it addresses the legacy of

social, political, and economic inequities produced and maintained by housing segregation (Anderson 2010; Goetz 2018). Questions endure whether these approaches provide the most feasible and practical means for achieving fair housing objectives. To broadly introduce the dispersal response, I describe several policy approaches which represent certain interpretations of the AFFH mandate.

As referenced earlier, the HUD sponsored “Open Communities” program initiated shortly after the passage of the Fair Housing Act sought to support suburban governments by removing local regulatory barriers and subsidizing affordable housing in their jurisdictions. The program’s short duration was the result of political backlash as reflected in Nixon’s statement “I believe that forced integration of the suburbs is not in the national interest” (qtd. in Bonastia 2010, 109). Regional mobility programs, such as the regional fair share programs under the federal government’s “A-95 review” authority and the Gautreaux-style programs expanded regional affordable housing strategies to open the suburbs for fair housing opportunities (Goering 1986; Goetz 2003, 2018).

The 1974 Housing and Community Development Act introduced the option of tenant-based subsidies in the form of Section 8 vouchers (also referenced as Housing Choice Vouchers (HCV)). Upon conception of the program, the renter vouchers targeted households that earn no greater than 80 percent of the area median income for the area in which they are located and recipients pay no more than 30 percent of their income toward rent. This tool has continued to be key in the promotion of housing choice, mobility, and deconcentrating poverty, though research has demonstrated that households receiving these subsidies tend to live in better neighborhoods than those in project-based subsidized units (Newman and Schnare 1997). The prominence of this approach became particularly

evident in the days and months following the devastating destruction of New Orleans due to Hurricane Katrina. Briggs, et al. (2005) penned that an “historic opportunity” was upon them to help rebuild lives of those families marginalized in a life of ghetto poverty. The letter called upon Congress to consider the growing body of research indicating the merits associated with deconcentrating poverty. The argument’s premise concluded that “that moving to lower poverty, lower-risk neighborhoods and school districts can have significant positive effects on the well-being and economic opportunity of low-income children and their families” (Briggs, et al 2005).

In recent years, the justification in favor of the dispersal perspective can be tied to the limited success from the federal government’s Moving to Opportunity (MTO) demonstration program, inspired by the success of the Gautreaux programs in Chicago. The experimental project took place from 1994 to 1998 evaluating the movement of low-income public housing families living in high-poverty neighborhoods within five U.S. cities: Baltimore, Boston, Chicago, Los Angeles, and New York. MTO focused on helping low-income families residing in public housing relocate to higher income and preferably suburban neighborhoods. These residents were provided Section 8 vouchers and a host of supportive services to facilitate the move. Like previous efforts, opening the suburbs to fair housing opportunities ended with social and political resistance (Goering 2003). Further, as MTO outcomes demonstrate, it is debatable whether dispersal actually benefitted low-income minority individuals or resulted in desegregation. Some researchers have shown that the relocation provided meaningful improvements in educational attainment, mental health, employment outcomes, and long-term financial earnings (Rosenbaum, et al. 2002; Chetty, et al. 2016; Briggs, et al. 2010). The work of



Chetty, et al. (2016) revealed positive effects of dispersal on young children, but not necessarily for older children or adults. In their study on MTO outcomes, they found that children younger than thirteen who relocated with their families to low-poverty neighborhoods were more likely to achieve higher college attendance rates and earn higher incomes than the control group. However, older children and adults were either negatively affected or received no meaningful benefits from the move. On the other hand, in their review of the body of evidence, Goetz and Chapple (2010) contend that these programs actually lead to displacement and disempowerment in addition to producing few or no beneficial effects in terms of economic self-sufficiency, health, or social integration. Despite the fact that Gautreaux and the MTO programs had both framed racial desegregation in terms of poverty deconcentration, the long-term outcome was re-concentration or no success in achieving integration (Oakley and Burchfield 2009; Goetz and Chapple 2010; Goetz 2018).

HOPE VI has been among the most high-profiled but controversial housing programs in the past 20 years. On the surface, what appeared as a place-based approach has also performed as a dispersal strategy promoting social and economic mobility. The program encouraged Public Housing Authorities (PHAs) to demolish aging and distressed public housing sites, redevelop the site into mixed-income housing, and distribute Section 8 vouchers to displaced residents. The idea was to help the residents become more “self-sufficient” and improve their economic prospects by offering a choice to move to lower-poverty neighborhoods or if feasible return to the redeveloped site (Popkin, et al. 2009), though as Goetz (2013) argues, most displaced residents did not relocate back to the site. From the start, the program also attempted to disentangle the

race- and class-based segregation and the associated neighborhood effects (Popkin, et al. 2009). As Goetz (2010) argues, HOPE VI was more an intervention into improving conditions of segregated neighborhoods, not into the exclusionary practices of communities or private sector brokers. Hackworth (2003) posits PHAs have tended to use the program to dismantle government's welfare provision of housing, shifting resources to the private sector, and devolving more authority to the local level. As a result, with the new rescaling of regulatory power and fewer federal resources, PHAs must operate under the new order of neoliberal practices where "notions of profit...are policed by banks, rating agencies, and investors" (ibid., 546).

#### *Place-based Approach*

As indicated above, place-based housing strategies tie subsidies to specific units, not the tenant. In the AFFH context, these units serve a greater purpose. A prominent focus of place-based programs (often referred to as community development) is to improve the surrounding neighborhood and assist individuals where they live (Imbroscio 2008, 2012; Goetz and Chapple 2010; Theodos, et al. 2015). Place-based initiatives focus on the disparities produced in a particular neighborhood context with the goal to improve the built environment and quality of local services, create opportunities for residents, and provide amenities that serve to maintain and attract more investment. This can be pursued by constructing infill housing, mixed-use development, and broader connections between employment opportunities, neighborhood services, and the residents (Chapple 2014). Recent examples of place-based investments include various programmatic elements of HOPE VI, Choice Neighborhood and increased use of LIHTC, but historically have

encompassed such programs as Community Development Block Grants (CDBGs), Urban Development Action Grants (UDAGs), and enterprise zones.

The grant-based approach for funding community development strategies has been the primary focus of federal housing programs for the past 50 years. Programs such as CDBG and HOME Investment Partnership represented the first steps of federal devolution through formula-based entitlement block grant programs for cities (Schwartz 2010). Under the block grant approach, states and cities were provided more discretion on how to spend the funds to meet local needs as long as they followed federal guidelines. These programs tend to focus on socioeconomic benefits to low-income households and do not explicitly reference race, though they must be pursued in a manner which affirmatively furthers fair housing. Project-based federal programs, including HOPE VI and the more recent Choice Neighborhoods have been among the most high-profile but controversial place-based programs. Awarded on a competitive grant basis to cities, their purpose is to improve the conditions for aging public housing and serve to revitalize the surrounding disadvantaged neighborhoods (Goetz 2015). New or rehabilitated housing in these neighborhoods is a core part of the place-based approach. Through the replacement and deconcentrating efforts of place-based initiatives, economists argue that removing negative externalities warrants government action in order to facilitate more efficient housing markets (Schwartz, et al. 2006).

The key financing mechanisms used in place-based approaches have been both government (federal, state, and local) and private or non-profit forms, and sometimes both. For example, the effort to provide subsidized low-income rental housing in the HOPE VI projects has incorporated funding from the LIHTC program. Unlike direct

subsidies in other programs, LIHTC supplies tax credits to developers who agree to maintain rents below defined thresholds for a minimum of 15 years in order to house low-income residents. What makes the program distinctive from subsidized housing provided through the Department of Housing and Urban Development (HUD) is the fact that the U.S. Treasury Department administers the program. As such, since the 1970s, HUD programs have been subject to stricter locational guidelines to ensure developments are placed in neighborhoods outside minority and poverty concentration in order to pursue fair housing objectives (Dawkins 2013). For example, through programs such as MTO and HOPE VI, HUD actively promoted desegregation of assisted housing by dispersing housing assistance into low-poverty areas. Under this guidance, HUD programs are potentially more attuned to AFFH objectives by not continuing to concentrate subsidized units in segregated neighborhoods. LIHTC are often pursued as a key component of developing fair and affordable housing with a large proportion of constructed units distributed in suburban areas (Schwartz 2010).

As for HOPE VI initiatives, a guiding principle in the use of LIHTC as a place-based housing strategy has been to improve property values in the surrounding neighborhood with the development or redevelopment of properties. Several studies have found that significant, positive spillover effects can generate benefits to surrounding neighborhoods from these housing developments (Freeman 2004; Deng 2011; Ellen, et al. 2009; Woo, et al. 2015). One important reason, these authors argue, is that these developments often replace existing disamenities with new amenities by producing high-quality affordable housing in the neighborhoods. Freeman (2004), for example, found that relative to neighborhoods with other forms of federally assisted housing, LIHTC

neighborhoods experienced larger declines in poverty and similar increases in home values. Recent evidence by Diamond and McQuade (2015) find that over a 10-year span, LIHTC helps revitalize surrounding low-income neighborhoods, driving up house prices, lowering crime rates, and attracting a more racially and income diverse population. Not all studies have resulted in positive outcomes. Rosenthal (2007) argued that the concentration of LIHTC units contribute to the deterioration of a neighborhood's economic status over the proceeding decade. Deng (2011) looked at the variations in neighborhood contexts within which the LIHTC projects have been built. Using Miami housing market as an example, the study examined the variations in neighborhood context and discovered that higher income neighborhoods that received the LIHTC units experienced more negative changes than neighborhoods of similar socio-economic conditions. This outcome is consistent with Eriksen and Rosenthal (2010), but they suggest caution in generalizing findings from the impacts of LIHTC units in moderately poor areas to those in higher-poverty tracts. Subsidized housing such as LIHTC can change the trajectory of a poor neighborhood, decreasing its poverty rate over time, at least when part of a concerted revitalization strategy (Diamond and McQuade 2015; Ellen, et al. 2016).

### *Policy Debates*

While the evidence regarding the impacts of both place-based and people-based dispersal strategies mount, there continue to be academic debates over interpreting the spatial objective of the Fair Housing Act. At stake is whether this dichotomous policy agenda can realistically improve fair housing prospects for households of protected class status. Researchers and policymakers consider which option is optimal, whether

improving segregated and poverty concentrated neighborhoods (community development approach) or providing the choice for households to move to areas of higher opportunity (dispersal or integration approach) (Crane and Manville 2008; Hartman and Squires 2010; Sharkey 2013; Dawkins 2018). In the efforts to undue the legacy of racial segregation and concentrated poverty, the knowledge generated serves to challenge local public agencies and researchers alike to consider the opportunities and consequences of where to place subsidized housing. The core of the arguments reflects which critical factors such as integration, revitalization, and opportunity should matter most in affirmatively furthering fair housing. As some authors have argued, many residents may have never been given the right to stay if given a choice (Goetz 2003, 2015; Smith 2010; Imbroscio 2010). At the root of “choice” is the assumption that all individuals are free and autonomous in their pursuit of housing in the marketplace. Problematic in this “choice” is the reality that this exercise is “deeply constrained by prior imprints of racial discrimination, fear, and lack of information” (Goering and Feins 2003, 404).

As indicated above, the place-based community development perspective views fair housing goals as most achievable by improving the conditions in the neighborhoods in which those of protected class status live. This perspective contemplates strategies which concentrate on ameliorating the social and economic problems where they arise rather than providing escape for the affected households (Steinberg 2010). “Enrichment” strategies include a variety of means to achieve more just and equal communities, including valuing individual agency of choice should they desire to remain in their neighborhoods and supporting place-based attachments to housing services, and ties to social networks for child care, social support, security, and friendship networks (Chapple

and Goetz 2011; Fainstein 2005). The integrationist approach advocates for promoting access to areas of opportunity on a more regional basis by identifying and removing impediments to housing mobility and promoting that low-income minority families move to high-opportunity neighborhoods. This mobility perspective values promotion of individual choice, removing institutional impediments to distributing fair housing options, and opening exclusionary communities to subsidized housing. A key critique made by supporters of the community development perspective is that the integrationist approach takes for granted or de-emphasizes the preferences of people of color (Goetz 2018; Imbroscio 2012). Contrarily, pro-integrationists argue that the results of the community development approach to adequately address the complex and enduring problems of segregation do not have sufficient resources to make progress (Rusk 1999; Anderson 2010; Pastor, et al. 2015). Their “inside game” approach through programs such as CDBG or the work of Community Development Corporations (CDCs) equate to “swimming against a raging stream” (Pastor, et al. 2015, 9) or as Rusk depicts it “helping people go up a down escalator” (Rusk 1999,18). Integrationists critique community development advocates as disregarding the impact historical discrimination has had on relegating low-income minority residents to segregated spaces (Goering and Feins 2003; Dreier, et al. 2014).

The decision to spend scarce financial resources on housing is ultimately a political decision. Placing housing in the suburbs or in inner-city neighborhoods puts government agencies in the position to either waste money or spend it most efficiently, depending on one’s perspective. Goetz (2015) argues that building more inner-city housing units in the process would revitalize urban neighborhoods. He conceives that it

shouldn't be either or, but rather a balance between dispersal and place-based strategies to meet fair housing spatial objectives (Goetz 2015). Countering Goetz' argument, Orfield, et al. (2015) claims if housing the poor is the ultimate goal, then distributing the subsidized units regionally into lower poverty areas is both more cost-effective compared to the high cost of land in central areas and improves access to economic opportunities and higher performing schools in suburban areas (Orfield, et al. 2015). From the authors' perspective, the "missed opportunity" for building affordable housing on more expensive land in the central cities are too great to sacrifice in order to affirmatively further fair housing (ibid., 622).

The debates have focused on broad social, political, and economic assumptions and outcomes, yet, it is important to view the different perspectives in the context of specific housing programs. Critics of HOPE VI argue that involuntary displacement of public housing residents fragmented existing communities, failed to foster actual integration between low- and high-income residents, and gentrified many low-income neighborhoods contributing to further displacement (Chapple and Goetz 2011; Goetz 2003). Imbroscio (2012) argues that the residential choice emphasis in the MTO program's mobility focus overlooked the real need for improving the neighborhoods of the residents left behind. Others critique MTO for citing inconclusive and overstated evidence of the economic benefit presented to the new residents of the relocated neighborhoods (Goetz and Chapple 2010). Goering, et al. (2003) question the lack of pro-integration approaches taken in the MTO and HOPE VI programs, pointing out that both addressed poverty deconcentration rather than racial desegregation. They argue that the earlier Gautreaux residential program was more attentive to this fair housing approach.



If one considers the agency of the individual in this debate, the circumstance of the poor resident provides another important factor. Dawkins (2015) highlights that interpreting the Fair Housing Act from an integrationist perspective puts racial minorities in a bind for three reasons. First, while providing choice has been interpreted as a critical element of the Act, he warns that it can be at odds with the implied spatial objectives, especially if those options are constrained due to political, social, and economic factors. The dominant assumption of pro-integration researchers and policymakers is that people of protected classes and particularly people of color would select an integrated setting (Goetz 2018, 50). Others argue this has not been empirically demonstrated, attributing it to a lack of demand and general resistance to moving (Goetz 2003; Hackworth 2009). As Goetz (2018, 50) concludes “perhaps the most consistent and clearest lesson coming out of the studies of forced and voluntary mobility is that the desire for integration among lower-income people of color does not match what has been imagined by the integrationists.” Second, as demonstrated from HOPE VI outcomes, the possibility of gentrification places low-income households at risk of displacement. Without consideration for this risks and possible options for racial minority and low-income households, factors such as social networks, familial connections, and other social forces are disregarded. Additionally, inner city gentrification and dispersal strategies contribute to the increasing suburbanization of poverty in U.S. metropolitan areas (Goetz 2015). Finally, Imbroscio (2008, 117) adds a “false consciousness” component of choice for low-income individuals, stating the “urban poor’s ambivalence about being dispersed leaves the former with the burden of knowing what is best for the latter, that is, what is truly in their ‘real interest’.” In the same vein, others have noted that supporting a forced

integrative spatial outcome in response to the negative qualities of the segregated neighborhood reflects aspects of paternalism (Dawkins 2015, Goetz 2015).

The positions of scholars such as Goetz, Orfield, Imbroscio, Dawkins and others often present a dichotomous scenario, each espousing the principles of social justice and equitable rights to fair housing. Another angle in the debate, which Briggs (2008) highlights, is the need for scholars and policymakers to balance the focus between the factors of community development and expanded housing choices. Ultimately, considering that “policy is largely responsible for getting us where we are today, and policy can help us to pursue a different path tomorrow” (Squires and Kubrin 2005, 62), then perhaps housing policy isn’t the only solution to resolving the issues of concentrated poverty and racial segregation. As some scholars have positioned, policymakers have too willingly attached the onus to housing strategies. If improving the lives of the poor is the objective, considering complementary strategies such as jobs, access to childcare, healthcare provision, increasing minimum wage, and improving schools, are among the possible solutions that have been positioned to advance the effort (Patillo 2014).

As the debates continue forward, several factors as reviewed will loom large in the interpretation of the AFFH objectives. The place-based strategies include a variety of means to achieve more just and equal communities, including supporting ties to housing services built into neighborhood social networks and valuing individual agency of choice, if residents desire to remain in their neighborhoods. While these debates foreground many of the challenges to addressing housing market injustices, operating in the background are what I consider more formative and broader social practices that influence policymaking at the local level. In the next section, I will highlight how the

dominant ideology of neoliberalism has influenced two social practices having an impact on housing policy at all scales: restructuring and rescaling. In particular, I argue that the social, political, and economic changes associated with these neoliberal concepts have had a profound influence on the ideologies behind the practice of implementing the AFFH mandate in recent decades, especially at the local scale. There is a need to understand how discourse around fair housing practices recontextualizes neoliberal ideologies, shape practices, and produce or reproduce power relations.

### **THE NEOLIBERAL INFLUENCE: RESTRUCTURING AND RESCALING**

Since the passage of the Fair Housing Act in 1968, there have been significant shifts in the social, political, and economic landscape shaping U.S. urban policymaking. As I present in this next section, perhaps no stronger influence on housing policy exists than the ideology of neoliberalism. The literature reviewed identifies elements of neoliberalism, including the practices of privatizing public services and the rescaling of regulation and authority to lower levels of government. Each of these have had an impact on framing the problem of, and solutions to housing segregation. By highlighting the ideological nature of much of contemporary policymaking, I lay the foundation to consider the various ways in which neoliberal practices such as rescaling and its effects have produced and reproduced inequities.

#### *Neoliberalism*

Neoliberalism has become an influential discourse shaping contemporary housing policy development and implementation all over the globe. Under neoliberal ideology, practices are characterized by free market approaches to resolving social problems with less reliance on state mechanisms for social welfare. By viewing the influence of

neoliberalism on housing discourses, there are rich possibilities for analyzing the various ways the more macro neoliberal ideas construct and reconstruct social life at the micro level (Fairclough 2005). As Larner (2000, 6) argues, viewing neoliberalism as a discourse and constitutive component of organizing how individuals are governed (i.e. governmentality) “opens useful avenues for the investigation of the restructuring of welfare state processes.” With this perspective, several researchers such as Darcy (1999; 2010), Goetz (2013), and Marston (2000; 2004) have used housing policy case studies to analyze how the shift from public to private mechanisms for social welfare provision have significantly re-shaped practices at the local level.

In the United States, neoliberalism has represented the rejection of the ideology that the state’s function is to regulate and redistribute (Hackworth 2007). At the end of last century, most countries, including the United States, gradually decentralized, transferring responsibilities, resources, and greater authority to local governments (Chapple 2014). This restructuring and rescaling of relations between economic, social, and political domains has produced changes in both the “objects” and “subjects” of housing policy and research. Therefore, as I discuss, understanding this influence provides a useful framework for interpreting and explaining the different forms and practices of housing policy.

As a philosophy, neoliberalism has deep historic roots reaching back to the 17th century political philosophy of Thomas Hobbes as well as the liberal philosophies of J.S. Mills and Adam Smith from which the principles of individual liberty resonate. The new orientation to governance reflects the economic theories of Friedrich von Hayek and Milton Friedman and their dedication to the logic of a free-market capitalism provide the

theoretical foundation (Davies 2014). Most relevantly, it is through their ideas of marketization that the modern global capitalist system restructured the global economy (Harvey 2005). The emergence of neoliberalism represents what is recognized as a period of transformation from the post-Fordist/Keynesian welfare state models to an increasingly globalized market-based economy (Smith 2002; Harvey 2005; Brenner and Theodore 2002; Jessop 2002). As a dominant ideology, scholars have studied the effect on the restructuring of governments at all levels, including the planning and development of cities (Allmendinger 2009). Harvey (1989) identifies that starting in the early 1970s, local governments began moving away from “managerial” approaches toward “entrepreneurialism” governance. Under this change, he argues that rather than focusing on the local provision of services, facilities and benefits, local governments shifted focus to fostering and encouraging local development and employment growth. In a related concept, Eisinger (1988) refers to the changing patterns of government behavior as the “entrepreneurial state” observing that the government’s “extremely broad agreement as to the desirability of substantial government involvement in the creation of private-sector employment” (Eisinger 1988, 3).

Today’s interpretation of the neoliberal influence can be understood through several accounts in the literature concerned with the changing socio-political relations between the public and private sectors as marked in Harvey’s (1989) and Eisinger’s (1988) observation. Jessop (2002) frames three categories from which to interpret neoliberalism. First, its ideological connotation can be understood as fundamentally shaping all economic, political, and social relationships under the rational choice model. Next, in this framework it privileges the complete expansion of the market economy.

Lastly, politically it implies a reliance on collective decision-making which diminishes the role and influence of the state upon regulating political and economic activities. In the latter, Jessop argues this liberation neglects the role of power and authority, exploitation and domination of subordinate groups. It is through these three frames that we can understand what Brenner and Theodore (2002) call the neoliberal logic being “embedded”. They add that any “actually existing neoliberalism must therefore explore the path-dependent contextually specific interactions between inherited regulatory landscapes and emergent neoliberal, market-oriented restructuring projects at a broad range of geographical scales” (ibid, 351). In this perspective, neoliberalism is not seen as producing a universal set of practices. Instead, it is contingent upon locally generated responses to general features of it, for example, how retrenchment of federal housing dollars has produced a trend toward reliance of public-private partnerships.

Therefore, the restructuring of the role of government toward public and private endeavors and the systematic rescaling of governance, shifting the role of regulation, fiscal responsibility, and authority of government programs to the local level (Jessop 2002) in this context hold a significant influence on the production of local level fair housing policies. As commonly identified in the literature, the 1990s saw a dramatic transformation of how neoliberalism influences geographic space, especially at the urban level (Smith 2002; Peck, et al. 2009). As cities unveiled various examples of neoliberal materializations at the local level, it became apparent that the logic works in various ways to affect social, political, and economic processes. Additionally, neoliberalism should not be viewed as a packaged policy bundle, but rather as a continuous process of political-

economic changes embedded and contingent upon the economic activities of all scales (Peck and Tickell 2002).

Therefore, neoliberalism produces and reproduces itself in a variegated fashion. Cities and urban policy have become useful sites of analysis in order to understand how neoliberalism practices become reconstituted into local practices and embed themselves into wider networks and structures of neoliberalism (Jessop 2002; Brenner and Theodore 2002; Peck and Tickell 2002; Smith 2002). Brenner and Theodore's (2002) theorizing of "actually existing neoliberalism" provides a useful foundation to understand the impact of neoliberalism upon urban policy. The authors describe the "embeddedness" of neoliberal restructuring projects occurring in variegated and multi-scalar ways, institutionally, geographically, and socially (Brenner and Theodore 2002). How it presents itself is a matter of context, but its "natural state" occurs through uneven spatial development (Peck, et al. 2009). There remains a need to document and analyze the various manifestations in which neoliberalism practices shape social practices in cities. For example, in Goetz' (2013) examination of narratives around public housing transformation under the HOPE VI program in the United States, he demonstrates the various ways that policy actors are influenced by neoliberal ideology. He suggests that the underpinning assumptions in this approach helped them frame the distressed public housing sites as obsolete, lacking economic value and ripe for remediation. In the context of housing policy, neoliberalism produces an ideology that views structural problems as individualized and spatialized. It also assumes disadvantaged neighborhoods, particularly those with majority subsidized housing tenure, are discursively repositioned as highly problematic (Lupton and Tunstall 2008,114).

### *Fair Housing in the Context of Neoliberalism*

Because contemporary fair housing policymaking takes shape within a broader context of neoliberalism, ideas such as “equity” and “justice” should be examined to understand their exposure to the limits of market approaches (Spnner-Halev 2010). This perspective helps to reveal the various ways and means policy actors address the inequities and conditions afflicting the urban poor and disadvantaged populations in U.S. cities (Imbroscio 2016). Silverman and Patterson (2011) conclude that neoliberalism has contributed to the underdevelopment, underfunding, and poor implementation of US fair housing policy across the nation through an overreliance on programs such as LIHTC and affordable rental programs to deconcentrate poverty and integrate neighborhoods. This implication assumes that housing processes and policies in the U.S. tend to reflect the ideology of efficient resource allocation and market orientations for stimulating economic growth (Fainstein 2010). As an example, Silverman and Patterson (2011) argue that more rapidly declining discrimination in home purchasing markets as compared to rental markets reflects a need to reassess the assumptions held by institutional actors. They find that fair housing implementation practices have emphasized impediments encountered by certain groups, such as the elderly, while paying less attention to those impacting minorities, families, the disabled and the poor.

Therefore, in this dissertation, the analysis of the social practices through the lens of neoliberalism does not set out to test for the presence of neoliberalism. Instead, the attention to this political philosophy permits a view into what work is done and considers the difficulty of ignoring the hegemonic role of this framework. Ultimately, this perspective provides the means for identifying its influence and considering more



socially just and effective ways of addressing housing segregation. For example, the shift from place-based to people-base approaches to subsidized housing programs has implications for the outcomes of displacement and disempowerment of protected class households. The shift also reveals how private market interests could subordinate equity principles in policymaking processes. In the remaining parts, I focus on two particular ways in which the retrenchment of federal government in United States has led to new forms of governance at the local level. The first addresses the effects that rescaling has had on defining a more prominent role for local level non-governmental and private sector entities in shaping public decisions, policymaking, and planning. The second practice revolves around the ways the restructured landscape under neoliberalism has served to “roll-back” regulation and social program spending in favor of “roll-out” market-oriented policies and programs (Peck and Tickell 2002).

### *Rescaling and Restructuring*

The concept of scale is most commonly used by critical geographers and has not typically been incorporated into research on housing policy matters. In this research, the use of scale reflects the reorganization and shifts of the global political economy in recent decades. Swyngedouw (1992, 2004) uses the term “glocalization” to describe the rescaling process that has occurred under the influence of neoliberal thinking. In this process, the institutional and regulatory arrangements shift from the national scale both “upwards to supra-national or global scales” and rescaling “downwards to the scale of the individual body or to local, urban or regional configurations” (Swyngedouw 2004, 25). For example, Hackworth (2003) uses the concept of glocalization to describe how public housing restructuring in the US has transferred a greater role of authority to the local

level of government, thus producing greater dependency on the private- or non-profit sectors for housing provision. In that shift, he argues that despite the transfer of power, differential local institutional practices play a central role in the production and management of housing sites. In post-Katrina New Orleans, Gotham (2014) traces the logic of rescaling to reveal the ways in which the state policies accelerated the turnover time of flood-damaged housing reflect and reinforce patterns of segregation. But what are the implications of rescaling in the context of contemporary fair housing policymaking? Purcell (2008) suggests that it reflects the partial and uneven manner in which political struggle takes shape in various projects and processes. In other words, rescaling is “not seen as neutral container that exists outside politics, but as a strategy, as a way to pursue a political agenda” (Purcell 2008, 10). As a result, the purpose here is to consider how rescaling has opened up new areas of research and theorizing linked to concerns of housing policy.

The first area which has been explored in the literature over the past few decades is the process of policy devolution, or the transfer of specific responsibilities and authority from the federal to local units of governments. Following the 1960s and the tumultuous period of the urban rioting, the US federal government looked to tactics that would reduce and reshape federal assistance to cities and transfer more control over federal funds to the local level (Dreier et al. 2014). New Federalism, or the New Federal Order (Eisinger 1998), promoted new processes in which local jurisdictions would have greater discretion over how federal funds could be used (ibid; Dreier and Keating 1990; Dreier, et al. 2014). Under devolution, a steady decline in federal funding for housing resulted in a shift in fiscal responsibility and policymaking authority to municipal

governments (Dreier and Keating 1990; Kincade 1999; Mueller and Schwartz 2008). In their study on Boston's experience, Dreier and Keating (1990) argued that despite the commitment of the city's progressive mayor to advancing more equitable housing policies, there were not enough resources to adequately address the need without greater federal assistance. In other words, while rescaling and restructuring of federal programs have provided greater discretion and power at the local level, it has also produced an unbalanced and differentiated landscape of policy responses insufficient to address housing needs for the lowest income households.

This rescaling of responsibility under the New Federal Order had consequences on the ways local governments operated. First, as Peterson (1981) argued, city governments have limited influence on economic development and must generally support the private market in order to be more competitive in the attraction of capital investment. This neoliberal concept of "competitiveness" not only forced cities to find ways to lower barriers to attract capital, but to reshape policies so they act to attract capital (Harvey 1989; Purcell 2008). Second, as Eisinger (1998) points out, the practice of local fiscal and administrative self-reliance put new pressure on local politicians. By focusing on public management skills, the emphasis looked to new ways for improve the efficiency of government rather than pursuing social and racial agendas important just years before. This shift reflected what Eisinger calls "a deep change in the moral tenor of urban politics" (1998, 319). For example, under this new set of managerial approaches, neoliberal urban politics espouse such practices as strategic planning, innovation, public-private partnerships, tax incentives, and outcomes based on performance rather than fulfilling a social need.

Third, as demonstrated in the creation of the Community Development Block Grant (CDBG) program discussed earlier, reduced federal spending and a shift to block grants likely resulted in a change in defining the recipients for local and federal housing assistance. Goetz (1995) engages with Peterson's idea that local governments face strong incentives to limit redistributive policymaking, and pursue instead policies that maximizes the productivity of economy. As a result, Goetz argues that two things happened. First, it ended up allocating more housing benefits directed to moderate-income households and to homeowners and homebuyers than to high poverty households. At the same time, the reality that under devolution, local governments could no longer depend on federal assistance and would be forced to seek alternative and supplemental funds for housing assistance. In his analysis, Goetz (*ibid.*) speculates this reliance would result in a "retreat from assistance to the neediest households" (100). Competing for limited federal funds and seeking alternative funding intermediaries in the non-profit sector has produced a new model of funding, what Bockmeyer (2003) argues undermines the affordable housing agenda in favor of priorities set by private funders. Under this model that Bockmeyer calls "contest federalism", non-profit organizations such as Community Development Corporations (CDCs) are positioned to compete for limited public and private grants in the development of affordable housing. Therefore, in the contemporary era of fair housing policy, it is imperative to understand the role local non-profit agencies hold.

