

# 策划排斥与特权： 作为新自由主义工具的历史、遗产和自然

## CURATING EXCLUSION AND PRIVILEGE: HISTORY, HERITAGE, AND NATURE AS NEOLIBERAL TOOLS

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### 摘要

20世纪初，分区制土地管理、限制性契约、房契约束，以及由美国联邦政府资助的、用于指导银行贷款的房地产地图数据等都不同程度地固化了种族隔离的空间格局，割裂了白人与黑裔、亚裔及其他非盎格鲁裔种族，房产所有者与租户，以及独栋住宅与多户住宅。尽管这些体系公然呈现的种族偏见不为当今社会所容，但它们隐含的意图却被掩盖了更深层次歧视的新兴工具所加强。本文批判性地探究了历史遗产保护、开放空间的地役权与耕地保护实践之间的关系，以揭示这些制度是如何在美国土地利用实践中支持种族和社会歧视的。现有文献资料认为，这些实践所保护的历史、自然与农业对文化、环境和公众具有积极影响。但针对其潜在动因的探究亦揭示了上述目标是如何通过限制性手段实现的，这些手段利用开发管制及某些歧视性社会准则的建立与维护，强化了对特定群体的排斥或特权保护。基于文献分析，本文以美国南卡罗来纳州查尔斯顿市和宾夕法尼亚州费城为例，查证了历史遗产保护作为种族排斥手段的起源，以及历史街区是如何演化成士绅化白人社区的。另外，研究从耕地保护和开放空间地役权两个层面，分别选取位于纽约大都会区的两个研究案例——新泽西州米德尔塞克斯县克兰伯里镇和纽约州韦斯特切斯特县贝德福德镇——来探究历史遗产保护如何限制平价住房开发，揭露了排斥与特权飞地产生的过程。本文进一步论证了这些手段如何将历史与景观商业化，使其作为可交易的实体，推动当今财富至上的新自由主义环境的构建。

### 关键词

种族排斥；历史遗产保护；耕地保护；财产地役权；新自由主义；社会公平

### ABSTRACT

In the early 20th century, zoning, restrictive covenants, deed restrictions, and federally-sponsored real estate maps that directed bank loans operated at multiple levels to perpetuate spatial patterns that separated whites from Blacks, Asians, and other non-Anglo ethnics; homeowners from renters; and single-family dwellings from multi-family units. The obvious overtly racial biases of those systems are socially unacceptable today but their underlying purposes have since been augmented by new tools that mask further discrimination. This article presents a critical examination of the relationship between historic preservation, open space easements, and farmland preservation practices to reveal how these regulations support racial and social discrimination in American land-use practices. Existing literature presumes that history, nature, and farming, preserved by these practices are cultural, environmental, and public positives. An examination of the underlying forces shows how these goals are achieved by restrictive instruments that create exclusion and protect privilege by controlling development and establishing and maintaining social norms that exclude certain groups while welcoming others. Using documentary evidence, this paper establishes historic preservation's origins as an instrument of racial and ethnic exclusion in Charleston, South Carolina and Philadelphia, Pennsylvania of the United States, and the subsequent evolution of historic districts into gentrified, white neighborhoods. Two case studies in the New York metropolitan area, chosen for their use of historic preservation with farmland preservation (Cranbury Township, Middlesex County, New Jersey), and historic preservation with open space easements (Town of Bedford, Westchester County, New York) as resistance to affordable residential development, demonstrate how enclaves of exclusion and privilege were created. This article further establishes how these tools commodify history and landscapes into transactional entities that attain value in today's neoliberal wealth-focused environment.

### KEYWORDS

Exclusion; Historic Preservation; Farmland Preservation; Property Easements; Neoliberalism; Social Justice

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TRANSLATED BY WANG Ying TANG Zhonghui XIAO Jie

“共和党人想要通过移民和海关执法局及边界墙达到的目的，富裕而激进的民主党人正利用区划和邻避主义实现。”

——福哈德·曼基奥，《纽约时报》，2019年<sup>[1]</sup>

## 1 变相歧视：以历史保护为名义的种族化场地区划

众所周知，早期的美国土地制度存在明显的种族歧视现象。20世纪20年代末，为南卡罗来纳州查尔斯顿起草现代区划法的来自匹兹堡的工程师莫里斯·诺尔斯提出，要将特定的建筑和区域划定为历史遗产，一种新的种族排斥形式随着制度革新得以诞生。在这套区划法中，诺尔斯提议划定一片“历史悠久的查尔斯顿街区”，覆盖建成于18世纪的城市核心区域，并由建筑审查委员会负责管控。在诺尔斯提出提案的时期，查尔斯顿尚未兴建公路，也未开启由联邦政府资助的城市更新政策，因此该规划的目的并非现代历史保护主义者宣称的“调整（城市）变化速度”。相反，其目的是对特定的城市区域加以控制——让这些充斥着“真正”老南方怀旧情感的历史建筑免受北方的影响，因为被称为“扬基人”“冬日殖民者”“华尔街种植园主”的北方人相继在此购置历史性住宅。<sup>[2]</sup>正如克里斯托弗·西尔弗在《分区制的种族主义起源：1910—1940年的南方城市》中所述，“……消除黑裔是诺尔斯计划的隐含目标，也是邻里复兴期待的结果。”<sup>[3]</sup>一封寄往规划机构的信件清晰揭露了查尔斯顿规划的种族敌对程度：“请看在上帝的份上说说情 [原文]，清理洛根街和圣菲利普 [街] 之间博费因街上的贫民窟。那里气味糟糕，火灾频发，健康堪忧——破烂不堪的建筑里面挤满了黑人。 [落款] 关心人士。”<sup>[4]</sup>

1930年，也就是这条历史街区获批的前一年，美国人口普查结果显示，查尔斯顿老城区人口构成复杂：白人主要居住在街道两侧的大型别墅中，而非裔美国人则挤在狭窄的尾巷和宅邸后勤附楼中。随后1940年的人口普查结果表明，查尔斯顿的新历史保护法案已经显著破坏了该街区众多非裔美国人的居所。<sup>[5]</sup>建立查尔斯顿历史街区的真正目的是清除“他者”并保护精英建筑，而非表面上宣称的“保护这个城市的肌理”。这些打着“查尔斯顿老城区”旗号的精英建筑，铸就了美国独立战争到南北战争前这一时期查尔斯顿的独特身份。表达关于奴隶制、南北战争和查尔斯顿之没落的憎恶的文章被大量对独立战争时的盛会和南北战争前文化的怀旧描述所湮没。查尔斯顿人骄傲地讲

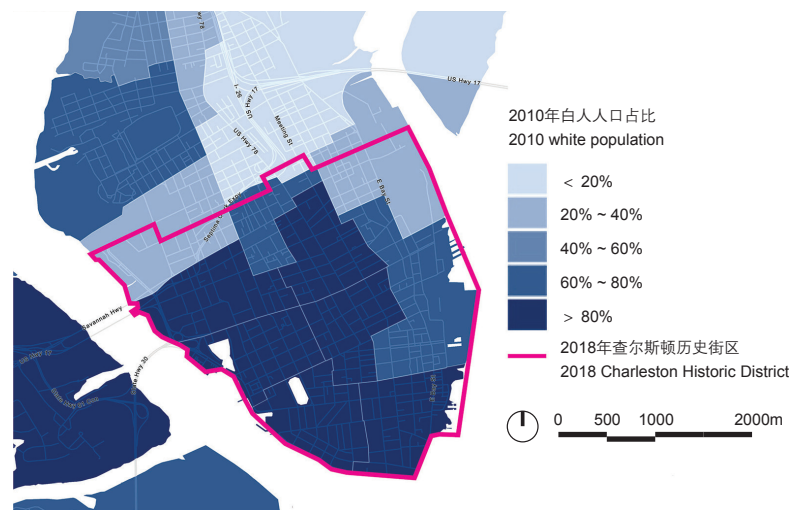
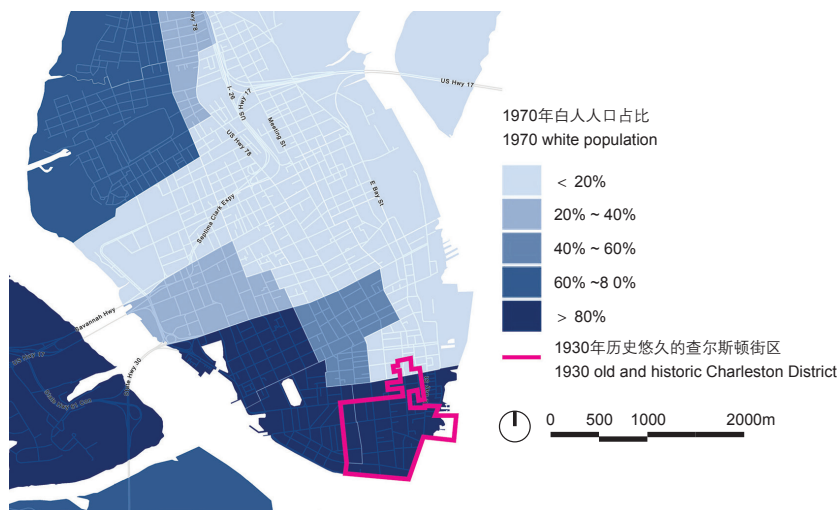
“What Republicans want to do with I.C.E. and border walls, wealthy progressive Democrats are doing with zoning and Nimbysism.”

—Farhad Manjoo, *New York Times*, 2019<sup>[1]</sup>

## 1 Discrimination by Other Means: Historic Preservation as Racialized Spot Zoning

The overt racism of early land-use regulations in the United States is well known. Regulation found a new exclusionary form in the late 1920s when historic designation of specific buildings and districts was advocated by Pittsburgh engineer Morris Knowles who drafted the modern zoning code for Charleston, South Carolina. In that code Knowles proposed an “Old and Historic Charleston District” covering the core of the 18th-century city that was to be controlled by a board of architectural review. At the time of Knowles’ plan, Charleston had yet to be reshaped by highways and federally sponsored urban renewal policies, so the plan was not an attempt to “modulate the rate of change” as is claimed by modern historic preservationists. Instead, the intention was to control an area of the city that carried nostalgic and emotional content of the “true” old South against the effects of another invasion from the North, as historic houses were purchased by those variously called “Yankees,” “winter colonists,” and “Wall Street Planters.”<sup>[2]</sup> Christopher Silver’s article, “The Racial Origins of Zoning: Southern Cities from 1910–40,” makes clear that “displacement of blacks was one of the implicit goals of Knowles’ plan and a desired outcome of neighborhood revitalization.”<sup>[3]</sup> The extent of racial hostility underlying Charleston’s planning was evident in a letter to the planning body: “Please in Heaven’s sake interceed [sic] to clear slums on Beaufaine Street between Logan and Saint Philip [Streets]. Odor, terrible. Fire trap. Health hazard – dilapidated buildings swarming with negros. [signed] An interested person.”<sup>[4]</sup>

According to the 1930 United States Census, the year before the historic district was approved, the population of the old portion of Charleston was mixed. Whites were concentrated in the main streets in the large houses while African Americans were clustered in rear alleys and the rear service wings of mansions. By the 1940 census, the impact of Charleston’s new historic code was obvious with demolition of many African American residences in the district.<sup>[5]</sup> Instead of the ostensible purpose of preserving the fabric of the city, the Charleston Historic District was a vehicle for removing the “other” while preserving elite buildings that formed the selected identity centered on the years between the American Revolution and pre-Civil War Charleston under the rubric of “Old Charleston.” Distasteful narratives of



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1

述着他们阻止会议街上约瑟夫·麦尼考尔特的住宅被埃索石油公司加油站所取代的故事；事实上，“历史悠久的查尔斯顿街区”中多数建筑已经被重建或改造为带有花园和雅致无尾静街的白人私有地块，成为了全球精英城市历史街区精致的、士绅化的空间特征的先驱。查尔斯顿的案例表明，作为规划手段的历史遗产保护固化了既有的社会、文化和种族阶级，并明确划分了受欢迎与不受欢迎的群体。

在过去半个世纪中，查尔斯顿历史街区的划定显著推进了白人士绅化过程——原本的历史街区不断扩张，直至城际高速公路以南的整个半岛完全由查尔斯顿历史保护委员会管控（图1）。<sup>[6]</sup>甚至昔日位于以马内利非裔卫理公会教堂周边的非裔社区（2015年，此地曾发生大型枪击事件），如今也几乎完全被白人占据。讽刺的是，基于2010年美国人口普查结果绘制的“种族点示图”表明<sup>[7]</sup>，半岛南部仅存的非裔美国人口聚居于曾经的纯白人公共住宅区域，且现在该片区的居住人口已全部转变为黑人。<sup>[8]</sup>导致的结果是，查尔斯顿历史街区99.99%的人口为白人，非裔美国人仅有两名。<sup>[9]</sup>整个半岛南部也发生了类似的变化——黑人被迫从查尔斯顿迁移到北查尔斯顿。与此同时，历史街区的划定很大程度上导致查尔斯顿老城区核心地带人口密度下降，因为房屋的新主人恢复了大型别墅的独户居住方式，黑人所居住的辅助用房被夷为花园。如今，人们正在公路南侧重建20世纪60年代被城际高速公路一分为二的原非裔社区中的小型巷道住宅，并赋予街区可爱的名字（例如“猫提琴”街），为精英人士构建虚假的历史，与此同时继续驱赶曾作为该城区主要人口的非裔美国人。猫提琴街上一栋两居

slavery, the War, and the decline of Charleston were overwritten with nostalgic depictions of Revolutionary War-era galas and antebellum culture. Charlestonians proudly tell the story of the battle to prevent an Esso gas station from replacing the Joseph Manigault house on Meeting Street; in fact, much of the “Old and Historic Charleston District” has been rebuilt and transformed creating white preserves with gardens and charming cul-de-sacs that anticipated the gentrified and curated character of elite urban historic districts around the world. As evidenced in Charleston, historic preservation as a planning tool became a means to ensure the perpetuation of established social, cultural, and racial hierarchies while making it clear who was welcome—and who was not.

The role of historic districting in Charleston as a catalyst for white gentrification has become even more evident in the last half century as the original historic district expanded until at present the entire peninsula south of the Crosstown Expressway is controlled by the Charleston Historic Preservation Commission (Fig. 1).<sup>[6]</sup> Even the formerly African American neighborhood around Emmanuel African Methodist Episcopal Church, the site of a 2015 mass shooting, is now nearly entirely white. Ironically, as evidenced in the “Racial Dot Map” of the United States based on the 2010 United States Census,<sup>[7]</sup> the only remaining African American population clusters in the southern half of the peninsula are located in formerly whites-only public housing projects that are now entirely Black.<sup>[8]</sup> As a result, the original Old and Historic District’s population in 2010 was 99.99% white with only two African Americans.<sup>[9]</sup> Similar changes have occurred across the lower peninsula with Blacks now pushed out of Charleston into North Charleston. Simultaneously, and largely as a result of historic designation,

1. 1970年和2010年查尔斯顿市的种族和历史街区情况。随着历史街区的扩张，查尔斯顿的白人口向北迁移，迫使非裔美国人口不得不搬离半岛南部。
1. Race and historic districts of Charleston in 1970 and 2010. The white population of Charleston has expanded north following the expansion of the historic district, forcing the African American population out of the lower portion of the peninsula.