Davis (2006) presents three points of evidence that argue that devolution has become a lasting influence on housing policy practice. His first claim is that diminishing federal resources for housing and community development have engendered notions of

flexibility, efficiency, and democracy at the devolved levels. Davis cautions that proponents of devolution are wrong in the expectations of “rosy predictions of the efficiencies to be gained – and the savings to be had – from turning over dozens of programs to 50 states and to hundreds of cities” (ibid. 364). Second, devolution will aid in getting the “feds off the backs” of local governments. With less targeting and less oversight by federal agencies, the justification is that local innovation in programming will result in more opportunities for policy to thrive. Last, devolving power to lower levels serves the power interests of private real estate interests and suburban constituents.

The trend and ideology of policy devolution from the federal to local level of government presents a very real challenge for local governments to implement fair housing mandates. Combined with the legacy of segregation and modern covert practices of impediments from land use regulations and discriminatory real estate practices to other practices inhibiting progress, local governments face serious challenges in affirmatively furthering fair housing. As a concept and policy, devolution has been explicitly present in federal fair housing guidance since the mid-1990s, when U.S. HUD stated it “will serve to empower our American cities for years to come. HUD is committed to lead in this effort” (U.S. HUD 1996, i). Devolving power to local authorities on matters of decision-making and policy direction on face value presents great potential for many cities to address their problems. However, a more critical examination of the effects of rescaling and restructuring under practices of devolution requires an inquiry about the impact and durability of such ideas.

The research in this dissertation does not attempt to theorize what federalist forms or their subnational scales of governance do, nor evaluate why or how they perform.

Instead, it explores what Foucault identified as the need to understand the effect of discourse on practice. In other words, policy devolution represents a convergence of social, political, and economic dynamics dependent on the way local resources become controlled and contested at the local scale.

## **CONCLUSION**

In summary, this chapter has provided a critical context for this dissertation. As the history of the Fair Housing Act and the affirmatively furthering fair housing mandate demonstrate, existent institutional and structural impediments have future implications for the Act. Since this dissertation contributes to the growing body of fair housing policy knowledge by examining the practices of how policy actors construct meaning through action, it is important to view the broader context and ideological influences which shape local practice. In that process, the chapter reviewed the literature on more global social, economic, and political forces that have converged on all scales of government in recent decades.

The chapter also presented various entry points to the socially constructed nature of housing problems, an emerging field of scholarly work that can advance fair housing knowledge. Through a critical discourse analysis methodology, the purpose of this dissertation is to interrogate the ways taken for granted meanings and actions have served and perpetuated power struggles and limited progress on matters of housing justice. The context for which city governance in the U.S. has had a considerable socio-political transformation in recent decades, including the ways in which housing policy is generated and acted upon at various scales. As part of that change, a complex environment of practices and influences has affected the way social problems are defined

and analyzed. Influences such as neoliberal ideals of individual freedom and market solutions have determined pathways of resource allocation and policy development (Hackworth 2007). Meanwhile, the influence of postmodern and post-structural theorization on urban practices have challenged and raised questions about policymaking processes (Healey 1997; Campbell and Marshall 2002).

Prior to investigating the ways discourse has produced knowledge and shaped assumption in the production of fair housing policy at the local level - the key empirical contribution of this dissertation - the next chapter explores the underlying theories and methodology that produced the research design. To that end, I consider the various ways in which critical discourse analysis provides a useful method for defining the problem of housing segregation, produces the subjects and objects of policymaking through discourse, and serves as a possible entry point for addressing uneven power relations influencing local fair housing policymaking.

### CHAPTER III: METHODOLOGY

This mixed-methods study includes a critical analysis of how the production of fair housing policy knowledge and practice of institutional actors is socially constructed at the local level. This chapter provides a description of the methodological approach in the study, including the data collection tools and analysis technique. After restating the research purpose to remind readers of the goals of the study, I introduce how the central tenets of Foucault's concept of discourse inform my critical discourse analysis methodology. This is an important element of the research since the ubiquitous application of the term 'discourse' can vary depending on an author's theoretical context and premise of the analytical framework. Next, I describe how the theoretical background of CDA, including critical theory, discourse and discursive practices, ideology, and hegemony inform my study. A key component of this description is the operationalization of Fairclough's three dimensional Dialectical-Relational Approach (1992; 2003). In this approach, Fairclough draws upon various theories for his framework, including Foucault's theory of power, construction of subjects and objects, and production of knowledge. The chapter concludes with a discussion of researcher positionality and a brief overview of the limitations of this study and its methodologies.

There are multiple ways in which ideologies, power, and discourses can be analyzed within social practices. The design devised in this chapter outlines the selected methodology for studying how meaning within housing policy practices is produced,



reproduced, and transformed by institutional actors. In turn, the results inform an understanding of how discourse affects the practice and interpretation of the mandate to “affirmatively furthering fair housing”. Since CDA has roots in critical social theory of language, its methodological tactics are very suitable to analyze urban policy practices. Furthermore, I will expand on the aspects of CDA which make it appropriate for the dissertation.

## **DISCOURSE THEORY**

Discourse is a concept often taken for granted and used in vague and insignificant ways in everyday language. When used in familiar patterns, such as a “medical discourse” or “political discourse”, it can be viewed as having a more structured and significant function in everyday life. In its simplest form, Jørgensen and Phillips (2002) define it as use of language to construct meaning and understanding about the world. Some traditions view discourse as strictly linguistic, focused on the socio-linguistic meaning within the text without the influence of social theory, whereas others represent a more critical or post-structural turn, explicitly informed by social theory, that takes a broader view to what constitutes discourse and its effect (Fairclough and Wodak 1997; van Dijk 2015). The interpretation of discourse employed for this research is based primarily on Norman Fairclough's Critical Discourse Analysis with a “decisive influence” (Fairclough 2003, 123) from Michel Foucault's theory of discourse (1972, 1984). In his own words, Foucault writes on his contribution to the concept:

I believe I have in fact added to its meanings: treating it sometimes as the general domain of all statements, sometimes as an individualizable group of statements, and sometimes as a regulated practice that accounts for a number of statements (Foucault 1972, 90).

Under this influence, Fairclough defines discourse as simply “language use conceived as social practice” (1992,135). In a later text, he expands on this definition referring to discourse as “language in use...as an element of social life which is closely interconnected with other elements” (2003, 3). Although Fairclough acknowledges Foucault’s influence, he also separates himself from the structuralist aspect of discourse by engaging in a more micro level of the discourse – the linguistic/semiotic elements that make up the texts. In order to understand how discourse dominates and shapes social practice such as policymaking, it is important to expand on the way specific elements of Foucault’s theory on discourse (1972, 1974, 1977, 1980) informs Fairclough’s CDA. Important to this are three of Foucault’s major ideas: the concept of discourse; the nexus of power and knowledge; and the constitutive nature of subjects and objects.

### *Discourse*

A discourse analysis undertaken with Foucault’s concept of discourse does not seek to reveal the true meaning by what is said or not said (Foucault 1972). Rather, on the concept of discourse, Hall (1997) reflects on Foucault’s version entailing a much more complex set of ideas. Discourse involves:

...a group of statements which provide a language for talking about - a way of representing the knowledge about - a particular topic at a particular historical moment...Discourse is about the production of knowledge through language (Hall 1997,44).

In this tradition, discourse serves a constitutive role. It shapes subjects and objects of analysis through rules of formation. These rules, in discursive formations, regulate what can be said, how it is said, by whom, and "what kind of strategies that can be realized at the level of discourse" (Torfinn 2005, 7). Therefore, under Foucauldian-based discourse analysis, discourse moderates which statements are used, dominate, and become omitted

in the course of social practice. This is important to analyzing policy since it serves to reveal problem definitions and what strategies policymakers generate to address them.

Many authors have used Fairclough's straightforward and frequently cited definition of discourse stated above. Within this definition is actually a much broader and richer idea of how discourse shapes social practice. As will be addressed later, Fairclough views discourse as both a product and a process. It simultaneously represents a form of text, an instance of discursive practice in which it is produced and interpreted, and a social practice where influences of power and structural tensions interact with the discourse.

Discourse can likewise represent a set of complex and competing ideas and values. Discourses become socially constructed and represented through everyday practices. The challenge researchers face when employing discourse analysis is recognizing how certain statements containing meaning conflict with accepted forms of knowledge. One way to understand this is to explore the question that Foucault presents when he asks: "how is it that one particular statement appeared rather than another?" (Foucault 1972, 30). In the analysis of discourse, it is therefore imperative to look beyond the linguistic or language formations and gaze upon the ways systems of rules facilitate certain statements and not others. Fairclough borrows from Foucault on this notion of discourse mediating social practices. As a social practice, discourses become embedded in particular contexts. They are particularly informative to policy analysis when certain statements assume primacy while others become systematically excluded from the discourse. This filtering of statements frames the backbone of Foucault's notion of discursive rules of formation.

Another way to view discourse is to understand that certain discourses become accepted as “truth”. This dominance may or may not be dependent on whether claims of truth are situated in particular socially powerful institutions. Rather, discourses exist, flourish and influence because they claim dominant truth (Rose 2001). In the case of fields of expertise, such as urban planning, disciplines take shape through discursive formations which reflect the ways rules permit certain statements to exist at particular times, places, and institutional locations (Fischer 2003, 38). Discourse analysis seeks to understand the social construction of these statements and how they become accepted and true at the time of the discursive event. Thus, it is possible to recognize which statements dominate any given historic period (Foucault 1972). In other words, discourse formations have effects which are facilitated by the acceptance within a network of practices, deemed meaningful and true in specific contexts, and thus shape the formation of the period’s social institutions and overall practices (Jørgensen and Phillips 2002, 12).

#### *Power/Knowledge Nexus*

If discourse reflects how meaning on specific topics is interpreted and reproduced, then how do certain ones assume dominance or influence in specific contexts? In the area of politics and policymaking, it can be assumed there is little disagreement on the role power plays in determining outcomes. It isn’t always clear how power operates and what influence it has in the process. The Foucauldian tradition of discourse considers the strong relationship between power and knowledge, or the power/knowledge nexus (Foucault 1980). As reflected in the previous section, rules or “regimes of truth” regulate how knowledge produces common understanding of things and events through discourse (ibid.). This function demonstrates the embeddedness of power and knowledge within

institutions and organizations. A discourse may become dominant due to the power of these institutions and is embedded into their practices through their “institutional apparatus” (Hall 1997, 47). Therefore, discourses are contingent. A subject may reinforce power through discourse, but this relationship is the effect of dominant discourses, which result in the claim of dominant truths (Foucault 1980). Another way to view it is that knowledge exercises power and is constituted by the discourses. Subsequently, discourses play an important role in structuring the relations of power within the network of social practices. Therefore, the power to act, to claim truth, and to produce knowledge through discourse are essential to Foucault’s theory on discourse.

It is from Foucault’s “genealogical” thinking in which he develops his theory on the power/knowledge nexus (Foucault 1980). Power, as a component of discourse, is particularly important to this work. Here, “power does not belong to particular agents such as individuals or the state or groups with particular interests; rather, power is spread across different social practices” (Jørgensen and Phillips 2002, 13). In this perspective, power is not an oppressive or negative force. Instead, it is productive in the sense that it underpins the production of discourse, knowledge, and subjects. The social world is shaped by it; thus, power and knowledge form a nexus which serves to constrain what can be talked about and how.

For Foucault (1971;1979), discourses are knowledge systems of the human sciences (political science, economics, linguistics, etc.) that inform the social and governmental “technologies” which constitute power in modern society. In CDA methodology, Fairclough (1992) acknowledges the utility of Foucault’s work on the relationship of discourses and power. As the next section discusses, Foucault’s

power/knowledge nexus contributes to discourse by the way it constitutes the subjects and objects of our social world.

### *Subject-Positions*

One of Foucault's key points on discourse made in his earlier "archeological" work addresses the constitutive nature of discourse on subjects. Fairclough (1992) acknowledges this particularly influential factor as a key component of any operationalization of critical discourse analysis: subjects are created in discourse. More broadly, discourse constitutes or socially constructs society. As alluded to above, actors are not solely responsible for producing the discourse. Instead, they simultaneously represent a discursive function and its effect (Howarth 2000). Another way to view this is to consider that social actors, in the context of their social groups and society generally, draw upon dominant discourses to interpret and make meaning of terms and concepts in which they are exposed and make use of in their practices (ibid. 83).

In his early works, Fairclough borrows Foucault's term of "enunciative modalities" to describe the relationship between statements (discourse) and subjects. These pertain to "types of discursive activity such as describing, forming hypotheses, formulating regulations, teaching, and so forth, each of which has its own associated subject positions" (Fairclough 1992, 43). For example, policymaking as a discursive activity positions certain subjects as either the producer of policies or the target or audience of a particular policy. The policymaker, in this example, is constituted through a configuration of enunciative modalities and subject-positions which are organized by the current rules of certain housing discourses. In his operationalization of CDA, Fairclough rejects the Foucault's view of the subject as an effect of the discourse. Alternatively, he

views agency from the perspective that “people not only act and interact within networks of social practices, they also interpret and represent to themselves and each other what they do, and these interpretations and representations shape and reshape what they do” (Fairclough 2003, 208).

Discourse shapes the objects of knowledge, the social relations, and the conceptual frameworks within specific formations. Dominant discourses also supply social actors with “subject-positions” that define their social and power relationships in terms of principle narrative or narratives (Hajer 1995, 65). These discourses organize the actor’s understandings of reality without them necessarily being aware of it. Most importantly, actors are positioned through discourse processes in which the role of the analysis is to observe patterns of sociocultural context and agent resistance. This is where a method such as CDA “helps deconstruct policy texts to reveal assumptions, subject positions, and social relations between and within institutional contexts” (Marston 2004, 40).

Contrary to a more conventional and rational approach to policy analysis, the transdisciplinary scope of critical discourse analysis addresses a gap in the housing field’s understanding the role that such abstract concepts as discourse, power/knowledge, and subject position hold in housing-related policy research. Clapham (2012) argues for the utility of a social constructionist perspective on studying policy outcomes. For one, he considers it as a meaningful way to awaken policymakers to question existing assumptions of policy. For example, the ongoing debates amongst U.S.-based housing researchers on whether place-based or dispersal solutions as discussed in Chapter 2 would benefit from a discourse perspective. As Dawkins (2018) recognizes, at the root of

this debate is the fact that the social meaning behind housing is contested and policymakers are not always conscious of the justifications behind the policy strategies developed to spatially distribute it. Therefore, policy analysis using a broader theory base to incorporate abstract concepts, specifically the constitutive nature of action, into the context fulfills this new perspective.

### **CRITICAL THEORY AND CRITICAL DISCOURSE THEORY**

At the root of CDA is the function of ideology. Discourse is not viewed as ideology, but rather it is seen as a representation of the work it does. Drawing upon Foucault's theory of power and knowledge, a key component of CDA analyzes the role power plays in producing and reproducing social practices and maintaining unequal social relations. Therefore, as both a theory and methodology, CDA engages with critical theory in order to understand and reveal the role that discursive practices play in constituting everyday life, including the subjugation of social groups. Most importantly, the use of a critical perspective engages the researcher with taking a committed position of advocacy for social change within systems of dominance. As such, within the context of contemporary global capitalism, housing policymaking becomes a useful object of analysis to critique the role of discourse and language use in shaping knowledge and action. A number of authors have considered the effects of neoliberalism as a productive force in reshaping practices of resource allocation and policy formation, often contradicting the targeted beneficiaries (Hackworth 2007; Darcy 1999, 2010; Goetz 2013). In order to understand the effect of these pathways, critical theory opens useful avenues for investigation (Larner 2000).



CDA also reflects the theoretical perspective essential to critical social theory which is the inherent critique of capitalism's role of reproducing social relations. The term "critical" in the contemporary application is most associated with the theories emanating from the Frankfurt School of Philosophy. During the Fordist-Keynesian transition period of the mid-20th century, the Frankfurt School re-examined the foundations of Marxist thought developing a new critique of political economy (Brenner 2009). Along with the neo-Marxist thought, theorists such as Hegel, Marcuse, Horkheimer, and Habermas adapted the Enlightenment period Kantian notion of "critique". As such, rational science and the capacity of human knowledge is limited unless subjected to critique. Habermas argued that a critical science must be self-reflexive by considering such factors as the socio-historical context in which language and social practice occurs (Fairclough, et al. 2011). As Bourdieu (1977, 1990) believed, analysis of social action based in practice (*habitus*) should supersede objective or rational thought. Most importantly, critical social theory consists of a set of theories which aim to describe the ways power, privilege, and Gramsci's notion of hegemony (1971), where an ideology of one group dominates over other groups to shape the social practices of everyday life.

The epistemology of Fairclough's CDA approach is critical in the sense that it aims to reveal the role of discursive practices in the maintenance of the social world, including those considered to create unequal power relations between social groups. Two concepts serve essential roles in defining the ways in which unequal power relations are maintained in social practice. The first involves *ideology*, a concept in which Fairclough adapts from Thompson (1990), Gramsci (1971) and Althusser (1971). In his use of

ideology, Fairclough rejects the Marxist conception of it having a totalizing effect. Rather, he views ideology as “constructions of meaning that contribute to the production, reproduction and transformation of relations of domination” (Fairclough 1992, 87). The study of ideology looks to the ways in which meaning is constructed and mobilized through discursive practices, especially in how it maintains relations of power (Thompson 1990; Chouliaraki and Fairclough 2002). Fairclough and Wodak (1997) argue that discourses are not ideological, but instead they do ideological work. In CDA, analysts look to language use in text as both a medium representing ideological conflicts and simultaneously the medium in which ideology is produced and transformed. Discursive practices may have major ideological effects on less-privileged social groups.

In considering contemporary applications, Brenner (2009) contributes four conditions to which critical social theory attends in analysing urban problems. First, social practices under the dominant capitalist model require abstract, theoretical arguments that reject the temptation to serve as a “formula for any particular course of social change” (Brenner 2009, 201). Questions concerning ideology, power, the constitutive nature of knowledge and other abstract notions support this condition. Second, knowledge is contextual, uniquely and historically situated and mediated through power relations. This is a central feature in research design using critical discourse analysis. Next, it should articulate theory which rejects technocratic and “market-driven forms” of analysis serving to promote and maintain the reproduction of urban processes that perpetuate extant urban formations. Assuming this condition, inquiries should inspect the ways in which the modern political economy both shape policy-related practices and inhibit progressive social change. Lastly, critical theory should not refrain from the use of

alternative and emancipatory practices systematically marginalized in contemporary cities. Inherent to this notion is the need to study, identify and support alternative ways out of the status quo which limits possibilities and greater social equity.

Though Brenner's provocative propositions shun mainstream thought, critical theory provides a useful analytical framework for understanding the subtle ways in which power creeps into urban policy process, often unwittingly upon those engaged in promoting social good. Applied to an urban policy context, a critical epistemology offers the analyst useful tools for understanding how structural forces perpetuate ways in which the government extends its power, excludes particular groups from decision making, and sustains the notion that political problems are reserved to the expertise of professionals through science and technology (Forester 1982). I have selected critical theory, therefore, as a means for understanding how alternative approaches can "restructure public political argument, participation, and mobilization regarding a broad range of public welfare-oriented policy alternatives that are incompatible with existing patterns of ownership, wealth and power" (ibid., 141).

Critical discourse analysis (CDA) and its critical component as used in this research project takes the position of Fairclough's theory and methodology derived from Foucault's concept of discourse (Fairclough 1992; 2002; Fairclough and Wodak 1997). Although not positioned in the Frankfurt School, Foucault extended the school's critique of positivist science in the development of discourse theory (Powers 2007). In this sense, the analysis of discourse serves to reveal the hidden formations of power and knowledge in social activities. In addition to power relations, Fairclough (1992; 2002) also acknowledges the richness of Foucault's theoretical foundation for operationalizing

discourse analysis around the political nature of discourse and the discursive nature of social change. As reflected in the previous section, Foucault's theory on discourse seeks to understand how institutions construct rules of formation, knowledge, power, and truth (1972). CDA provides a way to study how factors such as social power, abuse, dominance, and inequality are enacted, reproduced, and resisted by texts and speech within unique social and political contexts (van Dijk 2001). Applying the power/knowledge nexus in the Foucauldian tradition, CDA problematizes power existing not as a single identifiable source but pervasively, present in all forms of social interaction, and exercised in a multiplicity of forms (Foucault 1972; Fairclough 1992). There are a variety of practices in the theory and methodology of critical discourse that build on and fill the gap in Foucault's concept of discourse. These aim to address his disregard for textual analysis and discourse as constitutive of social practices (Fairclough 1992; 2002; Fairclough and Wodak 2001).

Despite the various approaches of CDA, there are common factors of concern across all uses of the theoretical lens. Fairclough and Wodak (2001) identify a number of those elements that tie all CDA inquiries back to the need for changing society rather than just explaining it. First, discourse goes beyond linguistic matters by focusing on social problems as items of research. Second, at the root of these problems is the discursive role of power relations. A third factor is that CDA's interpretive perspective views society and culture as socially constructed, historically and subjectively specific, and thereby perform ideological work. Finally, the link between text and society is mediated through language as a social practice, contextualized by particular times and places where individual actors produce meaning and action together. (Fairclough 1992;

2001; Chouliaraki and Fairclough 2002). That is, as a social practice, discourse constitutes situations, objects of knowledge, the social identities of, and relationships between people and groups (Fairclough and Wodak 2001).

Fairclough's (1992) development of CDA sees any event of discourse conceptualizing three key dimensions: text production, discursive practice, and an instance of social practice. This three-dimensional view of social practices locates discourses within a network of practices and "are held in place by social relations of power" (Chouliaraki and Fairclough 2002, 23). Since all forms of language involve semiotics (meaning making), these networks of social practices generate various social fields, institutions, organizations, etc. where different ways of seeing form various "orders of discourse" (Fairclough 1992; 2001). Ultimately, these orders of discourse consist of particular configurations of different genres, discourses, and styles that shape how researchers interpret social problems and seek ways for resolving them through a critical agenda.

In the end, this agenda provides the core analytical framework of the critical discourse, though not in the form of other critical approaches. Although critical social theory informs key areas of its methodology, it differs from other critical styles of analysing discourse (e.g. Foucauldian, social constructionist, post-structural). As alluded to previously, it is especially oriented to the micro level of language use which includes the spoken, written and multi-mediated texts (Fairclough 2010). The analysis of language use in this context builds upon the non-material elements such as values, power, beliefs or other abstract concepts. It also represents key moments in the material production of those texts. CDA locates language use as 'discourse' by building upon critical social

science. As Fairclough argues, “it shares the concern of critical social science to show how contradictions within these systems constitute a potential for transforming them in progressive and emancipatory directions” (2010, 304).

### **WHY CRITICAL DISCOURSE ANALYSIS?**

A CDA framework seeks to understand how language is used to construct social problems by operationalizing Foucault’s notion that ‘discourse’ reflects power relations and shapes knowledge. Its interest in ideology, social relations and the socio-political view of the relationship between text and context provide a useful framework for analyzing language use (Marston 2004). In the context of policymaking, it considers how dominant discourses frame social problems and solutions, how power shapes actor knowledge and assumptions, and how social inequality is represented, reproduced, and resisted in the text and speech. With a lens toward language, CDA serves to legitimize how these elements structure the parameters of policy intervention (Foucault 1980; Jacobs and Manzi 1996; Taylor 1999; Jacobs 2004). In other words, as Foucault reflected, “people know what they do; they frequently know why they do what they do; but what they don't know is what they do *does*” (quoted in Dreyfus and Rabinow 1983, 187, italics my emphasis).

In this dissertation, I take up Kemeny’s argument positing that housing researchers tend “to bury themselves in their own empirical and policy issues, with almost complete disinterest in ‘abstract’ questions” (1992, 13). In assuming this critique, I do not disregard the knowledge and validity of evidence-based research, especially where problems are less complicated to define and measure (e.g. housing voucher impact on surrounding housing prices). Rather, I concur with Jacobs’ (2006) critique that

research on policy decision-making processes does not adequately identify the ways in which language use influences policy deliberation and outcomes. By contesting dominant discourses and interpreted meanings, a critical approach to research opens up other possibilities for action and policy intervention (Marston 2002). Therefore, I am using CDA because I want to find out how discourse and language use contribute to the formulation and implementation of fair housing policymaking process at the local level. The analysis will help others understand how taken for granted meanings, dominant ideologies, and actions have served and perpetuated power struggles and limited progress on the affirmative mandate to advance fair housing practices.

Unlike other discourse analysis methods that require a command of technical and linguistically-oriented analysis of text and language use, CDA offers social scientists a much more accessible methodology to analyze texts. One of the key advantages of Fairclough's CDA method is the fact it does not demand a background in linguistics. Its utility to social scientists, especially in the context of urban theory and critical urban studies, is its complementary techniques and theories used in other forms of social science analysis (Marston 2004). By studying the macro and micro levels of discourse, the analyst/researcher can focus on the relationships between discourse and social practices. As Fischer (2003) outlines, the task of the discourse analysts in a policy-based context is to identify and explain the ways certain discourses become hegemonic, thus privileging some argument over others. Ultimately, these discourses tend to reflect unequal power relations in the way resources are distributed across social systems. Therefore, it is the task of the researcher to show the pathways presented in the discursive events leading to specific courses of political action. Stated more directly, a discourse

analysis of local policy action should examine the socially constructed nature of the policymaking process that transforms knowledge to action.

In the following subsections, I highlight four aspects of CDA that make it appropriate for this dissertation specifically: its goal of deconstructing social systems to reveal the structural as well as the individual agency contributing factors; its potential to identify the transformations and disjuncture between the federal and local levels of fair housing policymaking and implementation; its ability to facilitate insightful policy analysis; and its explicit agenda of empowerment.

### *Structure and Agency*

CDA facilitates the relational elements of discourse. It is both representative of the effects discourse produces upon structure and its influence on agency. Foucauldian discourse theory tends to accept the structuralist position that subject positions are an effect of the discourse. CDA, however, adopts a more dialectal position for the subject (Fairclough 1992). In the context of this research, CDA views policymaking as a representative space for producing and reproducing discourse. In the act of producing policy, actors (agents) interact, converse, and share ideas with others. A policy text is the reproduction and representation of these interactions. Inherent in this process is the idea that discourse figures as a dialectical force (Harvey 1996). As such, structure and agency are dialectically related through discourse.

Discourse is shaped by structures, but also contributes to the shaping and reshaping of them, to reproducing them. A constructionist epistemology views the relationship between structure and agency as mutually influential. In her work on analyzing the discourse behind national fair housing policy, Sidney (2003) examined how



policy as structure shaped the knowledge and action of local housing advocates. She concludes that local politics mediated the arguments and overall impact of the national policy on the local level in the way local advocates forged their own interpretation and use of the policy.

Subjects are ideologically positioned, but they are also capable of acting creatively to make their own connections between the diverse practices and ideologies to which they are exposed. Their expertise is dialectically represented by what they do and is shaped and reshaped in that process (Fairclough 2010). This basis defines a key element of social constructionism as well as represents the effect discourse has on everyday practices. It is also a formative component of the critical discourse analysis methodology.

#### *CDA Informs the Transformations and Disjuncture of Fair Housing Policy*

Since many matters of housing policy reflect either a devolvement from a federal or state level of government in the U.S. or a policy transfer application, it is subject to high levels of interpretation. Therefore, a second justification for this study's use of CDA is to understand how national policies get translated and acted upon at the local scale. This contribution of scale to housing research goes beyond particular policies by allowing the researcher to address the contextual nature of time and place, capturing a moment in how policies change across scale and locations. One theory behind the principle is the concept of local trap as articulated by Mark Purcell (2006). Local trap entails that an assumption that devolving power or decisional authority to the local scale is inherently more democratic than other scales doesn't make it necessarily so (ibid. 1921). Therefore,

as Purcell argues, the outcomes of a particular scalar arrangement are contingent upon the power relations and local control over space.

In other words, CDA facilitates the analysis of how policy meaning and action can be transformed in the devolution process. This is revealed through analyzing micro level discursive practices (policy text production), and can provide a more macro-level explanation of the social, political, and economic forces at play in the social practices structuring the devolved level. The study of local processes and social relations can identify how a fragmented policy landscape demonstrates a possible disjuncture between knowledge and action.

Discursive practices produce action and procedures that influence, realize and make apparent the discursive regularities of objects and subjects (Dodson 2007, 51). The practices of housing policy thus make visible, or express, the discursive articulations of housing policy. From the perspective of disjuncture, local housing policymaking can be seen as a site of contestation. There are competing interest groups and actors seeking to impose their definitions of what the main problems are and how they should be addressed. In the context of fair housing policy practices, the fact that the social wrong, housing segregation, persists many decades following federal law mandating its resolution justifies a critical analysis of policy discourse. As Wagenaar argues, the purpose of a critical analysis is to “show what happens where the rubber hits the road” (2011, 166). CDA offers the analyst a way to describe and explain how policy operates, where it falls short of intent, and how contradictions, impediments and constraints shape eventual policy outcomes.

### *Contribution to Policy Analysis*

Critical discourse analysis was specifically chosen for this dissertation project because of its potential to contribute useful insights to contemporary practices of housing policy analysis. CDA provides new perspectives for engaging with traditional housing debates and questions prevalent in the housing field. Contrary to conventional and positivist-based policy analysis which seeks objective facts, the transdisciplinary perspective required by CDA addresses a gap in the knowledge base by understanding the role that such abstract concepts as values, ideologies, and power hold in housing-related policy. Clapham (2012) argues that a social constructionist epistemology for studying policy provides a meaningful way to awaken policymakers to question existing assumptions. For example, the ongoing debates amongst U.S.-based housing researchers about whether the most appropriate pathway for deconcentrating poverty is a place-based approach (see e.g. Imbroscio 2010; Dawkins 2015; Goetz 2015) or a more integrated dispersed pattern (see e.g., Briggs, et al. 2010; Hartman and Squires 2010; Orfield and Stancil 2018) would benefit from a critical discourse perspective. As Dawkins (2018) recognizes, at the root of this debate is the fact that the social meaning behind housing is contested and policymakers are not always conscious of the ideological justifications behind the policy strategies developed to spatially distribute it. Therefore, policy analysis using a broader theory base to incorporate abstract concepts, specifically the constitutive nature of policymaking, into the context is enriched with this new perspective.

Hastings (2000) argues that a discourse analysis approach opens new lines of inquiry with the potential to generate additional issues and questions within the housing field. A CDA approach to housing research and particularly policy analysis begins with

questions pertaining to addressing social struggle and overcoming some of the forces impeding progress. Despite decades of research and policy action on intractable housing issues, including affordability, gentrification, or discrimination, actors within policymaking or research have generally struggled to effect meaningful change. These actors and the associated policies around these issues tend to “reproduce social and political relations of knowledge and ignorance, consent and deference, trust and dependency, and attention and confusion” (Forester 1982,77). Research which begins with questions surrounding social wrongs such as housing segregation as the object of research benefit from an interpretive and explanatory approach like CDA in order to identify and overcome some of the forces impeding social progress.

#### *CDA as a Tool of Empowerment*

The final justification for use of a CDA methodology follows Chouliaraki and Fairclough’s (2002) claim that research starts from an ethical and moral position, motivated by social justice and equity. The standpoint begins by asking what can be done to address the subordination of particular social groups, such as African Americans, immigrants, or other protected classes in the policymaking process. Not only does the approach help to understand how social issues are framed and acted upon through language and text, but it can reveal whose ends they actually serve. If the goal of actors making policies includes fairness and justice, or liberal democratic values such as “inclusion” and “choice”, then making these explicit components of the analysis is essential.

Given the premise that policymaking is a social process in which problems are identified and alternatives proposed for action, then in that deliberative process, there is a

need to recognize what factor this socially constructed dimension contributes to the discourse. Placing emphasis on values of fairness and justice and making them explicit components of the analysis gives voice to alternative solutions and marginalized positions in the process. It does so by considering how problems are conceived, interpreted, and acted upon. As findings from previous housing-policy related research have highlighted, CDA can help understand how discourses on social problems hold the key to empowering individuals to challenge the discursive practices that reproduce the social structures that keep them marginalized (Hastings 2000; Marston 2002, 2004; Arapoglou 2004; Darcy 2010; Goetz 2013). Critical awareness of language can reveal possible strategies for using it to strengthen, broaden and sustain resistance to hegemonic domination (Fairclough 1992; 2001).

## **DATA COLLECTION AND TEXTS**

The discourse analysis for this project involves a textual analysis of current and archival texts of policy-related events (text production) from the local corpus of fair housing practices. In order to focus on a particular context, the text documents address housing-related policies going back to 2003, the year the city and county governments merged in Louisville. In addition, I reviewed published news articles related to housing policy in Louisville between 2003-2018 and performed 11 semi-structured interviews with policy actors who in some capacity participated in the development of the texts. The interviews provide an interpretative account foregrounding the discursive practices and ideological conventions existent in the texts. Marston (2002) adds that this shows “how texts draw upon orders of discourse to create new configurations of texts” (85).

In 2006, Louisville Metro Government introduced the first key post-merger policy document addressing local housing dynamics, *A Comprehensive Housing Strategy for Louisville Metro*. This document, identified in Table 1 below, along with the other documents analyzed, serves as a critical discursive moment for local fair housing policy. Although it was not an explicit fair housing focus, it does represent explicit housing policy language, especially for fair and affordable housing references, that had been previously omitted in the comprehensive plan active at that time, *Cornerstone 2020*. Most importantly, this document served as a policy framework for the next few years and provides a representation of dominant discourses present at the time of production and beyond.

As the governing body for land use decisions and housing policy decisions, policy documents produced by Louisville Metro Government comprise the majority of the texts analyzed for this research. A key factor mediating text production in these reports is the presence and power influence of a politically appointed advisory committee. van Dijk (1996, 85) argues that having this very access is a major element in the discursive reproduction of power and dominance. In addition, documents produced by the Metropolitan Housing Coalition on behalf of the Louisville Metro Human Relations Commission make up the remainder of the policy texts. These are not produced or influenced by the mediated presence of a politically appointed advisory committee. Therefore they do not represent the same degree of access for powerful interests.

**Table 1 Fair Housing Policy Text Analyzed for the Study**

Policy Document, Year, and Author	Politically Appointed Advisory Committee	Main Focus
1. “A Comprehensive Housing Strategy for Louisville Metro.” 2006. Louisville Metro Government.	Y	The purpose of the report is to provide a strategic plan for guiding housing investments and policy decisions in the period following city-county merger.
2. “Making Louisville Home for Us All: A 20-Year Action Plan for Fair Housing.” 2014. Louisville Metro Government Human Relations Commission	N	The plan outlines Louisville Metro’s local housing history and maps incremental action steps for eliminating or severely reducing housing inequalities and housing segregation of various kinds.
3. “Searching for Safe, Fair, and Affordable Housing: Learning from Experiences, An Analysis of Housing Demand in Louisville Metro” 2015. Louisville Metro Government Human Relations Commission	N	The document was produced in conjunction with the 2015 “Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY.” The purpose of this document was to fulfill one of the first action steps in the 2014 Action Plan. This document serves to fill the knowledge gap about specific challenges and needs that a diverse range of local residents contend with in finding and keeping suitable housing.
4. “Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY.” 2015. Metropolitan Housing Coalition.	N	The document fulfills a compliance role to the federal government by identifying fair housing impediments and providing strategic guidance for local government action. The main purpose of that fulfillment is to “certify that the jurisdiction will “affirmatively further fair housing choice” within their area of authority” (MHC 2015, 2).
5. “Louisville Metro Government Comprehensive Plan, Housing Element.” 2018. Louisville Metro Government	Y	The purpose of the document is to fulfill the legal obligation established by state statute in order to regulate land uses and make decisions in the state. It also establishes the official policy that Louisville Metro intends to apply for guiding growth and development in the next two decades.

My selection of the five documents identified in Table 1 was based on several key criteria. First, each document was completed during the analysis period for the research (2003-2018). Most importantly, policy actors interviewed for this research identified them as being key policy documents in shaping their understanding of fair housing practices in Louisville. Second, they identified these documents as having the formative purpose of influencing local policymaking. I omitted from the analysis material such as

the Consolidated Plans, Action Plans, or Consolidated Annual Performance and Evaluation Report (CAPER) documents produced by Louisville Metro on a periodic basis. These texts were aimed at fulfilling fair housing compliance with HUD regulations and they were intended to demonstrate progress and provide updates on meeting HUD requirements. The selection of the 2015 *Analysis of Impediments (AI)* report is an exception to these criteria. Although it is also a HUD compliance report produced periodically, it is a formative document from which other documents are composed, informing both internal and external processes. The 2015 *AI* draws upon material from the previous versions (1999, 2007, 2010) by analyzing and comparing progress. More relevantly, its publication is one of Louisville's first responses to the proposed AFFH rule since it was first released by HUD in 2013.

Third, I selected texts which represent a body of consistent statements (Foucault 1972) that exhibit a high degree of *intertextuality*, or the practice of drawing upon statements from previously produced texts. This was evident in both the phrasing within the documents and the references made by interviewed subjects. Lastly, the documents should have had some degree of public engagement or discursive influence outside of the authors' work to produce the text. Most importantly, the selected material reflects a broader discourse around contemporary fair housing practices in Louisville. Other texts, including media stories, annual reports, needs assessments of affordable and fair housing agencies or organizations, or draft minute reports from committee meetings, could have fulfilled these criteria and were reviewed during the research where relevant, but due to time limitations and general scope of work defined here, they were not included in the corpus of material for the text analysis component.



I consider these to be documents that played a crucial and normative role in disseminating knowledge and truth claims regarding fair housing policies and practices in Louisville. According to Fairclough, when “sophisticated organizations” such as Louisville Metro Government and the Metropolitan Housing Coalition produce texts, they anticipate not only the document’s distribution and consumption (e.g. by planners and decision makers), but also the potential effect on those not addressed directly. Thus, I consider that fair housing policies and the protected classes they are intended to address “have multiple audiences built into them” (Fairclough 1992, 79).

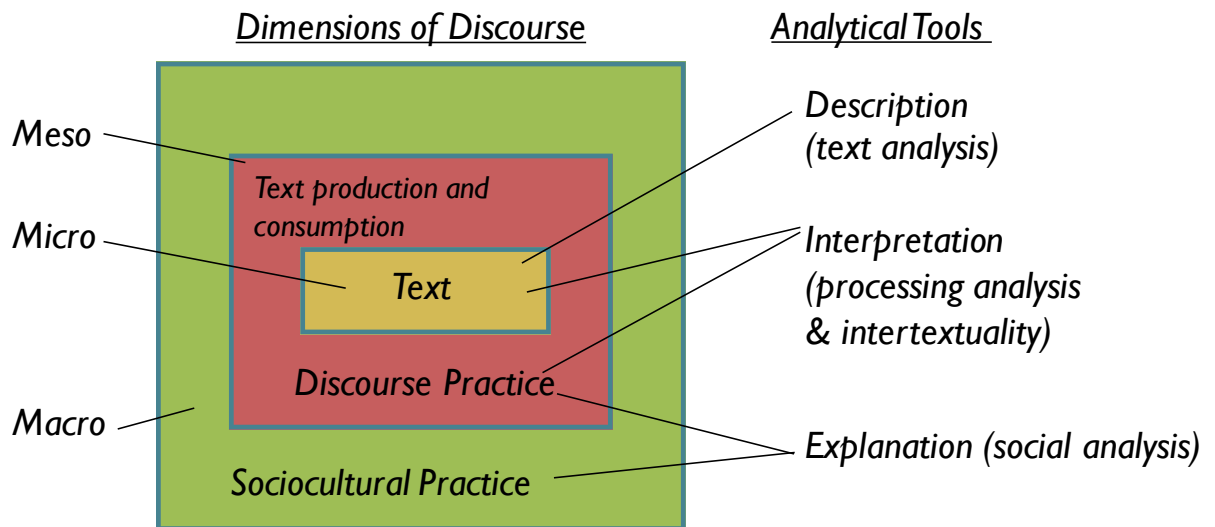
## **METHODOLOGICAL FRAMEWORK**

Applying Fairclough’s dialectical-relational approach to CDA, I analyzed the selected fair housing policies using the three-dimensional framework: as a text, as a discursive practice, and as a social practice. As guiding principle, I consider Kemeny’s (1992) argument that housing researchers tend to ignore many of the abstract factors, such as power, knowledge, or other socially constructed aspects that arise in policy discourse. Fairclough’s (1992) development of CDA provides the methodological tools to explore more “abstract” notions of power, knowledge, and ideology. The tools employed also consider any event of discourse conceptualizing three key dimensions previously mentioned. Most importantly for the scope of this dissertation, this view of text as a production of social practices locates discourses within a network of practices and “are held in place by social relations of power” (Chouliaraki and Fairclough 2002, 23-24). Below, I briefly outline the three dimensions in the model (see Figure 1), including the selection of tools in this study. For a more detailed guide to the procedures followed for in the initial content and discourse analysis, see Appendix 2.

*Micro Level: Text Analysis (Description)*

The textual analysis involves identifying the formal features that reveal explicit or omitted discourses conveyed through the text production, such as vocabulary, grammar, assumptions, and general text structure. To form an overall picture of how discourse operates linguistically in fair housing policies, I analyzed the linguistic features of the texts via a thorough reading of the entire text, examining each line and words within their context (for detailed procedures followed, see Appendix 2). I concentrated on identifying vocabulary in the texts and considered the grammatical modality which can reveal the levels of commitment to truth, obligation or necessity (Fairclough 1992, 2003).

**Figure 1 Three-Dimensional Concept of Discourse Adapted from Fairclough (1992).**



Some of the formal features of a text that may be explored during the “description” phase of CDA include:

- vocabulary- meaning, value, and omission of individual words
- grammar- processes and relationships expressed through text elements
- connection- linkage between internal and external text elements
- text structure- organizational properties of texts

As part of the search for interpretations and meaning implications, I scanned the texts for words, wording, statements, and assumptions describing “protected classes”, “fair housing”, and “affordable housing”. The grammatical modality analysis served to interpret the authors’ “commitments, attitudes, judgments, and stances” along with factors such as commitment to action, the social relations of action, and representation (Fairclough 2003, 166). Modality also reflects the author’s authority regarding the truth or probability of a representation of reality. Therefore, how modality is interpreted in the text has consequences for the discursive construction of knowledge systems and social relations (Fairclough 2003). Using the Fairclough methods, I asked the following questions:

- What vocabulary is used when describing “protected classes”, “fair housing”, and “affordable housing”?
- What relation to policy action is assumed in these terms, and how might their meanings shape actions and institutions?
- What grammatical modalities are most frequently reflected in the statements and assumptions?

*Meso Level: Discourse Practice (Interpretation)*

The discursive practice analysis involves the examination of the possible processes involved in the texts’ production, distribution, and consumption. These processes mediate the relationship between text and social practice and contributes to the constitution of the social world. According to Fairclough (1992), this level can be approached in various ways.

In this study, although I started by applying a simple linguistic review of the texts, I also identified how the fair housing policies draw on other texts (intertextuality) and what discourses they draw on (interdiscursivity). Part of this interpretation involves drawing comparisons between the policy documents written by Louisville Metro

Government agencies and those written by fair housing advocates as will be demonstrated in the next chapter. Ultimately, these orders of discourse reveal possible ways of interpreting social problems and seeking solutions for them through a critical agenda. In this analysis, I asked the following questions:

- What other texts are incorporated into the fair housing policies and how are they incorporated?
- What particular discourses are drawn on and how are they articulated together?

*Macro Level: Socio-cultural Practice (Explanation)*

The social practice analysis is, according to Fairclough, necessary to understand the links between texts and the broader social practices surrounding them. This informs a key moment in the overall analysis as an explanatory critique on how social practices mediate what is included or not in the discourse. Social life consists of networks of social practices, each composed of various key elements which are dialectically related (Harvey 1996). Examples of these elements include subjects, objects, time and place, instruments, and most relevantly, discourse. Discourse figures critical in the performance of social activities, producing representations of other practices, and in the constitution of identities (Fairclough 2010). Every social practice involves discourses of various sorts such as political, economic, cultural, etc. These contribute to the constitution of the institutional and organizational circumstances behind discursive events, such as policy text production (Fairclough 1992, 4). Fairclough borrows from Foucault the concept of orders of discourse as part of the analysis. The orders of discourse can be understood as the configuration of all the discourse types which are used within a social institution or a social field. Discourse types consist of discourses (e.g., welfare, neoliberal, etc.), genres (e.g., promotional, regulatory, etc.), and styles that define particular fields of action

(Fairclough 2010). The articulation of discourses, genres, and styles also determine how discourses shift, transform, and mediate social practice through “the social organization and control of linguistic variation” (Fairclough 2003, 24). In other words, the analysis of social practice serves the researcher in understanding how the language used by an author in a particular field, such as housing policymaking, draws upon existing discourses, genres, and styles to write a policy document. It also considers how receivers of those policy documents, such as other practitioners, developers, political leaders, and advocates, also apply available discourses and genres in the consumption and interpretation of the texts.

The analysis of social practice is not limited to only material representations of discourse. By employing CDA tools, the researcher can also view the multiple ways in which non-material elements within these practices, including ideologies, power, and discourses operate and affect the overall practices. It is in this level of the analysis where CDA, including the dialectical-relational approach, distinguishes itself from other forms of discourse analysis.

The macro level perspective facilitates an explanation of how discourse is embedded at several levels, including the immediate situation, in the wider institutional structure, and at a societal level. Fairclough illustrates this dynamic situation by examining the dialectical properties of discourse being both constituted and constitutive:

The objective of the stage of explanation is to portray discourse as part of a social process, as a social practice, showing how it is determined by social structures, and what reproductive effects discourses can cumulatively have on those structures, sustaining them or changing them (Fairclough 2001,135).

In this study, I analyze how discourses on fair housing practice and policymaking at the local level have been influenced under the structuring neoliberal forces of rescaling of

regulation and authority, restructuring of housing program financing, and the shift from public subsidies to more flexible and innovative market mechanisms. From this perspective, the analytical lens facilitates a view of the policies in a dialectical relationship with contemporary forms of neoliberalism emanating from fair housing policy. Most critically, for this study, this is the broader social practice that provides the context for the discourse analysis. In order to analyze the specific social practices involved, I asked the following questions:

- What is the relationship between the discursive practices in the texts and the broader social practice?
- To which social practices do the discursive practices belong?
- Do the discourses contribute to sustaining existing power relations or transforming them?

The advantage of the three-dimensional framework as Fairclough prescribes is not the convenience of a linear analytical process, but rather the useful way it shows how the overlapping process are embedded in and related to the practice (Fairclough 1992). In particular, it considers how the broader socio-political, ideological and historical contexts influence the discursive practices, including the orders of discourse as Fairclough (2003) defines as the configuration of social practices that define the discourses and relationships between them. Ultimately, these orders of discourse shape how researchers interpret perpetuation of social problems and seek ways for resolving them through a critical agenda.

### *Analysis Framework*

The three-dimensional framework provides a useful overview for analyzing each discursive event or policy text as well as across texts for moments of intertextuality. In order to understand the dialectical processes being performed in the discourse, I also

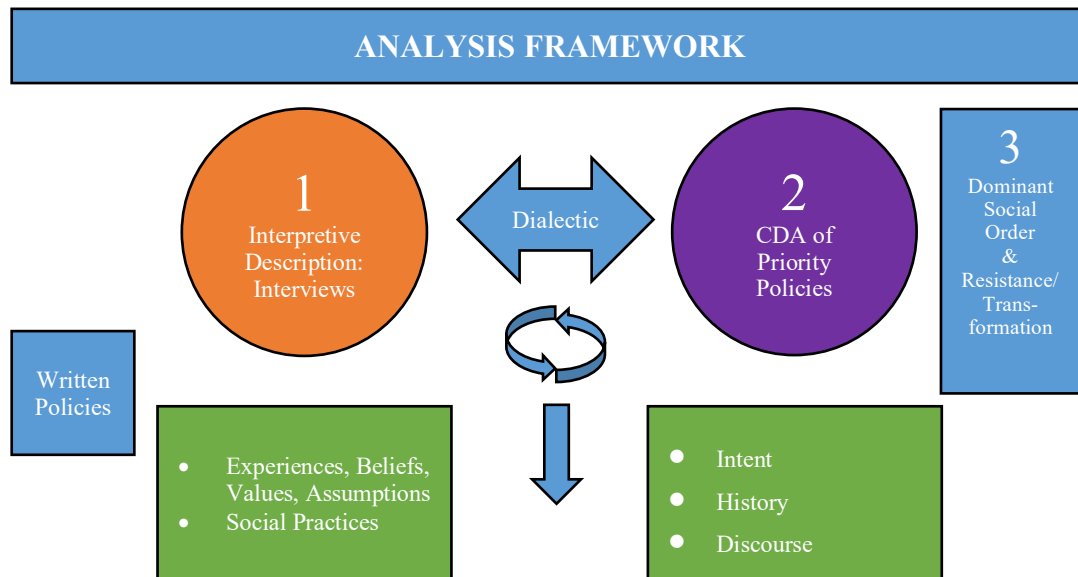
adapt Chouliaraki and Fairclough's (2002) analytical framework to focus on the orders of discourse and interdiscursivity for my data. Figure 2 below provides a sketch of that process, although components of these stages are directly incorporated into the text analysis described above. This process will inform the discussion and findings contained in Chapter 5 of this dissertation. Stage 1 below provides the background description of knowledge based on the experiences, beliefs, values, and assumptions of the policy actors engaged in local social practices of fair housing policymaking. The interpretation and backgrounding of these interviews informed not only which discursive events (policy texts) were most prominent, but also provided insight into how the expressed experiences dialectically constitute the production of discourse. In Stage 2, I analyze the intent, history, and general production of the policy texts to develop my understanding and interpretation of the events. As Figure 2 shows, the final stage looks at how the social wrong (housing segregation) represents a particular function of sustaining the dominant social order or whether there are moments of resistance or potential transformation of it within the discourses. This part of the analysis is critical to identifying the normative possibilities for moving past the impediments to affirmatively further fair housing in Louisville.

### *Interviews*

The analysis of discursive practices through text production serve as a central component of CDA, but in order to dive deeper into the consumption and context of these practices, interviews provide a rich resource for interpretation. Fairclough (1992) argues that when using discourse analysis in a research context, interviews are an important method for probing below the surface of the organizational structure and exploring new

insights and issues arising from document analysis (228). Following institutional review board (IRB) review and approval, data were collected through individual semi-structured interviews with policy actors between August and September 2018. For this research project, I used the interviews to interpret the ideological attitudes, experiences, meanings, and perceptions surrounding fair housing implementation dynamics.

**Figure 2 Analysis Framework of Louisville’s Fair Housing Policy Practices**



**Table 2 Distribution of Interview Subjects by Sectors**

Sector Representation	Number of Interviewees <sup>1</sup>
Non-profit housing agency leaders	2
Non-profit advocacy group members	2
Public administrators for affordable housing	5
Community liaisons from local government	2
<b>Total Interviews</b>	<b>11</b>

<sup>1</sup>Interviewees were predominantly female (7 of 11). Two-thirds were white and the remainder were non-white.



In order to establish a broad representation, the interviews engaged with those who have played a critical function in recent years in assuring fair housing practices are followed in Louisville. The participants represented what I label as local *policy actors* who offer valuable insights as social agents engaged in the practices and to the structures and practices of policy making. The label of policy actor was operationalized as non-profit housing agency leaders, members of non-profit advocacy groups, public administrators, urban planners, and community liaisons from local government who were instrumental in creating and implementing fair housing policy (See Table 2). Each individual taps into their connections, which range from official inter-governmental alliances to individual relationships with colleagues. In order to learn about fair housing policy, these actors relate to their practices, including their use and interpretation of external policies to the local context for policymaking.

Although data collected from the interviews were not subject to the detailed analytical method recommended by Fairclough in CDA (1992; 2003), the information gleaned from them served several purposes. First, as indicated in Figure 2 above, the interviews were performed prior to the CDA operationalization of the text analysis and thus served as a rich resource for guiding the selection of policy text analyzed. The policy actors' discussion of certain texts offered the signals for further analysis. Likewise, the interview questions probed various aspects of the broader research questions described in the Introduction.

Second, following interview subject input, I used the transcripts to inform the interpretation of the ideological attitudes, experiences, meanings, and perceptions surrounding the development of the fair housing policy texts. This focus considered how

participants responded to the discourses around particular policy texts, including how they reveal the level of apparent resistance or their investment in ideological conventions in the policy texts (Marston 2002). Following the textual analysis, I reviewed the transcripts again to identify individual statements that appear in this dissertation (quoted anonymously) as an account and further insight to the tensions in the policy development processes.

Another contribution to the research the interview responses provided is what Geertz (1973) has called a “thick description”, or a way to reveal the context of meaning from the perspective and experience of the participants. This interpretation provided a backdrop to the policy development and included aspects such as responses to probes about their beliefs, attitudes and awareness of the “ideological investment of a particular discursive convention in some situations than in others” (Fairclough 1992, 228). Finally, the interviews served to contextualize how knowledge and perception have been culturally and socially constructed. Since the actors engaged in the policymaking process in some capacity, responses in the interviews demonstrated the various ways they interacted with other actors and discourses and assumed different positions in the process.

Following institutional review board (IRB) review and approval, data were collected through individual semi-structured interviews with policy actors between August and September 2018. The participants were selected using a purposive sample to identify the subjects from a cross-sectional representation of key informants described above who would be able to provide information and insights relevant to my research questions. Out of the 15 invited to interview, 11 subjects agreed to participate in an interview lasting a maximum of one hour (see Appendix 1 for Interview Protocol). The interviews were

digitally recorded and transcribed. These recordings and transcribed interviews were transferred onto a University of Louisville computer, as well as stored on my personal computer, both under password protection. I scanned and stored the signed consent forms under password protection in the same location as the interview data.

## **POSITION OF THE RESEARCHER**

Sharp and Richardson (2001) argue that any researcher engaging in a Foucauldian inspired discourse analysis, such as CDA, should acknowledge their own subjectivity in selecting the research topic. Unlike the neutral and objective positions assumed in positivist research, interpretive or social constructionist positions demand scholars acknowledge their own values in the research process (Sidney 2010). As Sidney posits, it is a challenge that researchers must take seriously. Reflexivity is, therefore, an essential component of research using critical discourse analysis in housing policy research. Housing researchers are often involved in the practice or have been involved as practitioners of housing policy at some point in their career. As members and ex-members of the policy communities studied, there is a role that institutional knowledge, including the histories of participation in policymaking either as a citizen or policymaker. Fairclough (1992) refers to this embodiment as a "members' resources", or what Gee (2014) calls "cultural models" around our participation in housing policy that includes beliefs, assumptions and values within these contexts.

Reflexivity, in this context, provides a key advantage to the research in helping the reader understand how choices are made in the process of operationalizing the discourse analysis. Dominant research approaches in housing studies tend to favor the positivist approach of objectivity. Conversely, the position of the researcher is an

important element of the CDA methodology. By using an interpretative methodology, Chouliaraki and Fairclough (2002) assert that researchers are part of the language practices they study. Similarly, as Hastings (2000) argues, a key implication for housing researchers involves the “need to be aware of how their own use of language is inevitably perspective-bound” (138). Therefore, CDA allows researchers to engage with their particular interests by acknowledging their place in the discourse, their ethical position in the research, and their role in the influence of subjects and their subjective interpretation.

As a data collection instrument in qualitative research, reflexivity is an important element in my understanding, observation, and analysis to this research topic. The analytical perspective reflects my thoughts and observations following many years as a practicing city planner within the local government in Louisville. In that capacity, I assisted in the development of various related policies, inter-agency coordination, and presenting possible solutions promoting fair and affordable housing. In addition, I have been an employee during the time of my doctoral studies with the Center for Environmental Policy (CEPM), one of the key authors and participants in developing fair housing related documents in Louisville. As a contributor to several housing policy reports (not analyzed for this research) produced in coordination with the Metropolitan Housing Coalition, my knowledge and experience in this role contributed to my interest and desire to pursue this research topic. Therefore, my selection of this particular topic involves my interest in understanding not only how perceptions and knowledge of fair and affordable housing policy implications have evolved locally, but to assist in contributing to the greater knowledge related to eliminating barriers to fair housing choices for individuals and households. This positionality provides me the opportunity to

access an appropriate and thorough research sample for the intended design as well as access to a rich body of documents and primary source data for this analysis.

## **LIMITATIONS OF METHOD**

While this paper has argued for the potential use and benefits critical discourse analysis provides the housing researcher, its general methodology is not without limitations. In order to become an accepted and relevant influence on urban policymaking, it must overcome a number of these. As some authors have claimed, any researcher's operationalization of the CDA methodology must clearly articulate its ambiguous and complex set of concepts to provide useful information and practical resources for both institutional and non-institutional actors (Marston 2002; Jacobs 2006; Wagenaar 2011). This includes the need to clearly define concepts and clarify the analytical framework, including what utility "discourse" provides and how the analysis is operationalized. Otherwise, studies could result in being too abstract, over-theoretical and, potentially too narrowly focused on the detail of the text or spoken word. Jacobs' (2006) argues this may result in over-generalizing and inferring too much from a partial example, such as only referencing one text in an analysis.

Similarly, another key limitation is that it involves a steep learning curve to fully apply techniques of discourse analysis. For the researcher who may otherwise not be as adept with the knowledge on linguistics, this presents a potential barrier to effective operationalizing the method (Wagenaar 2011). It is true that critical discourse analysis involves a complicated set of concepts that involve both linguistics applications and a broad spectrum of social theories. This complexity and ambiguity often make it difficult for translating for utility in the practical context, including policy analysis. As Fairclough

cautions, “language analysis is a complex and quite technical sphere in its own right, and one can no more assume a detailed linguistic background from its practitioners, than one can assume detailed backgrounds in politics, sociology and psychology” (1992, 74). To avoid this potential pitfall, Marston (2002) suggests that a well-executed critical discourse analysis goes beyond the linguistic properties of the text by engaging with the social actors that produce and interpret policy texts. Or, as Hastings (2000) points out, the linguistic idea of ‘discourse’ involves the study of a single text or groups of text, but discourse analysis with its reliance on social theory provides a rich interpretation of language use within context.

From an epistemological perspective, CDA has received criticism for its relativist account of the socially constructed nature of reality (Clapham 2012; Jacobs 1999). Jacobs suggests that with the absence of an objective “truth”, discourse analysis challenges researchers who operate in a positivist dominated field. Without arriving at an “answer” or “solution” to a problem, the approach risks not attracting attention as an accepted analytical tool. When searching for knowledge, Jacobs adds that instead of attempting to “discover” facts, the interpretation should be more concerned with the social processes related to the field. For example, policymaking as a deliberative process is inherently a political process. As such, the results may reflect a disconnect between the intent of a policy and how it is received and acted upon by social actors. Therefore, rather than contesting positivism, CDA’s relativist perspective can augment our understanding of social processes by studying the context of policymaking and ways language mediates practices.

A final limitation of CDA within the context of policy-oriented housing research is its insufficient engagement with the promotion of social justice (Lees 2004). Lees argues that as a “benign form of social scientific research”, it lacks traction in actually being used by those actors who advocate for justice (105). Marston adds more attention must be paid to those whose voice is “silent” in the text, or about those who become the "objects of policy discourses" (Marston 2002, 90). At a glance, this critique is misunderstood if considering a key tenant of a constructionist and interpretive analytical framework like CDA: what makes it such a useful tool is how it enables the analyst to be reflexive by taking an explicit socio-political stance. For example, Marston (2004) uses his experience as a trained professional in housing as well as his experience growing up in public housing as a reflection of his particular position taken. By working in collaboration with the people or within the interest of those who are also the “objects” of research, the analytical questions can address the needs of the affected public (Wagenaar 2011). As Lees proposes, in order to avoid this shortcoming, discourse analysis can serve as the first step in the agenda to actually create social justice. If CDA is to become a viable analytical framework for addressing some of housing policies most immanent challenges, researchers must attend to these criticisms.

## CHAPTER IV: ANALYSIS

This chapter sets the foundation for analyzing how knowledge of fair housing policies and practices has been constituted or shaped by the discourse of local policy actors. The legacy of housing segregation in Louisville for many decades has produced patterns of uneven development and inequitable outcomes for the city's poor and minority populations. One of the challenges to addressing this is to identify the disjuncture between knowledge and action. In that process, critical discourse analysis serves as a useful means to view the ways discourses become articulated together, interpreted, and acted upon by organizations and institutions in ways that structure the relations of power and dominance (Fairclough 1992; van Dijk 2015).