2. 社会山居住区1995-2000年的种族和人口变化。2000年，社会山的非裔美国人口较1950年减少了87%。

2. Race and population of Society Hill from 1950 to 2000. African American population in Society Hill in 2000 was an 87% decline from 1950.

住宅的月租金为4 000美元，是低收入住房租金的4倍。<sup>[10]</sup> 维托尔德·罗伯津斯基也曾对这一社区大加赞美，但他却只字未提开发商在他们的历史街区里对非裔美国人的大规模排斥现象。<sup>[11]</sup>

由于农业变革和种族敌视，非裔美国人被迫离开南部，北方城市由此受到所谓“非裔美国人大迁徙”的影响。历史街区作为驱赶非裔美国人的手段在这些美国北方城市重现。第二次世界大战结束后，宾夕法尼亚州的费城计划出台法案，保护其历史街区中以独立大厅及附近为核心的18世纪地标建筑，从而避免权威性的城市更新项目被“剃光头”。宾夕法尼亚州首席规划师埃德蒙·培根提出该提案，并参照查尔斯顿，要求对需要保护的建筑物进行严格修复。与查尔斯顿的情况相似，该策略破坏了费城最具多样性的社区。这一地区的教堂记录表明，1950年该社区的人口大约有1/5为非裔，另有1/5为东欧人（大多具有犹太血统），其余为白人（多数信奉爱尔兰天主教）。自1955年历史街区建成后的10年内，重塑后的“社会山”居住区人口密度已缩减一半，成为一个白人比例近九成、黑人仅为3%的街区，并保持至今（图2）。<sup>[12]</sup>

## 2 历史、遗产与身份：新的排斥工具

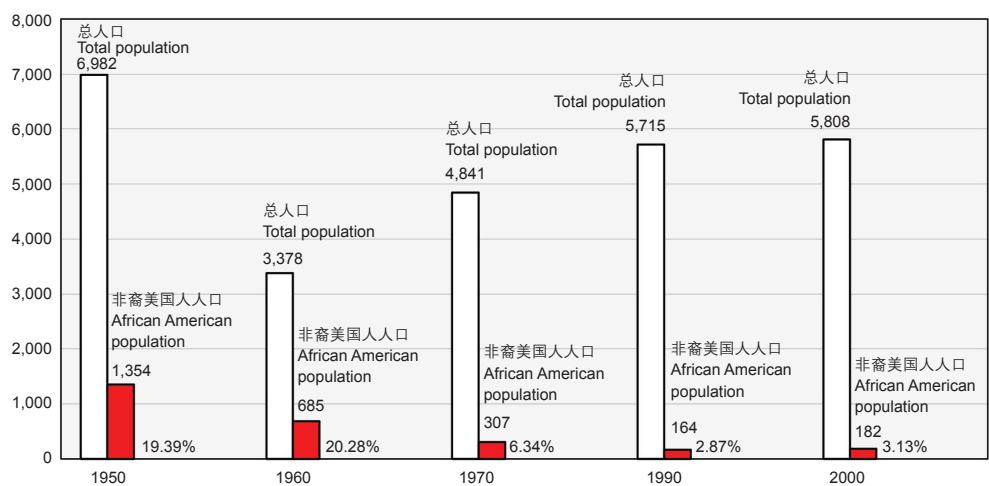
正如已故文化历史学家和地理学家大卫·洛温塔尔所言，历史从不中立。在社区规划中，历史常被颠覆，作为一种身份壁垒服务于遗产精英们。洛温塔尔提醒我们，真实的历史形成于对一手资料的研究，而后需与其他文字记录相比对，再经由假定是中立的同行审查，最终获得对事件尽可能恰当的理解。历史并非一成不变，它会随着新信息的发现与社会文化语境的变化而不断被改写。相比之下，遗产与事实的关系较弱，更多是为建立一种叙事，用以维护某个特定群体的身份、价值体系，以及社会与文化立场——人们通常希望这些元素是静止的。“历史是全人类共有的；遗产却只为某一地区的人们所拥

the core of the old city has been reduced in population density as new owners converted large houses back to single-family usage and service buildings where blacks were housed were demolished for gardens. Today tiny alley houses in a formerly African American neighborhood that was cut in half by the crosstown expressway in the 1960s are being reconstructed south of the highway as faux history for elites with cute names like Catfiddle Street, while continuing the elimination of the African American population that once formed the majority in the city. The rents for a tiny two-bedroom house on Catfiddle Street are USD 4,000 per month, four times the cost of low-income housing.<sup>[10]</sup> This neighborhood is praised by Witold Rybczynski who ignored the developer's role in the systematic exclusion of African Americans from their historic neighborhoods.<sup>[11]</sup>

The role of historic districts as agents of African American removal reappeared in northern American cities affected by the so-called Great Migration of African Americans who were forced out of the South by changes in agricultural practices and racial hostility. After World War II, Philadelphia, Pennsylvania avoided the total clearance of standard urban renewal projects by proposing to preserve its 18th-century landmarks in a historic district centered on Independence Hall and its surroundings. Its creator, Philadelphia's chief planner Edmund Bacon, followed the Charleston model that required exacting restoration of buildings identified for preservation. As with Charleston, this strategy destroyed old Philadelphia's most diverse neighborhood, that in 1950 as evidenced by the churches of the region, had been roughly a fifth African American, with another fifth of east European largely Jewish ancestry, and the remainder white, mainly Irish Catholic. Within a decade of the 1955 creation of the historic district, the rebranded "Society Hill" had reduced population density by half while simultaneously becoming the 90% white and 3% Black district that it remains to the present (Fig. 2).<sup>[12]</sup>

## 2 History, Heritage, and Identity: New Tools of Exclusion

As the late cultural historian and geographer David Lowenthal points out, history is not neutral. In its role in community planning, history is often subverted to serve heritage groups as a bulwark of their identity. Lowenthal reminds us that true history is constructed from a process of research into primary sources, comparison with other texts, and then is vetted by presumably disinterested peers to arrive at the best possible understanding of issues. History is not fixed, being reinterpreted as new information is discovered and as social and cultural contexts change. Heritage, by contrast, is less concerned with



有”——洛温塔尔简明扼要的总结即说明了这一点。<sup>[13]</sup>19世纪末，用以纪念独立战争的地方历史学会建立起基于“历史”的控制性文化框架，而在这种“历史”中，殖民主义建筑和精英血统成为了社区身份的标志。

查尔斯顿的没落贵族领导了最初的历史保护运动，他们利用对南北战争前那段时期的怀旧情结，为查尔斯顿的身份构建了一种遗产叙事模式，用以排斥非裔美国人和随后迁入的移民种族。与此相似，费城的社会山将殖民时期视作其核心身份象征，这也意味着要消除一切有关“他者”的叙事。在后文即将详述的新泽西州克兰伯里镇和纽约州贝德福德镇案例中，始于20世纪的历史保护活动公然表达了精英的怀旧之情，并由此塑造出社区的身份特征。但这种场所身份仅仅为老派精英所独享，他们热衷于身着殖民时期的服饰招摇过市，并坚信其私人遗产即代表了社区历史——他们对于祖先的崇拜已经渗透到建筑肌理之中。出于对开拓者盎格鲁白人身份的标榜，所有的后来者（以及他们的文化）均受到了排斥。当本质主义殖民身份成为构建历史街区的叙事模式，一种将白人精英视作“原真”场所身份创造者并赋予其特权的准入机制便形成了。

## 2.1 美国《国家历史遗迹名录》：扩大“历史”的影响

19世纪初至20世纪早期，美国人始终拒绝承认历史对于当前生活的推动作用，他们庆祝对欧洲继承等级制度的摒弃，转而建立起新的社会文化秩序。1844年，拉尔夫·沃尔多·爱默生在演讲《年轻的美国人》中向观众呼吁，“让居于美国的我们由衷感谢封建制度的匮乏”；他进一步将美国形容为“未来之国……新生之国、工程之国、设计之国和期待之国。”<sup>[14]</sup>19世纪后半叶，人们开始重新审视历史，将其视作与移民浪潮相对立的精英史；后来到20世纪60年代，这一思潮逐渐消退，历史又成为了影响一代人的文化力量——这个时代始于第二次世界大战时期工业化背景下的美国“敢做”精神，并以1969年的登月成功告终。《生活》杂志将20世纪60年代的文化动荡总结为“崇

facts than it is with creating a narrative to support a particular group's identity, their values, and social and cultural positions which are often intended to be static. Lowenthal's abbreviated distinction, "history is for all; heritage is for us alone" tells the story.<sup>[13]</sup> At the end of the 19th century, local historical societies, initially formed to keep alive the memory of the Revolution, and created a controlling cultural frame rooted in the past in which colonial architecture and elite ancestry became markers of community identity.

Charleston's has-been aristocrats who led the original preservation movement used nostalgia for the pre-Civil War past to create a heritage narrative for Charleston's identity that excluded African Americans and subsequent immigrant ethnic intrusions. Similarly, Philadelphia's Society Hill made the colonial era its core identity, here too eliminating any narratives of the "other" in this choice. As will be seen below in the examples of Cranbury Township (hereafter Cranbury), New Jersey and the Town of Bedford (hereafter Bedford), New York, historic preservation activities began in the 20th century ostensibly as a manifestation of elite nostalgia that shaped community identity. Place identity was owned by the old elites who paraded in colonial garb and focused community history on their personal heritage—a display of ancestor-worship that extended to the building fabric. By celebrating the founders' white Anglo identity, everyone (and their culture) who came after was excluded. When essentialist colonial identity becomes the narrative for creating historic districts, it forms a gating mechanism that privileges white elites as the authors of "authentic" identity of a place.

## 2.1 The National Register of Historic Places: Expanding the Influence of "History"

Throughout most of the 19th and early 20th century, Americans rejected history as a force in contemporary life, instead celebrating their rejection of European inherited hierarchy and in favor of their creation of a new social and cultural order. In 1844, in his lecture "The Young American," Ralph Waldo Emerson charged his audience to "let us live in America too thankful for our want of feudal institutions" and further described the nation as "the country of the Future... it is a country of beginnings, of projects, of designs, and expectations."<sup>[14]</sup> In the second half of the 19th century, history was rediscovered as an elite counter to the waves of immigrants and then faded as a cultural force in the generation ending in the 1960s that began with the can-do spirit of industrial America in World War II and ended with the landing on the moon in 1969. Amidst the cultural turmoil of the 1960s summarized in *Life Magazine* for "its sacraments sex, drugs and rock and roll," conservative reactionaries rediscovered history as a

尚性、毒品和摇滚”，裹挟其中的保守反动势力重新挖掘历史，将其作为堡垒来抵抗社会变化，赋权传统与过去以对抗不确定的未来。<sup>[15]</sup>

1966年，在《选举权法案》通过的两年后，美国国会通过了《国家历史保护法案》，确立了《国家历史遗迹名录》（以下简称“《国家名录》”），以管理有可能影响“历史性”财产的联邦政府资助项目。<sup>[16]</sup>尽管私有财产大多未受影响，但所有涉及公共资金的项目都需要接受审查，所有提案都需进行影响评估，同时给出能够降低对象财产所受影响的方案。由于《国家名录》要求认证机构基于事实来划定历史遗产并保持中立，此举极大拓展了联邦政府和公众参与现有构筑物和景观保护的力度。

## 2.2 《国家历史遗迹名录》与开放空间地役权的关系

1976年，《税收改革法案》对《国家名录》上的在册建筑或景观进行了历史价值认证，以便某个建筑或景观享有新税收政策优惠资质，此后《国家名录》的角色发生重大变化。<sup>[17]</sup>政府税收政策首次对既有建筑（而非新建建筑）有利，使得历史修复呈现繁荣景象。该法案的第170条明确规定：“对以保护为目的的财产部分权益的慈善捐赠准予减免所得税。”<sup>[18]</sup>这使得历史遗产所有者或可捐赠受保护历史建筑的部分价值以获得立面地役权，作为其同意不更改建筑外观的交换；针对被列入《国家名录》的土地，其所有者可同意放弃一部分土地开发潜力，这同样可视为慈善捐赠。<sup>[19]</sup>1976年至2020年间，个人慈善性保护地役权已保障约16万平方千米的土地，面积超过全国48个州国家公园总面积的30%。<sup>[20]</sup>通过这些手段，新自由主义者拥有了一个可减少联邦政府资助的新工具，房主可借此减少纳税——代价只是不能或仅可轻微改变房产的实际用途。<sup>[21]</sup>

## 2.3 便利设施：“自我选择式歧视”工具

与日俱增的监管审查震慑了公然的歧视倾向，为此地产开发商持续寻找着新的应对手段，其中就包括芝加哥大学法学教授利奥尔·斯特拉希勒维茨所描述的“排他性便利设施”，借助这些设施可以实现种族或社会同质化而无需公然进行非法销售。因此，正如斯特拉希勒维茨在佛罗里达州中部“村庄”地产的开发实践中所发现的，在会员制高尔夫球场周边设计的城郊社区令非裔美国人不得不自我劝退，因为会费的额外开支对他们而言并不值得。<sup>[22]</sup>通过与斯特拉希勒维茨教授的讨论，以及如他随后在2016年哈佛大学设计研究生院“权力与

bulwark against social change to empower tradition and the past in opposition to an uncertain future.<sup>[15]</sup>

In 1966, two years after the passage of the Voting Rights Act, Congress passed the National Historic Preservation Act that established the National Register of Historic Places (hereafter National Register) to regulate federally-funded projects that might affect “historic” properties.<sup>[16]</sup> While private property rights were largely unaffected, projects involving public funds were to be reviewed, the impact of the proposed work was to be evaluated, and means of lessening those impacts on subject properties were to be proposed. Because of its supposed fact-based neutrality, historic designation on the National Register drastically enlarged the sphere of federal and public engagement with existing structures and landscapes.