In an effort to address the problems associated with housing segregation and to fulfill its obligation to affirmatively further fair housing, policy actors in Louisville have produced a network of policy reports that comprise the "genre chain" (Fairclough 2003) of fair housing policy. These texts represent a common language, sharing a relationship for talking about a topic, often in chronological order (*ibid.*). Discourses in a chain of texts become recontextualized, transformed and acted upon within a network of social practices. As a point of emphasis in this research, fair housing policymaking over the past two decades typically reflects a network of practices linking the city's ongoing adaptation to a changing global economy. In the struggle to remain "competitive" and continue to attract capital investment, the housing market remains a critical but vulnerable



component of that landscape. In addition, the ongoing processes of rescaling and restructuring of federal housing programs contribute to the local constitution of discourses and social practices. The shift to a regional form of government following the city and county merger in 2003 and an increased reliance on private market mechanisms to fulfill unmet housing needs are among the most significant responses to this process of rescaling and restructuring. Therefore, in this context, one of the aims of this analysis is to consider how the structural constraints to fair housing is discussed differently between policy actors.

In Louisville Metro's current policy vision for fair housing, a common view amongst the policy texts focuses on removing institutional barriers in order to promote greater individual autonomy and choice for citizens of protected class status. As mentioned in the literature review, the AFFH mandate requires local communities to identify the deep structural barriers sustaining the vestiges of historical patterns of racial discrimination and segregation. While past injustices such as government-backed redlining programs and restrictive racial covenants no longer exist, covert practices of discrimination and differential treatment of policy remain important fair housing issues. The texts analyzed for this study promote a discourse which problematize neighborhoods where segregated protected classes comprise the majority of population, limits choice and opportunities, and produces the subjects for whose housing needs are not being met. The results from this analysis demonstrate how Louisville's fair housing issues have been framed, circumscribed and converted into actionable items.

In the following sections, I begin by introducing the case study by describing the setting the context in which the network of policy reports has been produced. Following

this, the remainder of the chapter will proceed through the three-level analysis approach described in Chapter 3 to examine how knowledge is constituted or shaped by the discourse of local policy actors. First, I analyze the discursive practices in the texts' production, distribution, and consumption. This will identify how various policies draw upon other texts (intertextuality) and how diverse discourses constitute those texts (interdiscursivity). Second, I provide a description of the formal textual features that reveal explicit or omitted discourses conveyed through the production, such as vocabulary, grammar, assumptions, and general text structure. In this text analysis, I identify how the policy texts reveal, support, and represent particular interpretations for addressing the AFFH mandate. Finally, I focus on making connections between these dimensions and the broader social practices surrounding them. This step in the analysis provides a useful explanatory critique on how particular social practices constitute the institutional and organizational circumstances behind discursive events. In other words, this dimension seeks to identify the ideological, political and social consequences of the discursive practice producing fair housing policy in one local context.

### **THE LOCAL CONTEXT: LOUISVILLE, KENTUCKY**

Louisville, Kentucky is similar to many older, former industrial cities, characterized by well-defined neighborhoods but plagued by a legacy of economic and racial segregation. The current population of 771,158 (2016) is spread across 400 square miles and spatially defined by the Ohio River along its northern and western edges. As Kentucky's largest metropolitan area, it has the state's largest non-white population and includes many census tracts in which more than half of the population lives below the poverty level. Beyond these characteristics, it is Louisville's unique social, economic,

and political environment under a merged city and county government that provides interest for this study.

In early 2003, the City of Louisville and Jefferson County governments merged to form one jurisdiction of Louisville Metro. With a unified government in place, local leaders anticipated this new structure would provide more opportunity to remove the entrenched institutional barriers that have sustained a high degree of racial segregation and class divide (The Brookings Institute 2002). As Savitch, et al. (2010) argue, its more conservative peripheral and suburban interests continue to wield dominant political power over many policy decisions. This post-merger environment is an important element defining and recontextualizing a network of practices in response to the Fair Housing Act and the AFFH mandate. In effect, it has defined the power relations behind the institutional and organizational circumstances shaping policymaking practices.

In addition to the merger, Louisville provides a number of factors making it a conducive site for this analysis. First, the city has been the site for significant U.S. Supreme Court cases dealing with segregation, both residential and education (see *Buchanan v Warley* and *Meredith v. Jefferson County Board of Education*). While the 1917 *Buchanan v Warley* decision still matters today in the way it structured housing patterns a century ago, the 2007 *Meredith v. Jefferson County Board of Education* case against the public school system presents a more tangible scenario producing tension in local policymaking. In the *Meredith v. Jefferson County Board of Education* case the Supreme Court decided against the school system's rigid racial integration plans, supported by a robust busing system and racial quotas throughout the system, as a violation of the Equal Protection Clause under the 14th Amendment. As a matter of

housing policy, the tension lies in a desire to promote neighborhood schools while set in an incongruent context of segregated neighborhoods. Thus, if the community truly desires integration in both schools and neighborhoods, there must be more action to truly promote a housing policy focused on diversity and integration (Fosl, et al. 2010).

Next, as presented in Table 3 below, the problems of segregation, increasing poverty, and increasing population diversity, combined with ongoing documented cases of housing discrimination (MHC 2015) present an enormous challenge for local fair housing advocates, political leaders, and housing practitioners to operate. One of the key measures to understand segregation is the dissimilarity index (DI), which is used to determine what percentage (expressed from 0 to 1) of a racial subgroup would have to move across a metropolitan sub-region to achieve some level of integration. While racial segregation is diminishing in general for Louisville as seen in the DI trend over the last 25 years (see Table 3 below), significant differential outcomes remain. The black/white DI trend since 1990 has decreased slightly, now approximately 62 percent, meaning this percentage of black individuals who would have to move in order to be distributed equally with whites. Nevertheless, based on typical standards, this outcome is still considered very high segregation (Massey and Denton 1993). In addition, while the data show improvements for all groups since 1990, more recent data show a slight increase in segregation since 2010.

Another approach to analyzing housing segregation is to compare racial class isolation data. The degree of isolation is defined by the difference between black and white isolation. For example, in 2010, the average black individual in the Louisville MSA resided in a neighborhood composed of 48 percent whites whereas the average white

resident lived in a neighborhood that was on average 85 percent white (Logan 2019). Although these outcomes present an unbalanced situation, the positive trend toward integration based on a declining dissimilarity index shown in Table 3, particularly between non-white and white populations, demonstrates a changing story since 1990. Meanwhile, as the Hispanic population increases in the city, the trend toward higher rates of segregation for this group, nearly doubling since 1990, is likely to continue unless more attention is paid to this evolving dynamic. While these data indicate changing demographics, Table 3 also indicates that overall rates of racial segregation, especially between whites and blacks have been diminishing in recent decades despite a slight increase between 2010 and 2016. This recent trend toward increased segregation raises concern for fair housing policy making and provides further justification for analysis.

Research on US federal housing programs and urban policy has tended to focus on the larger metropolitan cities (e.g. New York, Chicago, etc.) with less attention paid to the more “ordinary” U.S. cities like Louisville (Robinson 2006; Shelton, et al., 2015). By focusing on Louisville as my site of analysis, I expand the body of case studies beyond the typical case study cities analyzed for housing problems, particularly housing segregation. A city like Louisville presents a unique case to investigate since its population size, social and economic diversity, and extent of urban problems represent a microcosm of practices occurring at larger scales. It has a rich complex history of implementing a number of federal housing programs, thus making it a good case study to analyze. For example, the city has been the site of several recent high-profile,

**Table 3 Jefferson County Race, Ethnicity, Nativity, and Dissimilarity**

	1990	2000	2010	2016
Total Population <sup>1</sup>	664,937	693,604	741,096	771,158
Percent Non-Hispanic White	81.5%	76.4%	70.5%	72.7%
Percent African American	17%	18.7%	20.6%	21%
Percent Foreign Born	1.5%	3.4%	6.5%	6.8%
Percent Asian	0.7%	1.4%	2.2%	2.5%
Percent Hispanic	0.7%	1.8%	4.4%	4.8%
Median family income <sup>2</sup>	\$65,760	\$73,435	\$68,867	\$68,847
Poverty rate	13.7%	10.4%	15.5%	16%
Dissimilarity Index (MSA) <sup>3,4</sup>				
Non-White/Non-Hispanic White	64.37	54.62	47.05	52.26
Black/Non-Hispanic White	69.74	63.68	56.75	61.55
Hispanic/Non-Hispanic White	24.1	33.95	38.7	42.83
Asian/Non-Hispanic White	38.84	40.38	38.17	46.32

1. Source for all data except Dissimilarity Index data : 1990 - 2016 U.S. Census Bureau.

2. Median family income is adjusted for 2018 dollars, calculated using Consumer Price Index.

3. Dissimilarity Index (DI) based on Metropolitan Statistical Area for Louisville/Jefferson County KY-IN in order to compare historically. No DI data is available for Louisville city alone following the 2000 U.S. Census due to city-county merger.

4. Source for Dissimilarity Index : Affirmatively Furthering Fair Housing Data, Data Version AFFHT0004, November 17, 2017.

federally-funded public housing redevelopment projects under the HOPE VI program (Park DuValle, Clarksdale, and Shepherd Square) and the more recent Choice Neighborhood program currently being planned and implemented in the Russell neighborhood.

From a fair housing standpoint, these redevelopment projects, in general, have been somewhat controversial, represented as a harbinger of neoliberal ideologies, including practices of public-private partnerships, a shift to private mechanisms for serving affordable housing needs, and flawed conceptualizations of poverty (Hanlon 2010). Scholars and policymakers argue that the HOPE VI program has been more effective for economic redevelopment than for increasing housing options for poor people (Hackworth 2003; Newman and Ashton 2004; Smith 2000; Goetz 2013). Like

similar projects nationwide, following redevelopment of the public housing sites, only limited numbers of Louisville's displaced public housing residents from the original project returned to live in the new mixed-income neighborhood (Clark and Negrey 2017). Although Louisville Metro Housing Authority (LMHA) has attempted to monitor and assist displaced residents, the reduction of public housing assistance and private market impediment create a fragile context from a fair housing perspective. Therefore, building on the justifications stated above, Louisville provides a rich context to contribute to the development of a body of interpretative or constructionist methods and the effect language plays in framing the problems and solutions to housing issues.

### **LOUISVILLE'S FAIR HOUSING DISCOURSES**

This section applies the techniques of CDA to the discursive practices constituting Louisville's corpus of fair housing policies. Analyzing these practices is important because it provides the background for how the texts are produced and interpreted. A significant factor for the micro scale of discourse production is the fact that a regionalist approach to governance has been a prominent factor shaping the local policymaking context since the city and county merged jurisdictions in 2003. This new form of governance represents the change in the way local governments have responded to the challenges presented under the rise and influence of neoliberalism (Chapple 2014). Especially for U.S. cities, retrenchment of federal funds along with influence of privatization of housing provision has led to a change in the role non-governmental entities perform in the policymaking process. In order to understand that transformation, the next section demonstrates how the production of texts is a process where certain groups exercise power through limiting access and control over the discursive events.

### *Producers and Interpreters*

Since 2003, there have been two major producers of local fair housing policy texts: those authored and produced by non-profit advocacy organizations and those sponsored or authored by local government agencies. As will be explained, in some circumstances, the role of authorship and sponsorship exhibit an interdependency and mutual discursive influence that provides a unique interdiscursive perspective. This is especially pertinent in understanding the circumstances in which document production is mediated by a politically appointed advisory committee. For example, as identified in Chapter 3, two documents analyzed for this research are the product of Louisville Metro Government agencies who used a politically-appointed advisory committee structure to guide the production of the texts. In these incidents, the political nature of committee appointment and influence must be recognized as a factor shaping the discourse. Van Dijk (1996, 85) argues that these discourse types reflect power relations behind the process, which often appear in the form of privileged access to public discourses and communication.

This analysis draws upon a network of policy reports comprising part of the corpus of the fair housing policy texts in Louisville. The analysis draws on five formal reports prepared by diverse policy actors participating in their development. In other incidents, I sparsely reference policy reports produced in Louisville prior to the delimited timeframe for this case study (pre-2003) to provide further context of the discourse. The actors and their roles for the reports are included in Table 4 below. Documents produced by entities like Louisville Metro Government tend to contain a high degree of interdiscursivity, meaning different genres and discourses become articulated together to



represent dominant discourses (Fairclough 2003). The most relevant document at the time of merger establishing housing policy direction for Louisville was the comprehensive plan, adopted in 2001, commonly referred to as *Cornerstone 2020*. At the time of its adoption, this document fulfilled the legal obligation for local governments to be able to regulate and control future land uses and development decisions over the next two decades. The management and production of the document was facilitated by the local planning commission and its advising staff. The planning commission staff engaged with the broader community for input, but like many conventional planning processes, *Cornerstone 2020* was also guided by a politically appointed 50-member Initial Review Advisory Committee and a smaller committee appointed by the planning commission chair consisting of representatives of local government, developers, neighborhood interests, and environmentalists (Louisville and Jefferson County Planning Commission 2000, 2). Although no official list of this committee's composition were reviewed for this research, anecdotally one interviewee recalled that the process was disproportionately represented by what they called a "rubber stamp of the white, building industry". As a result, issues of most concern to private real estate interests marginalized social policy issues such as fair and affordable housing. Following the merger, fair and affordable housing advocates in Louisville were critical of this document due to its explicit lack of commitment to advancing fair and affordable housing action (MHC 2015).

Therefore, until Louisville Metro Government released its *Housing Strategy* in 2006, there was no explicit housing policy directing action under the merged government in line with the federal mandates on fair housing. At stake in the new "Regional City" was the expressed vision to produce "quality" and "attractive" neighborhoods as an

**Table 4 Overview of Institutions Producing Fair Housing Texts in Louisville**

Sector	Agency or Organization	Role
Local Government Agencies	<ul style="list-style-type: none"> <li>• Louisville Metro Human Relations Commission (LMHRC)</li> <li>• Develop Louisville: Louisville Metro Department of Planning and Design Services (LMPDS), Office of Advance Planning, and the Office of Housing and Community Development (LMHCD)</li> </ul>	<ul style="list-style-type: none"> <li>• Local government departments engaged in the activities of enforcement of rules and regulations, planning processes, and housing resource allocations.</li> <li>• LMHRC works to monitor civil rights law enforcement as well as provide education &amp; outreach on these laws.</li> <li>• Develop Louisville, including LMPDS and the Office of Advance Planning is the primary agency charged with the development and enforcement of land use regulations in addition to managing the processes for planning and production of key policy texts such as the city’s comprehensive plan.</li> <li>• LMHCD oversees the process of managing and distributing local and federal HUD entitlement funds for fair and affordable housing development. They are the principle agency which reports to HUD their compliance and certification for meeting the affirmatively furthering fair housing mandate.</li> </ul>
Non-Profit Organizations	<ul style="list-style-type: none"> <li>• Metropolitan Housing Coalition (MHC)</li> </ul>	<ul style="list-style-type: none"> <li>• Local fair housing advocacy non-profit organizations which advocate for bringing together public and private resources to support equitable and fair distribution of fair and affordable housing resources. MHC is the principle non-profit in Louisville in this role, however their board of directors includes a cross-section of private interests who work on behalf of affordable housing and general social justice issues.</li> </ul>
Academic Centers	<ul style="list-style-type: none"> <li>• University of Louisville Anne Braden Institute for Social Justice Research (ABI)</li> <li>• Center for Environmental Policy and Management (CEPM)</li> </ul>	<ul style="list-style-type: none"> <li>• Centers have worked in partnership with the Metropolitan Housing Coalition to produce fair housing reports sponsored by LMHRC in recent years.</li> <li>• These centers provide the research, writing, and editing of the reports in which they have participated.</li> </ul>

essential component to be more “competitive” (LMG 2006). The process to develop the policy document began with the first convening of the Housing Policy Advisory Team (HPAT) in 2004. Like *Cornerstone 2020*, the HPAT included a cross-section of 30 representatives in the community, including people of color and fair and affordable housing advocates. As seen in Table 5 below, the real estate sector comprised the largest representative group on HPAT (LMG 2006). The committee dynamics, however, were controlled and heavily influenced through the representation of interests and discourses

of the building industry and suburban representatives. As one HPAT participant reflected anecdotally, this composition created a bias toward a market-oriented, suburban growth focus of the policies, stating “behind it, I felt like it was more political or business oriented as opposed to being purely based on policy, or even potential outcomes.”

**Table 5 Policy Advisory Committee Sector Representation Comparison**

<b>2018 Plan 2040 Comprehensive Plan, Advisory Committee</b>	
<b>Sector Representatives</b>	
<i>Public</i>	13
<i>Real estate</i>	8
<i>Community-at-large</i>	4
<i>Human services</i>	4
<i>Business</i>	3
<i>Environmental</i>	3
<i>Ethnic minority</i>	1
Total Representatives	36

<b>2006 Comprehensive Housing Strategy, Housing Policy Advisory Team (HPAT)</b>	
<b>Sector Representatives</b>	
<i>Real estate</i>	12
<i>Public</i>	7
<i>Business</i>	4
<i>Human services</i>	4
<i>Community-at-large</i>	2
<i>Ethnic minority</i>	1
Total Representatives	30

The other government-produced document drawn upon for this analysis is the recently adopted “Housing Element”, a chapter within the *Plan 2040* policy document, the city’s first comprehensive plan since *Cornerstone 2020* nearly 20 years ago. Several dynamics of this discursive event merit attention. The first is the mere inclusion of the housing element in the comprehensive plan. As KRS 100, the state statute establishing the legal mandates for the plan, specifies that a housing element is not required but is allowed. This is important to note because the former comprehensive plan omitted a housing element and completely neglected to reference any language of “fair” or

“affordable housing”. I would argue that the explicit inclusion of these terms, including the advancement of the discourses surrounding fair housing over the last 15 years represents the advancement of the dynamic of fair housing.

In addition, compared to the *Cornerstone 2020* process, the public engagement strategy for *Plan 2040* involved a more open process for work group participation by encouraging citizens to engage in groups corresponding to each of the plan’s core “elements” (Louisville Metro Government 2018b). Similar to the 2006 *Housing Strategy*, the advisory committee consisted of a broad cross-section of representatives, yet the largest interest outside of the public sector involved the private real estate sector (see Table 5). Several insights can be gleaned from this list, but not shown and important to the planning processes is *Plan 2040*’s inclusion of greater citizen participation. One of the key aspects involved the use of a *Housing Element* work group. While no official list exists publicly for all the participants to the work, interviews with Metro staff portrayed the group consisting of various Metro agency representatives, but also affordable housing developers, advocates, private developers, neighborhood representatives, and community at large participants interested in promoting fair and affordable housing practices. Like the politically appointed advisory team component used in the 2006 *Housing Strategy*, the main advisory committee for *Plan 2040* served as the principle channel for reviewing data, advising policy direction, and recommending strategies. The difference, however, is reflected in the work groups used in *Plan 2040* to contribute significant feedback to the main advisory team and a key factor shaping the strategic direction for the plan. Consequently, the housing work group and subsequent goals and objectives presented in

the “Housing Element” text provide a new direction for Louisville and perhaps a signal of the progress in the advocacy for fair and affordable housing issues.

A second dynamic reveals tension in the formation and negotiation of language for the housing element’s policy objectives. This can be seen in the way staff and participants interviewed in this research reflect on such language contestations, including whether or not provisions should establish “mandates” or “allowances”. In the effort to promote practices such as inclusionary zoning, differences in preferred policy language pitted notions of “require” versus “encourage” or “incentivize”. While the advocacy coalitions for fair and affordable housing sought more inclusive language for zoning ordinance revisions, the final draft of the document omitted the policy. As phrases such as “encourage” and “incentivize” demonstrate, the absence of definitive action and direction toward private sector interests illustrate the various ways in which power dynamics construct policy amongst competing discourses.

In the interview process for this research, some of the actors acknowledged an intentional process of forging consensus on policy language used in the development of *Plan 2040* and the “Housing Element”. The value of this approach, as explained, was to overcome past processes of dominance and ensure a balance of perspectives and input in the process. Innes (2004) has conceptualized “consensus building” as a key feature of the global postmodern world where previous ways of solving problems no longer suffice the status quo. She attributes several key forces provoking this feature, including the interaction of competing values and views in public life, a fragmentation of power, and a rapid transformation of technology and society (Innes 2004,16). Although many involved in the process concede that a compromised language prevailed on many of the policy

items, it reveals the dominant power to control the various dimensions of language use as well as the lack of counter-power in the process by the resisting interests. As the next section demonstrates, the results from a consensus building process producing the “Housing Element” provides illustration of the ways language use represents elements of power relations, ideological contestation and political conflict.

**Figure 3 Introduction to Plan 2040, Housing Element (LMGa 2018 2018, 99)**

1 Housing is a necessity of life. The Housing plan element strives to enhance housing opportunities for  
2 all citizens of Louisville Metro. Promoting equitable housing means ensuring diverse, quality,  
3 physically accessible, affordable housing choices with access to opportunities, services and amenities.  
4 The Housing plan element guides fair and affordable housing practices by promoting affordable  
5 housing programs and formalizing policies that ensure the inclusion of affordable housing when  
6 financial incentives are given to housing developments. This plan element also promotes flexibility  
7 and housing programs for vacant lots and areas that were formerly redlined. The Housing plan  
8 element contains three overarching goals, supported by a series of objectives and action-oriented  
9 policies to frame this community’s vision for housing.

*Promoting Equitable Housing: Plan 2040’s Housing Element*

The “Introduction” section of *Plan 2040*’s “Housing Element” is reproduced in Figure 3 (see above) and presents a useful set of linguistic cues to interpret discourses shaping the most current fair housing policy in Louisville. As a set up for the policy guidance, this text performs a critical role of orienting the reader for the remaining section. It also helps reveal ways in which discourse constitutes situations (Fairclough 1992). In the policy report genre, introductions establish the intent of the policy and contextualize them in place and time (in this case setting the future visions for housing policy in Louisville). The statement is especially relevant for interpreting the discursive practices mediating the relationship between text and social practice and contributes to the actors’ construction of reality. In the following section, I interpret the text in Figure 3 to illustrate two key features, including how the authors employ certain problem narratives to shape policy language and how they construct agency in the text.

Analysis of texts can focus primarily on exploring the ways in which certain “cues”, or power in discourse, combine in the narrative structure, grammar and wording (Fairclough, 1992). This facilitates the reader’s interpretation of meaning in the excerpt. In the context of policy analysis, Stone (1988) proposes that defining the narrative structure of policy problems provides a useful point of entry to “strategic representation” of the problems and solutions. She proposes that these representations attempt “to control interpretations and images of difficulties” (ibid., 165) and to “lead the audience ineluctably to a course of action” (ibid., 115). As an instrument of policymaking, authors use particular narratives to make policy arguments in order to address possible resistance and in the process to build support and galvanize action against the problem.

The first interpretation of the passage is its implication that not all citizens have had equitable access to affordable housing opportunities. This has been well documented and a key discourse component in the *20-Year Action Plan for Fair Housing* and the *2015 AI*. Next, land use regulations have been problematic in restricting housing options, especially for populations of protected classes. As far back as 1999, fair housing advocates have argued that zoning regulations in Louisville are a major impediment to expanding housing choices and a contributing factor to prolonging patterns of housing segregation (MHC 2015). Finally, there has been a general lack of action in previous policy efforts to address fair housing and thus the intent of this particular housing plan is to establish a new commitment to action. As indicated earlier, until the 2018 comprehensive plan adoption, there have been general silences about fair housing issues or protected class citizens in the principle policy documents guiding land use decision-making in Louisville. The recontextualizing of fair housing discourses into the new

“Housing Element” is a significant indicator of progress, however, by combining the language in the introduction with language appearing in past policy texts, especially those produced by fair housing advocates, the analysis reveals how policy actors “construct a selective account of the process” (Hastings 1998, 201).

Also operating in the background of the above passage is the fair housing discourse and problem narrative around the legacy of institutionalized “redlining” practices in cities, including Louisville (see Chapter 2). The text positions redlining practices as having an enduring impact on urban inequities. It also exposes an ideological dimension to the texts’ backgrounding of responses to the problems of housing segregation and associated problems. As Fairclough (1992) argues, authors “make choices about the design and structure of their clauses which amount to choices about how to signify (and construct) knowledge and belief” (76). To illustrate, I reflect on the passage in Figure 3. The statement passively instructs the reader to promote equitable housing by “ensuring diverse...housing choices”. The implicit agent here is assumed, but based on the context, it is likely to be a decision-making body, such as the Louisville Metro Planning Commission or Metro Council. It is also important to interpret other underlying work being done in this passage. As Fairclough suggests (1992, 182), these clauses may be agentless for political or ideological reasons. Fairclough argues that agentless passages may be intentional in order to suppress agency, thus removing the possibility of causality and responsibility. This interpretation of ideology is speculative here, but the acute representation of vague policy statements and the context of dominant power interests guiding the process all contribute to ways in which power effects language use in context.



In the remainder of the “Housing Element”, the text lists three goals guiding further action, including “expand and ensure a diverse range of housing choices”, “facilitate the development of connected, mixed-use neighborhoods”, and “ensure long-term affordability and livable options in all neighborhoods” (LMGa 2018, 99). These three goals implicate that the preferred pathway for those controlling the development process is to overcome historic inequities in the housing market in two ways. First, by recognizing the market failures produced through segregation, and second, prescribing strategies which are more likely to be accepted by the actors who have power over the subsequent decision-making processes. The second point is an important factor as the carefully crafted language represents an assumption that change will be difficult to achieve. Inserting new language resembling fair housing discourses, as some policy actors indicated in the interviews, has also served as a critical step in challenging the status quo dominating policymaking processes. To this end, I would suggest it presents what Bacchi (2000, 55) calls a “reluctant optimism about the possibility of change”, which at least creates the “space for challenge.”

The sentence in lines 3-5 in Figure 3 above is a particularly interesting reflection of this dominant discourse. The idea that the policies should ensure inclusive housing through government subsidization of private development sets up the city’s response as one dependent on private market mechanisms. As shown in other texts, the history of market failures to meet the supply of fair housing opportunities in Louisville is not unusual, but a typical and ongoing factor contributing to the perpetuation of inequities. For example, the 2015 *AI* identifies that “one of the fundamental barriers to fair housing choice is the failure of the housing market to renew the supply of housing in a manner

sufficient to the needs...” (MHC 2015, 13). If the placement of this statement at the beginning of the “Housing Element” is considered a prominent feature of fair housing policy, the underlying assumption is that it is unclear who the responsible agent will be in enacting change. A social constructionist view would argue that this language is not neutral. It privileges the agency of the private developer in the capacity to act and as an outcome of power relations, thus subordinating the role of the government alone to effect change. This illustrates what Jacobs and Manzi (1996) identify as housing policy being contingent upon the role of power relations, ideological contestations and political conflicts as key discursive regulators of policy outcomes.

#### *Furthering Fair Housing Advocacy*

I now turn to three key reports that comprise a chain of discursive events in response to the AFFH mandate. These were produced as a collaboration between non-profit organizations, academic centers, and government agencies. The discourse produced in these documents represent the convergence of a voice resisting dominant power structures and discourses in an effort to direct focus on fair housing policymaking. The documents include:

- *Making Louisville Home for Us All: A 20-Year Action Plan for Fair Housing* (2013);
- *Searching for Safe, Fair, and Affordable Housing: Learning from Experiences, An Analysis of Housing Demand in Louisville Metro* (2015); and
- *The Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY* (AI) (2015).

This collection of documents presents a watershed moment in not only the production of discourses for fair housing in Louisville, but also for demonstrating the effect and influence they have had in shaping the overall production of the knowledge on local fair

housing practices. Most importantly, they represent the context in which Louisville Metro Government began to mobilize its resources in response and preparation for addressing the new release of the AFFH regulations discussed in the literature review. Although they do not represent a direct response to the mandate, the anticipated AFFH regulations released in 2015 by HUD were a powerful force operating in the background structuring the discourses of these documents.

The *20-Year Action Plan for Fair Housing* was a collaborative effort between the Metropolitan Housing Coalition (MHC) and the University of Louisville's Anne Braden Institute (ABI) and funded as part of the Affirmatively Furthering Fair Housing program of US HUD. The purpose was to evaluate the 2010 *AI* report and set forth potential action steps for an updated *AI*. The document is also a significant contributor as a prelude to future key fair housing documents, including the "Housing Element" described in the last section. Those interviewed for this research who were participants on the housing work group for the comprehensive plan acknowledged this document as at least one of several documents referenced to establish the group's priorities. Therefore, it provides a high degree of intertextuality of both past and future texts. The premise is that Louisville has had a long history of fighting racial discrimination and segregation in the housing market. Additionally, underlying this is the explicit acknowledgement that segregation has been perpetuated by institutional and structural forces. The plan also acknowledges while progress has been made, there are still substantial barriers to overcome in the contemporary era. In response, the plan outlines a long-term process to dismantle the locally produced structural barriers to affirmatively further fair housing. Finally, the text illustrates through the prominent discourses of "choice" and "inequality" that continue to

shape the system of housing policies and practices still affecting housing segregation and discrimination.

The 2015 release of *Searching for Safe, Fair, and Affordable Housing: Learning from Experiences, An Analysis of Housing Demand* (referred to from here as the *Analysis of Housing Demand*) in Louisville Metro marks a unique discursive moment for Louisville's progress to affirmatively further fair housing. Produced in conjunction with the 2015 *AI*, the document fulfills one of the first action steps in the 2014 *Action Plan*. Like the *Action Plan*, the *Analysis of Housing Demand* was authored collaboratively for LMHRC between a set of non-Metro organizations, including two academic centers at the University of Louisville (CEPM and ABI) and with the partnership of MHC. It also serves to fill the knowledge gap about specific challenges and needs that a diverse range of local residents of protected class status contend with in finding and keeping suitable housing. The authors derived their principle source of data from a series of focus group interviews with a careful inclusive design of a broad and balanced perspective elicited from members of protected class groups.

The document is unique to the network of fair housing discursive events in the approach used to engage with protected class subjects. It establishes a rich context provided by the shared experiences of the focus group participants conducted as part of the development of the *Analysis of Housing Demand*. These perspectives may not directly result in policy development, but the invaluable knowledge produced from the input was intended to influence the understanding of fair housing issues in Louisville. In the text, the authors highlight three themes emerging from those focus groups (LMHRC 2015, 9). The first pertains to neighborhood preferences. Many participants expressed a

favorable opinion of their current neighborhoods but desired more attention and resources to making them safer and more amenable places to live. I would argue this narrative has implications for the dominant discourses of “housing choice” and “dispersal” strategies, particularly since policy texts produced by Louisville Metro tend to omit this perspective. The second theme acknowledges the gap in opportunities and housing choices for safe housing which is also affordable. The participants claimed that while a unit may be “affordable”, there was a general lack of adequate, safe, and functional units for their family’s needs. The final theme reflects the persistent experience of discrimination in the housing market. This was especially poignant for examples related to disability, race or ethnicity, family status, sexual orientation, and gender identity. While the document does not represent a policy document per se, the knowledge produced from it is important because it reveals the experience and salient perspectives often silenced within the dominant policy texts. In my analysis, I do not critique the language directly, but infer incidents and general interpretations in relation to the language produced in subsequent documents.

The last document analyzed is the 2015 *Analysis of Impediments to Fair Housing Choice* in Louisville Metro, KY (AI) report. The document fulfills a compliance role to the federal government by identifying fair housing impediments and providing strategic guidance for local government action. The main purpose of that fulfillment is to “certify that the jurisdiction will “affirmatively further fair housing choice” within their area of authority” (MHC 2015, 2). In the context of CDA methods, this document represents a high degree of intertextuality. The defined problems and proposed solutions directly reflect evaluations of previous AI reports produced since 1999. I will illustrate in later

sections the ways in which this occurs, but major themes from the report identify such institutional barriers as land use zoning regulations, a lack of commitment by Louisville Metro Government enforcing fair housing issues, and the recognition of neighborhood resistance to dispersed affordable housing options (NIMBYism) among the most critical forces impeding fair housing choices.

In general, the fair housing policies developed in Louisville since 2006 demonstrate the evolving discourses around the problems associated with segregated housing and its effects. They also acknowledge the growing perspective by policy actors for the need to promote and provide more affordable housing options for protected classes. More critically, as I attempt to demonstrate in the following section through the text analysis, the transformation of policy reports produced since merger indicate a growing awareness by policy actors engaged in fair housing discourses.

### **DESCRIBING FAIR HOUSING: A TEXT ANALYSIS**

This analysis of fair housing policy texts in Louisville focuses on the particular linguistic features which inform the ways in which actors produce meaning, demonstrate levels of commitment, and shape the objects and subjects in their discursive formations. At the federal level, the Fair Housing Act establishes the general provisions framing “fair housing” interpretations, but never explicitly defines the term. Instead, the Act specifies that HUD must administer their programs and activities in a manner affirmatively to further fair housing (AFFH mandate). For example, Section 808 of the Act obligates the Secretary of HUD to take a number of annual policy action steps “specifying the nature and extent of progress made nationally in ...furthering the purposes of this title, obstacles remaining to achieving equal housing opportunity, and recommendations for further

legislative or executive action” (U.S. Department of Justice 1988). While HUD establishes the general parameters of the fair housing interpretations, as presented in the literature review, much of the policy direction taken has been the reflection of court decisions and local jurisdictions defining how fair housing choice is pursued. According to Fairclough (1992, 36), these interpretations produce meaning and are subject to the effects of ideology in how they are consumed. As this section will highlight, how policymakers represent meaning contributes to the process of text production, distribution, and consumption.

#### *From Appropriate to Fair Housing*

From the beginning, the Fair Housing Act never fully defined exactly what was meant by the AFFH mandate. As a result, fair housing policy would prove to be a contested battleground of ideological perspectives (Hays 2012). Despite the ambiguity of the AFFH mandate, various court rulings have interpreted the act to promote more aggressive practices of integration. These interpretations have included restricting the location of subsidized housing in high minority neighborhoods and opening up exclusionary (suburban) communities to more fair housing opportunities. Meanwhile, under obligation to apply federal funds in a manner which serves the mandate, local jurisdictions like Louisville Metro Government have advanced their own unique interpretation of fair housing.

No documents produced in the years prior to 2003 city-county merger were analyzed for this research. Policy texts produced pre-2003 were omitted because policy actors interviewed for this research did not reference the importance of these documents nor did any reference to fair housing policy documents appear in the texts analyzed.

However, several participants did acknowledge that the 2001 *Comprehensive Plan* did not include language or specific references to “fair housing.” This document, also more commonly referred to as *Cornerstone 2020*, served as the most important land use policy at the time of merger generally establishing housing policy direction for Louisville was the *Comprehensive Plan*. The authors of *Cornerstone 2020* do not reference fair or affordable housing in the “Plan Elements”. Instead of any reference to fair or affordable housing in the “Plan Elements”, the authors selected “appropriate housing” as the terminology, vaguely defining it as housing which is:

safe and sanitary; in compliance with relevant codes and regulations; housing that establishes and reinforces income diversity in a neighborhood; housing that establishes and reinforces a variety of choices of housing types and costs and; housing that is affordable for all income ranges (Louisville and Jefferson County Planning Commission 2000, Glossary 1).

It is not clear why “appropriate” was eventually selected, but by excluding explicit fair housing language or strategies in the text, the authors draw attention to the importance of “meaning making which goes on in legal and policy debates” (Bacchi 2000, 46).

In reference to this exclusion, the text analysis demonstrates ways in which power interests co-opted any inclusion of fair or affordable references to the plan. When asked about this omission, one of the participants expressed the view that “...it wasn't that people didn't know that they (fair and affordable housing references) should be in there, they were deliberately kept out of the document that controlled the built environment.” In other words, the meaning behind “appropriate” is subject to the discretion of the dominant power relations regulating where and how much affordable housing is allocated in the city. By implicating appropriateness, future action drawing on this guidance places low-income housing to the susceptibility of the preferences operating in the dominant



private real estate market. Placement of subsidized housing in isolated locations away from a majority white, affluent neighborhood could be inferred here to be “appropriate” if argued before a decision-making body. Considering the broader context and history of segregation, the likelihood that covert discrimination played a major role in this terminology. Thus, as dominant discourses frame social problems and solutions, this example shows how power shapes actor knowledge and assumptions, and how social inequality is represented and reproduced in the text (Jacobs and Manzi 1996; Jacobs 2004). I argue the use of “appropriate” housing would represent a weak local government response to earnestly supporting the development of fair and affordable housing. Therefore, until Louisville Metro released its *Comprehensive Housing Strategy* in 2006, there was no explicit housing or land use policy reflecting any language nor directing action for fair and affordable housing needs in the new political era of post-merger. Even then, as interviewees reflect, the city remained reluctant to take any affirmative action to address housing segregation.

In general, while there is much left in the way for Louisville Metro Government to do in order to structure housing strategies in line with the AFFH mandate, the network of policy reports produced since 2006 demonstrate an emerging network of discourses aimed to reshape the practices. It also acknowledges the growing perspective by policy actors of the need to promote and provide more affordable housing options for protected classes. Most critically, fair housing policy began to identify the need for removing the institutional barriers for advancing fair housing practices. While the 2006 document used “affordable housing” to refer to both affordable and fair housing, the concept of “fair housing” began entering the local policy discourse behind the push by the local housing

advocacy organization Metropolitan Housing Coalition. Beyond 2006, the notion of “fair housing” began to appear more frequently interchangeably with “affordable housing”.

In Louisville, the definition implying “fair housing” generally takes one of two forms. First, fair housing options tend to be based on the standard federally mandated premise that all people should have fair and equitable choices of where to live. Second, intertwined with the principle of fair housing choice is the idea that affordable housing options must be available throughout the city. “Fair housing” and “affordable housing” are not the same concept, yet their meanings are often interchangeable due to the high correlation between people in poverty and those in need of affordable housing disproportionately consist of households of protected class status. This is well illustrated by this policy item included in the 2018 “Housing Element” of the recently adopted

*Comprehensive Plan:*

Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro (LMGa 2018: 105).

In this context, the passage also reveals how the terms “fair housing”, “affordable housing”, or “housing choice” represent internal contradictions and mixed reception by those charged with implementing fair housing policy. Although fair housing is only inferred, without specifying the target audience for this policy action, the vague and undirected policy action along with an unspecified agent and represents a weak commitment to fair housing objectives. The privileging of affordable housing is likely to assume all people including the lowest income households yet does not appear in the text as such.

Texts authored by non-Metro authors, though sanctioned on behalf of the government, draw upon a broader understanding of how the problems with housing segregation of protected classes and concentrated poverty influence interpretations of the fair housing mandate. These authors operate under the same interpretation of protected classes as defined in the Fair Housing Act (see MHC 2015). Their argument and understanding of “fair housing” revolves around the standard definition, sufficiently supported by evidence, that areas segregated are also disadvantaged and those of protected class status are limited in their ability to move about freely in the city.

Goetz (2018) argues that in the pursuit of fair and affordable housing, how these two terms are interpreted can often put certain selected strategies in conflict with one another. A poignant example of this tension is provided in a strategy expressed in the 2006 *Housing Strategy* under the goal of “Ensuring Neighborhoods of Choice”. The objective states, “Establish a source of technical assistance to guide developers through the process of undertaking particularly risky development in unproven markets” (LMG 2006, 16). This statement is both explicit in its acknowledgement of the difficulty providing affordable housing but is implicit in its recognition that the “risk” is not for the concern of meeting fair housing needs, but rather those of private developers. This statement also alludes to the dominant tendency for market-oriented housing policies, thus subject to contributing to maintaining spatial concentrations of low-income minorities. In this context, the “market” is ambiguous, yet likely representing categories of households or particular neighborhoods unfavorable to profit-seeking developers. Although the text does not clarify this objective, based on the overall discourse, this likely privileges the developer over the interest of meeting the needs of poor protected

class households. In the end, the priority reflects that of the affordable housing homebuilder, who typically will only operate in a way that provides some form of profit. Evidence from other studies imply that this “guiding” developers through this process will possibly serve more moderate-income households placing housing in less resistant areas rather than serving the lowest income households in highly resistant locations (Nguyen, et al. 2013; Koebel, et al. 2004; Scally and Tighe 2015).

The 2018 production of the 2040 *Comprehensive Plan* and its “Housing Element” demonstrate an evolution which reflects both how the meaning of fair and affordable housing as a need and a more politically accepted practice has changed. It also reflects how their related meanings have shaped actions and the institutions charged with fair housing policy implementation. At the onset of this section, the language of “appropriate” housing stood as a framing device excluding any language for fair or affordable housing. As a result, the comprehensive plan and land development code endured 20 years without any legal reference to these terms in land use decision making situations. As Chapter 5 will discuss, this was intentional. While language remains vague and still lacks firm commitment without defined action steps, the inclusion of fair and affordable housing as terms in the new plan represent an influence on the discourse by advocates.

### *Embedded Ideologies*

In this section, I will explore Louisville’s fair housing policies which reflect various statements of assumptions, many either explicit or implicit. The more implicit assumptions are what Fairclough (2003) refers to as value assumptions. Those which reflect existing conditions or reality are seen as existential assumptions. Value assumptions indicate the more subjective perspectives of beliefs and values embedded in

the texts. Many of these beliefs operate as ideologies, implying what is desirable, valuable, possible, appropriate, or necessary in order to affirmatively further fair housing. These are also the assumptions that policy actors tend to draw upon for their action. They also are dependent upon the relationship between assumptions and the coherence of meaning. As discussed in the previous section, the meanings surrounding terms such as “fair housing”, “affordable housing”, and “housing choice” along with associated implications contribute to the constitution and sense-making of the text and are important to examine as assumptions.

Looking at discourses of “dispersal”, for example, there are value assumptions drawn upon which inculcate various policy approaches. The justification behind dispersing low-income minority households residing in segregated communities is that they often denied access to areas of opportunity through social or economic barriers. Policies that support moving out of these places implies a belief that it is more likely the households will experience improved social and economic mobility as a result of moving to higher opportunity areas. Louisville’s policy language on this discourse is not unique, but as indicated in the literature review, it is important to recognize how the value shapes the network of practices forming local fair housing policy.

The other value assumption important to identify is the value of homeownership. Like dispersal, the promotion or encouragement of this practice assumes that this form of tenancy enhances opportunities for wealth building and greater social mobility. The assumption is that this practice has historically been denied due to practices such as redlining or greatly impeded due to difficulty accessing credit. As examples from the 2015 *Analysis of Housing Demand* illustrate, even higher-income people of color still

experience differential treatment today when attempting to buy or sell a home in the segregated area of West Louisville. One focus group participant representing this experience reflected “where I live, they are not giving loans to people who would want to buy a home, so I feel kind of stuck” (LMHRC 2015, 19). Several statements across the network of texts verify that homeownership is a desirable policy value. It is also a preferred option espoused by HUD, as indicated in this sentence reproduced in the 2015 AI stating HUD’s mission to “ increase homeownership, support community development and increase access to affordable housing free from discrimination” (MHC 2015, 2).

In regard to existential assumptions, these include discourse-specific assumptions that actually exist, or are valued as factual in the discourse (Fairclough 2003). For example, in the context of this case study, problems such as segregation and limited housing choices are seen as the product of social, political, and economic dynamics. There are several explicit assumptions guiding policy direction, including many of those identified from the 2015 *Analysis of Impediments*. Often, the texts identify voluntary clustering of protected class residents as not a reflection of true choice, but a product of social and economic exclusion. This is illustrated from a statement in response to high degrees of ethnic enclaves correlated with areas with high poverty and other disadvantages: “it is also obvious due to racial and economic housing segregation, there is much less housing choice for these residents” (MHC 2015, 7).

The AI also identifies the phenomenon of “not-in-my-backyard” conditions (NIMBYism) as a formidable social force shaping practices of exclusion and discrimination. NIMBYism, a social response to unwanted land uses by existing property

owners, is never mentioned directly in the policy texts produced by Louisville Metro. It is, I would argue, inferred in several policy statements across the texts and was frequently identified by individuals interviewed for this research. As an example, the 2006 *Housing Strategy* identifies “myths and fears of neighborhood change” as a significant barrier to housing choice in neighborhoods with a predilection for detached single-family homes occupied by white, low-poverty households. Rental housing and rental households precondition responses of exclusion and dominance of the existing patterns of residency. With language referencing “attractive rental housing” (LMG 2006, 9) with no mention of targeted population (e.g. income level or race) and discussions within the 2015 *AI* identifying the disproportion of renters consisting of protected class status, it only presupposes that renters are more likely to be discriminated against in the housing market. Perhaps the most explicit representation of NIMBYism in relation to exclusion is illustrated from this statement in the 2015 *AI*:

NIMBYism is often concerned with property values. This view automatically reinforces a pernicious discourse that views certain people as deficits to neighborhoods and encourages the exclusion of some in a mistaken belief that this is needed for those neighborhoods to function economically (MHC 2015, 18).

This statement reveals much about the underlying assumptions predilecting practices of exclusion and sustaining the dominant order. It also demonstrates the acknowledgement of the role covert practices of discrimination continue to play in shaping housing market dynamics.

On the other hand, government policy texts have the tendency to present more implicit assumptions which are vague, concealed or typically embedded in the text. These are what Fairclough (2003) argues is indicative of ideologies working in the background. Across the fair housing policies analyzed, I identify a couple of key value assumptions,

based on Fairclough's (2003) concept of value assumption, reflecting a more ambiguous idea of what has conditioned ideas of desirable or undesirable in shaping fair housing outcomes. One of the main value assumptions is the idea that the effort to expand opportunities for fair housing choices provides more freedom for individuals to choose where they would live. As the 2015 *AI* and the *Analysis of Housing Demand* reveal, these choices are often more "myth than reality." For example, the *Analysis of Housing Demand* demonstrates that consensus across the focus groups formed around the notion that with improvements to safety, infrastructure, and services, the current neighborhoods in which they resided "could be transformed into their ideal communities" (LMHRC 2015, 10). In reflection of this evidence as well as drawing on my own observations as a practitioner in Louisville, residents are very attached to their places. Their demand is not to move or be dispersed. If given a real choice, many would choose to stay in the neighborhood. The opening of the market for expanded opportunities favors a market approach to advancing fair housing policies, but it also demonstrates the contradiction of the "public choice" rationale (Tiebout 1956) where choice is driven by the preferences of rational individual consumer. Without effectively addressing the related challenges of discrimination and differential treatment in the market, including the neglect of service provisions in disadvantaged neighborhoods, "choice" must be weighed in the context of whether it truly serves the interest of the dominant system and not the problem of housing segregation.

Another prominent value assumption presented in the document conditioning responses is the prominent belief that fair housing advocacy in Louisville has begun to transform the discourses on housing policymaking. As this statement from the 2015 *AI*



reflects, including a housing element in the comprehensive plan for the first time under merger “marks a shift in outlook about the importance of both fair housing and affordable housing by government and the public” (30). As I will discuss in the next chapter, one of the challenges this belief provides is that without addressing the root impediments explicitly, even including language and discourses around fair housing are moot without the resources and political support to actually affirmatively further strategies to ensure it.

Because texts conceal assumptions and other forms of silences, the interview process provided a means to explore hidden values and assumptions. For example, several policy actors reflected that interacting with discourses in their professional and social networks along with their role in policymaking and planning processes contributed to how they interpreted fair housing policy. In particular, I learned that prior to participating in the policymaking process, many actors were not as aware of what constituted “protected class” residents. With a limited certainty of the meaning of fair housing or of target subjectivities of fair housing policy, this constrained any possibility of contesting any dominant ideologies. As one policy actor reflected on her/his own increase in knowledge due to engagement, the understanding of protected class citizens changed:

Because of the work of the annual state of metropolitan housing report, it became abundantly clear to me that people in all protected classes were highly segregated beyond just African Americans, including Hispanics, single woman with children, and folks with disabilities. Those were two protected classes of people I didn't particularly think about a lot of in my earlier existences. Broadening that knowledge and being a little more conscious about how those protected classes were impacted by the lack of fair housing choice, especially the folks with disabilities and how that relates to access to transportation and accessible spaces too.

Based on the interaction with the texts over the years, s/he also developed a broader awareness of the structural constraints and the general value that housing segregation is

an undesirable issue. Throughout this research project, I have discovered how taken for granted meanings affect social practice and analysis such as this serve to unmask this knowledge. Prior to engaging with the topic, I was unaware how neoliberal thinking has become so entrenched in the everyday practices of policymaking at the local scale. Practices such as merger, greater reliance on non-government entities in the policymaking process, and increased role of private resources were assumed to be standard practice. As reflected in this research, these practices are not neutral on face value, but are instead part of a larger network of practices being recontextualized and reproduced within a particular site. I would argue that this demonstrates that people are not always aware of the ideological dimensions of their own practice, thus are vaguely able to stake claims to the causes, or even the possible responses to addressing the problem.

Many actors identified a transformation in their assumptions after participating in discursive events. This fostered an increased awareness of the structural impediments producing and sustaining patterns of housing segregation in Louisville. As will be discussed further in Chapter 5, the “Redlining Louisville” project and the associated community conversations have been a major contributing element to developing awareness of the deliberately constructed actions of private decisions and institutional practices producing the urban legacy of segregation in U.S. cities. Although acutely aware of the history of racial segregation, many interviewed for this research acknowledge that unless experienced first-hand, unequal treatment is difficult to translate for inclusion into policy action. For example, one policy actor reflected on their own understanding of racial segregation when helping produce one of the policy documents,

stating the experience helped them “see the impact from a racial impact - not as a person of that race, I can never claim that, but you can see the racial impact”. The knowledge shared by focus group participants of protected class status in the *Analysis of Housing Demand* report also provide a rich set of experiences and discourses to draw upon for these policy actors.

The consumption of data and analyzed trends on fair housing outcomes from the annual housing reports produced by Metropolitan Housing Coalition also served as an important contributor to constructing more awareness and exposing more taken for granted beliefs. This evolved through training programs within their professional networks or with the local knowledge being generated in policy reports. Interacting with these reports facilitated knowledge production on the Fair Housing Act, particularly raising their awareness of the structural impediments producing and sustaining patterns of housing segregation. Most importantly, this knowledge has been a fundamental factor in shaping their beliefs, assumptions, and ethics toward their professional practice.

The discursive influence of awareness and knowledge production is implied in one particular statement in the 2015 *AI* report in reference to the new comprehensive plan, stating the plan “marks a shift in outlook about the importance of both fair housing and affordable housing by government and the public” (MHC 2015, 30). This statement reflects a belief held by the authors and was repeated by several policy actors in the interview process. In addition, it reveals the city’s emerging commitment to fair housing and acknowledges the “shift in outlook” away from the struggle between the dominant power and ideology of the private development community and the less-dominant voice of the policy actor and fair housing advocate.

## *Modality*

The majority of the text documents reviewed for this analysis are told in the present tense, which, according to Fairclough, produces “one terminal point of expressive modality, a categorical commitment of the producer to the truth of the propositions” (2001, 129). According to Fairclough (2003) statements of fact are referred to as an epistemic modality, which concerns the speaker’s commitment to “truth” and confidence in the prevailing knowledge of the proposition. Statements of epistemic modality as seen in the fair housing policies also reflect a form of knowledge claim (Jorgensen and Phillips 2002).

The following excerpt provides an example of how a particular knowledge claim is articulated as factual and incontrovertible evidence that leaves no room for differing interpretations:

Adopting mandatory inclusionary zoning ordinances are an assurance that affordable housing options are a part of any residential development, regardless of its location within the county; in other words, it levels the playing field (MHC 2015, 21).

Further evidence of the author’s commitment to this statement can be seen later as a point of struggle over certainty of this claim. For example, during the process of negotiating draft goals and objectives for the 2018 “Housing Element” text, dated September 2017, meeting notes shows how the main advisory committee for the *Plan 2040* plan struck a provision “requiring” affordable housing on an inclusionary basis in favor of “encourage and incentivize”. In interviews with actors who participated in the process, they identified how the ultimate policy language was the result of a consensus process, which represents the effort to produce a joint definition of the situation or common language to arrive at a strategy. In this process, I argue that while a consensus process facilitated an agreed

outcome staff assumed they could carry to the main advisory committee, the results were also a possible representation of competing agendas or ultimately a language structured by dominant power relations. The weakening of this language demonstrates both a lack of cohesion on knowledge claims, but the commitment to truth of those who wielded the most power in the process, principally the interest of the profit-seeking private developer.

*Prominent Discourses: Dispersal and Housing Choice*

The new AFFH regulations released in 2015 under the Obama Administration set a new course of action for the analysis and policy action for fair housing. Although currently suspended, these regulations were seen as a very positive step in addressing the effectiveness of the AFFH provision in the Fair Housing Act. How local communities interpret and respond to this guidance or subsequent regulations will remain an ongoing challenge. One of the most prominent components of the regulations is the emphasis on “dispersal” strategies. At a broader discourse level, with a direct transgression of knowledge reflecting the ideology of the 1968 Kerner Report and the 2015 AFFH ruling, dispersal strategies have tended to dominate the national and local approaches surrounding appropriate solutions to housing segregation. The key premise of this approach centers on allocating low-income housing resources (e.g. vouchers or Low-Income Housing Tax Credit (LIHTC) subsidized units) for protected status families in suburban neighborhoods of low poverty and racial diversity. For example, Louisville Metro has committed to working with the state agency authorized to allocate LIHTC funds to local jurisdictions, the Kentucky Housing Corporation, in a manner that prevents further concentrating low-income housing in segregated neighborhoods. In honoring this commitment, Louisville Metro has pursued a number of new housing projects in

suburban locations which had previously not been previously attempted (MHC 2015). Further evidence of this position is represented by policy language in the recent comprehensive plan stating that fair and affordable housing choices should be provided in “dispersed locations throughout Louisville Metro” (LMGa 2018, 105).

At the federal level, the 2015 AFFH guidelines set out to espouse balanced patterns of living in order to overcome the effects of segregation. This balance requires directing resources for both dispersal and place-based approaches. In the process to ensure this, there is also the push to promote integration into “areas of opportunity”, complete with access to assets and amenities including transit, employment, and safe environments. Thus, pursuing a dispersal strategy has become a necessary policy option for localities.

Until the 2015 AFFH ruling, HUD provided little explicit guidance on how that should unfold at the local level. Instead, they have typically relied on the preferences of local jurisdictions to meet the AFFH mandate. In the case of Louisville, the institutional preference for dispersal over place-based can be seen in a statement from the 2006 *Housing Strategy* report. The authors acknowledge the push for dispersal when stating “...new sources of housing finance must be identified to ensure housing...in all areas of the city” (LMG 2006, 18-19) or more explicitly “actively de-concentrate federally subsidized housing while ensuring one-for-one replacement of public housing” (LMG 2006, 16). Similar language appears in the 2018 “Housing Element”, which states directly that “fair and affordable housing” should be pursued in a manner:

providing a variety of ownership options and unit costs throughout Louisville Metro...by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro (LMGa 2018, 105).

The first observation in this statement represents the preference for dispersal strategies to addressing fair housing. Second, there is a privileging of private ownership as the dominant policy strategies over rental as the policy priority for the pursuit of fair housing. Although ownership remains a desirable means for improving households' social and economic mobility, its prevalence as a strategy subordinates the needs for the lowest income minority families not in a position to gain ownership rights (Retsinas and Belsky 2002; Shlay 2006; Oliver and Shapiro 2013; Herbert, et al. 2013). This policy push for ownership in more dispersed locations as opposed to improving conditions where people reside serves as what Brenner and Theodore (2002) argue consigns city space for the purpose of restructuring urban housing markets.

Dispersal strategies dominate the policy language; however, the restructuring also includes a focus on place-based investments. The demolition and redevelopment of former public housing sites under the HOPE VI (Park Duvalle, Liberty Green, and Sheppard Square) and more recent Choice Neighborhood program underway in the Russell neighborhood represent Louisville Metro's commitment to incentivizing place-based strategies as well. Although the 2018 *Comprehensive Plan* does not reference the place-based strategy directly, policy objectives such as "enhance programs and support regulations that facilitate the repair, maintenance, safety and improvement of housing in economically distressed neighborhoods" can be inferred to support this approach (LMGa 2018, 99). Despite this acknowledgement, no further language in the text to possible resources for enhancement strategies represents a restrained commitment to allocating resources for this fulfillment.

The framing and articulation of “struggling neighborhoods” in the texts is an acknowledgement by policymakers that problems of concentrated poverty and segregation can’t be ignored. The conditions demand some type of policy response, however, as discussed above, a pro-integrationist approach is the dominant ideology shaping action. By “encouraging inclusive communities...throughout Louisville Metro”, the policies reveal that place-based investments do not favor the interests of the existing residents of the “struggling neighborhoods”. If the place-based approaches are undergirded by liberal values of ensuring housing choice, justice, and well-being, then the prioritized strategies potentially present a conflicting perspective impacting low-income and disadvantaged populations. There is a noted absence of the affected subject and their preferences, including how meaningful participation or reflected values become more explicit in the policy outcomes. The strategies continue to privilege private property interests over what is best for the afflicted residents of segregated neighborhoods, thus affirming the embeddedness of various neoliberal practices.

One of the ways in which silences in the text shape the discourse is through what Fairclough (2003, 220) refers as *nominalization*. This linguistic cue entails that the use of a passive verb in the text or using a noun as a verb (e.g. integrate instead of integration) may represent the exclusion of social agents in the discursive event. Evidence of this cue is provided in the prominence of the dispersal and choice discourses appearing in the *Plan 2040* “Housing Element” chapter. As an example, one policy objective reads, “Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro” (LMGa 2018, 105). This certainly is a worthy, necessary,



and an important policy direction for Louisville to take in order to overcome housing disparities. I identify that this general “silence” in the text produces more critical questions such as for whom, says whom, and most relevantly in the need to move past the existing problems, how this might be achieved. This matter becomes even more complicated when the solutions affecting existing residents of segregated neighborhoods suppress any preference they may hold to remain and instead, their choices become “delineated for them rather than by them” (Imbroscio 2017, 17).

### **BEYOND LOUISVILLE: FAIR HOUSING IN A TIME OF CHANGE**

The final component analyzed as part of the CDA methodology situates the texts within a broader context, what Fairclough refers to as “social practice” (1992). A central tenant of this focus is to identify the broader social structures and power relations (through discursive events) backgrounding the production and reproduction of the knowledge and effects of the discursive practice (Fairclough 2003). Therefore, it is important to consider the effect on both fair housing policy and the way in which local governments respond to the federal mandate. Today’s context of fair housing policymaking is what Silverman and Patterson (2012) accurately portray as a reflection of “decades of impediments, false starts, and neglect” (124). The recent decision by the Trump Administration to suspend the rules defining HUD’s AFFH regulations demonstrates the political flux in which this policy operates. Unlike the anti-discrimination provisions which are clearly delineated in the Act, the AFFH mandate has never been fully implemented at the federal level and remains subject to interpretations as discussed in Chapter 2. As a result, the changing social, political, and economic dynamics under dominant neoliberal practices have done more to shape the practices of local

governments perhaps more than the federal influence. For example, the restructuring of federal housing programs have forced local governments to create new mechanisms, often through public-private partnerships, to fund affordable housing. Much of this has been by ideological design, incrementally unfolding over the years under contemporary capitalism (Brenner and Theodore 2002; Peck and Tickell 2002; Peck, et al. 2009). On the other hand, much reflects the discourses of policymaking in local decision-making, particularly reflective of the rise and influence of non-governmental agencies on policy and role of fulfilling social needs (Hackworth 2003; Bockmeyer 2003).

Another key transformation which has taken place contextualizing fair housing policymaking in Louisville over the last two decades has been the dominant climate of neoliberalism and privatization of public practices. In this analysis, I argue that Louisville Metro's shift to a regional government structure and reliance on more local resources is not just a local process, but the product and process of the broader political economy affecting urban policy in the U.S. At the local level in cities such as Louisville, this has positively engendered more influence by groups of fair housing advocacy, thus elevating the awareness and need for action on fair and affordable housing. This change in scale, however, has served to constrain the efficacy for change due to an unbalanced pattern of democracy and diversity in issues of strategy and policy. It also reflects local interpretation in the ways the discourse sustains dominant power relations or seeks to transform them in favor of ideals of equity and justice. In the next section, I will attempt to illustrate the various ways in which these broader social practices have shaped the local discourse.

### *Institutional Rescaling and Restructuring*

At the core of this change is the evolving process of institutional and regulatory rescaling to the local level of government under the influence of neoliberal ideologies. As a consequence of devolution beginning under the movement of new federalism in the 1990s, local governments have been charged with an increase of responsibility to manage efforts to overcome the legacy of housing segregation. Although research has demonstrated progress toward desegregation in recent decades, there is emerging evidence of ever-increasing socio-economic inequalities (Squires and Kubrin 2005; Massey and Rugh 2018). Unfortunately, these changes have occurred while federal assistance has declined, and federal policymaking processes have shifted their orientation from place-based to people-based approaches (Kincaid 1999). Therefore, situating Louisville's fair housing policy texts into in this broader context, discourses of "dispersal", "housing choice", and "inequality" articulated together indicate an ongoing struggle and internal political contestations challenging the effort to address the legacy of housing segregation in Louisville.