## 2.2 Linking the National Register of Historic Places and Open-Space Easements

The role of the National Register changed dramatically after 1976 when the Tax Reform Act of that year made listing on the Register proof of historical significance to give a building or a landscape sufficient status to make them eligible to benefit from changing tax policy.<sup>[17]</sup> A boom in historic rehabilitations followed, for the first time, Federal tax policy benefited existing buildings rather than new construction. Section 170 of the same act provided for “Income tax deductions for charitable contributions of partial interest in property for conservation purposes.”<sup>[18]</sup> This made it possible for an owner to take a façade easement on a portion of the value of a restored historic building in exchange for agreeing not to alter its appearance; in the case of land that was part of a National Register property, the owner might agree to forgo the development potential, again as a charitable donation.<sup>[19]</sup> Between 1976 and 2020, private charitable conservation easements protected 40 million acres now exceeding lands in the National Parks in the lower 48 states by 30%.<sup>[20]</sup> With these devices, the Neoliberal’s goal of defunding the federal government had a tool that resulted in lower taxes for the owner, in exchange for little or no change in the actual use of a property.<sup>[21]</sup>

## 2.3 Amenities: Tools for Self-Selecting Discrimination

As obviously discriminatory intent has faced an increasing regulatory review, real estate developers have continued to create new tools including what University of Chicago Law Professor Lior Strahilevitz describes as “exclusionary amenities,” whose purpose is to achieve racial or social homogeneity without resorting to overtly illegal sales practices. Thus as Strahilevitz demonstrated in the practices of The Villages real estate development in central Florida, suburban communities

场所”研讨会上的发言所述，历史遗产的划定总是以相似的方式在运作：赋权某个群体以建立其身份标志，继而向所排斥的群体传播排斥情绪并限制地区的发展。

纽约市房地产委员会针对历史遗产划定对社会与经济多样性的影响进行了调研，研究成果集结为一份名为《纽约市地标、住宅产品与人口统计》的报告，评估了纽约当地所划定历史街区的影响。研究表明，“地标性街区与非地标性街区的居民呈现显著的人口学差异。基于2010年美国人口普查分区数据的人口学分析表明，与曼哈顿区和布鲁克林区的非地标性街区乃至整个纽约市相比，地标性街区的人口丰富度在人种与民族组成上显著低于其他街区。此外，地标性街区的居民家庭收入更高——完全地标化的人口普查统计区的平均收入为其所在行政区整体水平的两倍。总体而言，人口普查统计区地标性产业比重越大，人口密度相应越低，出租房屋占比越小，每户人口越少。”<sup>[23]</sup>

## 2.4 进步场所：难道你不想做我的邻居吗？

下文中针对与纽约市相毗邻的克兰伯里和贝德福德两地的案例研究表明，独户分区、遗产叙事、货币化设施，以及州和联邦政府税收政策等举措造成了新一轮的壁垒，与多样性和包容性的社会文化目标相悖（图3）。这些价值观在公共电视节目中大肆传播，目标受众为看着《芝麻街》和《罗杰斯先生的左邻右舍》长大的新一代美国儿童——他们或许会引领美国房地产政策的新方向。《罗杰斯先生的左

designed around golf courses with required membership have caused African-Americans to self-select out of buying into the community because of the added cost for a service that they do not value.<sup>[22]</sup> In discussion with Professor Strahilevitz and as presented in a subsequent lecture at the Harvard Graduate School of Design in the initial Power & Place colloquium of 2016, historic designation functions in a similar manner by empowering one group to establish identity markers that communicate exclusionary vibes to those intended to be excluded while simultaneously limiting development.

The impact of historic designation on social and economic diversity was researched by the Real Estate Board of New York in *Landmarks, Housing Production and Demographics in NYC*, an evaluation of the impacts of locally designated historic districts of New York. The study concluded: “There is a stark difference in demographics between residents who live in landmarked districts and those who do not. Using 2010 US census tract data, a demographical analysis shows that the population in landmarked districts is significantly less diverse in terms of racial and ethnic makeup than the rest of Manhattan, Brooklyn, or New York City as a whole. Additionally, residents of landmarked areas have much higher household incomes; in census tracts that are completely landmarked, the average income is twice that of their respective boroughs as a whole. Overall, as the percentage of landmarked properties in a census tract increases, the population density is lower, the percentage of rental units is smaller, and households have fewer members.”<sup>[23]</sup>

## 2.4 Progressive Places: Won't You Be My Neighbor?

As demonstrated in the following case studies of Cranbury and the Bedford, both of which are in proximity to New York City, single family zoning, heritage narratives, monetized amenities, and state and federal tax policies have created a new round of barriers that conflict with social and cultural goals for diversity and openness (Fig. 3). These values are taught in Public Television programming aimed at America's children who in recent generations have been raised watching *Sesame Street* and *Mr. Rogers' Neighborhood*—hopefully they will redirect American real estate policies in the future. *Mr. Rogers' Neighborhood* ran on American television from 1968 until 2001 with each episode beginning with Fred Rogers singing “Won't You Be My Neighbor?”

“It's a beautiful day in this neighborhood,  
A beautiful day for a neighbor.  
Would you be mine?  
Could you be mine?”

3. 区位图：新泽西州克兰伯里镇和纽约州贝德福德镇都在纽约市的通勤距离之内。

3. Site location map. Both Cranbury, New Jersey and Bedford, New York are within commuting distance of New York City.



邻右舍》于1968~2001年在美国电视台播出，每集都在弗雷德·罗杰斯《难道你不想做我的邻居吗》的歌声中开始：

“这是左邻右舍美好的一天，  
是邻居美好的一天。  
你会是我的邻居吗？  
你可以做我的邻居吗？  
这是美丽树林中一个睦邻友好的日子，  
一个属于美丽邻居的美妙日子，  
你会是我的邻居吗？  
你可以做我的邻居吗？  
我一直想拥有像你一样的邻居！  
我一直想和你比邻而居。”<sup>[24]</sup>

这首片头曲展望了成为邻居所能带来的接纳与认可。“难道你不想做我的邻居吗”——这一邀请传达了罗杰斯歌曲中无处不在的善意。”英国文化地理学家多琳·马西提出了一个相似的观点——“进步场所”——她形容其为“开放的”而非“局限的”，因为它的价值体系根植于人类学家所称的“本质主义”叙事之中。<sup>[25]</sup>正如《罗杰斯先生的左邻右舍》一样，进步场所用开放的态度欢迎新的邻居、新的观点和新的形式。

罗杰斯所强调的是始于30年前大萧条时期的歧视现象，当时富兰克林·罗斯福总统曾试图通过保证住房抵押贷款重启国家经济。受联邦财政支持的房主贷款公司（HOLC）发布了美国城市房地产地图，以指导民众向联邦政府申请房地产贷款。HOLC的地图及其个性化的“区域描述”大规模地攻击了社区多样性，借由种族归罪言论为非裔美国人、墨西哥人、日本人，以及“末流的”东欧及南欧人贴上“破坏性种族分子”的标签，认为他们的存在导致了周边房地产的贬值。<sup>[26]</sup>20世纪70年代以后，HOLC划定的“红线”区域被高速公路及其他基础设施所束缚，大大降低了这些区域的投资价值——HOLC曾建议规避红色“风险区域”及黄色“显著衰落区域”，投资蓝色“尚有价值区域”及绿色“最佳区域”。如今，由于历史遗产的管控和私人地役权限制了未来的发展，历史保护街区 and 由耕地保护与开放空间地役权产生的、位于开放空间中可盈利的便利设施则为投资提供了安全感，既稳固了房地产市场，也提升了房地产价值。这些都已成为引导投资的标志。

### 3 案例研究：克兰伯里的历史、耕地保护与作为歧视壁垒的分区规划

新泽西州米德尔塞克斯县克兰伯里镇位于纽约市和费城之间，与两地距离相当。这里的居民以保留乡村特色为荣，拥有“历史殖民

It's a neighborly day in this beauty wood,  
A neighborly day for a beauty,  
Would you be mine?  
Could you be mine?  
I have always wanted to have a neighbor just like you!  
I've always wanted to live in a neighborhood with you.”<sup>[24]</sup>

The opening song promises the acceptance and welcome that being neighbors together can bring. The enveloping goodness of Rogers' song is an invitation—“Won't you be my neighbor?” British cultural geographer Doreen Massey makes a similar point about “progressive places” that are what she calls “porous,” rather than “place-bound,” with values embedded in what anthropologists call “essentialist” narratives.<sup>[25]</sup> Like *Mr. Rogers' Neighborhood*, progressive places are open to new neighbors, new ideas, and new forms.

Rogers was addressing discriminatory practices that began 30 years earlier in the midst of the Depression, as President Franklin Roosevelt attempted to restart the national economy by guaranteeing home mortgages. The federally-backed Home Owners Loan Corporation (HOLC) published real estate maps of American cities to determine access to federal real estate loans. The HOLC maps and their individualized “Area Description” texts systematically attacked community diversity using racially charged language that labeled African Americans, Mexicans, Japanese, and “low class” southern and eastern Europeans as “subversive racial elements” whose presence in a neighborhood undermined real estate values.<sup>[26]</sup> Into the 1970s, the spatial patterns of HOLC's “redlined” areas were bounded by highways and other infrastructure reinforcing them as places to withhold investment: avoiding the red “hazardous” and yellow “definitely declining” areas, while investing in the blue “still desirable” and green “best” areas. Today, historic preservation districts and the marketable amenities of open space produced by farmland preservation and open-space easements indicate safe spatial patterns for investment as historic regulation and private easements limit future development, giving certainty to the real estate market and raising real estate values. These are markers of where to invest.

### 3 Case Study—Cranbury: History, Farmland Preservation, and Zoning as Discriminatory Barriers

Cranbury Township is located in Middlesex County, New Jersey, equidistant between New York City and Philadelphia. Its residents have created a community identity as a “historic colonial village” and take pride in preserving its rural character.

村”的社区身份认同。而这一身份认同的背后却隐含着繁杂的排他行为：独户住宅分区加剧了排斥与隔离；致力于构建可盈利便利设施的历史遗产保护既是白人文化的标志，也对设计施以管控；通过耕地保护实践，人们开始重视空地，并将其当作开放空间。这些做法表面来看是为了保护环境、社会和公众利益；实则是借助公共资金项目限制开发活动，同时维护精英社区居民的权力、同质性和地产价值。克兰伯里以“新英格兰村”自居，拒绝对外开放，这一点从村庄中心的“主街”就可看出。<sup>[27]</sup>市政宣传资料用秋叶、一望无际的田野和主街南部布雷纳德湖上的滑冰场面来刻画当下克兰伯里的形象，让人联想到19世纪柯里尔与艾夫斯的版画集——仿佛两百年间，这里从未改变。

但实际上，这里已经发生翻天覆地的变化。克兰伯里早已不是新泽西郊区的小村庄，它几乎处于美国东北部海滨廊道上波士顿与弗吉尼亚州里士满之间的核心区。20世纪50年代，地理学家让·戈特曼将这条廊道称为“特大都市带”，指出这条连续、互相关联的线性土地正在经历极度城市化发展。<sup>[28]</sup>东北部滨海廊道西至美国最富裕的社区之一普林斯顿，东连两大高速干线——本地商用多车道美国130号公路和第二次世界大战之后修建的新泽西收费高速公路（现为美国南北向最重要的州际公路——95号州际公路的一部分）。20世纪60年代，凭借地处东北部交通廊道沿线的优势，克兰伯里在工业和住房方面蓬勃发展。<sup>[29]</sup>60年代初期，美国的城市规划师普遍认识到经济增长的重要性，行业顾问建议克兰伯里重点发展“高端产业”；为此，当地需要加大服务业投资力度、改善水网管道基础设施、减少农民工“回流”、调整分区，同时降低土地税，保护开放空间。<sup>[30]</sup>规划顾问继续指出，克兰伯里应该鼓励多户住宅和小地块房产的开发，以尽可能避免因开发商反对当地的限制性分区政策而造成的官司。<sup>[31]</sup>1960年，当地人口为2 001人；此后25年，克兰伯里人口不断增长，达到17 000~28 000人；即便如此，在规划顾问看来，有了合理的现代化规划，克兰伯里就能控制当地的经济增长，吸引工业入驻。<sup>[32]</sup>当地居民一方面希望吸引轻工

Behind this constructed identity are a litany of exclusionary practices: single-family zoning for exclusion and segregation; historic preservation as a monetized amenity that is both a white cultural marker and the means to control design; and land area now valued as an open-space amenity created by farmland preservation practices. Disguised as environmental, social, or public goods, these actions in fact are publicly-funded instruments to limit building opportunities while benefitting and maintaining the power, homogeneity, and property values of the elite community residents. Cranbury's resistance to openness is embedded in the town's self-selected identity as an embodiment of a "New England village" centered on its village Main Street.<sup>[27]</sup> Contemporary images of Cranbury in municipal publications showing autumn leaves, open and endless fields, and ice skating on Brainerd Lake on South Main Street, recall 19th-century Currier & Ives prints, making it seem that little has changed here in 200 years.