Several observations in the texts illustrate the various ways neoliberal ideas have become embedded in local fair housing policy. The trend toward greater reliance on private mechanisms for fulfilling social housing needs has been demonstrated in the shift from subsidizing place-based (project-based public housing and Section 8) to person-based provision (Section 8 Housing Choice or HCV). In the post-merger era, those lowest income households dependent on publicly assisted housing have fared worse. For example, the year following merger, Louisville Metro Housing Authority held 5,140 public housing units and 8,684 Section 8 vouchers. As of 2018, the number of public

housing units had decreased 11% (4,565) while the share of Section 8 HCV has increased by 6% (MHC 2004, 2018). The increased reliance on tenant-based vouchers represents a dominant discourse of dispersal and a fundamental restructuring of urban housing markets. In addition, practices such as the razing of several public housing projects locating near the core of the city in favor of mixed-use redevelopment of the sites and dispersing the displaced residents throughout was quite intentional. This can be seen in several references throughout the body of policy texts, beginning with language from the 2006 *Housing Strategy* that preferred action to “actively de-concentrate subsidized housing in first ring neighborhoods” (LMG 2006, 18) and “promote opportunities for mixed-income and innovative housing forms in second and third ring neighborhoods” (LMG 2006, 21).

The second observation presents fair housing discourses in Louisville as a prioritization of homeownership over rental and language inferring preference for more moderate income over lower income. This is not surprising since the thrust of U.S. housing policy in general has been dominated by the idea of subsidizing homeownership. In this light, the discourse of “choice” appears more frequently in the text connected with the idea of ownership than with rental with little reference to actual preferences of the targeted low-income and minority household identified in the text. This preference for homeownership and more moderate income is illustrated in this statement from the “Housing Element” in regard to housing choice of “affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro” (LMGa 2018, 105). While the need to address more affordable rental housing did appear in one of the

first texts representative of fair housing policy in Louisville, the 2006 *Housing Strategy*, there was little reference to rental explicitly in the 2018 *Plan 2040*.

It is also pertinent to recognize how a regional approach to governance under merger has served to restructure local institutions. The favoring of regional approaches was designed to set the stage for promoting greater inter-governmental and inter-sectoral coordination. The expectation was that consolidation could provide a means for expanding the jurisdiction in hopes to broaden resource distribution. However, as Savitch and Vogel (2004) argue in their case study of Louisville, this can lead to quite opposite results. They suggest that the merger actually enhanced suburban power interests at the expense of the inner core's residents, especially for poor African Americans. One of the more obvious ways in which the policy texts have illustrated this expanded regional scope has been the increasing reference to expanding fair housing opportunities in suburban neighborhoods.

The interview process for this research corroborated this preference for the local government, as many acknowledged that while they as professionals saw the need to provide resources for place-based community development approaches, the dominant discourse favored the suburban interests. This privileging can be seen in the "Housing Element" section, which states: "Expand opportunities for people to live in quality, variably priced housing in locations of their *choice* by encouraging affordable and accessible housing in *dispersed* locations throughout Louisville Metro" (LMGa 2018, 105 – italics my emphasis). The dispersal discourse is represented in both the text and the composition of the committees which advised the text's authors. For example, in review of the composition of the politically-appointed advisory committees for both the 2006

*Housing Strategy* and the 2018 *Plan 2040* comprehensive planning process, it appears Louisville Metro attempted to provide an equal distribution of private, public, and non-profit interests for leading the planning processes. From anecdotal feedback from interview subjects, these committees tended to be dominated by private real estate and public suburban jurisdiction representation. Despite the concerted effort by Develop Louisville staff to ensure a balanced representation on the *Plan 2040* advisory committee, as one interviewee acknowledged, there was inconsistent attendance at the meetings by those representing urban interests. As frankly observed, it seemed at times only “old white guys in the building industry” showed up for the meetings. The above policy statement and the later observation above demonstrates a possible suburban development bias, employing certain words “affordable” and “variably priced” without specific delineation of those terms. Thus, this can be interpreted as privileging a market-oriented, suburban focus of the policies and not the interest of those households targeted for the AFFH mandate.

The final observation reflects the effects of more fiscal responsibility under the process of devolution. The retrenchment of financial resources to address the AFFH mandate has required local governments to pursue a plurality of responses, including an expansion of non-governmental community-based sectors and of private market resources to meet the social needs. As alluded to above, this transfer of authority to the local government would provide greater reach for potential partnerships and engender more democratic ideas for decision-making process. There is also the risk an uneven approach to setting policy direction. The dominant social order under neoliberalism and the scale of a regional government favoring of private, suburban interests is one of the

key mechanisms in which power constrains spatial opportunities for housing choice. In many regards, this has been true in Louisville. To counter this, there has been a rise of influence by non-profit organizations in both the authoring of key texts and inclusion of recommended policy action.

The neoliberalism of fair housing policy has pushed an increased reliance on new forms of entrepreneurial and managerial approaches (Eisinger 1998) to fund housing opportunities for low-income, protected class households. Several action items identified in the texts that have subsequently been actualized have been through local government supported programs to subsidize non-profit and for-profit affordable housing developers. There are two main programs including the Louisville Metro Affordable Housing Trust Fund (LAHTF) which targets building and rehabilitating housing for the lowest income households (typically with income at or below 60% of Area Median Income (AMI)), and the Louisville CARES program, which provides gap financing for developers providing for households under 80 percent AMI. In addition, there has been support from non-governmental sources such as One West, a CDC formed in 2014 to focus specifically on economic development in west Louisville. On the influence of One West, the 2015 *AI* indicated that: “While One West does not address fair housing per se, it nonetheless will have a significant impact on people in protected classes who are the overwhelming population (i.e., race, female headed households with children, and people with disabilities) in the areas affected” (MHC 2015, 30-31). How these forms of local innovations unfold and work toward truly serving fair housing interest will be dependent upon the agendas of the different stakeholders in the process. What is known so far, as a 2017 proposed project in a suburban, higher-income neighborhood demonstrates, despite

the political support to fund programs like Louisville CARES, Louisville Metro's push for dispersal into suburban locations has resulted in significant resistance by existing homeowners (Gerth 2017).

These emerging forms of "roll-out" or "creative" neoliberal practices (Peck and Tickell 2002) will likely continue to have a significant role in housing development in the inner-city neighborhoods of Louisville. Most importantly, they demonstrate government's facilitation of public-private partnerships or reliance on the work of non-profits fulfilling social policy needs. In this new reliance, a delicate practice of interests protecting the value of fair housing needs to be supported by public policy protecting against abuse, the dominance of local elites and to guard against asymmetrical power relations. Although there is no assurance that non-government and non-profit organizations will work on behalf of the interest and true preferences of the low-income, minority households, Louisville's advocacy landscape could be unique. Time will show whether their actions actually conceal or strengthen unequal power relations which have perpetuated inequality in Louisville.

## **CONCLUSION**

This analysis has explored how the relationship between the discursive practices in the texts and the broader social practice dialectically shape the structure, the strategies, and the role of agency in producing and reproducing fair housing discourses. I used Fairclough's CDA methodology to analyze the ways micro elements of text production interact with macro elements in the enactment of power and ideology in a particular context, Louisville's fair housing policymaking landscape. One of the primary goals of this analysis has been to identify the potential obstacles to affirmatively further fair



housing at the local level within the dominant orders of discourse and the text. In order to do this, I applied a three-dimensional framework, looking at the form and meaning of the analyzed text, the discursive production and interpretation of the text, and the sociocultural practices that identified the institutional, organization, and societal forces shaping discourses.

Out of the analysis, I find that Louisville's shift to a regional form of government along with a deep reliance on market mechanisms to fulfill unmet housing needs are significant forces producing and reproducing the ongoing network of discourse practices. The selection of policy documents and selected actors' accounts reveal that strategies such as ensuring "choice" and pursuing "dispersal" as a means to meet fair housing goals play a compromising role in implementation. As I explore in the next chapter, the obstacles identified here only begin to open the possibilities of understanding the role ideology and power perform in producing outcomes. The possible points of entry revealed also leaves other questions unanswered. In particular, it is necessary to explore questions of whether the dominant discourses contribute to sustaining the social dominance of particular social groups or if it, in fact, served to resist or transform the order.

## CHAPTER V: DISCUSSION AND FINDINGS

The opening lines of the 2013 *20-Year Action Plan for Fair Housing* illustrate an underlying tension in fair housing discourses: “having a home is crucial to people’s sense of wellbeing... Yet, unless they have faced discrimination, foreclosure or other housing barriers, many Louisvillians have never thought about what ‘fair housing’ means or how to make it a local reality” (LMHRC 2013, 5). Behind this statement is a set of imaginaries, a reference for making meaning, either by those who construct policy or for others who are the subjected to its outcomes. To the policymaker, housing policy entails the deliberation of regulating and guiding the development of housing, a “bundled good” defined by various social, political, and economic processes. As Dawkins (2018) argues, the spatial terms negotiated for this good is often on the basis of “contested” social meaning. In the above quote, “fair housing” is a particularly unique dynamic to explore as it has just recently entered the policymaking circles of Louisville’s institutional actors. There are particular orders of discourse, or configurations of texts, ideas, and discourses policy actors draw upon to make meaning (Fairclough 1992; 2003). This meaning shapes and sustains the activities, knowledge, and beliefs of those who produce and consume the policies.

Therefore, a policy-as-discourse question may inquire about the value or belief-based challenges policy actors in Louisville confront in the ongoing struggle of rectifying the issue of housing segregation. This is particularly relevant around the discursive events

that shape debates and question how, how much, and where to site subsidized housing. Politically, it assumes that change is difficult, not only because reform efforts are often opposed, but because the ways in which issues get represented in discourse may impede it (Bacchi 2000, 46). To this point, a key focus of this dissertation has centered around the discourse of local policy actors involved in the struggle to define fair housing policy. If the producers and consumers of this body of policies have used language to shape and change practices, yet have found progress toward the AFFH objective difficult, then it is important to consider the ways in which discourses have been operationalized, or “put into practice” (Fairclough 2013).

In the previous chapter, I analyzed a chain of key policy texts which comprise the broader fair housing and the contextual practices shaping the local discourse. The analysis illustrates how authors draw upon broader discourses supporting the vision to remove institutional barriers prohibiting individual choice in housing for protected classes. Looking intertextually, I find that the language also presents a genuine desire to “level the playing field” in order for individuals to have opportunities for real housing choices, despite various structural barriers impeding market access. Given the current context, an important question arises: is it possible to develop and implement a more socially just pathway to overcome the historic patterns and effects caused by housing segregation? To consider that question, this chapter discusses the findings from my analysis with a specific focus on two aspects. The first involves the ways discourses around policy responses to the AFFH mandate sustain the dominant social order. In other words, are there ways in which local government produces housing policy that recontextualizes dominant ideologies maintaining the status quo of housing segregation?

The second aspect reflects on whether there are readings and actions by policy actors within the process that, in fact, demonstrate moments of resistance to the status quo. By demonstrating this, it is one way in which a critical discourse analysis provides a useful point of entry for understanding the disjuncture between knowledge production and action. Ultimately, responses to these two aspects contribute to one of the principle research questions guiding this dissertation: how can problem definitions with fair housing be negotiated or mediated in order to generate social change through the policymaking process?

### **SUSTAINING THE STATUS QUO**

I have identified that much of the status quo on fair housing policy has been defined by factors of access and control of policy texts. Texts authored by fair housing advocates illustrate a more resistant voice, inspired by fostering social change. In some cases, the ideas or discourses from these groups become silenced in other texts. For example, there are moments in the texts produced by Louisville Metro Government which present various values, ideas, and beliefs of policy actors advocating for fair housing. The following statement from the 2006 *Housing Strategy* illustrates an emergence of fair housing discourses into the policymaking process:

Resistance to affordable or low-income housing, to changes in neighborhood density patterns, to changes in neighborhood demographics, different housing types...is often the result of inconsistent or unreliable information (LMG 2006, 21).

The authors seem to recognize the need to address discrimination in the housing market, yet there are two claims here that present a moment of tension about the actual problem. The first claim reflects a fair housing issue, presented as an agreed understanding of community resistance to furthering fair housing. The second claim, however, is a bit

more problematic from a fair housing standpoint. It is not so much a matter of asymmetrical knowledge, but rather an example of revealing how silences in the text operate. In this example, the problem draws attention away from the potentially real issue, racial discrimination, rather than revealing knowledge production.

Adding to the above statement, the text goes on to claim that “neighborhood fears or opposition can lead to long disputes over development” (ibid., 21). Although the authors acknowledge that this factor also perpetuates housing segregation, it also discursively subordinates subjectivity. For example, the text attributes part of the problem to high housing costs and the unwillingness of the private developer to ensure housing options in dispersed locations. This may be accurate, however, by aligning the challenge in this statement with the dominant interests of the developer and not the subject (low-income resident), I argue it represents a neoliberal ideology favoring privatism of social housing needs.

The quote above also highlights another contradiction in the production of housing policy. In CDA, an important analytical component entails describing the relationship between discourse and social power (van Dijk 1996). As van Dijk points out, the “access to public discourse and communication presupposes insight into more general political, sociocultural and economic aspects of dominance” (ibid., 84). For example, as shared in the previous chapter (see Table 5 on page 133), the advisory committees charged with advising and shaping the language appearing in both the 2006 *Housing Strategy* and the 2018 *Plan 2040* texts consist of many of the same representative entities (e.g. real estate sector representatives and suburban public sector leaders, etc.) that have historically contributed to sustaining patterns of housing segregation. This isn’t to say

they, as individual agents, are directly responsible, but only acknowledging their association with the sectors which have systematically maintained the spatial disadvantages with segregated neighborhoods in Louisville.

Since the purpose of this section is to evaluate the problematic results emanating from fair housing discourses, I will identify the various ways in which the current social order (network of practices) in a sense “needs” the problem. What is meant by “need”? If those who benefit most from the way the processes and practices for making policy is organized, then there is no interest in or need for the problem to being resolved. In order to investigate this analytical component, I use the findings from the previous chapter’s analysis to demonstrate how dominant ideologies and power relations are sustained and recreated in fair housing policy practices in terms of (a) favoring the interest of the market over issues of equity, (b) sustaining the planning processes that control the access to defining fair housing solutions, and (c) espousing a rhetoric of dispersal as a solution to housing segregation.

#### *Market Interests > Equity Interests*

There is little disagreement in the fair housing literature that one of the most significant barriers to overcome in the pursuit of fair housing practices is the ideology of the market (Silverman and Patterson 2011; Tighe 2011; Hays 2012). Under neoliberal capitalism, the idea prevails that free market mechanisms are the most effective and efficient means for providing goods and services for society. It is also assumed that the government’s role in that process is secondary to the market, only to supplement the market and support the agency of an individual to make independent consumption choices (Friedman 1962). Another key influence shaping this ideology is the idea behind

Tiebout's "public choice" theory (Tiebout 1956), which assumes households naturally will gravitate to a neighborhood that meets their preferences for public goods (e.g. schools, parks, infrastructure). According to this theory, government's role is to ensure market competition and not thwart the "natural" tendency for free association and choice of neighborhood (Dreier, et al. 2014). The problem behind each of these concepts, as history has demonstrated, is that the presumed rationality of the market tends to covertly marginalize practices of economic rights and social justice. The favoring of the market as a mechanism for fair housing policies without effectively addressing the related challenges of discrimination and differential treatment in it, only serves the interest of the dominant system and not the problem of housing segregation. As Peck and Tickell (2002) argue, the path of privatism "forecloses alternative paths of urban development based, for example, on social redistribution, economic rights, or public investment" (394).

This dominant ideology is important to highlight as a means to identify what I argue have been key features of the local discourse. To illustrate further how a market-based approach favors existing power relations, I point to this objective from the 2018 "Housing Element":

Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro (LMGa 2018, 105).

The first observation in this statement is represented by the favoring of homeownership over rental as the policy priority for the pursuit of fair housing. Promoting homeownership is a necessary policy for cities to espouse. This is especially critical considering the history of institutions denying the right of minority households to access

wealth through homeownership. In the process, the plan omits language identifying the challenges or need for providing affordable rental opportunities for protected class households, except to meet the need for the homeless population. Instead, by making homeownership the priority over rental, the plan's language ignores the impact of race and income as a regulating factor in the market. As Anderson contends "segregation allows the dominant group (whites) to hoard opportunities without having to actively discriminate" (2010, 64). Furthermore, the hegemonic discourse of homeownership demonstrates how power regulates subjects, in this case, how it relegates renters to a subordinate position. The 2015 *Analysis of Impediments* identifies that since the 2008 housing crisis, there has been a notable shift of minority households away from homeownership into rental tenure. In that process, the *AI* points to several significant barriers, including the limited availability of quality rental units and most critically, the ongoing pressure by suburban homeowner associations (HOAs) to seek legal protections to keep low-income, minority renters out of their neighborhoods.

Various authors have provided evidence demonstrating that owning a home is a desirable means for building wealth and other positive impacts (Oliver and Shapiro 1990; Retsinas and Belsky 2002; Herbert, et al. 2013). On the other hand, there have also been quite significant drawbacks demonstrating unequal distribution of the benefits of homeownership, including higher costs due to discrimination, lower rates of appreciation, and as the 2015 *AI* in Louisville acknowledged, higher vulnerability in times of crisis (Turner, et al. 2002; Rugh and Massey 2010; Immergluck 2011). This evidence should raise concern for this objective as a prioritized strategy for fair housing policy rather than focusing on issues of equity and social justice. By highlighting this, I do not argue against



the need for Louisville Metro to promote homeownership opportunities for protected class households. Instead, I follow the notion of proceeding more cautiously on the grounds that Oliver and Shapiro (2013) warn that these approaches have historically consigned “blacks to a relentlessly impoverished and subordinate position within the market” (4). For example, low-income and ethnic minority households tend to pay higher interest rates on homes, higher credit fees, and have experienced greater disparities in home values compared to whites (Calhoun and Wolff 2016; HUD 2006; Harshbarger, et al. 2018). Considering outcomes such as these, Silverman and Patterson (2011) argue that this “emphasis on market-based approaches to addressing housing inequality has made fair housing the ugly stepchild of U.S. housing policy” (12). They go on to point out that minority households have disproportionately been the target of inequitable treatment in the real estate market, unfavorable lending schemes, and differential treatment in pursuit of real estate.

Looking intertextually, the other observation addresses the idea that patterns of residential growth and zoning codes serve to limit housing choice within the Louisville area. This has been a prominent discourse amongst fair housing advocates and the fundamental issue sustaining uneven patterns of socio-demographics. However, within the order of discourse on fair housing policy (or land use policies) in Louisville, the discursive practices demonstrate language indicating willingness to change the status quo. The 2015 *AI* identifies a key determinant for the distribution of fair and affordable housing in Louisville is the fact that the majority of land is designated for single-family residential zoning. The report points to the fact that “zoning classifications have not been updated since the 1940s, and serve as a remnant of the prevailing attitudes and policies of

that era, which continue to promote economic and racial segregation” (MHC 2015, 20). Since the 2018 “Housing Element” serves as a principle guiding document for future land development decision making, it is important to note that there is no mention of the need to make affirmative changes in the regulations. Instead, language highlighting “incentivize” and “encourage” – all weak indicators of change to the dominant system of zoning patterns – does nothing to alter what one interviewee identified as the “bone structure of segregation.” The reliance on incentives to meet fair housing goals only demonstrates the enduring preference of the homebuilders, development industry, and preferences of white suburban homeowners associations to sustain this “bone structure”. As noted in the 2015 *AI* and also reflected in the language of the 2018 “Housing Element”, incentivizing affordable housing is far more cost accommodating to the flexible market approach rather than a required “inclusionary” approach as desired by fair housing advocates. Therefore, by only subsidizing the private developer and not the targeting residents of protected class status, there will be little progress toward shifting the power relations that sustain patterns of housing segregation.

#### *Schema of Access to Solutions*

Two key inquiries this research seeks to understand is how structural constraints are discussed and how problems and solutions are negotiated between policy actors in the process of developing fair housing policy. Discourse is a key determinant in that process. A key feature of discourse, as Foucault (1980) contends, is that power is productive. It is also enacted, sustained, and resisted in the identities, proposals, and framing of such objects as housing through the discursive acts. Through institutional bodies, power and knowledge are linked in who establishes the access, rules and processes of discourse. In

this regard, van Dijk (1996) suggests that the right to speak, access the discourse, and make decisions is often confined to a particular group of actors. Therefore, another way in which the reproduction of power and dominance happens is through having prominent access to the discursive act. I argue that a key element in sustaining the dominant ideologies and power relations in fair housing policy practices in Louisville has been through the planning processes defining the policymaking. Thus, in land use decisions and housing policy development for Louisville, the coalition of planners, land use lawyers, for-profit and non-profit housing developers, bankers, and others who have the most at stake in controlling the process, often determine what can be said and how statements are expressed. In other words, this growth coalition holds the power to sustain or change the solutions that define fair housing outcomes. This observation from Louisville is not unique in the U.S. context, but it is necessary to demonstrate the possible ways in which these relations manifest themselves in the policymaking process.

Related to the object and process of zoning decisions referenced above, the schema of conditions and strategies of access to discourses has been controlled for many years by the interests of Louisville's "growth coalition" (Logan and Molotch 1987). Actors representing these interests have had a heavy presence on the committees for every land-use decision conducted through Louisville for many decades now, including influence on the Louisville Metro Planning Commission, the official decision-making body for land development and land use regulation processes. In addition, only members of the politically-appointed advisory committees for the two Louisville Metro produced documents analyzed for this research, the 2006 *Housing Strategy* and the 2018 "Housing Element", held access and power to control the discourses and allow the final language

reproduced in the documents (LMG 2006; LMGa 2018). In interviews with policy actors directly engaged in both processes, it became evident that language use debates shaped the texts' final goals and objectives. For example, the language for the final "Housing Element" text was debated and produced at the housing "working group" level, a group consisting of various actors including non-profit developers and fair housing advocates. As several policy actors shared in their interview, the language agreed upon was ultimately legislatively approved by the local government. Furthermore, in its unaltered form, it proceeded beyond the lower working group level and worked through various groups, committees, and eventually was approved by the Metro Council, Louisville's representatively elected law-making body.

Despite the more democratic process to facilitate and debate possible solutions for more fair and affordable housing opportunities, I would argue that the grand scheme of access in this process served as a controlling factor in the dimensions of speech and talk itself. The working group input had significant influence in the process, but as discussed in Chapter 4, the power of the main decision-making bodies served as a controlling factor for what the group assumed could eventually be accepted as not disrupting the dominant interests. As one policy actor interviewed stated:

given the fairly conservative political climate here, any type of more progressive mandates to further fair housing or affordable housing are really a 'no go'. So anything like inclusionary zoning, impact assessments that create funding for affordable housing or basic infrastructure as a result of new development have been off the table.

In this sense, "off the table" draws attention to the role of power structuring language use and control over possible thought (van Dijk 1996). Had the working group had more power and access in terms of the topics or referents of discourse as identified in this analysis, policies serving to dismantle or significantly change the zoning structure of

Louisville would have emerged. As one interviewee affirmed “we need some political will to take some broad policy strokes to make some things happen, not write some pretty document and hope some things happen.” The problem in this context, therefore, is not the lack of political will per se, but what Chouliaraki and Fairclough (2002) identify as a constraint in a particular discursive domain in which the structures are socially created but difficult to change for subordinate groups.

### *Dispersal Rhetoric Compromises Place*

To further illustrate another example in which dominant ideologies and power relations have been sustained and recreated in the discourse, I will turn to one of the more dominant discourses across the body of texts analyzed – the proposal for dispersing low-income minority populations as a solution. There are two typical arguments that advocates of dispersal tools use as a means for justifying it as affirmatively furthering fair housing. As reflected in Chapter 2, proponents of dispersal believe that the policy not only shifts the socio-demographic dynamic on a regional basis to broader patterns of integration, but also eliminates the barriers to social and economic mobility in which they face in their former neighborhoods. They also argue that moving to areas of job growth in suburban areas provides greater access to opportunity in the form of employment and services. This goal of integration has been at the core of many prominent fair housing policies and programs (MTO, Section 8 Housing Choice Vouchers, etc.) from the federal level for the past 50 years.

The 2006 *Housing Strategy* made dispersal a dominant policy, but policy texts in recent years tend to produce a more balanced discussion on it rather than place-based approaches. By espousing a dispersal rhetoric, I caution that two factors must be

considered to avoid sustaining the dominant social order. First, the ideology behind fair housing policies in Louisville on this strategy indirectly neglects the responsibility and need to reinvest in the people and neighborhoods effected by housing segregation. For example, one key objective in the “Planning for the Future” goal included in the 2006 *Housing Strategy* identifies that “Louisville will produce 4,700 to 6,000 new and substantially renewed housing units throughout Louisville Metro annually over the next five years” (LMG 2006, 14). Whether Louisville committed resources to achieve to this goal is not relevant to my finding here, instead, this example reveals how the discourse of dispersal implicitly omits an important element - if given the choice, would the new or redeveloped housing be available for those who desire to remain in their neighborhoods? Second, I suggest that by restructuring the urban housing market, vis-à-vis public housing razing, it exposes potential vulnerability for remaining households to be displaced by speculative investment in inner-city neighborhoods (Peck, et al. 2009). One policy actor admitted this reality, suggesting that the current place-based improvements with the Choice Neighborhood project in the Russell neighborhood “are very important but often times what happens, which we are trying to avoid in Russell, is we get gentrification and displacement which is not what we want to happen.” In the current comprehensive plan, the only stated policy to recognize this threat states “discourage displacement of existing residents from their community” (LMGa 2018, 105). One problem with this statement is there is no identified agent to act upon this goal. The other problem is that within the “Housing Element”, no further explicit language exists to promote counteracting policies to protect from involuntary displacement. Across several texts, including the 2010 and 2015 AIs as well as the 2013 *20-Year Action Plan for Fair Housing*, the texts’ authors

argue that Louisville's housing policies have continued to cluster low-income people into neighborhoods where rent-assisted housing is concentrated and where multi-family and affordable housing is permitted by zoning. Thus, the espousal of dispersal alone risks to perpetuating segregation by relocating it to other marginalized neighborhoods.

The dominant neoliberal ideology present in much of the current policy language assumes the inevitability of displacement happening, as illustrated in this statement: "as neighborhoods evolve, discourage displacement of existing residents from their community" (LMGa 2018). Additionally, in the processes of deconcentration, Goetz and Chapple (2010) argue that in neoliberal solutions to convert former public housing residents into recipients of portable vouchers, the dependency shifts to market-mechanisms for affordable housing needs. This further exposes households to multiple unfair conditions, including possible landlord discrimination, higher-income neighborhood resistance, administrative limits to voucher portability, marginalized options for relocation, among other constraints (Turner, et al. 2002). Additionally, dispersal ideology disregards the embedded benefits residents in low-income neighborhoods depend upon in their immediate surrounding area, such as established social networks, access to public transit, dependency on built-in services (child care, etc.). Finally, a dispersal or integrationist approach tends to take for granted or de-emphasizes the preferences of people of color (Imbroscio 2012; Seicshnaydre 2015).

## **TRANSFORMING THE DISCOURSE**

There have been several discursive events in Louisville that have served as the foundation for transforming local civil rights efforts, including the early 20th-century effort to ban housing segregation zoning (*Buchanan v Warley*) identified in the literature

review, the “open housing” movement and the 1967 production of the South’s first open housing law, and the 2013 *20-Year Action for Fair Housing* among other defining moments (LMHRC 2013). A consistent force in each of these events has been the persistent voice of resistance and the charge of transformation. In this analysis, I seek to understand the ways in which power operates and is resisted, reconfigured, and eventually transformed to engender positive social change. Through critical analysis of the production and reproduction of dominant discourses in policy documents, I will attempt to call attention to how acts of resistance within the policy community are presented in the text. This will include the identification of ways in which the dominant ideologies and power relations are resisted or transformed in Louisville’s fair housing policy practices. Most critically, I argue that policy actors advocating for fair housing have been able to contest and resist the dominant discourses by a) de-politicizing fair housing, b) producing and reproducing knowledge on housing market inequities, and c) fostering a race-conscious perspective.

### *De-politicizing Fair Housing*

The first practice of resistance demonstrates the considerable political influence fair housing advocates have been able to gain in the policymaking process in Louisville since 2003. Contributing to this influence has been their attempt to de-politicize the meaning of fair housing, thus establishing a quiet acceptance and managing the negative notion of politics within established discourses on housing policy matters. De-politicization, as a concept, can represent different insights into shifting modes of governance and policymaking (Jenkins 2011; Allmendinger and Haughton 2015; Etherington and Jones 2018). One concept is to view de-politicizing as a process under



neoliberalism removing politics by privileging certain positions in decision-making processes (Etherington and Jones 2018, 53). Here, my use of the concept views it as an attempt to shift the political character of decision-making (Burnham 2001) or to normalize certain ideas by individuals by what Wood and Flinders (2014) refer to as “discursive depoliticization”. This has been promulgated by participants from non-profits organizations, like Metropolitan Housing Coalition (MHC), who identified in the action steps of the *20-Year Action Plan for Fair Housing* (2013) that a key objective would be to inform and educate the public on the history and impact of the inequities produced through housing segregation. Additionally, the resistance framework has been aided through the conjuncture of policy events such as the various production processes of *Analysis of Impediment* reports (2010, 2015), annual regional housing reports highlighting fair housing trends (2003-2018), Louisville Human Relations Commission reports, and the aforementioned *20-Year Action Plan for Fair Housing* (2013). Due to this, MHC and associated policy actors have had an active, persistent, and influential presence in the planning and production of government-led policy processes. Through text analysis and review of interview transcripts, I identify three key strands demonstrating how the resistance against the hegemonic processes dominating housing and land use policy development have assisted in de-politicizing fair housing.

The first includes the gradual trajectory of fair housing being integrated into established discourses in land-use policymaking. The emergence of language around “housing choice” in the 2006 *Housing Strategy* to the full inclusion of “fair and affordable housing” phrases in the 2018 “Housing Element” is an observation that the increasing emphasis on fair housing practices at the federal level and the production of

several policy documents in Louisville is an example of how local fair housing advocacy has gained political influence in the policy process. “Housing choice” as represented in the *Housing Strategy* was considered vaguely as “housing of diverse types and price points with access to goods, services, employment and education” (LMG 2006, 5). In comparison, the 2018 “Housing Element” considers access to amenities and opportunities as a guiding principle in promoting choice, but now implies a more encompassing choice of housing including it be more “equitable...diverse, quality, physically accessible, affordable...” (LMGa 2018, 99). Although racial discrimination or housing segregation are omitted as topics in these definitions, terms of equity and diversity begin to imply the emphasis on fair housing themes.

In the early years after merger, the dominant discourses around housing policy subordinated “fair” or “affordable” housing to the ambiguous language of “appropriate housing” as identified in the previous comprehensive plan *Cornerstone 2020*. In this sense, the policy deemed housing as “appropriate” by establishing and reinforcing both “income diversity and a variety of choices of housing types and costs in a neighborhood” (LMG 2000, 1-Glossary). For 20 years, this ambiguous concept of appropriateness served as the only legal guiding rhetoric for decision-makers on land use matters. As the analysis for this research identifies, even the inclusion of the “Housing Element”, a non-mandated component of the city’s comprehensive plan, signals a political shift. The insertion of fair housing discourses can also be seen in utterances such as “exclusion” or “inclusion”, “integration”, “rights”, “affordable”, “expanding choice” or “equity” amongst others as representative of resistance and transformation (LMGa 2018).

One of the ways in which the dominant social order began to accept fair housing language reflects the way in which it became constituted as an object of knowledge. Several policy actors interviewed for the research acknowledged that prior to their participation in the policymaking processes, whether as a producer or consumer of policy texts, their understanding on existing fair housing impediments was negligible. Until they had directly engaged in dialogues about fair housing, understanding the history of segregation, their previous response had sufficed to little more than a “check the box” approach in HUD compliance processes. As one interviewee reflected, “the community dialogue and conversation over the last few years certainly creates a platform of relevancy for people then to take the next step...to have that conversation about AFFH”. The knowledge produced by participating in various interactions facilitated a deeper understanding of the problems associated with housing segregation, including how it had been institutionalized, sustained, and contested. As a shared knowledge developed, a sense of urgency in support of fair housing measures translated into action.

The coalition of policy actors engaging with the subjects of fair housing, the citizens, also has contributed to transforming the dominant social order. Identified as a strategic action plan item in the *20-Year Action Plan on Fair Housing*, one of the principle goals behind community engagement strategies included the objective to increase awareness on issues of equity, diversity, and social justice around housing issues (LMG 2013). Some interviewees reflected that as this process has already begun, the community dialogues on fair housing law and practices have increased community awareness. One policy actor summed up the influence of the work being done in the community, stating “a lot of that (momentum) is due to some conversations and some

values that have been put forth around the community around equity and equitable opportunity for folks”. This is especially reflected in their critical awareness of the institutionalized injustices and racial biasness which have shaped the communities. In response, this has inspired a broader political space for a voice typically excluded from the policy processes. As one policy actor reflected “new discourses have opened around segregation and the effect of gentrification on protected classes and limitation of choice in where they live.” Behind this support, policy actors have been able to infiltrate the ranks of bureaucracy, public processes, and most importantly, subtly shifting the discourse and dominant decision-making structures.

As previously identified, one example points to the fact that the “Housing Element” work group, consisting of government and non-government representatives, converted fair housing discourse into action via the adopted policy statements. Support for fair housing, and discussions of institutional injustices had not been considered with the same legitimacy as demonstrated in the recent processes. In past policymaking processes, the general public had generally been excluded from participating in policy debates. However, the work group structure under the recent comprehensive plan (LMGa 2018) production did involve a more open process where the general public could participate. As a result, the planning subgroup was able to integrate a vast array of strategies and ideas reflecting fair housing ideas which were then submitted to the main advisory committee. When the time came, the work group submitted the language for the draft strategies and surprisingly incorporated all aspects as presented. As one policy actor admitted, it was a shock the main committee did not alter the text given that this is “where the ‘democratic process’ starts to play out. That's where the power structure of

any community (exists)”. Whether the interest of the power group altered the text or not, a key factor here is understanding that the language submitted to the group was carefully crafted and purposefully structured to ensure this acceptance. As alluded to earlier, inclusion of language on fair housing, meaningful input from non-governmental actors, and overall general political support for the “Housing Element” all represent factors I interpret as a sign of the de-politicization work housing advocates have done over the last several years.

Despite these acts of resistance it was the organizational position of the directors and senior staff in Develop Louisville (the parent agency for the Departments of Planning and Design Services and Housing and Community Development) and their collective decisive role in text production that ensured the policy changes were officially implemented. This illustrates how structural features of the policy community, including agency hierarchy, can either inhibit or facilitate alternative discursive representations of the policy solutions. In other words, the impact of agency on text production must always be considered within a structural context.

The final act of de-politicizing fair housing discourses can be attributed to the recent effort of Louisville Metro’s Office of Redevelopment Strategies staff and city advocates to produce the “Redlining Louisville Project” (Poe 2015). Redlining maps, or residential security maps, were the product of a government sponsored program in the 1930s and operated under the Home Owner’s Loan Corporation (HOLC) to inform banks and lenders of neighborhoods of the risk of foreclosure on government-backed mortgages. Areas which were homogenously white were considered low-risk and colored green on the maps, whereas those neighborhoods mostly of color and minorities, were

deemed high risk and colored red, thus “redlining” (Rice 2018). Redlining entered the discursive practices in Louisville, around 2013 when the *20-Year Action Plan for Fair Housing* described the history in Louisville, along with the 2017 release of the Redlining project. Although it received no mention in the 2015 *Analysis of Impediments* report, Louisville Metro used the historic redlining map for Louisville as a visual framing device in the 2018 “Housing Element”, including a brief description of the practice to foreground it as a policy issue (LMGa 2018, 103).

The “Redlining Louisville” project (Poe 2015) involved the production of an internet-based interactive story map highlighting the HOLC “redlining” maps and a community engagement process. Metro’s focus with the project was to provide visual evidence of the neighborhoods that, up until 1951, borrowers who resided in those places were denied access to credit due to the racial composition of their neighborhood. The interactive map overlaid current socio-economic US Census data to highlight the negative impact redlining continues to have in Louisville, such as displaying the continuing concentration of poverty and segregation of protected classes in previously “redlined” areas. Associated with the release of the map, community leaders held a year-long series of community engagement conversations to address the legacy of redlining. The dialogues served two purposes. First, educate the public and acknowledge the past injustices associated with the program and second, move toward dismantling existing impediments to protected class residents. “Redlining Louisville” project (Poe 2015) is significant in the context of challenging the dominant social order. It serves as a device to mobilize and galvanize energy around the government’s institutional sponsorship of the maps. Most critically, it exposes the embeddedness of institutional impediments and

serves as a point of entry for understanding the ways it is still being reproduced and sustained through contemporary discursive practices.

*Knowledge on Housing Market Inequities*

The “Redlining Louisville” project has served to de-politicize or reframe fair housing practices and policymaking in Louisville by a gradual and subtle political acceptance within established discourses on fair and affordable housing policy matters. It has also been effective in producing and reproducing knowledge on housing market inequities. By telling the story behind redlining practices and highlighting the consequences of existent housing segregation and market inequalities, fair housing advocates have been successful in informing and educating the public, including decision-makers and political leaders with the power to influence action. This strand of transformative discursive practices includes a sustained effort to frame fair housing discourses. Equipped with the knowledge of past injustices and differential treatment impacts in the market, this has provided advocates and policy actors alike evidence to lobby for policy action and securing local financial resources to affirmatively further fair housing, such as the Louisville Creating Affordable Residences for Economic Success (Louisville CARES) program and the Louisville Affordable Housing Trust Fund (LAHTF). As identified in Chapter 2, federal retrenchment removed many of the resources formerly available to local governments. Therefore, in the current policy context, there is greater reliance on private and non-profit developers to construct low-income housing. This excerpt from the “Housing Element” illustrates the influence this knowledge has produced:

Support affordable housing initiatives such as the Louisville Affordable Housing Trust Fund and Louisville CARES (local programs to subsidize affordable housing). Pursue a

variety of sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market (LMGa 2018, 105).

While this language is not quite revolutionary, its inclusion as a policy statement further demonstrates the sustained effort by policy actors to support fair housing practices. By highlighting these incidents of knowledge production, critical discourse analysis tools are particularly suited to reveal how research goes beyond academic analyses of texts to highlight potential “bottom up” practices of resistance (Marston 2002, 85).

### *Fostering a Race-Conscious Perspective*

One of the inquiries this research has sought to investigate is to understand possible ways problems with fair housing can be negotiated or mediated in order to generate positive social change through the policymaking process. As defined in Chapter 3, discourse contributes to the production, transformation, and reproduction of both the objects and subjects of it in social practices. Therefore, I argue that one of the ways local policy actors in Louisville have begun to negotiate within the dominant structure to transform discursive practices has been through focusing on race instead of income as a key narrative in local policymaking. Income as a narrative is important due to the disparities for low-income households accessing opportunities for quality housing, services, and to employment. From another perspective, I offer that framing discursive practices around income contributes to a color-blind approach whereas making fair housing a racial issue shifts the focus to a race-conscious approach. To distinguish the difference, Goetz (2018) uses King and Smith’s (2011) analysis on racial politics to illustrate the difference between these approaches to fair housing. A color-blind approach entails that nondiscrimination is an important principle, but should be extended to all



individuals and not just a single race or subgroup. On the other, a race-conscious perspective makes race a focal point of policy intent. Therefore, in the context of fair housing practices, the approach is to identify and acknowledge the legacy of systematic discrimination that has long structured and sustained spatial representations of disadvantage for racial minority groups. Several policy actors interviewed for the research were conscious of the role racism, discrimination, and differential treatment have played in producing the social, political, and economic order in Louisville. Fair housing practices, as delineated in the Fair Housing Act, are expected to address the racial injustices and promote a more fair and equal treatment in the housing market. The active engagement with topics of race by Louisville's policy actors demonstrates an intentional focus to fulfill that charge and promote more race-conscious policies in Louisville.

One way in which the dominant social order sustaining housing segregation has been challenged in this perspective is questioning the discourse of choice, especially related to race as depicted in this quote from one interviewee:

If you are poor and black, there are only certain places you can live. If you are poor and white, there are a lot more places you can live. I am extremely concerned about what is going to happen in our predominately African American neighborhoods as we bring much needed and much wanted prosperity.

The practice of forcing people to move away from their neighborhoods after razing public housing highlights the contradictions in promoting dispersal as the dominant policy. Inherent here is that choice is more "myth than reality" in dispersal strategies since the factors structuring those decisions aren't necessarily neutral or color-blind (Seicshnaydre 2015). As an ideological force in shaping policy, dispersal challenges the notion of "housing choice" as a legitimate policy focus without a balance to meaningfully

engage with residents to be part of the decision-making process. Thus, actually realizing housing choice is often an elusive goal, both as a policy and a reality for protected class households. One policy actor interviewed admitted this paradox, stating “what I feel like what way too many households do is make a choice about where they can live rather than where they want to live”. A race-conscious perspective to policymaking makes this constraint of choice explicit. As an emerging element of local fair housing discourses, it is necessary to raise awareness of the way policy language privileges some perspectives over others.

In his argument, Goetz (2018) suggests a systematic approach to fair housing needs to consciously attack systems that produce housing inequality by addressing the deficit of quality housing provisions in communities disproportionately inhabited by people of color. Reflecting on Goetz’ argument above, the active engagement by Louisville’s policy community to include a race-conscious ethic in the discourse explicitly exposes the existing advantages embedded in the institutional processes as well as the social, political, and economic dynamics favoring whites over minorities. The texts produced by MHC and the Louisville Human Rights Commission analyzed for this dissertation represent the active engagement with discourses foregrounding a race-conscious perspective. In this way, I identify that this counter-effort opens new possibilities for transforming the dominant social order so to promote an equitable approach to affirmatively furthering fair housing.

## **CONCLUSION**

Fair housing policy in Louisville since the time of city and county merger in 2003 has been produced in the context of waning federal resources, enforcement or

encouragement due to practices of rescaling and restructuring. Despite this influence or perhaps in response, I argue that policy actors have gradually transformed their way of understanding the issues associated with fair housing practices. In summary, this chapter has linked what I identified in the analysis of what “is” in fair housing discursive practices toward insights of what “ought to be” practices.

By highlighting the various discourses operating within the orders of discourse in Louisville on fair housing policymaking, I have identified various ways in which discourses have operated to sustain or actually transform practices which may, eventually serve to affirmatively further fair housing. I found that by favoring market-oriented strategies over practices centered on equity, reliance on unbalanced processes of engagement for policy development, and promoting dispersal as the preferred strategy all limit Louisville’s ability to effectively address the AFFH mandate.

At the same time, there are points of entry emerging in the discourses for policy development that resist or are beginning to transform the dominant order sustaining patterns of housing segregation and market inequalities. I identified by raising awareness of the history and embedded nature of institutional practices of housing segregation, there is a shifting discourse serving to de-politicize divisive issues around fair housing practices. As a result, there has been a gradual and subtle political acceptance within established discourses on fair and affordable housing policy matters at the decision-making level vis-à-vis a vote (e.g. Louisville Metro Planning Commission, Louisville Metro Council, etc.). I also consider that the persistent effort to control knowledge production around fair housing issues by Louisville Metro staff and fair housing advocates, for example with the “Redlining Louisville” project, has been another

influence on the knowledge, attitudes or ideologies of political leaders and decision-makers in Louisville, though further analysis is needed to confirm this conclusion. Finally, I identify that another way movement has begun to transcend the structural impediments sustaining segregation is by fostering a race-conscious perspective. Rather than promoting a color-blind discourse on fair housing strategies, policy actors open new possibilities to begin questioning and dismantling the structural advantages in place privileging the interest of white, suburban homeowners.

Building on Fairclough's three-dimensional analytical framework for CDA presented in Chapter 4, the findings presented above reflect upon how unequal power relations within the context of a regional government approach and a neoliberal influence shape that knowledge. The highlighted views and assumptions illustrate support for what I identify as an imbalanced policy landscape materialized by an explicit and implicit privileging of a market orientation in Louisville's housing policy approach. Due to this, I argue that the discourses of "housing choice" and "dispersal" have been shaped by practices of rescaling and restructuring under neoliberal ideological influences. As a result, these discourses serve to limit real housing choices in the fair and affordable housing landscape. Although providing choice is a fundamental value behind the AFFH guidelines, Goetz (2015) warns that it can be at odds with the implied spatial objectives, especially if those options are constrained due to political, social, and economic factors. The heavy emphasis on "housing choice" is what Seicshnaydre (2015) argues muddles how choice is "more myth than reality" and is typically dependent upon the preferences of third-party white residents.

## CHAPTER VI: CONCLUSIONS

Having a home is crucial to people's sense of wellbeing... Yet, unless they have faced discrimination, foreclosure or other housing barriers, many Louisvillians have never thought about what 'fair housing' means or how to make it a local reality (LMHRC 2013, 5).

I begin this concluding chapter with two questions. First, is it feasible as well as desirable to change the social order to more equitably fulfill the affirmatively furthering fair housing mandate? Second, if devolution continues to affect local action on fair housing practices, then is there an opportunity for a local governments like Louisville to demonstrate alternatives to overcome disparate impacts produced through institutional decision making? In many respects, answers to these questions have already begun to emerge based on the signs of progress presented in this research. One of the key research questions this dissertation attempts to examine is how knowledge on fair housing policies and practices is constituted or shaped by the discourse of local policy actors. The findings related to this question reveal that a text's language use reflects dominant power relations influencing fair housing policy in Louisville. With the use of critical discourse analysis methods and Foucault's power/knowledge nexus as guiding theory, I reflected on a corpus of fair housing related policy reports produced in Louisville, both government and non-government, to present how interactions between policy actors and discursive events either sustain the status quo of the social order or contest or in fact transform it. A corpus of locally produced fair housing related policy texts assisted my attempt to describe and explain how power is "enacted, reproduced or legitimized by the text and talk of dominant groups or institutions" (van Dijk 1996, 84). I argue that discursive strategies,

such as ensuring “choice” and pursuing “dispersal” outcomes, contributes to sustaining power, ideology, and veiled assumptions that continue to limit local implementation of the Fair Housing Act’s objectives, especially the AFFH mandate.

The discourse of policy actors, whose deep ambitions to promote more just and fair strategies to affirmatively further fair housing, operates within limits of existing power relations guiding the decision-making environment of Louisville. The difficulty of making fair housing a reality at both the national and the local level is contingent upon a complex set of political, social, and economic factors shaping that reality. Therefore, this dissertation has aimed to identify how policy happens in one particular context by considering the ways social actors interpret the problem and pose solutions to affirmatively further fair housing practices.

By all indications, I find that much of the past policy language and discursive events represent a social order in Louisville where power relations serve to further the dominant social order of the private market interests. A key factor producing and reproducing impediments to AFFH is the dominant resistance of suburban political and economic interests. Based on this analysis, I also find recent evidence indicating that this dominance is amenable to potential transformation. The policy actors and fair housing advocates who provided background interviews for this research recognize that recently produced policy texts have provided a countering power against the more dominant order. I do not argue that language about fair and affordable housing in Louisville’s comprehensive plan is evidence of complete transformation decades following the Fair Housing Act’s passage. Instead, the evidence in this dissertation represents an incremental victory for policy actors who have advocated for more action on fair housing

in recent years. Instead, the evidence in this dissertation represents an incremental victory for those policy actors who have advocated for more action on fair housing in recent years. The language included in texts produced within the last five years are indicative of micro acts of transformation and an overall gauge of where the community is positioned going forward. The current system of housing development processes and policymaking in Louisville, however, continue to represent discourses that sustain the interests of dominant social groups (e.g. the growth coalition). My findings suggest that progress toward developing and implementing a more socially just pathway to overcome the historic patterns and effects caused by housing segregation has begun, but significant work lies ahead.

The remainder of this concluding chapter will first revisit the discoveries and insights presented in the preceding chapters. Second, I will offer alternative explanations for the findings providing various points of entry for moving beyond the impediments and fulfilling action toward the AFFH mandate. As such, I reflect on my findings to suggest possible ways in which organized political or social groups or movements can continue to contest and transform the dominant order of discourses to produce more just and equitable housing outcomes for Louisville's residents. Next, I will consider the implications of this research, including a reflection on the ways in which critical discourse analysis can be used as a tool to augment more conventional research in urban and housing policy matters. Lastly, I will conclude by identifying the limitations of both this study and the broader use of critical discourse analysis.

## OVERVIEW OF RESEARCH

As the above introduction indicates, the policymaking process is a convergence of social practices, each consisting of a network of social actors who introduce various beliefs, ideas, meanings, values, and ideologies into the process. The constraints, problems, and possible solutions to fair housing issues are discussed differently between actors. How they materialize and are read is the subject matter of this research. In this research I have examined how the Fair Housing Act's "affirmatively furthering fair housing" mandate is delivered from HUD and acted upon by at the local level of governance. There have been many policy texts produced in Louisville since 2003 that represent local policy action in responses to the mandate. In exploring the research questions for this dissertation, I selected and operationalized the analysis with five key texts and performed eleven semi-structured interviews with key policy actors across various sectors engaged in fair housing practices. A critical question I explored in this research was whether the application of Fairclough's methods to these texts and interviews yields findings that reflect his underlying theories and the literature reviewed in Chapter 2.

As indicated in the introduction chapter, I designed four research questions to guide my research:

1. How is knowledge on fair housing policies and practices constituted or shaped by the discourse of local policy actors?
2. How has federal fair housing policy knowledge recontextualized at the local level to affect the practices of policy actors charged with implementing fair housing outcomes?
3. How are structural constraints to fair housing practices discussed differently between the actors?
4. How can problem definitions within fair housing policies be negotiated or mediated in order to generate social change through the policymaking process?



I used the first three questions to understand the material as part of operationalizing the CDA method in the Analysis chapter (Chapter 4) and the last question as a key component of the Discussion and Findings chapter (Chapter 5). One of the unique aspects of operationalizing CDA is that rather than focusing on a more conventional approach of responding to a “research question”, Fairclough’s approach begins with addressing the semiotic aspect of the social problem in order to “produce knowledge which can lead to emancipatory change” (Fairclough 2003, 209). This knowledge, in turn, provided a structure as part of the textual analysis alongside a critical review of social practices interpreted as the basis in the findings. Therefore, there are no discrete answers in response to the research questions since there is considerable overlap among them. Where appropriate below, I identify findings which relate to the questions.

In Chapter 1, I introduced the notion that the AFFH mandate has been subject to multiple interpretations since the passage of the Fair Housing Act in 1968. This inconsistent treatment has produced variable approaches to resolving issues with housing segregation, unequal treatment, and historic lack of access to fair housing opportunities. Furthermore, the contingency of prevailing conditions and local political context of decision-making play important roles in implementing the mandate. Following the introduction of new rules and regulations in 2015, HUD began to require a different set of practices and procedures in which local communities receiving federal funds must respond in order to fulfill the provisions of the Fair Housing Act. In response to this, local governments and organizations have had to consider new approaches to comply with the regulations. In many circumstances, the new AFFH regulations have prompted some communities to respond with more ambitious plans than that they would have otherwise

attempted (Steil and Kelly 2019). In a changing regulatory environment as this, there remains a gap in the literature to understanding the more nuanced ways in which policy happens. There are various ways to examine this gap, but this research posits that a social constructionist epistemology and a critical discourse analysis methodology provide a helpful lens to examine this perspective.

After introducing the CDA method, I presented the broader research questions which define this research's analytical framework. These questions inform ways the field of housing studies can explore scaled processes where meaning is constructed through policy analysis, how dominant truth claims and problem definitions shape the network of practices, and how these practices converged through discourse to either produce, reproduce, or transform the structural obstacles in order to engender more possible means for social good. In designing the study, I recognized the limitations I would face, including a selective sample of texts and research subjects, a possible risk of being too subjective in my interpretation, and limited skills to investigate the more linguistic components of the methodology. While I accepted the limitation of possible bias in the analysis and findings, I also acknowledged that by working with the people or within the interest of those who are also the "subjects" of research, CDA is not a politically neutral approach but a practice committed to promoting social change. It is also uniquely positioned to allow the researcher to gain skills in meta-cognition around issues of policy discourse and implementation practices.

The literature reviewed in Chapter 2 helped establish the ideological underpinnings for understanding the problems associated with and policy solutions to housing segregation in the United States. Fifty years following the passage of the Fair

Housing Act, limited progress in addressing the AFFH mandate demonstrates the various challenges to implementing it. Broadly, the Act's failure to clearly define AFFH has led to a variety of interpretations played out in the judicial courts, academic literature, and policy design processes. In turn, there have been disagreements about whether the true intent of the Act privileges housing integration by opening up exclusionary communities over equal access to housing markets for protected class households. The integration approaches tend to espouse dispersal allocations of affordable housing to meet fair housing goals (see e.g. Orfield, et. al 2015; Anderson 2010; Briggs, et al. 2010). At the same time, the equal access supporters contended that all communities should be inclusive and that community development approaches should not be inferior to equitable approaches to housing for all (see e.g., Chapple and Goetz 2011; Chapple 2014; Seicshnaydre 2015; Goetz 2015; 2018). Ultimately, as Goetz (2018) argues, there should be a balance in housing policy approaches that achieve racial justice. Solutions have been tested and analyzed through such programs as Moving to Opportunity, HOPE VI, or Housing Choice Vouchers, yet as I posit, operating in the background are formative and broad social practices that influence policymaking at the local level. More specifically, there have also been institutional impediments, social and political resistance, and power inequities at all levels limiting success in fulfilling the spatial implications of the Fair Housing Act.

In order to broaden the theoretical landscape for further understanding the disjuncture between policy intent and action for the AFFH mandate, I examined the literature on the political economy surrounding issues with housing segregation. Neoliberalism has been a dominant influence through two social practices affecting

housing policy at all scales. Under this influence, there has been a considerable restructuring of federal housing programs, such as the transformation of public housing provision, Section 8 vouchers toward privatization and simultaneously a rescaling of regulations and responsibility to lower levels of government. As these processes roll-back the Keynesian-era social programs and roll-out the neoliberal practices of institution building and governmental intervention in the market, there is greater need to understand how the social, political, and economic changes associated with these concepts affect practices at the local scale. The practices associated with rescaling and restructuring present new challenges to implementing the AFFH mandate in recent decades, especially at the local scale. Therefore, this dissertation seeks to fill the gap of existing knowledge in the housing field by considering the ways in which broader neoliberal discourses construct and reconstruct social life at the micro level of housing policymaking.

The key empirical contribution of this dissertation has been the study of discourse as a performative element of knowledge production and a mediating factor for action on fair housing policymaking. My use of discourse follows Foucault's theory as interpreted by Fairclough (1992, 2010), which considers the role of power and knowledge in constituting the subjects and objects of inquiry. Discourse establishes rules and "regimes of truth" which regulate language use within context and as a result, control the type of strategies that emerge within discursive practices. Also, through a social constructionist lens, I identified the ways in which issues around housing segregation get represented, contested, and transformed through discourse. In order to do this, I explored multiple theories within the critical discourse analysis methodology. To that end, CDA provided a helpful point of entry for examining meaning making around practices affecting housing

segregation, how discourse produces the subjects and objects of policymaking, and examining the practices which sustain uneven power relations of local fair housing policymaking processes.

Chapter 3 outlined how I operationalized the concept of “discourse”. While there are various conceptualizations of discourse, this research explored the Foucauldian tenant of discourse where language, knowledge, and power are viewed as fundamentally interconnected at the level of discourse. With CDA as the analytical framework, I engaged with concepts prominent in critical theory, including discourse and discursive practices, ideology, and hegemony as informative components of this study. The three dimensional Dialectical-Relational Approach of Fairclough (1992; 2003), which I used to operationalize the analysis, helped interpret how each policy report analyzed simultaneously represents a piece of text, an instance of discursive practice, and an instance of social practice. Therefore, with a focus on the dialectical relationships between the text and social practice, the chapter described the possible means for understanding how text is shaped by and in turn shapes social actors, institutional practice, and overall approaches at the local level of policymaking.

The analysis chapter also considered the ways social life is organized as a force for shaping and reshaping how housing segregation is talked about, sustained, or contested by policy actors. In particular, I focused on barriers identified in the discursive events (policy texts) to ending or at promoting more just and equitable approaches for housing provision for protected class residents. The legacy of housing segregation in Louisville for many decades has produced patterns of uneven development and inequitable outcomes for the city’s poor and minority populations. For example, as the

2015 AI report makes the case, west Louisville and other areas with a concentration of high poverty households are also areas with the poorest health outcomes and least access to healthcare, and are predominately populated by people of protected class status (MHC 2015, 4). Addressing these inequalities required a deeper understanding of the disjuncture between knowledge and action, between the way language is used, interacted with, and acted upon by its audience. Critical discourse analysis was used to study how language use within social practices becomes articulated together, interpreted, and enacted by various organizations and institutions engaged in policymaking processes.

Results from the analysis of a chain of key policy texts revealed various responses to the first three research questions presented in Chapter 1 and repeated above. In this analysis, I demonstrated how dominant ideologies and power relations are sustained and recreated in fair housing policy practices. However, knowledge and power don't always suppress counter forces. In fact, as this research shows, there are forces at play contesting and even beginning to transform local social practices in Louisville.

Looking beyond the analysis, the findings chapter reveals three ways in which the dominant social order is sustained. The first critique identifies that market interests have been favored over equity issues in the discursive events. Communities must first address the challenges associated with discrimination and differential treatment in the market. Without more stringent action on this, fair housing policies which serve market interests over equity needs only serves the interest of the dominant system and not the problem of housing segregation. One of the consequences of this approach is that the needs and interest of the targeted group of fair housing policy, the protected class residents, become subordinated within this order.

The second finding critiques the institutionalized planning process structure, especially the government sponsored processes which have produced policy texts. One of CDA's most important tasks is to explore the relationship between discourse and power. In setting up my argument, I considered the ways social groups enact, reproduce, and legitimize power and dominance through controlling access to the discourse. The predisposition of actors favoring growth coalition interests demonstrates the difficulty to contest or resist power relations. In Louisville's situation, I find through anecdotal feedback in the interview process that because processes to produce the texts are still controlled by dominant power interests of real estate and business interests through politically appointed advisory teams (see Table 5 on page 133), there are legitimate limitations to challenging this order in favor of fair housing interests. While these findings aren't necessarily surprising conclusions, a discourse analysis approach highlights the various ways these practices take place. This demonstrates Foucault's argument referenced in Chapter 4 that social actors "frequently know why they do what they do; but what they don't know is what they do *does*" (quoted in Dreyfus and Rabinow 1983, 187, italics my emphasis).

Espousing a rhetoric of dispersal exposes two other key factors. First, I argue that dispersal discourses indirectly neglect the responsibility and need to reinvest in the people and neighborhoods affected by housing segregation. Along with diminishing federal assistance for low-income housing and the aforementioned constraints in the local market, dispersal strategies are limited by the locally available financial resources. The second factor I identified considers that restructuring of the urban housing market, vis-à-vis public housing razing, exposes vulnerable households to the prospect of involuntary

displacement due to speculative investment in inner-city neighborhoods. Therefore, with limited options for relocation, displaced families may end up moving to other segregated spaces, thus negating any progress toward Louisville meeting the AFFH mandate.

Finally, the principle focus of CDA methods looks beyond just identifying the social problem by producing new perspectives to mitigate the problem, thus elevating new possibilities for positive social change. The findings in Chapter 5 suggested other ways of interpreting the research question by asking how problem definitions related to fair housing are negotiated or mediated in order to generate social change through the policymaking process. In the mandate to affirmatively further fair housing, there is a need to identify potential emancipatory ways of resistant readings and actions by policy actors within that process to effect social change. Since the early days of the civil rights movement, Louisville has demonstrated through the decades that it has struggled to respond effectively to the AFFH mandate, yet it has also shown the capacity to produce more positive practices.

Similarly, the second factor I identified challenging the status quo has been through the production and reproduction of knowledge on housing market inequities. I find that by highlighting the history of redlining practices and the magnitude of current racial and economic segregation patterns along with engaging a broader range of actors in the process through community dialogue and dissemination of knowledge, advocates have opened new possibilities for influencing local practices. This has been demonstrated through increased use of fair housing language in key policy documents, development of new programming mechanisms, and through the increasing presence in policy processes important to shaping fair housing spatial practices. Finally, I find that by fostering a race-



conscious perspective, fair housing advocates have demonstrated how past injustices and differential treatment still contribute to inequities in the housing market. I argue that this has provided advocates and policy actors alike evidence to lobby for policy action and thus leverage more local financial resources to advance action on affirmatively furthering fair housing. As an illustration, the Louisville Metro Council allocated \$14.5 million dollars in the 2018 budget in order to support affordable housing needs, thus serving fair housing interests (LMG 2019). The highlighting of race and the legacy of institutional racism has strengthened Louisville's policy actor's effort to demonstrate a shared understanding that a race-conscious approach to fair housing policymaking is a productive approach. I argue that promoting discourses on inequality have served as a helpful tool to contest power structures and ideology. By demonstrating this, it is one way in which a critical discourse analysis provides a useful point of entry for generating social change through the policy process.