In fact there have been vast changes. No longer a tiny farm village in rural New Jersey, Cranbury is nearly centered in the region of the Northeast seaboard from Boston to Richmond, Virginia identified in the 1950s by geographer Jean Gottman as "Megalopolis," a continuous, inter-related linear territory of extreme urbanization.<sup>[28]</sup> It is framed to the west by Princeton, one of the nation's wealthiest communities, and on the east by two major highways, the local commercial multi-lane US-130 and the New Jersey Turnpike, constructed after World War II, that is now part of I-95, the nation's principal north-south Interstate. Cranbury's location in the northeast transportation corridor gave it advantages for both industrial and housing growth in the 1960s.<sup>[29]</sup> In the early 1960s, when American planners presumed the value of growth, industry consultants advised Cranbury that to attract "polite industry," it would need to fund improvements to services, water and sewer infrastructure, reduce the "backwash" of migratory farm labor, revise zoning, and reduce farmland taxes to preserve open space.<sup>[30]</sup> Planning consultants further advised Cranbury to allow multi-family development and housing on small lots to prevent court challenges if a developer were to oppose their restrictive zoning.<sup>[31]</sup> Their message was that with sound modern planning the township could control its growth and attract industry even as its population soared from 2,001 in 1960 toward an estimated 17,000 ~ 28,000 in the next 25 years.<sup>[32]</sup> Although the citizens wanted to attract light industry to increase tax rates, they were fearful of workforce housing that would require a larger school system and result in higher taxes to pay for increased services. Instead Cranbury's leadership opted out of the growth narrative, approving the 1967 Cranbury Masterplan

业增加税收；另一方面则担心劳动力增加会导致培训学校系统规模扩大，最终反而增加自己的税务负担。最终，当地官员决定控制经济增长速度，并通过了《克兰伯里镇总体规划（1967年）》，提出要防止“大量开发小型住房和公寓，以免给当地造成经济和社会负担”。<sup>[33]</sup>

克兰伯里的居民已不是第一次通过排他性举措来应对变革。早在1939年，在当地于小面积地块上开发了部分郊区别墅后，克兰伯里便通过了第一分区法规，以阻止小地块和多户住宅的开发。第二次世界大战后，地块面积约557~650m<sup>2</sup>的“莱维顿”式住宅项目从长岛火遍华盛顿郊区，克兰伯里因此于1951年提高了地块最小面积限制；1960年，布雷纳德湖南部开发了50处住房，总占地面积约0.4hm<sup>2</sup>，而后进一步提高了地块最小面积限制。<sup>[34]</sup>那些更大面积的地块一般不向中等收入及有子女的年轻家庭开放，因为他们往往会要求修建新的学校，增加居民的税务负担。

于1939年出台的分区法规同时对每户人口数量进行了限制，并要求借住人员不得超过三人，以减少人口流动。为了恐吓、驱逐黑人，当地政府针对已在当地生活数年的农民工和家禽加工厂员工开展夜间突袭和逮捕活动。空房房东拒绝向“有色”人种出租房屋，造成劳动力住房短缺。<sup>[35]</sup>克兰伯里的分区法规禁止开发多户住宅，劳动人口不得居住在条件恶劣的鸡舍和棚屋中。克兰伯里的独户家庭分区政策也并非关乎住房类型——用家禽厂管理人员的话说：“当地居民并不欢迎有色人种长期居住。”<sup>[36]</sup>因此，克兰伯里一直通过分区手段限制当地的经济和种族多元性，强化其白人精英村庄的身份。

20世纪60年代中期，美国《民权法》和《公平住房法》出台，克兰伯里不得不考虑通过其他方式维护当地白人社区的专有身份。随着新泽西郊区人口的不断增长，住房问题对低收入家庭而言越发严峻。1970年，非裔美籍居住的斯普林维尔社区行动委员会申请在附近的月桂山社区开发住房，但因不符合当地的分区法规，被时任市长比尔·海恩斯否决。海恩斯表示：“如果你们在克兰伯里买不起房子，最好是离开……”<sup>[37]</sup>当地政府会根据现有的偏好于大面积地块独户住宅的分区体系对开发申请予以否决。1971年，斯普林维尔委员会联合全

that focused on preventing “a sudden influx of development of small houses and apartments which would upset the community both financially and socially.”<sup>[33]</sup>

This was not the first time that Cranbury’s residents had reacted to change with exclusionary measures. In 1939, following the construction of a few suburban houses on small lots, the town passed its first zoning ordinance to prevent future small-lot and multi-family development. After World War II when Levittowns were springing up from Long Island to the suburbs of Washington, D.C. with lot sizes of 6,000 to 7,000 square feet, Cranbury increased its minimum lot size in 1951 and again in 1960, after a development of 50 homes was completed south of Brainerd Lake, when it required nearly an acre.<sup>[34]</sup> The larger lots were intended to exclude young moderate-income families with children who would increase taxes by requiring new schools.

The 1939 zoning law also limited the number of residents in a household to one family and three boarders to reduce transients. Middle of the night raids and arrests aimed at migrant farm labor and poultry packing plant workers were designed to terrorize and expel Blacks who had lived there for many years. Owners of vacant houses refused to rent to “colored” people creating a housing shortage for laborers.<sup>[35]</sup> By prohibiting the construction of multi-family housing, Cranbury’s zoning ordinance forced laborers to live in substandard chicken coops and shacks. The intent of Cranbury’s single-family zoning was not about a housing typology, rather as explicitly stated by a poultry plant official: the “town’s citizens do not want permanent colored neighbors.”<sup>[36]</sup> Thus Cranbury’s citizens had long used zoning to exclude economic and racial diversity in its community thereby reinforcing its identity as an elite village of white residents.

The Civil Rights and Fair Housing Acts of the mid-1960s forced Cranbury to strategize how to preserve its exclusive, primarily white community. The pressures of suburban population growth in New Jersey communities frequently left low-income families with no access to housing. In 1970 in nearby Mount Laurel, the African American Springville Community Action Committee applied to build clustered housing which was not permitted by the town’s zoning. Their application was denied by the mayor, Bill Haines, who stated that “If you people can’t afford to live in our town, then you’ll just have to leave...”<sup>[37]</sup> The township based its denial on existing zoning which favored single-family large lot zoning. In 1971 the Springville Committee joined forces with the local National Association for the Advancement of Colored People and Camden Regional Legal Services to file suit arguing that

美有色人种协进会和卡姆登地区法律服务协会提起诉讼，指出由于目前的分区要求，月桂山社区未能开发经济适用房，导致贫困人口和少数族裔人口无家可归。1975年，新泽西州最高法院对此作出判决：

“根据国家宪法的规定，经济高速增长地区的各市均有义务通过用地管理举措，促使中低收入家庭切实地共享该地区当前和未来的住房保障。”<sup>[38]</sup>

法院最初出具的“月桂山社区判决书”（即“月桂山社区一号判决”）让克兰伯里陷入经济适用房之战中。1976年，美国大新布朗斯维克城市联盟发起集体诉讼，将米德尔塞克斯县的11个社区告上法庭，法院最终判定当地的分区法规具有排他性，不符合宪法规定。根据判决，克兰伯里需在90天内重新分配1 351套住房单元，相当于当地别墅数量的3倍。<sup>[39]</sup>当地报道转述了判决书中提及的克兰伯里分区体系存在的明显问题：“工业用地的分区面积过大，至少有809hm<sup>2</sup>。克兰伯里村以外区域实际开发的最小地块面积至少约0.37hm<sup>2</sup>。这说明克兰伯里在村庄毗邻区域拥有充足的土地，可为中低收入家庭开发1 351套住房单元。如此‘既不会损害村庄现有住房特征，也不会影响当前耕地的使用’。”<sup>[40]</sup>

克兰伯里时任市长弗莱德·伊顿认为法院的裁决“简直荒谬”，并计划与新泽西其他社区联合上诉。由于各个地区对裁决的反对声音强烈，月桂山社区一案于1983年再次开庭，二审作出“月桂山社区二号”判决，要求废除排他性分区政策，为贫困家庭提供住房，实现新泽西各社区的社会与种族融合。<sup>[41]</sup>判决还提出了“开发商补偿”机制——若开发商计划拿出市价水平住房项目中1/4的房源作为经济适用房，但遭到当地社区的反对，此时开发商可提起法律诉讼。新泽西州根据后续的相关判决制定了《新泽西公平住房法（1985年）》，由经济适用房委员会确定各个社区的经济适用房比例。随后，克兰伯里又通过了《地区出资比例协议》，规定各社区可向其他社区支付一笔款项，将最多50%的经济适用房指标转移给其他社区。这一协议让月桂山案的判决效力大打折扣。将经济适用房转移到原本已经较贫困的社区中，虽然在一定程度上缓解了住房不足的压力，但却无法实现真正意义上的社会与种族融合。

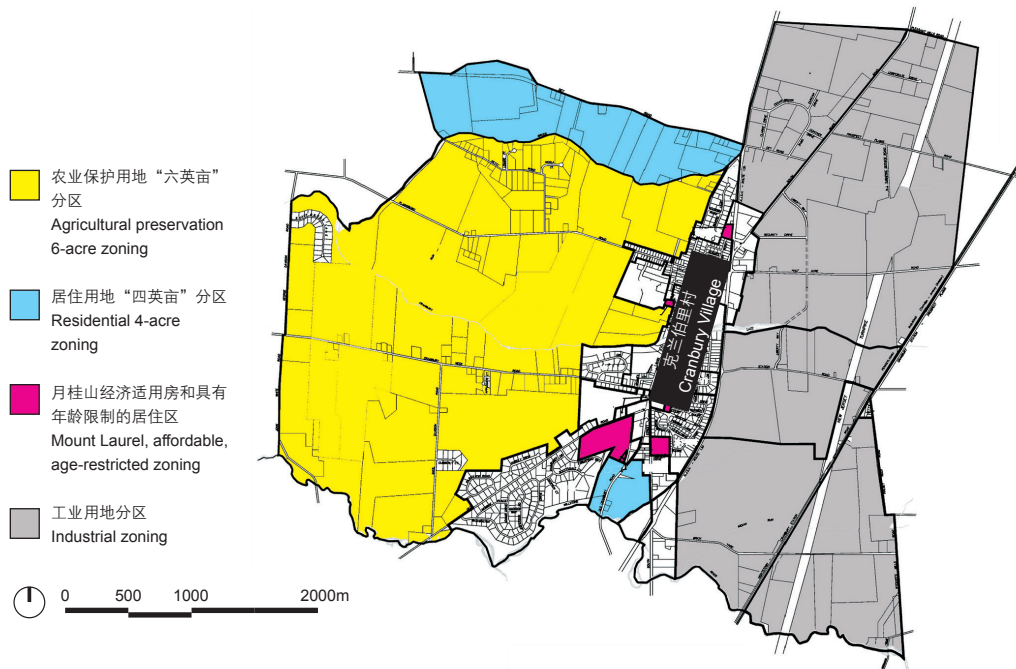
此后，克兰伯里继续寻找着其他排他性方案。针对镇中心南部的“影子橡树”开发项目和西侧耕地边缘的规划项目，当地政府圈定了农业区域，并于1983年将独户地块面积提高至约2.43hm<sup>2</sup>，增加至过去的6倍（图4）。1984年，法院将克兰伯里的经济适用房指标减少了40%（1986年，经济适用房理事会进一步将指标从最初的1 351套降低至187套）。抵抗显然是有效果的。经济适用房项目远离镇中心，位于美国130号公路和新泽西收费公路之间的工业区。1984年，镇政府开会提议，

Mount Laurel's zoning effectively prohibited construction of affordable housing and by extension excluded poor and minority populations from living in Mount Laurel. In 1975 the New Jersey Supreme Court ruled that “every municipality in a growth area has a constitutional obligation to provide through its land-use regulations a realistic opportunity for a fair-share of its region's present and prospective needs for housing for low and moderate income families.”<sup>[38]</sup>

The court's initial Mount Laurel ruling (Mount Laurel I) brought the battle over affordable housing to Cranbury. In 1976 a class-action suit brought by the Urban League of Greater New Brunswick against 11 Middlesex County communities resulted in the finding that their zoning ordinances were exclusionary and thus unconstitutional. Cranbury was assigned a quota of an additional 1,351 housing units that would have tripled the number of houses in the town and given 90 days to rezone.<sup>[39]</sup> Specific shortcomings of Cranbury's zoning were paraphrased in the newspaper account of the decision: “the township is overzoned for industry by more than 2,000 acres. Minimum lot sizes outside the Cranbury village, which is substantially developed, are 40,000 SF. The township has enough available acreage near the village to provide for 1,351 low- and moderate-income housing units ‘without impairing the established residential character of the village, or interfering with present farm use’.”<sup>[40]</sup>

Cranbury's then mayor, Fred Eden, found the ruling “an absurdity” and with other New Jersey communities considered an appeal. Widespread noncompliance with the ruling led to a rehearing of the Mount Laurel Case resulting in the 1983 Mount Laurel II decision that again upheld the abolition of exclusionary zoning to require housing for the poor and accomplish the social and racial integration of New Jersey communities.<sup>[41]</sup> The ruling also provided a mechanism called the “builder's remedy” that allowed a developer to bring suit against a community preventing development if the builder agreed to provide one affordable unit for every four market-rate units built. Subsequent rulings established the 1985 New Jersey Fair Housing Act while the Council on Affordable Housing determined the fair-share housing obligations of each community. The original Mount Laurel decision was undercut by the addition of a Regional Contribution Agreement by which communities could pay another municipality to absorb up to 50 percent of their fair-share housing agreement. This shifted new housing to already poor communities, and, though providing housing, undercut the goals of social and racial integration in the target communities.

Cranbury continued to find new means to exclude. In response to the Shadow Oaks housing development south of the



4. 克兰伯里分区规划：克兰伯里村的西侧是占地六英亩的大片农业保护用地，东侧是工业区。依据月桂山社区案判决而建的经济适用房与具有年龄限制的居住区所占地块均较小，且位于村庄外围。位于新泽西州收费公路附近的配送仓库增加了该镇的征税。

4. Cranbury zoning. Cranbury Village sits between a large area of 6-acre Agricultural Preservation zoning to the west and Industrial zoning to the east. Mount Laurel, affordable and age-restricted parcels are small, located on the periphery of the village. Distribution warehouses located for proximity to the New Jersey Turnpike provide tax ratables for the town.

将中低收入家庭住房改造为老年住宅，进而降低对交通和学校系统的影响。但仅有一人同意将老年住宅纳入社区范围，大部分与会人员表示应该保护“历史性村庄”和周围的农业用地，避免“不合理开发”。<sup>[42]</sup>

1987年，月桂山案的判决依然面临执行阻力。当地居民指出，开发商通过“开发商补偿”机制提供市价水平经济适用房的做法，无疑是在新泽西收费公路旁建起了一座“破烂贫民区”，同时在西侧耕地区域建起了由市价水平住房组成的“黄金贫民区”。<sup>[43]</sup>无论哪种开发模式，当地居民都不愿接受。克兰伯里通过法律手段，有偿将当地居民安置在米德尔塞克斯县珀斯安博伊市和卡特雷特区社区的经济适用房中，同时通过非营利组织克兰伯里住房协会履行其他义务。

有关减少或清除低收入群体住房的斗争和这类住房选址的争论反映了一个核心问题：克兰伯里如何看待其身份认同。1995年，距离月桂山案的最初判决已经过去20余年，有人提议在克兰伯里主街和南部地区分别开发4套和20套双联住房。但这项提议未能通过，这些住宅最终建在了镇中心南部和美国130号公路附近。反对声强烈或是因为当地居民认为，在主街新建双联住房会融入外来人口：“如果在这里（主街）建双联住房，克兰伯里便会跟其他郊区城镇毫无区别，就失去了自己的特色。”<sup>[44]</sup>在《购物保卫战》一书中，英国人类学家玛丽·道格拉斯指出，人们往往不由自主地想要保护自己的社区身份；一旦我们不再维持自己的身份认同，我们的身份便会因滑向其他社区的身份而不复存在。<sup>[45]</sup>因此，“我不要沦为那种人”的想法体现了不同社区之间的身份差异。克兰伯里绝不想主街上出现双联住房，因为这种住房会让克兰伯里失去作为“历史性村庄”的身份认同，而沦为普通郊区城镇。

town center and another planned on the western farmland edge, the town created an agricultural zone and increased single-family lot size by 600% to 6 acres in 1983 (Fig. 4). In 1984 the courts reduced Cranbury's quota of fair-share housing by 40% (a number that was further reduced by the Council on Affordable Housing in 1986 to 187 from the original 1,351 units). Resistance clearly paid off. Fair-share housing sites were located away from the town center next to the industrial zone between US-130 and the New Jersey Turnpike. At a 1984 town meeting a new proposal was made to shift the low and moderate-income housing to senior housing to not impact traffic or the school system. While one citizen supported integrating the housing into the community, the overwhelming sentiment was to preserve the “historic village” and surrounding agricultural lands and prevent “inappropriate development.”<sup>[42]</sup>

The resistance to the Mount Laurel mandates continued in 1987 when residents characterized a developer's proposal that used the builder's remedy to provide market rate and affordable housing as creating a “poor ghetto” next to the New Jersey Turnpike and a “golden ghetto” of market rate housing on the western farmland side.<sup>[43]</sup> Neither development was acceptable to the town. Using the legal capacity to shift low-cost housing to other communities within Middlesex County, Cranbury instead paid Perth Amboy and Carteret to take on its fair-share housing while relying on Cranbury Housing Associates, a not-for-profit corporation, to meet its remaining obligation in Cranbury.

The battle to reduce or even eliminate low-income housing and the debate about where to locate housing reveal core issues about how Cranbury regards its identity. In 1995, a full generation after the initial Mount Laurel decision, a proposal to build 4 units as duplexes on Main Street and 20 units south of the town center and adjacent to US-130. Despite or perhaps because of the recognition that housing on Main Street would integrate the new residents into the community, the opposition claimed “if you put those houses there (on Main Street) you really won't be able to tell... that Cranbury is any different from any other suburban town.”<sup>[44]</sup> British anthropologist Mary Douglas concludes in *In Defense of Shopping* that people first make choices defensively to protect the identity of their group. If we do not maintain our group identity, we cease to exist by collapsing into the identity of another group.<sup>[45]</sup> Hence, “I wouldn't be caught dead in that” stakes out the territory of difference between group identities. Cranbury “wouldn't be caught dead” with duplexes on Main Street. Duplexes would mean instead of being an “historic village,” it was merely an ordinary suburban town.

克兰伯里坚持维护自己的“村庄”身份，而拒绝被视为郊区或城市。正是由于身处的大都会区，乡村的特色才会凸显。1965年，“温尼伍德”住区的房地产广告打出了这样的标语：“距普林斯顿仅8英里，真正的‘郊区新贵’……远离都市的喧嚣，回归村庄的宁静。”<sup>[46]</sup>“温尼伍德”不过是另一处郊区，但却充分利用了克兰伯里的耕地元素来宣传楼盘。

作为以耕地景观为主的殖民村，克兰伯里利用对想象中的黄金时代的怀旧情结，形成情感触发点来抗拒一切可能的改变。地理学家马西将克兰伯里这类乡镇形容成“场所局限”，在这里，“过去”可以展示出未被外界侵扰的“真正”的地方特色。在马西看来，传统不过是一种怀旧形式，会遏制进步性变革及拒绝面对现实——这一现实即每一处场所都处于持续变化中，不断建立新的传统并与更广阔的世界产生联系。<sup>[47]</sup>对于克兰伯里来说，被神化为历史的“过去”是影响当今（和未来）决策的重要工具，人们秉承这种本质主义观点，反对一切变化的发生。

自1967年起，克兰伯里便以保护历史为名，拒绝改变。1966年，适逢《国家名录》确立，针对拟在主街开设一家联邦邮局的提议，当地组织——即后来的克兰伯里历史与保护协会——发起了村庄保护活动。<sup>[48]</sup>20世纪70年代，月桂山案二审判决后，克兰伯里以历史保护为借口拒绝改变的势头更加强劲。<sup>[49]</sup>1980年，克兰伯里镇中心被纳入《国家名录》，小镇被赞誉为“米德尔塞克斯县保存最完好的19世纪村庄”，提名委员会表示，“正是这种独特的身份让克兰伯里从周围外观相似的郊区和现代化商业开发项目中脱颖而出，成为了颇具历史意义的村庄。”<sup>[50]</sup>这种本质主义的描述暗示着任何给克兰伯里增加现代化郊区或商业元素的变化都将有损这座乡镇的历史特色。1988年，克兰伯里镇的历史保护顾问委员会成立，负责监督克兰伯里的“适当设计”，特别是为了履行月桂山案判决而在乡镇中进行的住房开发项目。

体现了克兰伯里身份特征的建筑中蕴含着潜在的权力结构。随处可见的白色护墙板房和高大的苍天树木无一不呈现着这座“新英格兰村庄”的气质——这也是居民们盎格鲁（美国白人）身份的象征（图5）。这座村庄原本是为促进贸易往来而建，如今这些痕迹已经消失殆

Cranbury's insistence on maintaining its “village” identity is in opposition to being considered suburban or urban. Within the Megalopolis region the rural pockets that existed are noted for their desirable difference. A housing development advertisement from 1965 for “Wynnewood” boasted “Just 8 miles from Princeton in Cranbury, where you can become an ‘ex-urbanite’... a home that’s really outside the hustle-bustle of the Metropolitan area, not just suburban, but exurban.”<sup>[46]</sup> Wynnewood was in fact just another suburban subdivision but traded on Cranbury’s farmland as a marker of rural prestige.

Cranbury’s identity as a colonial village in an agrarian landscape uses nostalgia for an imagined golden age as an emotional trigger to create alarm for any change. Massey describes towns like Cranbury as “place-bound” where the past is seen to embody the “real” character of the place unspoiled by intrusions. Tradition, seen only as a form of nostalgia in Massey’s analysis, prevents any progressive change and rejects the reality that places are processes constantly in flux, building new traditions and connections to the wider world.<sup>[47]</sup> In Cranbury the past, enshrined as history, is used as a tool to determine the present (and future)—an essentialist point of view that creates opposition to change.

Cranbury’s use of history as a tool of resistance to change began in 1967, one year after the creation of the National Register, when a group that became the Cranbury Historical & Preservation Society organized to preserve the village together with a new federally-funded post office threatened changes on Main Street.<sup>[48]</sup> Efforts to use historic preservation as a bulwark against change were redoubled in the 1970s after the Mount Laurel II ruling.<sup>[49]</sup> In 1980 the town center was placed on the National Register, celebrated in the nomination as “the best preserved 19th century village in Middlesex County” and noting that “it is this identity which sets Cranbury aside from its nearby surroundings of look-alike suburbs and modern commercial developments creating a significant historical village.”<sup>[50]</sup> This essentialist description implies that any change that makes Cranbury part of the contemporary suburban or commercial world would undo its historic stature. The town’s Historic Preservation Advisory Committee established in 1988 oversees what Cranbury considers “appropriate design” for any change, especially housing built in town to fulfill its Mount Laurel obligation.

The character of Cranbury as expressed in its buildings reveals the underlying power structure. Cranbury’s image as a “New England village”—white-painted, clapboarded houses, large old trees—expresses an Anglo identity that is synonymous with white Americans (Fig. 5). The original mercantile purpose

5. 克兰伯里主街：白色护墙板房、高大的苍天树木，以及砖砌人行道体现了克兰伯里本质的主义历史乡村风貌。
  6. 克兰伯里的经济适用房：位于美国130号公路旁边的经济适用房是克兰伯里为履行月桂山社区案的判决而建。
5. Cranbury Main Street. White clapboarded houses, large old trees, and brick sidewalks characterize Cranbury's essentialist historic village identity.
  6. Cranbury affordable housing. Affordable housing located along US-130 was built to satisfy Cranbury's Mount Laurel obligation.

尽，取而代之的是一种带有指示意味的原真性——建构一种覆盖于殖民历史遗迹之上的当代生活，传递这一独特的、精英的、具有传承性的与传统世界的身份特征。<sup>[51]</sup>建筑肌理中的历史能够反映出哪些力量占据主导地位、哪些群体被接纳、哪些群体遭到排斥。镇中心已经引入的经济适用房与传统建筑肌理相融合，成为整个地区更广泛身份特征的一部分。相比之下，克兰伯里东部美国130号公路沿线的经济适用房多为多户住房，房屋前方配有停车场（图6）。这种设计与克兰伯里的村庄风格并不一致，居住在此的居民自然也被排除在外。

在抵制开发的斗争中，克兰伯里凭借《国家名录》认证的历史遗产身份和周边的耕地环境，强调这个小镇的空间关系不应被月桂山案判决的住房指标破坏；否则，克兰伯里将失去其“真正”的面貌。为此，克兰伯里修订了《新泽西州公平住房法（1985年）》，要求在确定当地经济适用房指标的过程中必须考虑历史保护和耕地保护问题。<sup>[52]</sup>正是因为这项修订案，克兰伯里的义务指标减少了40%。过去，克兰伯里的耕地上主要开展的劳动密集型家禽饲养和生产及土豆等农产品种植活动，如今已经逐渐转变为可机械化种植和收割的大豆和玉米等农作物的种植。新泽西州小型家庭农场众多，曾被誉为“花园州”，但新泽西中部的小型家庭农场却较难盈利。1980年，当地农场主表示，需要将约405hm<sup>2</sup>的土地出租出去才能实现盈利。<sup>[53]</sup>与20世纪60年代相比，月桂山案判决所要求的经济适用房指标让克兰伯里居民又一次面

of the village is long gone and what is left is a referential authenticity—a construction that overlays contemporary life on remains of the colonial past to communicate an identity of a unique, elite, inherited, traditional world.<sup>[51]</sup> History manifested in the architectural fabric expresses who is in charge—who is included and excluded. The affordable housing built within the town fabric was designed to blend in with traditional architecture typology and becomes part of the larger identity of the place. By contrast, the affordable housing developments built east of the town along US-130 are multi-family blocks with parking lots in front (Fig. 6). These would never be identified with Cranbury village and by extension, their design makes it clear that their residents are excluded as well.

The battle Cranbury waged to resist development used its National Register status and its setting in the surrounding farmland to underscore the narrative that this relationship should not be broken by the Mount Laurel housing quotas that would destroy the “real” Cranbury. The town accomplished this by amending the 1985 New Jersey Fair Housing Act to mandate consideration of historic and farmland preservation in determining a municipality’s fair-share quota of affordable housing.<sup>[52]</sup> The previously mentioned 40% reduction in its obligation was the result of this amendment. Farming in Cranbury, once the primary land use, has steadily changed from labor intensive poultry, produce, and potatoes to soybeans and corn that can be planted and harvested by machinery. Small family farms that gave the “Garden State” its nickname were unprofitable in central New Jersey. In 1980 farmers reported that they needed to lease multiple parcels—close to 1,000 acres



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临更为严峻的耕地开发压力。随着克兰伯里历史街区被纳入《国家名录》，以及近年当地更为严格的历史街区保护对村庄开发的限制，克兰伯里更进一步，首次实施了“六英亩”分区制度以阻止耕地开发；1983年，当地将乡镇西部的土地圈出来，用于农业保护。<sup>[54]</sup>针对农业保护而进行的分区主要回应了月桂山案的争议，并有效阻止了将土地开发成郊区住宅小区。此举响应了《新泽西农业保存与开发法（1983年）》，也符合米德尔塞克斯县作为农业发展区的定位（即土地主要用于农业活动）。1998年有新闻报道称：“克兰伯里的农业时代‘已经一去不复返了’”，尽管如此，这里的农业用地最终仍得以保留。<sup>[55]</sup>

在地方、县级和州级法规的交叉作用下，克兰伯里的农业身份得以永久保留。根据《税务改革法案（1976年）》，新泽西州发起了“耕地保护项目”，利用开发土地和保护农业用地之间的差价获得开发地役权。讽刺的是，这些土地实际上并不用于耕种。地役权一般允许土地所有者在自己的土地上居住，并对部分土地进行开发；剩余的耕地亦可出售，但不能用于土地开发。自1990年到2015年，克兰伯里共有23个农场被纳入永久保护范畴，占地约10km<sup>2</sup>，占镇域土地总面积的30%。原土地所有者共获得30 134 268.77美元的公共基金，每英亩土地均价为3 868~30 000美元。但这些收购的土地无需通过当地居民税收集资来保护社区特色。相反，州级、县级和地方财政联合购买开发权，其中州政府出资60%左右。尽管耕地由政府出资利用税收来购买，但公众实际并不拥有土地使用权，土地依然为私人所有。如果将1英亩（约4 046.86m<sup>2</sup>）及以上的住宅分区都计算在内，克兰伯里镇在美国130号公路西侧约75%的土地都处于某种形式的排他性控制中。所谓使用公共资金购买土地的正当理由在于，这些土地可以被打造为视觉上的公共空间，但最终的成本仍由全州的纳税人承担。类似克兰伯里的精英城市便受益于此，他们利用这些工具抑制经济增长，同时最大限度地降低中低收入家庭对社区的影响。

to be profitable.<sup>[53]</sup> Development pressure on farmland that had alarmed Cranbury residents in the 1960s was further intensified by the Mount Laurel housing quotas. Paralleling Cranbury's National Register historic district and more recently its more restrictive local historic district to limit change in the village, Cranbury first enacted six-acre zoning to prevent farmland development and in 1983 zoned the fields west of town for Agricultural Preservation.<sup>[54]</sup> Agricultural Preservation zoning, enacted in response to the Mount Laurel controversy, effectively removed land from potential suburban subdivisions. This dovetailed with the New Jersey Agriculture Retention and Development Act of 1983 and Middlesex County's designation as an Agricultural Development Area where agriculture is the preferred land use of the land. A 1998 newspaper article declared "Farming in Cranbury 'is just beat'," but nonetheless, farmland has been preserved.<sup>[55]</sup>

The overlap of local, county, and state regulations has created the means for Cranbury to preserve in perpetuity its agrarian identity. Using tools derived from the 1976 Tax Reform Act, the state created a Farmland Preservation Program that could acquire development easements at a value that is the difference between developing land and preserving it for agricultural use. Ironically, the land does not actually have to be farmed. The easements typically permit owners to live on their property and, as part of the sale of development rights, the owner can carve out a portion for future development. The remaining farmland can even be sold; it just cannot be further developed. Between 1990 and 2015, 23 farms in Cranbury had been permanently preserved encompassing 2,471.95 acres, approximately 30% percent of the land of the township. The original owners received USD 30,134,269.77 in public funds (total) at a per-acre cost ranging from USD 3,867 to USD 30,000. But these purchases did not require town residents to raise taxes to fund the protection of their community character. Instead, development rights were purchased using state, county, and municipal funds with the state's share typically around 60%. The purchase of farmland although funded by publicly funded taxes does not make the land accessible to the public; it remains private land. Together with 1 acre and larger residential zoning, roughly 75% of Cranbury Township west of US-130 is in some form of exclusionary control. The purported benefit that justifies the use of public funds is the creation of visual open space as an amenity, but the real costs are borne by state-wide taxpayers to benefit elite municipalities like Cranbury that have used these tools to prevent growth and minimize the impact of low-to-moderate-income families on their community.

7. 克兰伯里的历史标志：克兰伯里的本质主义和局限性身份特征形成于独立战争时期。
7. Cranbury historical marker. Cranbury's essentialist and place-bound identity refers back to Revolution-era history.