## **PROSPECTS FOR CHANGE**

The mandate to affirmatively further fair housing will remain a formidable aspect in the formation of local housing policy into the foreseeable future. Despite the Trump administration's suspension of the AFFH rule, there are several forces propelling its relevance and importance. The first and obvious point is the fact that the Fair Housing Act remains in effect and is not likely to be abandoned or severely altered. Second, empirical evidence continues to demonstrate the need for policy action and sustained effort to promote fair housing practices. Finally, as Louisville has demonstrated, local communities will continue to produce policies in search of more just and fair outcomes. As this case study has identified, in the devolved and restructured approach to fair

housing planning and enforcement, non-profit and policy actors play a more prominent role in shaping outcomes. As such, I argue their position engenders an ethical approach to policymaking that will continue to play a critical role. Therefore, this research provides a framework for building on the identified constraints and opportunities for groups or movements seeking to produce positive social change. I have illustrated various ways dominant social power structures have been contested or opened for transformation in the process of local policymaking. In doing so, my research offers two other alternative prospects for continuing to advance discourses favorable to fair housing.

*Leverage the political structure under the regional governance to pursue a more regional approach to equity.* Even though the merger between city and county produced a new set of institutional constraints, it has also opened up other possibilities for advocating for more resources. Instead of focusing on strategies such as dispersal or opening up the suburban neighborhoods to integration, local policy should consider how a regional approach to equity may look. Fairness in housing policy should be about real choice, not privileging one perspective over another. Chapple (2014) suggests that one approach to regional equity is to recognize the desire for some groups to prefer living in homogenous neighborhoods. Therefore, one way to consider embracing fairness and diversity could be through “reconceptualizing policy and planning to provide more security to families in need across the region, regardless of where we think opportunity lies” (ibid., 291). Under the structure of a regional government, Louisville is well positioned to take this approach as long as the strategies ensure a balance of strategies addressing the root causes and institutional barriers to dismantling the effects of housing segregation. How this looks will depend on the negotiated processes and mediation of power interests. Ultimately, if

the approaches meaningfully engage with the citizens of protected class status to define their true needs and preferences, as defined by them and not for them, then a more equitable and just approach to affirmatively furthering fair housing is possible.

Policy actors should secure a more race-conscious approach to strategy development, thus embracing and fostering difference. Should development pressures arise due to growth, prosperity, or speculation in the urban core, there is a commitment to equality in terms of service provision and respecting the choice to stay in place. On the other hand, if facilitating “the development of connected, mixed-use neighborhoods” (LMGa 2018, 102) is the desired policy direction for Louisville Metro Government, then one approach would be to regulate a diversity of uses city-wide rather than by districts. For example, inclusion of different housing types by building type should be allowed “by-right” (without seeking regulatory permission) in all districts rather than through a standard of “appropriateness” and contestable decision-making processes. There will still be resistance and challenges posited by more dominant groups, but by leveling the field, equity becomes the norm rather than the exception.

*Contest dominant neoliberal practices through more democratically cooperative futures.* This does not mean that market approaches and privatization of housing policy should be rejected all together. More critically, working within the hegemony of practices that promote such outcomes as homeownership or moving to opportunity areas without authentic choices provided to protected class residents denies the possibilities of alternative forms of practice. Through engagement practice, what Purcell (2008) calls “deliberate equivalence”, cities and regions are better equipped to resist the dominant neoliberal order by imagining, fostering and publicizing democratic movements.

In the context of fair housing policymaking, this could take the social justice approach of “right to the city” (Lefebvre 1996). The right to the city approach views the use of urban spaces representing more than the space for a privileged few (e.g. homeowners). Instead, it is the right to claim and use space for human flourishing, where patterns of engagement ensure urban inhabitation is enriched with indelible rights of use, expression, and reinvention. Soja (2010) identifies this as Lefebvre’s demand for a collective power of those most negatively affected by changing urban conditions to “take greater control over the social production of urbanized space” (6). Across the body of texts analyzed for this research, discourses of “choice” dominated policy language, yet absent was any mention or recognition of agency of residents having the “right” to choose. Engendering more deliberative processes for decision-making can open more rights to the city. For example, expanding access to goal definition in planning, participatory budgeting processes, or expanding explicit access to and inclusion in fair housing policymaking processes for groups generally excluded (e.g. renters, homeless, disabled) opens new possibilities. Under the dominant neoliberal order, the pursuit of wealth trumps social needs, private interest over public, ownership over rental. By putting forth alternative models of inhabitation, whether through practices such as cooperative ownership or land tenure alternatives can there be greater prospects for those of protected class status to shape their use of the city.

### **WHAT CAN WE LEARN FROM CDA?**

Throughout this dissertation, I have posited that critical discourse analysis provides a useful methodology to analyze the contextual nature of language within policy texts. U.S.-based housing researchers engaged in policy analysis have rarely employed it

as an analytical approach to studying policy processes (e.g. see Goetz 2013; Pfeiffer 2006). Considering Hastings' (2000) challenge to researchers, this alternative approach would provide a useful extension on housing policy knowledge from several angles. First, building on an aforementioned point, it provides an epistemological break from the conventional positivist approach to studying housing problems. In order to do this, the researcher must find a way to go beyond answering questions about the way things are and not seek to provide "an answer" as characteristic of positivism. As some scholars have related, the attempt to prove or disapprove arguments in this manner disregards the multi-dimensional complexity of social reality that shapes action, including power, knowledge, ideologies, and taken for granted assumptions (Fischer and Forester 1993; Richardson 1996; Fischer 2003; Sidney 2010). Therefore, as Fisher (2003) argues, a rational approach (e.g. positivist) to policy analysis which seeks to prove a theoretical proposition often lacks the recognition of the "phenomenological nature of the social rather than in a lack of empirical rigor" (122). Aligning a social constructionist epistemology with a critical discourse analysis methodology offers much to illuminate the interest and power dynamics that underlie housing problem formulation (Jacobs et al. 2003). However, as Clapham cautions, it is "unlikely to add much to the policymaking process if the people involved are wedded to a positivist orientation" (2012, 185).

Hastings' second challenge encourages the use of CDA as an augmentation to traditional housing debates and questions prevalent in the field. CDA methods especially generate rich possibilities to consider by providing a transdisciplinary perspective to studying housing problems. Fairclough (2012) advocates that CDA's strength lies in its use of a variety of theories and techniques to investigate social problems. Many housing

researchers engaging with CDA tools apply a political economy approach, combining theories from a broader body of theories to analyze problems. For example, in this dissertation, I operationalized the analysis of neoliberal processes of rescaling and restructuring as key factors contextualizing and shaping social practices. These concepts were developed from critical urban theories and made prominent in the political economy literature by authors such as Jessop (2002), Peck and Tickell (2002), and Brenner (2009). In my study of Louisville's response to the AFFH mandate, I argue that the transformation of the relationship between government and economic processes (e.g. privatization practices) as well as the shift in the role of local government in implementing the fair housing act have had an impact on policy development processes. More specifically, I used CDA to identify the micro processes within discursive practices as a way to awaken policymakers to question existing assumptions of policy, including how problems are identified and addressed in the process.

Related to this, Hastings' third challenge promotes a discursive approach opening new lines of enquiry with the potential to generate additional issues and questions within the housing field. A CDA approach to housing research and particularly policy analysis begins with questions pertaining to addressing social struggle and overcoming some of the forces impeding progress. Despite decades of research and policy action on intractable housing issues, including affordability, gentrification, or discrimination, actors within policymaking or research have generally struggled to produce meaningful change. These actors and the associated policies around these issues tend to "reproduce social and political relations of knowledge and ignorance, consent and deference, trust and dependency, and attention and confusion" (Forester 1982,77). Therefore, questions on

ways in which power operates and is resisted, reconfigured, and eventually transformed to engender positive social change benefit from a CDA approach.

Some of the most intractable problems housing researchers address have not been resolved through positivist approaches. Thus, beyond the challenges identified by Hastings, I contribute an additional possible way CDA can be incorporated into researching housing policy and issues. Building on what Hastings identifies as an “epistemological break with positivism” (2000, 132), a CDA approach can provide a broader look at more value-based and abstract variables which have heavy influences on the factors shaping knowledge and action. This perspective acknowledges the hidden influence of knowledge, meaning interpretation and power relations upon social phenomena. The researcher shifts the gaze away from structural explanations by using an interpretive logic and focuses on a network of agents and social practice. Many of the routines, knowledge and action are taken for granted by policy actors, leaving them often unable to articulate why they act in particular ways. Motivations for action are often hidden or obscured by dominant discourses. Clapham argues that the strength of the interpretive approach is its way of “opening the eyes of policymakers to question existing assumptions of policy” (2012, 178). CDA helps the analyst by closely examining how texts reveal or hide these assumptions, various subject positions and social relations between and within institutional contexts (Marston 2004, 40).

Since many matters of housing policy reflect either a devolution from a federal or state level of government in the United States or policy transfer application, it is subject to high levels of interpretation. Therefore, CDA offers is a way of understanding how national policies get translated and acted upon at the local scale. This contribution of

scale to housing research goes beyond particular policies by allowing the researcher to address the contextual nature of time and place, capturing a moment in how policies change across scale and locations. The study of local processes and social relations helps to identify the possible disjuncture between knowledge and action. Additionally, it can provide a means to view how this knowledge of particular policies and practices are constituted or shaped by the discourse of local policy actors.

## **LIMITATIONS**

The use of critical discourse analysis as a tool for analyzing policy opens new possibilities to generate additional issues and questions for the field of housing research. Whereas quantitative methods allow the researcher to rely on tools measuring validity and dependability, a qualitative method such as used in this research leaves the researcher at risk of bias. Since interpretation is a key element of the CDA approach, there are more possibilities for a narrow view to the problems. However, with my reliance on this analytical perspective of the policy texts and interview transcripts, I have provided a more rigorous interpretation following the tools fundamental to the methodology. This is just one element of the approach and certainly at risk for criticism.

Another limitation of CDA is the potential for multiple interpretations of the texts. Within the method, as a tool for explanation, the interdisciplinary approach with interpreting the data is perfectly acceptable and permits the researcher to view the effects of discursive practices on society and culture. Which effects and theory the researcher selects for the analysis is related to the problem and ethical position employed. Therefore, in both the interpretation and the explanation of this text, the analysis and findings are relevant to the critical position I have selected to take in this matter. My positionality in



this research as a former practitioner in the same context and familiar with the practices and agents operating in the foreground and background of the situation make this uniquely mine. Thus, I acknowledge there may be multiple interpretations of the data and within CDA research, this is perfectly acceptable.

The sample of data selected for this research provide another possible weakness of this research. I selected a particular time period specific to a historical moment in Louisville's political and economic trajectory (post-merger, 2003 to present). In addition, I identified what I felt were the most insightful and relevant policy texts, officially recognized as integral to the regulatory and programmatic context for fair housing practices in Louisville. Therefore, in delimitating this time period and only upon certain texts that may reflect intertextual discourses, this sample was definitely opportunistic and potentially subject to criticism. There is justification to question why these texts or discourses and not others. I acknowledge that including a broader range of discursive events, including press releases, publicly available committee meeting notes, and transcripts from public hearings would contribute to a richer interpretation and contextualizing of the explanation. Similarly, individual policy actors interviewed for this research were also purposefully chosen, representative of the context and site of analysis. The sample is limited to a narrow perspective of the experience in this case, positioned on the side of advocacy and favorable to fair housing perspectives. However, because I identified that their participation required a certain level of capacity related to knowledge and experience on federal and local housing policy, I intentionally excluded non-professional subjects without experience or knowledge developing housing policy. Perhaps including interviews with subjects who identified with positions within the

dominant social order or with those who may have opposed standard fair housing approaches would have provided a rich description of meaning making. As useful as that may have been, it also fell beyond the scope of my research questions, delimited to the producers and internal actors of the policymaking process.

The final limitation or weakness of this research reflects my acknowledgment that my case study only reflects one perspective of the overall practice of interpreting the AFFH provision at the local level. The tradeoff in this selection is that it is also an advantageous point of entry or example to build upon for further case studies. As a concluding point to this research approach, I believe that CDA is an underused methodology in U.S. housing policy analysis and should be explored within other contexts. Since interpreting the AFFH mandate is subject to the argumentative nature of local policymaking under rescaled practices, I see potential for not only interpreting and explaining other case study sites, but also broadening to multiple sites of analysis. There is, therefore, a definite need for enriching our understanding of local housing policymaking through discursive methods. If the debate on optimal solutions to housing segregation and fulfilling the AFFH mandate is to be moved forward, it is imperative to understand the locally contingent political and social elements which produce, reproduce and re-contextualize practices.

## **CONCLUSION**

Since “choice” is a dominant value in Louisville Metro Government’s commitment to fair housing practices, it should pursue more inclusive and meaningful planning processes when developing future planning and policy documents that include fair housing measures. The work by fair housing advocates to include the experiences,

values, and desires of protected classes seeking housing opportunities should become an indispensable component shaping planning processes for housing policy going forward. Discursive events such as the production of the 2015 *Analysis of Housing Demand* in Louisville Metro report and the work group participation which produced the 2018 *Plan 2040* “Housing Element” provides an effective example of this type of knowledge and influence. This would not only fill the gap omitted in the current discourse, but ensure that true “choice” is more possible. As argued in this research, the conventional approach of a politically-appointed main advisory committee such as used in the 2006 *Housing Strategy* and 2018 *Plan 2040* is ripe with privileging and sustaining certain narratives, including the suburban interests as a result of the regional government. It also tends to marginalize the voice and desires of the target populations of fair housing policies. In addition, there should be sustained efforts to ensure that a more race-conscious approach to land use policies is pursued. This would continue to provide legitimate protection against fair housing litigation for disparate impact.

Second, if fair housing advocates and progressive planners desire to build on the current platform and enhance the position of future fair housing policymaking in Louisville, they will need to continue addressing the dominant structural barriers that impede more equitable housing outcomes for protected classes. Over the past 15 years, the work of these actors has significantly shifted local discourses around fair housing practices, including educating decision makers and residents on the causes, effects, and potential solutions to improving conditions of housing segregation. The inclusion of “fair and affordable” housing language in the recently adopted comprehensive plan is no indication of monumental structural change in Louisville’s policymaking progress. It is,

however, a critical step in achieving micro transformations in language use around fair housing issues. Considering the ebb and flow context of the national political discourse on fair housing, the realization of diminishing federal resources to implement future fair housing investments becomes even more challenging. Therefore, it will be necessary for these advocates and policy actors to continue their strong effort to build local capacity and knowledge despite a dwindling focus on fair housing at the federal level as well as local dominant group interest at the expense of the weaker group, protected classes. There is a need for a more acute recognition of the way language, including how assumptions in the discourse, shapes these outcomes and serves as a barrier or enhancement of fair housing practices.

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## APPENDIX 1

### Interview Protocol (DRAFT)

#### **Affirmatively Furthering Fair Housing at The Local Level: A Critical Discourse Analysis of Practices in Louisville, Kentucky.**

Sector:

Interviewee (Title and Name):

Interviewee Code: PA01

Interviewer: Steve Sizemore

Topics Discussed:

Documents Obtained or Referenced:

Post Interview Comments or Leads:

#### ***Introductory Protocol***

I would like to thank you for your interest in participating in the interview component of my study. As I have mentioned to you before, my study seeks to understand how knowledge on fair housing policies and practices are shaped by the discourse of local institutional actors. The purpose of this study is to study the individual attitudes, experiences, meanings, and perceptions of practitioners engaged in fair housing policy implementation. The study will examine how public discourse shapes the knowledge and action taken by practitioners of fair housing policies and practices in Louisville, Kentucky. Because the U.S. Department of Housing and Urban Development (HUD), by mandate of the Fair Housing Act of 1968, requires that recipients of federal housing and community development dollars use the funds to "affirmatively further fair housing", this research seeks to understand how assumed meanings and actions contribute to or improve the spatial patterns of housing segregation.

Our interview today will last no longer than 60 minutes during which I will be asking you your views, beliefs, and ideas that you may have about addressing the problems of housing segregation in Louisville and the affirmatively furthering fair housing mandate. The purpose of this interview is to supplement my analysis of housing policy documents and therefore to provide context for their development and implementation.

To facilitate our note-taking, our interview today will be audio recorded. Before we begin, if you are willing to participant, please indicate your agreement to participate by signing our consent form. For your

information, only the primary investigator and I will be privy to the audio recording which will be eventually destroyed after I transcribe the interview. Essentially, this document states that: (1) all information will be held confidential, (2) your participation is voluntary and you may stop at any time if you feel uncomfortable, and (3) I do not intend to inflict any harm. Thank you for agreeing to participate.

I have planned this interview to last no longer than 60 minutes. During this time, I have several questions that I would like to cover. If time begins to run short, it may be necessary to interrupt you in order to push ahead and complete this line of questioning.

## **Introduction**

You have been selected for this interview today because you have been identified as someone who has experience and knowledge to share about fair housing policies in Louisville. The intention of this interview does not aim to evaluate your personal techniques or experiences, only to provide context to the shaping of local action to affirmatively further fair housing. Additionally, the study aims to understand more about policymaking and implementation of the Fair Housing Act at the local level, and hopefully contribute to new ways to improve the practice.

Before we begin the interview, do you have any questions? [Discuss questions]

If any questions (or other questions) arise at any point in this study, you can feel free to ask them at any time. I would be more than happy to answer your questions.

## **QUESTIONS**

1. Can you briefly describe your role (office, committee, etc.) as it relates to implementing or creating policies and practices effecting fair housing outcomes and how long have you been doing this?
2. What factors influenced your interest in the field of fair housing? How did you get engaged in this aspect of housing policy?
3. Where have you gained your knowledge or training on the Fair Housing Act or the affirmatively furthering fair housing mandate (desegregation)?
4. What policy documents or programs have you or your agency been involved in regarding affirmatively furthering fair housing in Louisville?
  - What was your specific role in the process?
  - With whom did you collaborate with most during this process?
  - Was the experience productive or were there difficulties in establishing agreement? Why?
5. What is your assessment regarding whether Louisville is making progress toward desegregation or at least advancing the AFFH mandate?
6. If you are involved in evaluating existing impediments to fair housing at either the department or city-wide level, what barriers are most frequently identified?

7. Since you have experience in this subject, in your opinion, what should be considered when selecting strategies to creating more inclusive communities? If you were writing the assessment of fair housing, what would you emphasize?
  
8. In both the practice and academia, there have been ongoing debates regarding which practices are the optimal solution for promoting more inclusive or equitable communities (e.g. dispersal or place-based).
  - What is your understanding or knowledge of these debates? Do you have an opinion in this debate?



## APPENDIX 2

### CRITICAL DISCOURSE ANALYSIS METHODOLOGY

Critical discourse analysis is basically an exercise of interpretation and a critical deconstruction of texts. As such, in conducting CDA there is no one prescribed technique or procedures for collecting data or analyzing it. CDA methodologies as designed by authors such as Fairclough (1992; 2003; 2010), Chouliaraki and Fairclough (2002), or Reisigl and Wodak (2009) are the most commonly followed procedures. The work in this dissertation combines practices of text analysis using Fairclough's key questions (2001, 110-111) and discourse analysis following the four-stage process of "explanatory critique" (as summarized in Fairclough (2001; 2010) and Chouliaraki and Fairclough (2002)). The following sections provide a summarized guide used to operationalize the methodology for this dissertation.

#### **CDA Analytical Framework**

(adapted from Chouliaraki and Fairclough (2002) and Fairclough 2010, 234-239).

- **Stage 1: Focus on a problem as a social wrong**
  - *Step 1.* Talk about social wrong in a transdisciplinary way with a focus on dialectical relations between semiotic and other "moments". It should not be assumed that such topics are coherent research objects; to "translate" topics into objects, there needs to be further theorization of them. As Fairclough argues, CDA "beginning with a social problem rather than the more conventional 'research question' accords with the critical intent of this approach – to produce knowledge which can lead to emancipatory change" (Fairclough 2003, 209).
  - *Step 2.* Construct strategies for addressing social wrong by theorizing them in a transdisciplinary way. Draw upon relevant bodies of theory in various ways that go beyond and beneath the obviousness of the topic. Discuss relationship between reality and discourses and its impact, implications, and ramifications.

- **Stage 2: Identify obstacles to addressing the social wrong**
  - *Step 1.* Analyze dialectical relations between semiosis and other social elements: between orders of discourse and other elements of social practices, between texts and other elements of events.
  - *Step 2.* Select texts, identify key focus areas and categories for their analysis, in light of and appropriate to the constitution of the object of research.
  - *Step 3.* Carry out analysis of texts (see Fairclough’s key questions in next section as a guide), both Interdiscursive analysis (genres, discourses, and style) and linguistic/semiotic analysis. The objective in this stage is to understand how the problem arises and how it is rooted in the way social life is organized, by focusing on the obstacles to its resolution – on what makes it more or less intractable.
- **Stage 3: Consider whether the social order needs the social wrong.**
  - Talk about why and how the social wrong is sustained by the status quo. As Fairclough advises, this “is a way of linking ‘is’ to ‘ought’: if a social order can be shown to inherently give rise to major social wrongs, then that is a reason for thinking that perhaps it should be changed” (2010, 238). Connect with questions of ideology and how it contributes to sustaining particular relations of power and domination.
  - Consider whether the social order (network of practices) in a sense needs the problem. The point here is to ask whether those who benefit most from the way social life is now organized have an interest in the problem not being resolved.
- **Stage 4: Identify possible ways past the obstacles.**
  - Talk about how the obstacles can be tested, challenged and resisted, whether within organized political or social groups or movements, or more informally by people in the course of ordinary working, social and domestic lives. Include ways in which dominant discourse is reacted to, contested, criticized and opposed.

### **Key Questions for Text Analysis**

(adapted from Fairclough (2001, 110-111))

Text or content analysis is only a single component within critical discourse analysis. The following questions reflect Fairclough’s key questions presented in *Language and Power* (2001). These questions were generally followed to perform the text analysis for each policy text identified within *Stage 2, Step 3* as presented in the previous section above. Fairclough acknowledges that these questions are intended as an introductory level guide for the researcher not trained in language study or linguistics. As he advises, “some parts are overly detailed or even irrelevant for their purposes” but in

other cases the researcher may be more skilled in linguistics study and “may find it insufficiently detailed and in need of supplementation” (ibid., 110).

### **A. Vocabulary**

1. What experiential values do words have?
  - What classification schemes are drawn upon?
  - Are there words which are ideologically contested?
  - Is there rewording or over-wording?
  - What ideologically significant meaning relations (synonymy, hyponymy, antonymy) are there between words?
2. What relational values do words have?
  - Are there euphemistic expressions?
  - Are there markedly formal or informal words?
3. What expressive values do words have?
4. What metaphors are used?

### **B. Grammar**

5. What experiential values do grammatical features have?
  - What types of process and participant predominate?
  - Is agency unclear?
  - Are processes what they seem?
  - Are nominalizations used?
  - Are sentences active or passive?
  - Are sentences positive or negative?
6. What relational values do grammatical features have?
  - What modes (declarative, grammatical question, imperative) are used?
  - Are there important features of relational modality?
  - Are the pronouns we and you used, and if so, how?
7. What expressive values do grammatical features have?
  - Are there important features of expressive modality?
8. How are (simple) sentences linked together?
  - What logical connectors are used?
  - Are complex sentences characterized by coordination or/subordination?
  - What means are used for referring inside and outside the text?

### **C. Textual structures**

9. What interactional conventions are used?
  - Are there ways in which one participant controls the turns of others?
10. What larger-scale structures does the text have?

## CURRICULUM VITAE

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### EDUCATION

- 2019                    **Ph.D., Urban and Public Affairs**  
University of Louisville, School of Urban and Public Affairs  
**Proposed Dissertation Topic:** “*Affirmatively Furthering Fair Housing at The Local Level: A Critical Discourse Analysis of Practices in Louisville, Kentucky.*”  
**Research Interests:** Fair and Affordable Housing Policy, Community Development, Sustainable Communities, Bicycle and Pedestrian Planning, Brownfield Redevelopment, Citizen Participation.
- 2004                    **M.C.P., Community Planning**  
University of Cincinnati, College of Design, Architecture, Art and Planning.  
**Thesis:** “Urban Eco-Villages as an Alternative Model to Revitalizing Urban Neighborhoods: The Eco-Village Approach of The Seminary Square/Price Hill Eco-Village of Cincinnati, Ohio.”
- 1997                    **B.A., Kinesiology**  
University of Kentucky, College of Education.

### TEACHING EXPERIENCE

- 2007 - 2015           **Adjunct Instructor - School of Urban and Public Affairs, University of Louisville.**  
University of Louisville, Louisville, KY
- 2008                    Co-instructed *Capstone Studio* course, Spring 2008. Student project winner of 2008 *KAPA Best Student Project* award, Kentucky Chapter of the American Planning Association.
- 2007-2009            Instructed graduate level course, *Urban Planning History and Issues (2007-2009)*.
- 2010-2015            Instruct graduate level course, *Neighborhood Planning Studio (2010-2015)*.
- 2015                    Instructed graduate level course, *Urban Planning History and Theory (2015)*.

## PROFESSIONAL EXPERIENCE

- 2015-present      **Graduate Research Assistant.** University of Louisville, Center for Environmental Policy and Management (faculty assignment: Lauren Heberle, Ph.D.).  
**Principle Role:** Assist in research, data collection, GIS analysis and general production of annual *State of Metropolitan Housing Report*; research assistance on project addressing social benefits of brownfield redevelopment.
- 2016 – present      **Graduate Research Assistant.** University of Louisville Sustainability Council (faculty assignment: David Simpson, Ph.D., AICP)  
**Principle Role:** Assist in data collection, analysis, and production of annual greenhouse gas report for the University of Louisville.
- 2011-2015      **Senior Planner.** Louisville Metro Government, Develop Louisville and Mayor’s Office, Louisville, KY  
**Principle Role:** Managed strategic planning and operational planning process of Louisville Loop project, a 100-mile+ shared-use path system. Project Team Member of Move Louisville project, city’s multi-modal transportation plan.
- 2004-2011      **Planner II.** Louisville Metro Government Planning and Design Services, Louisville, KY  
**Principle Role:** Managed long-range and neighborhood planning projects and prepared, edited, and presented planning and staff reports to Planning Commission. Performed environmental, mobility, and land use analysis using GIS, US Census, and other data for plan elements.
- 2002-2004      **Graduate Research Assistant.** University of Cincinnati, School of Planning (faculty assignments: Carla Chifos, Ph.D., Christopher Auffrey, Ph.D., Jan Fritz, Ph.D.)
- 2003      **Project Intern.** University of Cincinnati. Sustainable Development Project with the Municipality of Hersonissos, Crete, Greece.

## PROFESSIONAL DEVELOPMENT

- 2017      **Ph.D. Dissertation Workshop,** Association of Collegiate Schools of Planning. University of Colorado, Boulder, CO.
- 2006- Present      **American Institute of Certified Planners,** American Planning Association.

## PROFESSIONAL AFFILIATIONS

- 2018 - Present      International Public Policy Association
- 2017 - Present      Association of Collegiate Schools of Planning (Student Member)
- 2004 - Present      Kentucky chapter of APA (KAPA)
- 2003 - Present      American Planning Association (APA)

## GRANTS, AWARDS, SCHOLARSHIPS, AND HONORS

- 2015-Present      University Graduate Assistantship, University of Louisville

2002-2004 University Graduate Scholarship, University of Cincinnati  
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## **PUBLICATIONS**

### **Refereed Journal Articles**

2017 Schilling, Joseph, Lauren Heberle, Brandon McReynolds, and **Steve Sizemore**. 2017. "HUD's Sustainable Communities Initiative: An Emerging Model of Place-Based Federal Policy and Collaborative Capacity Building" *Cityscape*. 19 (3), pp 9-37.

### **OTHER PUBLICATIONS**

2009 **Sizemore, Steve**. 2009. "Developing a Walkability Plan", *The Commissioner: A Publication of the American Planning Association*. Fall 2009, pp 6-10.

2007 **Sizemore, Steve**. 2007. "Neighborhood Planning in Louisville Metro: A Form-Based Approach", *Kentucky Planner*. Winter 2007, pp 10-11.

2015 **Metropolitan Housing Coalition (co-author and data analyst)**. 2015 State of Metropolitan Housing Report: A Year of Change.

2016 **Metropolitan Housing Coalition (co-author and data analyst)**. 2016 State of Metropolitan Housing Report: Living in Community, Housing for People Living with Disabilities and Our Aging Population.

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### **CONFERENCE PRESENTATIONS**

2018 **Association of Collegiate Schools of Planning National Conference, Buffalo, NY.**  
*"Affirmatively Furthering Fair Housing at The Local Level: A Critical Discourse Analysis of Practices in Louisville, Kentucky."*

2016 **Ohio Kentucky Indiana (OKI) Regional Planning Conference, Cincinnati, OH**  
*"The Role of Engaged Universities in Promoting Positive Community Outcomes"*

2016 **Kentucky Chapter of the American Planning Association (KAPA) Spring Conference, Bowling Green, KY**  
*"Planning Communities of Opportunity: Why Two Key 2015 Federal Housing Decisions Matter"*

2015 **American Planning Association (APA), National Conference, Seattle, WA.** *"Transforming Louisville's Built Environment"*

2012 **Louisiana Smart Growth Summit, Baton Rouge, LA**

- 2012 *“Making Postcard Places: Infrastructure’s Role in Economic Development”* and *“Parks and Rec: The Role of Parks in our Communities”*  
**OKI Regional Planning Conference, Columbus, OH**  
*“Planning Beyond the Path: Maximizing Trail Impact for Communities”*
- 2011 **KAPA Spring Conference Dale Hale State Park Resort**  
*“Shape Up Kentucky: Integrating Health into Planning”*
- 2009 **APA National Conference, Minneapolis, MN**  
*“Developing a Community Walkability Plan”* – Feature presentation in the Planning and Community Health and Activity Track
- 2008 **OKI Regional Planning Conference, Louisville, KY**  
*“Accommodating Wheels and Heels – State of Bicycle and Pedestrian Planning Efforts in Louisville and Lexington, KY”*
- 2008 **WK Kellogg Foundation Food and Fitness Networking Meeting, Detroit, MI**  
*“Community Involvement through Walkability Surveys in Louisville, KY”*
- 2007 **APA National Planning Conference, Philadelphia, PA**  
*“Neighborhood Planning: A Form-Based Approach”*
- 2006 **OKI Regional Planning Conference, Cincinnati, OH**  
*“Neighborhood Planning in Louisville: Fine Tuning for 2020”*
- 2005 **KAPA Fall Conference, Frankfort, KY**  
*“Conservation Design and Other Tools for Rural Character Preservation”*

**UNIVERSITY SERVICE**

- 2016-present University of Louisville Sustainability Council .
- 2015-present Ph.D. Student Association, University of Louisville, School of Urban and Public Affairs, Member.
- 2015 Faculty Search Committee, University of Louisville, School of Urban and Public Affairs, Student Representative.