通过耕地保护和外迁一半的经济适用房指标政策，克兰伯里基本成功保留了原貌。但这对其他地方经济适用房的居民却产生了重大影响。克兰伯里将月桂山案判决中的经济适用房指标转移至珀斯安博伊市和卡特雷特区的社区中，同时通过分区制度、历史保护和耕地保护政策保留当地颇具局限性的村庄—耕地身份。根据2000年美国人口普查结果，这些措施对其他社区人口结构的影响总结如下<sup>[56]</sup>：

1) 卡特雷特区和珀斯安博伊市的人口密度分别是克兰伯里的3倍和6倍。

2) 克兰伯里的白色人种占比为88%；卡特雷特区为68%；珀斯安博伊市为46%。

3) 克兰伯里80%以上的居民具有大专及以上学历；卡特雷特区此类人口占比为33%；珀斯安博伊市为26%。

4) 克兰伯里的家庭收入中位数为104 444美元；卡特雷特区为47 148美元；珀斯安博伊市为37 608美元。

通过以上种种措施，克兰伯里始终维持着较低的人口密度，家庭结构以独户为主，而米德尔塞克斯县中低收入家庭居住的经济适用房主要集中在日渐式微的市中心。克兰伯里以殖民时期的村庄—耕地身份自居，体现了一种双面政治建构，它掩盖了克兰伯里在高度城市化背景下构建具有排他性与同质性飞地的本质。当地人始终依附于其殖民时代的“真正”身份，并选择性地以克兰伯里的某部分建成史为由，拒绝改变。这一观点可与原旨主义者的论断媲美——他们认为，《美利坚合众国宪法》必须仅基于字面意义来解读（图7）。作为一个政治实体，克兰伯里凭借地方、州级和国家级历史遗产名录赋予的身份，通过土地利用和分区决策，拒绝接纳物理空间改造和“他者”（如月桂山社区经济适用房的居民）。克兰伯里的分区类型具体包括村庄、村落居住区或商业区，以及与之差异显著的因“月桂山社区一号、二号和三号判决”而建立的居住区、经济适用房居住区和具有年龄限制的居住区。<sup>[57]</sup>这些由不同土地利用类型构成的分区在空间上极



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Through the use of farmland preservation and permission to place half of the required units in other communities, Cranbury managed to remain very much unchanged. However, the impact on the residents of affordable housing living elsewhere has been significant. The net effect of shifting the Mount Laurel obligation to provide low-cost housing to Perth Amboy and Carteret while using zoning, history, and farmland preservation to maintain Cranbury's place-bound village-farmland identity can be summarized in demographic profile comparisons of the 2000 US Census<sup>[56]</sup>：

1) Carteret's population density is three times that of Cranbury; Perth Amboy, is six times denser.

2) Cranbury is 88% white; Carteret, 68%; Perth Amboy, 46%.

3) Cranbury residents have an education attainment of college or higher of 80%; Carteret's college-educated population is 33%; Perth Amboy's is 26%.

4) Cranbury's Median Household income is USD 104,444; Carteret, USD 47,148; Perth Amboy, USD 37,608.

As a result of these maneuvers, Cranbury remains a low-density village of single-family homes while affordable housing for low- and moderate-income families in the county is concentrated in declining urban centers. Cranbury's self-described colonial village-farmland identity is a two-part political construction that conceals the creation of an exclusive homogeneous enclave amidst a highly urbanized territory. By clinging to the colonial era as its “true” identity the town is able to use this selective portion of its past—its founding history—as a claim that its meaning cannot be changed, not unlike “originalists” who claim that the United States Constitution must be understood only in the original meaning of its words (Fig. 7). The community has acted as a political entity in land-use and zoning decisions to use the local, state, and national historic designations of the village as barriers to both physical change and to what they regard as “the other”—Mount Laurel fair-share housing residents. In Cranbury, zoning categories explicitly identify the Village / Hamlet Residential / Commercial Zones distinct apart from the “Mount Laurel I, II, III” categories, Affordable Housing, and Age-Restricted Residential Zones.<sup>[57]</sup> These land-use districts are spatially identifiable and the affordable housing is made to be visually identifiable which in turn makes the residents identifiable as intrusions to the “historic” village.<sup>[58]</sup> By contrast, Carteret and Perth Amboy, New Jersey, the two communities where Cranbury purchased compliance for its Mount Laurel housing obligations have zoning codes that list Residential Zones by building typology and not by identification of who will live there.<sup>[59][60]</sup> In a sense,

具识别度，经济适用房一眼可辨，使得这里的居民成为了“历史”村庄的入侵者。<sup>[58]</sup>相比之下，同属新泽西州的卡特雷特区和珀斯安博伊市——克兰伯里向其付费，用于转移用于经济适用房指标——则只按照居住类型来划分建筑，但未规定哪些人将居住在这些区域。<sup>[59][60]</sup>在某种意义上，克兰伯里居民认为，“历史要求我们必须这么做”——但他们却忽略了一个事实：正是对盎格鲁白人历史的关注造成了村庄居民与其他人的隔阂。

耕地是克兰伯里政治结构中的另一个组成部分，它亦掩盖了克兰伯里的排他性手段。尽管这里的农业活动已经从家庭农场转变为机械化的农作物种植与收割，但当地居民依然以殖民时期的耕地叙事为借口，将自己与杰斐逊总统所秉持的对于美国民主至关重要的小农理想联系起来。<sup>[61]</sup>在这样一个关于殖民时期村庄的故事中，克兰伯里始终回顾过去，以历史为由，拒绝接受当代社会或生活中的持续变化，让土地限制变得理所当然。克兰伯里人对土地开发与耕地保护之间的争论有一种过分简单化却又情绪化的反应，这种反应激发了一种保护“自然”的敌对意识形态，也为克兰伯里提供了新的排他工具。

#### 4 案例研究：韦斯切斯特县贝德福德镇

与新泽西州的克兰伯里相似，位于纽约市北部韦斯切斯特县的贝德福德也建立了一种根植于乡村与前现代景观的身份特征。17世纪，来自康涅狄格州的新英格兰开拓者构建了这些景观：他们建起木质结构的房屋和公共建筑，并催生了一种由耕作活动发展而来的低密度环境（图8）。这里的社区体现了美国规划政策与更为集权的政府体系之间的显著差异。这是最初联邦制体系的遗存，在这一体系的影响下，各殖民地得以保留其身份特征——而后，这种思想被纳入《美利坚合众国宪法》，其第十版修正案规定，“宪法未赋予美利坚合众国、也



Cranbury is claiming that “history made us do it”—ignoring that its focus on its old white Anglo history forms the basis for distinctions between the village residents and everyone else.

Farmland is the second part of the political construction that conceals the means by which the other is excluded. In spite of the shift from family farms to machine-planted and harvested crops, Cranbury’s reliance on the colonial farmland narrative as essential to its identity ties the town to a Jeffersonian agrarian ideal of the independent small-farmer as essential to American democracy.<sup>[61]</sup> Here, as in the colonial village narrative, the town looks backward to an origin story uncomplicated by continuous change of the contemporary context or life to justify its land-use restrictions. The simplistic and emotional reaction to development versus farmland ignites ideological opposition in favor of “nature” and Cranbury secures another tool of exclusion.

#### 4 Case Study: The Town of Bedford Westchester County

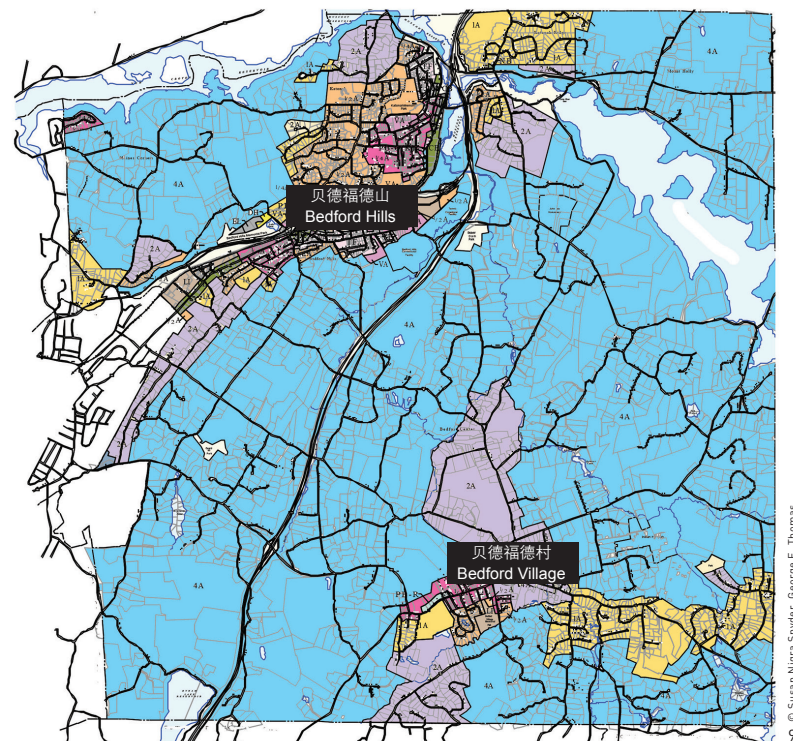
Like Cranbury, New Jersey, Bedford in Westchester County, north of New York City, has constructed an identity rooted in the rural and pre-modern landscape of its New England founders who arrived from Connecticut in the 17th century, building wood-framed houses and public buildings and fostering a low-density environment that began as farming (Fig. 8). Together these communities reveal important distinctions that differentiate American planning policy from more centralized governmental systems. This is a legacy of the initial federal systems by which the individual colonies retained their own identity, an idea that was incorporated in the United States Constitution whose Tenth Amendment proclaims that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” This created a decentralized system for regulations that did not touch on specific national activities, and permitted regional social and cultural values to permeate land-use and real estate law. Land-use regulations are further fragmented by being shaped at local government levels, usually a town or city so that town boundaries mark limits of regulations.

Bedford established its modern character in the 19th century, when New York City elites could easily travel by the New York Central Railroad into lower Connecticut and New York’s Westchester County. These rural zones, removed from the peripheral industrial communities along the Atlantic Coast and the Hudson River, became idealized village-centered residential districts. Nowhere is this more obvious than in Bedford village

8. 贝德福德的耕地：自20世纪20年代以来，贝德福德村就被古老的耕地所包围，周边零星分布着少许住房。

8. Bedford farmland. Into the 1920s, Bedford Village was surrounded by ancient farmlands with a scattering of estate houses.

9. 贝德福德分区规划：贝德福德镇90%的土地采用“四英亩”分区制度或为永久性开放空间和水库，因此保护了该镇的乡村特色。
9. Bedford zoning. 90% of the area of the Town of Bedford is 4-acre zoning or perpetual open space and reservoirs, thereby protecting the rural character that defines the town's identity.



未禁止各州行使的权力，分别为各州和公民所拥有。”这为不触及特定国家活动的法规创造了一个去中心化的体系，并允许区域性社会文化价值渗透到土地利用和房地产法律中。受地方政府（通常为城镇）机构的影响，土地利用法规的制定面临各自为政的局面，城镇间的界限标识了法规的界限。

19世纪，来自纽约的城市精英们能够通过纽约中央铁路轻松到达南部的康涅狄格州和纽约州的韦斯特斯特县，贝德福德由此建立起了现代特质。这些乡村地区远遁自周边大西洋及哈德逊河沿岸的工业社区，成为理想中围绕村庄的居住区。作为美国全国种族最单一的社区之一，没有哪个地方比贝德福德镇东部的贝德福德村更为典型——2010年的人口普查数据显示，在所有1 834位居民中，仅有16人为非裔美国人。<sup>[62]</sup>

导致这种显著的人口同质化的控制手段与克兰伯里所采取的方式类似。这两个案例共同勾勒出了美国的歧视性管制政策。第一，也是最显而易见的是，在美国镀金时代后期维多利亚风格的城市中出现的经济壁垒。当时，富人和穷人在空间上是隔离的，富人居住在新郊区 and 时尚的城市社区中，而穷人则委身于最老旧的街区。<sup>[63]</sup>第二，原本为保护富人房地产而设计的分区规划法规，进一步加剧了空间隔离。以贝德福德为例，“最少建设四英亩”（约1.62hm<sup>2</sup>）的住宅地产占据了城镇面积的80%，使得新建住宅变得非常昂贵（图9）。<sup>[64]</sup>第三，种族

in the eastern half of the Town of Bedford, which is one of the least racially integrated communities in the United States with 16 African American residents out of a population in 2010 of 1,834.<sup>[62]</sup>

The controls that account for this remarkable degree of population homogeneity are similar to those in Cranbury. Together they recapitulate American discriminatory regulatory policies. The first and most obvious are economic barriers that appeared in the Gilded Age cities of late Victorian America when rich and poor were separated spatially with the rich in new suburbs and fashionable urban neighborhoods and the poor consigned to the oldest districts.<sup>[63]</sup> Second, zoning regulations, initially devised to protect the real estate of the wealthy, continue to support spatial distinction. In the case of Bedford, four-acre minimum-residential properties covering 80% of the town make new housing very expensive (Fig. 9).<sup>[64]</sup> Third, racial “steering” in which real estate agents avoid showing properties to undesirable individuals continues to maintain racial boundaries.<sup>[65]</sup> Fourth, history is used across the town to both limit and shape development in old town centers as in Katonah and Bedford village while also creating the markers that bound the town as a place of whiteness embedded in the high-end amenities of nostalgic architecture and pre-modern lifestyles. Fifth, historic designation becomes the basis for

“导向”促使房地产经纪人有意识地避免向不受欢迎的个体展示房产，进一步加剧了种族界线。<sup>[65]</sup>第四，贝德福德整个城镇都以历史为由，限制和塑造卡托纳村和贝德福德村等旧城区的开发，同时将城镇定位限制在由怀旧建筑和高端设施组成的白人式“前现代生活方式”之中。第五，因被划定为历史遗产而获得的地役权，在催生永久性开放空间的同时，也为其资助者带来了庞大的税收福利，大大减少了当地的房地产课税和联邦所得税收。<sup>[66]</sup>最后，与克兰伯里相似，贝德福德镇也曾抵制联邦政府住房与城市发展条例所要求的经济适用房开发；从相关司法裁决可知，该镇曾通过公开的欺诈行为来减少韦斯特斯特县经济适用房的数量（由此进一步减少本镇经济适用房的数量）。正如大卫·丹佛所指出的，“事实上”的隔离从未在韦斯特斯特县消失。<sup>[67]</sup>由于这些政策的施行，贝德福德至今仍保留着20世纪60年代前白人聚居的怀旧之景——当地人口普查结果显示，白人居民占比为95%~100%，其他种族和族裔则只能屈居于城镇中的狭小一隅。<sup>[68]</sup>

这种维持贝德福德白人地位的法规框架始于一个半世纪前，当时随着铁路的开通，大型地产开始入驻贝德福德，为当地带来了城市产业的发展与金融财富的积累。这些地产大多占地达数百英亩，以华丽的豪宅为主。产权地图通过地产面积清晰地展示了经济隔离，美国人口普查数据则明示了社区的种族同质化。贝德福德的西侧吸引了大量的财富，知名的产权所有者包括纽约券商亚瑟·W·巴特勒，纽约出版社的A·W·斯克里布纳，家具大亨威廉·斯隆，金融家、前美国联邦储备委员会主席、《华盛顿邮报》出版人尤金·迈耶，以及钢铁巨头、艺术品收藏家之女海伦·克雷·弗里克。

自1929年首颁的各种分区规划保护了“贝德福德令人向往的排他性”，提升了大型地产的价值。<sup>[69]</sup>如今，贝德福德的这一特性仍然吸引着不少名流巨子，包括金融家乔治·索罗斯、时尚生活引领者玛莎·斯图尔特、时尚生活引领者与时尚设计师拉夫·劳伦，以及地产开发商唐纳德·特朗普。他们的住宅时常滥用开放空间地役权，仿照维多利亚时代豪宅的特征来建造。<sup>[70]</sup>

实现排斥远不止法规手段这么简单。20世纪90年代，韦斯特斯特县警方采用类似于30年代克兰伯里打击外来劳动力的方式，实施了对穷人的治理。“在午夜袭击拥挤的房屋，同时指控房客和房东，是这座村庄迫使拉丁裔难以在基斯科山维持生计的另一种手段——他们甚至宣称是在维护拉丁裔的利益。警方散布恐慌性信息，让人们相信疾病和城市问题是由过度拥挤造成的，并利用分区法规来阻止建造更多的多户住房，所有这些工作都是为了限制贫穷的拉丁裔在村庄里居住。”<sup>[71]</sup>自19世纪80年代起，疾病一直是对付穷人的利器，无论他

easements that make permanent open space while also bringing massive tax benefits to their donors, reducing local real estate taxes and federal income taxes.<sup>[66]</sup> Finally, like Cranbury, the county has fought affordable housing, mandated by federal Housing and Urban Development regulations and, according to judicial rulings, has perpetuated outright fraud to reduce the number of affordable units in the county and by extension in the town. As David Denvir points out, *de facto* segregation continues in Westchester County.<sup>[67]</sup> As a result of these policies, Bedford remains a place of nostalgic pre-1960s whiteness with entire census blocks, showing between 95% and 100% white residents while other races and ethnicities are confined to tiny areas of the town.<sup>[68]</sup>

The regulatory framework that sustains Bedford's whiteness began a century and a half ago when rail access brought urban industrial and financial wealth to Bedford in the form of great estates, many on hundreds of acres, focused on grand mansions. Property atlases show economic segregation by property size while the United States census makes clear the racial homogeneity of the community. The west side of the town attracted great wealth as exemplified by properties owned by Arthur W. Butler, a New York stock-broker, A. W. Scribner of the New York publishing house, William Sloane of the furniture empire, financier Eugene Meyer, later President of Federal Reserve Board of Governors and the owner of the *Washington Post*, and Helen Clay Frick, the daughter of the steel titan and art collector.

Bedford's various zoning plans beginning with the first in 1929 have preserved "Bedford's so desirable exclusiveness" that reinforced the value of the great estates.<sup>[69]</sup> Today Bedford's exclusiveness attracts celebrity wealth including financier George Soros, lifestyle creator Martha Stewart, lifestyle and fashion designer Ralph Lauren, and real estate developer Donald Trump. Their estates are now often surrounded by vast open-space easements, and often carved out of portions of the Victorian-era properties.<sup>[70]</sup>

Exclusion was achieved by more than simple regulation. In the 1990s, Westchester County policed the poor with devices like those used against migrant labor in Cranbury in the 1930s. "Midnight raids on overcrowded housing, charging tenants as well as landlords, was yet another tactic used by the village to make life in Mount Kisco difficult or impossible for Latinos, while professing to protect their interests. Spreading fears of disease and urban problems thought to be caused by overcrowding, and curtailing any possibility of building more multi-family housing through zoning legislation, all work to limit the numbers of poor Latinos who can live in the

们是住在纽约的廉租公寓（权属于纽约精英的圣三一教堂，纳里·柏莱曾于19世纪90年代对其进行调查<sup>[72]</sup>），即雅各布·里斯在《另一半人如何生活：对纽约廉租公寓的研究》中描述的住宅<sup>[73]</sup>，还是克兰伯里的流动人口居住地和基斯科山的拉丁裔社区。指责受害者往往是最简单的排斥手段。

文化地理学家詹姆斯·邓肯和南希·邓肯从多个维度对贝德福德进行了探究——从社会阶层及土地所有权模式，到开放空间地役权在排他性土地实践和种族控制中所扮演的角色。“贝德福德是审美消费实践的场所，在这里，居民通过维护和增强城镇风貌而获得愉悦感和社会认可。这些都是通过排他性分区规划、严苛的环境保护法规，以及对新来的拉丁裔临时工的劳力剥削实现的。建立在地方主义、反城市主义、反现代主义、亲英主义和浪漫主义等意识形态上的阶级审美，成为人们期盼生活于贝德福德这般美丽家园愿景的政治基础。”<sup>[71]</sup>

两位学者认为，尽管保护真正独特的场所确有其价值，但贝德福德也不过是附近众多类似场所之一，它们所采用的建筑肌理与建造手法相仿，美学价值也流于平庸；与此同时，贝德福德一直在利用对某段特定往昔的怀念来对抗现代性的活力：“正如大卫·哈维（1989）所述，‘社会基本构成单位（如家庭和社区）权益的复兴，以及对历史根源的探究，都标志着人们开始在瞬息万变的世界中寻找更安全的避风港和更持久的价值’。这种反应可见于不断增长的激进地方主义（普罗宾，1990）、地域主义和种族民族主义中，或哈维（1989）所述的‘一种关于美学化空间感的反动政治’。它显现于对某个场所的颂扬之中，且比人们通常所认知的更加广泛、隐藏更深。”<sup>[74]</sup>

在指出这些美学价值和排他性实践影响了纽约市以北的大部分地区之后，两位学者认为，“经过日积月累，这些实践实际上只为富人带来了利好；相应地，可用于开发经济适用房的土地越来越少，加剧了韦斯特斯特北部租赁住房的稀缺，劳动阶层不得不支付高昂的房租。”<sup>[74]</sup>

因此，因分区规划而产生的大型地产、历史性控制和开放空间地役权，决定了谁居住在社区并享受石墙、宽广田地、乡村道路，以及景观等视觉便利设施。而这些设施大多由公共税收买单（因开放空间

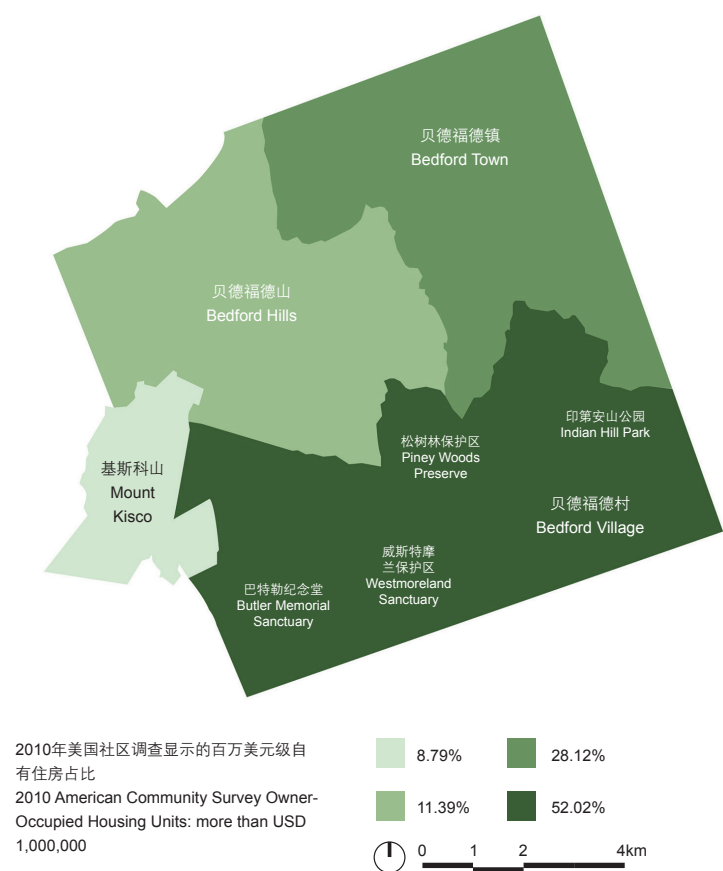
village.”<sup>[71]</sup> Since the 1880s, disease has been a weapon against the poor whether they lived in the tenements owned by New York City’s elite Trinity Episcopal Church investigated by Nelly Bly in the 1890s,<sup>[72]</sup> the housing described by Jacob Riis in *How the Other Half Lives: Studies Among the Tenements of New York*,<sup>[73]</sup> or the migrant housing of Cranbury and the Latino neighborhoods of Mount Kisco. It is easier to blame the victim.

Cultural geographers James and Nancy Duncan have studied Bedford in multiple dimensions from the social classes and their land ownership patterns to the role of open-space easements as a form of exclusionary land practice, and racial control. They describe the village thusly: “Bedford is a site of aesthetic consumption practices in which the residents derive pleasure and achieve social status by preserving and enhancing the beauty of their town. They accomplish this through the use of exclusionary zoning, stringent environmental protection legislation, and the exploited labor of recently arrived Latino day workers. A class aesthetic based in such ideologies as localism, anti-urbanism, anti-modernism, Anglophilia, and romanticism also underlies and lends a political dimension to the desire to live in a beautiful place such as Bedford.”<sup>[71]</sup>

They argue that while there might be value in preserving a truly unique place, Bedford is but one of many places in the vicinity that use similar architectural fabric and similar tools and aesthetic values to common ends and in the process counter the dynamism of modernity with nostalgia for a fixed past: “As David Harvey (1989, 292) says, ‘the revival of interest in basic institutions (such as the family and the community), and the search for historical roots are all signs of a search for more secure moorings and longer-lasting values in a shifting world.’ This reaction is evident in increasingly militant localism (Probyn 1990), regionalism, and ethnonationalism, or what Harvey (1989, 305) calls ‘the reactionary politics of an aestheticized spatiality.’ It is manifested in the celebration of place and is more widespread and insidious than is often acknowledged.”<sup>[74]</sup>

After noting that these aesthetic values and exclusionary practices shape much of the region to the north of New York City, Duncan and Duncan conclude that “Cumulatively, these practices become in effect subsidies to the rich that have the effect of reducing available land for the potential development of affordable housing and contributing to the dearth of rental housing in northern Westchester County and thus to the exorbitant rents the laborers are forced to pay.”<sup>[74]</sup>

Thus it is the totality of zoning for large properties, historical controls, and open-space easements that determine who lives in the community and gets the benefit of the visual amenities of stone walls, open fields, country roads, and landscapes, much of



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10

地役权而实行税收抵免），并由历史保护委员会管控。<sup>[75]</sup>美国社区调查机构评估了历史保护区和地役权用地附近人口普查统计区的地产价值，结果显示，此处百万美元级住宅的数量是周边区域的两倍（图10）。

在贝德福德发布《综合规划（2002年）》（以下简称“2002规划”）前，一项社区调查发现，“居民强烈支持实施捐税鼓励，以保护开放空间、实施更大面积的地块分区、推动贝德福德镇进行土地买断交易以保护开放空间，以及控制2%的房地产转让税。”<sup>[76]</sup>为实现这些目标，2002规划聚焦于“开放空间与自然环境”，并声称“将始终鼓励地产所有者在其土地上限制开发或实施以保护为目的的地役权。未来几年，贝德福德将利用2000年‘特别征税基金’保护开放空间。”历史保护也仍是关注点之一：“保持低密度开发包围步行友好村庄的基础用地模式，[以及]加强或制定对历史名胜与独特风貌街区、地标、被拆除建筑及石墙的地方法律保护”<sup>[77]</sup>（图11）。2017年，当地成立了新的历史保护委员会，历史遗产保护举措得到了进一步延展。<sup>[78]</sup>当前，贝德福德正考虑实施更加严苛的设计控制，范围扩展到未来全部的独户住宅，“以确保多数新增建筑符合社区特质。”<sup>[79]</sup>这些城镇规划印证了詹姆斯·邓肯和南希·邓肯的断言：“贝德福德的景观需依靠一些在美国随处可见的、极具排他性的分区规划实践来维护。”<sup>[74]</sup>由“四英亩分区”保障的高房价、在建筑风格中植根的白人文

which is paid for by public tax dollars in the form of tax credits for open-space easements and controlled by historic boards.<sup>[75]</sup> Data from the American Community Survey evaluating property values for the census tracts in close proximity to the reserves and easemented lands show twice as many million-dollar residences than in adjacent census tracts (Fig. 10).

A community survey that preceded Bedford's 2002 Comprehensive Plan found that “residents strongly supported tax incentives to preserve open space, larger lot zoning, outright purchase of land by the town to preserve open space, and a 2% real estate transfer tax.”<sup>[76]</sup> In meeting these concerns, the 2002 Plan focused on the “Open Space and Natural Environment,” stating that “Property owners will continue to be encouraged to place development restrictions or conservation easements on their land. Over the next years, Bedford will preserve open space using the funds raised by the 2000 Special Levy.” Historic preservation would remain a focus as well, “maintaining the basic land-use pattern of walkable hamlets surrounded by low density development, [and] will strengthen or create local laws on historic and special character districts, landmarks, demolition, and stone walls”<sup>[77]</sup> (Fig. 11). Historic preservation controls were expanded with the creation of a new local historic preservation commission in 2017.<sup>[78]</sup> Presently, Bedford is considering even more stringent design controls that would extend to all future single-family homes “to ensure that most new construction is in keeping with community character.”<sup>[79]</sup> Taken together the town plans demonstrate the accuracy of Duncan and Duncan's assertion that “Bedford's landscape is maintained by some of the most exclusionary zoning practices found anywhere in the United States.”<sup>[74]</sup> With high prices guaranteed by four-acre zoning and cultural markers rooted in white identity in building style, with high-end specialty stores replacing routine retail in the historic towns, and with affordable housing restricted to the more urban portions of the town, Bedford's future as an elite white community is assured.

## 5 Impacts of Exclusion: Changing Life Outcomes

While Cranbury and Bedford have used different tools to create open space, the former using farmland preservation and the latter using open-space easements, the net effect is a remarkable similarity of outcomes that make it clear that the synergy of zoning codes, historic preservation, open-space easements, and farmland preservation are expressions of the power of those already in place. This raises the question of whether community planning should only benefit the present residents or should consider others who, as society becomes

10. 贝德福德住房价格：贝德福德镇南侧毗邻耕地保护区与享有地役权的土地房价最高。
10. Bedford housing prices. Proximity to preserves and easemented land along Bedford's southern tier is reflected in the highest housing prices.

11. 贝德福德主街：在这里，贝德福德村贝德福德学院（1807号）后来被改造为殖民复兴风格的镇图书馆和消防局，对面为一处公共绿地，体现了该村的本质主义身份特征。

11. Bedford Main Street. Bedford Village's essentialist identity is represented by the Bedford Academy (1807) later adapted as the town library and the firehouse, in Colonial Revival style, across from the town common.

化标志、用高端专卖店取代历史悠久城镇中的日常零售店，以及将经济适用房局限于城镇中的城市化水平更高的地区……所有这些措施都将保证贝德福德在未来持续保持“白人精英社区”的身份。

## 5 排他性举措的影响：改变人生结局

尽管克兰伯里和贝德福德构建开放空间的途径不尽相同——前者致力于耕地保护，后者则利用开放空间地役权——但最终却殊途同归。既有权力的优势在分区法规、历史遗产保护、开放空间地役权和耕地保护的协同作用下愈发彰显。这就提出了一个问题，即社区规划是否只应关注当前居民的利益；或者，随着社会日渐开放，是否需要考虑那些可能因融合而受益的其他人？在美国——也有一些人认为在全球范围内——社会群体都在争论是否应该保留大萧条时期政府扶持式的安全网络模式，这意味着“一潮起而百船升”；与之相对的是，新自由主义人士坚信市场经济的力量，认为每个人都有责任通过自身的努力来获得提升。克兰伯里和贝德福德见证了市场经济下的一种极端发展——孩子们享受一流的教育，为日后良好的职业发展和高薪待遇奠定了基础。

《纽约时报》专栏作家尼古拉斯·克里斯托夫撰写过一篇文章，阐述由哈佛大学公共经济学威廉·A·阿克曼讲席教授、“机会洞察力”研究所负责人拉吉·切蒂开展的人口研究。切蒂发现，“尽管美国每年在经济适用房方面的投资高达440亿美元，但这些钱却让贫困社区愈加贫困。”<sup>[80]</sup>为了探究如何才能更好地为底层人群提供服务，切蒂开发出一套“机会地图集”，用以追踪记录儿童居住地和成长地之间的关系。切蒂的研究证明，儿童的成长地选择很重要，“对那些年少时就搬入、随后完全在高端社区中长大的儿童来说，这个因素的影响最为显著。”根据地图集的数据，来自克兰伯里低收入家庭的所有种族的儿童，2014年至2015年预期薪资可达5万美元；在卡特雷特区生活且具有类似人口统计学特征的儿童，预期薪资则要低25%；而在珀斯



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more open, might benefit from inclusion. In the United States, and one suspects globally, societies are fracturing over whether to preserve Depression-era government-assisted safety nets on the assumption that a rising tide lifts all boats versus recent neoliberal assertions of the power of the market-based economy and the responsibility of each individual to lift themselves by their own bootstraps. Cranbury and Bedford mark one extreme of the market economy with positive outcomes for children attending first-rate schooling, and ultimately successful careers and high wages.

*New York Times* columnist Nicolas Kristof has written about the demographic research by Professor Raj Chetty, the William A. Ackman Professor of Public Economics at Harvard University where he directs Opportunity Insights. Chetty finds “that although the United States spends \$44 billion a year on affordable housing, that money perversely concentrates poverty in blighted neighborhoods.”<sup>[80]</sup> To explore questions of how better to serve underserved populations, Chetty has developed an Opportunity Atlas that tracks the relationship between places where a child lives and where children thrive. Chetty’s research proves that where children grow up matters: “the impact is greatest on those who move young and grow up entirely in a high-opportunity neighborhood.” According to the Opportunity Atlas, children of all races growing up in Cranbury within low-income families have an income potential (in 2014–2015) of USD 50,000, while those growing up in Carteret with similar demographics have 25% lower income potential and those growing up in Perth Amboy are nearly 45% lower.<sup>[81]</sup> Bedford is strikingly similar to Cranbury for economic attainment. Children of all races living in Bedford (there are too few in number for specific races in the atlas to find meaningful correlations) from low-income families can be expected to earn at least USD

安博伊市生活的儿童，预期薪资甚至要低近45%。<sup>[81]</sup>贝德福德的经济水平与克兰伯里相当。来自贝德福德低收入家庭的所有种族的儿童（图集中某些种族的人数较少，因此未能发现有意义的关联性），预期薪资至少为5.4万美元，而生活在贝德福德山地区贫困社区的儿童，预期薪资则要低22%。特朗普在贝德福德拥有一处面积约93hm<sup>2</sup>的“七泉庄园”<sup>[82]</sup>，尽管在该地产附近建设经济适用房极不现实，但消除历史悠久地区的排他性氛围、提高开放空地役权申请要求，以及通过分区法规允许多种类型住房和地块面积等，都可能为受歧视人群争取更多的机会。

## 6 结语：将历史和自然用作新自由主义工具

尽管地处两种不同的环境中——贝德福德位于远离大西洋海岸和哈德逊河沿线工业城镇的乡村地带，而克兰伯里则位于新泽西沿海平原地带——但这两座城镇在遏制土地开发方面所使用的方法却极为相似。新自由主义描述了20世纪晚期以自由市场政策为特征的政治和经济环境，这些政策被用来对抗集体行动和公共制度，同时默许了极端贫富差异下的不平等社会秩序。<sup>[83]</sup>在这种交易经济中，商品化过程创造了价值，将不可交易但具有价值的属性（如历史或未开发的“自然”景观）转换为可被赋予价值的可交易实体。<sup>[84]</sup>在克兰伯里，这一过程主要由州级、县级和地方政府将“耕地”货币化，作为可交易的商品来实现。土地所有者在享受公共资金资助、限制耕地开发的同时，可以保留所有其他私有财产权。在贝德福德，由历史地位决定的遗产保护举措和开放空地役权，通过将“自然”商品化，利用其货币价值来换取个人税收福利。同新泽西州的其他耕地管理要求一样，这些交易过程未明确要求空间须向公众开放。在以上这两个社区中，“历史”也均扮演了商品的角色，既维持了历史遗产地身份保障下的地役权，也支持了与之相伴的排他性分区规划，进一步提高了地产的市场价值。

克兰伯里和贝德福德两个案例呈现了从历史和自然中攫取的价值如何成为新自由主义的资产。在将一切都简化为货币价值的自由市场中，权力流向了社区局内人，在这些资产的加持下，他们无视社会融合和经济融合的目标，以纯粹的交易为先，进行摆脱了道德约束的

54,000 while those living in the more concentrated poverty of Bedford Hills show a 22% lower expected wage range. While it is unrealistic to expect that affordable housing will appear next to Trump's 230-acre Seven Springs Estate in Bedford<sup>[82]</sup>, elimination of the exclusionary vibes of historic districting and restricted access of open-space easements, coupled with zoning that allows multiple housing types and lot sizes might lead to broader access for discriminated-against populations.

## 6 Conclusion: Using History and Nature as Neoliberal Tools

Although located in two different environments—Bedford tucked into the rural lands removed from the industrial towns along the Atlantic Coast and the Hudson River, and Cranbury in New Jersey's coastal plain—both towns are remarkably similar in the tools they have used to stop development. Neoliberalism describes the late 20th century political and economic climate characterized by free-market policies that have been used to counter collective action and public institutions while accepting an unequal social order defined by differences in extreme wealth and poverty.<sup>[83]</sup> In this transactional economy, value is created by the commodification process that converts an untradable but valued attribute such as history or undeveloped and “natural” landscapes into a tradable entity that can be assigned value.<sup>[84]</sup> In Cranbury the process has been enabled by state, county, and local governments that have monetized “farmland” into a commodity that can be traded. The landowner receives public money to prevent development on farmland while retaining all other private property rights. In Bedford, conservation and open-space easements enabled by historic status have commodified “nature” into a monetary value for an individual's tax benefit. Like the New Jersey farmland, there is no required public access component to this transaction. In both communities, “history” also performs as a commodity both to secure the historic designations that justify the easements and the subsequent exclusionary zoning resulting in the increased market value of real estate.

Cranbury and Bedford illustrate the value realized from history and nature that become neoliberal assets. In the free market, where everything is reduced to monetary value, power flows to the community insiders who, utilizing these tools, reduce the goals of social and economic integration to mere transactional terms that can be bought and sold without moral obligations. Two centuries ago, as the first wave of industrialization reshaped British life, Scottish philosopher Thomas Carlyle's 1829 essay “Signs of the Times” posed the realization that Britain had entered a new age, one that was

买卖。两个世纪以前，随着第一波工业化进程彻底改变了英国人的生活，苏格兰哲学家托马斯·卡莱尔在1829年发表的文章《时代标志》中即表示，英国已经进入了一个新时代，这不再是一个崇尚“英勇、虔诚、哲学或道德的时代，而是机械时代。这是机器的时代……这个时代以它全部的力量推动、教导和实践着使工具为目的服务的伟大艺术。”对于卡莱尔而言，人性不仅仅是一种机制：“因为人不是机制的造物和产品；更准确地说，从本质而言，人是机制的创造者和生产者——是伟大的人民创造了伟大的政府，反之则不成立。”<sup>[85]</sup>卡莱尔预见到了将全部权力赋予机器的风险——或者，在今天而言——将权力赋予私营企业的风险。14年后，查尔斯·狄更斯在《圣诞颂歌》小说中塑造了一个吝啬鬼的角色，他把金钱看得比人际关系和人性更重要。又一代人的时间过去，在美国南北战争之后，战时工业的繁荣和对美洲大陆的开拓带来了大量新财富，为富有的纽约人提供了在威斯彻斯特县的乡村地带建造梦幻之所的资本，从而造就了今日的贝德福德。

随着新自由主义思想的传播，贫富鸿沟在世界范围内愈发显著。<sup>[86]</sup>人类学家迈克尔·赫兹菲尔德描述到，“空间清洗”政策曾经为现代城市创造了庞大的市民空间，人们可以舒适地聚集在一起。<sup>[87]</sup>超高层建筑遍布曼哈顿、孟买、上海和迪拜等城市；由联合国教科文组织认定的世界遗产成为了旅游胜地，游客人数远远超过了当地居民人数。在北京，原本计划拆除的破旧胡同，目前正在实施“修复”，“修复”后的胡同与原样大相径庭。在这个世界城市的中心地带，超级富豪们可以享受依欧美城市中心舒适历史街区风格建造的、充满怀旧情结的低密度街区。类似地，在上海，封闭式社区已成为城市等级的标志，居住在此的成功人士与蜗居塔楼的一般人群形成了鲜明的对比。<sup>[88]</sup>在当前的时代，即使将人类需求降低到最低水平，新自由主义仍然占据上风。

20世纪初期，美国联邦法院准许实施排他性法规；如今，个人和地方行动开始利用法律手段进行排他、创造壁垒。新自由主义政策在克兰伯里一类社区的小规模地方行动中持续发挥着影响力，克兰伯里对月桂山案判决的反对连同历史遗产保护和耕地保护一起，将农地商品化为可以交易的实体，进一步阻挡了新的土地开发活动。贝德福德的经济精英们通过个人行动从开放土地中攫取私人税收优惠，同样起到了排他的作用。

not a “Heroical, Devotional, Philosophical, or Moral Age, but above all others, the Mechanical Age. It is the Age of Machinery... the age which, with its whole undivided might, forwards, teaches and practices the great art of adapting means to ends.” To Carlyle, humanity was more than a mere mechanism: “For man is not the creature and product of Mechanism; but, in a far truer sense, its creator and producer: it is the noble People that makes the noble Government; rather than conversely.”<sup>[85]</sup> Carlyle foresaw the risk in giving all power to the mechanical, or we might say today, the corporate private sector. Charles Dickens’ *A Christmas Carol*, written 14 years later, created the character of a Scrooge, valuing money over relations and humanity. A generation later, after the American Civil War, vast fortunes made in war-time industries and new fortunes created from the exploitation of the continent gave rich New Yorkers the means to build fantasy retreats in the Westchester County countryside that created the Bedford of the present.

As Neoliberalism spreads, the gap between rich and poor, is made ever more evident across the world.<sup>[86]</sup> Anthropologist Michael Herzfeld describes policies of “spatial cleansing” that create monumental civic spaces where the locals once comfortably crowded together.<sup>[87]</sup> Supertall high-rises tower over cities from Manhattan to Mumbai, Shanghai, and Dubai; tourists displace locals in UNESCO World Heritage Sites. In Beijing, ancient hutongs, once targeted for demolition are being “restored” to conditions far beyond their historic origins. There, following the model of European and American downtowns that have created amenitized historic neighborhoods, the super wealthy can live in a nostalgic low-density neighborhood in the midst of a global city. Similarly in Shanghai, gated communities have become markers of urban hierarchy, denoting the successful individual in contrast to the general population in the mass-housing towers.<sup>[88]</sup> In our own time, Neoliberalism takes command even as human needs are reduced to the lowest levels.

In the early 20th century, exclusionary regulations in the United States were approved by federal courts; today, individual and local actions create barriers using legal instruments to create exclusion. The cumulative effect of neoliberal policies in small local actions of communities like Cranbury where opposition to the affordable Mount Laurel Housing mandate joined historic and farmland preservation to commodify agricultural fields into tradeable entities provided a barrier to new development. Similarly in Bedford, the individual actions of economic elites have converted open land into a privately-held tax benefit to produce the same exclusion.

乍看起来，这些问题似乎反映了西方税收激励计划的影响，但通过排他行为和特权主义来精心策划“完美区域”的现象，在世界范围内的任何空间尺度都不难发现，它们在降低社会多样性的同时，对财富增长进行奖励。切蒂的研究结果清晰表明，当一个社会仅以经济底线来要求自身的发展，排他性举措只会令穷人更穷，同时错失人才培养所带来的潜在财富。掌握了排他举措，就意味着可以改变人生结局。LAF

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At first glance these issues might appear to reflect the impacts of western tax-incentivized planning, however, the curated perfection that creates exclusion and privilege can be found worldwide at multiple scales reducing diversity and rewarding monetary gain. Chetty's research makes it clear that when society permits itself to be shaped by the economic bottom line alone, exclusionary practices leave the poor impoverished while missing the potential enrichment that nurturing human capacity would achieve. The ability to exclude changes life outcomes. LAF

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