

Governing Poor Spaces.
Homeless encampments and the new management of housing
insecurity in the US

Dissertation

zur Erlangung des Grades eines Doktor der Philosophie im Fach Politikwissenschaft am
Fachbereich Politik- und Sozialwissenschaften
der Freien Universität Berlin

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Berlin, 20.04.2018

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Tag der Disputation: 25.10.2018

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Preface

This work is the result of a long-standing interest in urban social movements and claims for self-determined housing. Coming from a background of urban planning I recognized social movements as agents for social change and moved on to a political science perspective on the production of space which I now address with political geography. Such a focus on the contemporary transformations of housing centers on the conflicts of using space in capitalist society with all its contradictions, standards and substandards. Largely inspired by the work of Henri Lefebvre my work therefore responds to the lived, the perceived, and conceived dimensions of producing space.

Addressing US homeless camps, I see a direct link to my prior research on alternative trailer camps (Wagenburgen) in Germany, although here the camps are of a completely different nature: rather than a matter of choice homeless camps are lived realities of poverty, and where the everyday and political perceptions of irregular, substandard shelter may be similar, the (abstract) logics of the state's poverty governance constitute a major difference for possible compromises. Aiming to bring these different simultaneous realities together I am well aware that pursuing a multidisciplinary approach may create difficulties and ask the reader to bear with me when I highlight the interdependencies and complexities at work.

While I am convinced that the production of space is best understood with a concept of hegemony where private property forms the basis of the capitalist order, I understand that this work adds more pieces to the puzzle and raises even more questions. I would therefore ask for engaged readership to follow me on this intensive and extensive exploration that took me almost a decade. My hope is to instill an understanding for why this struggle over camps is so significant for the current conjuncture: touching upon a range of similar urban struggles where the need to find a place called home confronts the restrictions of a state-facilitated, propertied world. In this direction, my future research will continue to analyze the questions of emerging and persisting sub/standards of housing.

This said this work would not have been possible without the support of others. My fellows and the team of the Transatlantic Graduate Center at the Center for Metropolitan Studies, Technical University Berlin, have been extremely helpful from the start, while the German Research Foundation (DFG) offered the necessary financial resources to back up my explorations. For my field research I wish to thank in particular Gary Blasi, Steve Herbert, Nicholas Blomley, Leonard Feldman, Forrest Stuart and David A. Snow, who helped me to

navigate the intricate evolution of US welfare systems, and US homeless assistance in particular. Special thanks goes to Chris Herring and Tony Sparks, my fellow researchers in the field of homeless camps. Our discussions added substantively to define the contours of my project and also led to a joint publication.

Indispensable for this work was the feedback and stimulations I received from activists and activist scholars. A major kick-off was the US Social Forum in 2010 where I not only learned much about the historical processes of deprivation and dispossession in the US, but also encountered the shared sense that we are indeed witnessing a historical moment of struggle and therefore opportunity to re-claim urban social justice. At the heart of which pulsates the struggle to take back the land and re-claim a common good nobody can do without, that is, decent housing.

This Detroit experience was refined through further discussions at the 17th Annual Mini-Conference on Critical Geography 2010 in Milwaukee, the Annual Conference of the American Geographers 2011 in Seattle, and the Institute for the Geographies of Justice hosted by the Antipode Foundation in Athens, Georgia in 2011. The feedback to my presentations at the conference on urban commons (Georg-Simmel-Zentrum für Metropolenforschung, Berlin) and the RC21 Conference of the International Sociological Association (Berlin) in 2013 pushed my thinking to new levels. I want to express my thanks to the participants of the workshops for Hegemonie- und Diskurstheorie in Berlin and Kassel, who stimulated, challenged and guided my appropriation of hegemony theory.

Further thanks go to all interview partners for sharing their insights with me. In particular, homeless advocates Tim Harris, Bob Erlenbusch and Paul Boden from WRAP, and homeless organizers John Krantz, Steve Watters, Ron Javor from Sacramento Safe Ground, Ibrahim Mubarak and Trillium from Portland's Dignity Village and Right to Survive campaign, Scott Morrow, Peggy Hotes and Richard, from SHARE/WHEEL, and the many campers I met in various tent cities. Special thanks go to Lynn Sereda who after our first meeting in Detroit was most generous in paving my access to Seattle.

I am deeply indebted to my family and friends for caring and carrying on with my project for so long, and to my supervisor Margit Mayer, who supported my work from start to end, providing me not only with her expertise but unwavering trust to finish up. Lastly this work would not have been possible without the support of Tino Buchholz, long-time companion in intellectual and personal explorations of urban activism and critical theory. His persistent re-

questioning of *who cares* brings this work closer to one of the challenges for critical urban theory today: addressing (different degrees of) recognition (theory) to explain urban struggles for justice.



Fig. 1: Unauthorized homeless camps in Fresno; Source: author 2011.

Chapter I: Introduction

1. Homeless tent cities and American crises

In 2010 mass media re-discovered the phenomena of mass homelessness and tent cities popping up across the US. Framed as shocking expression of deep economic crisis where waves of foreclosures uproot the American Dream for many American households, the media raised the specter of camps becoming the new normal. The tent city discovery triggered intense debates that were able to shake the American Dream and its foundational deep hegemony of propertied citizenship (cf. Lammert et al. 2016: 4). While the first reaction was to compare this recent Great Recession to the one of the 1930s it slowly became clear, however, that the roots of tent cities lie deeper. Far from an exceptional crisis critical observers would speak of multiple or chronic crises that began with the end of the American welfare state in the 1980s. In this light, the problem at stake is not new but a central condition/contradiction of the crisis-ridden capitalist production of space.

Homeless camps have forced the public debate to acknowledge an urban reality that is equivalent to the slums, a presence many wanted to believe belongs to the global South. For many Americans it is hard to accept that in the richest country of the world such extreme forms of poverty lead to street life and camps, while public perception veers between sympathy and disgust. Importantly, however, unlike the last decades when the homeless were framed as individual failures – or pathological subjects, the recent crisis pushed forward a popular realization that these homeless are not individually responsible for their misery but that homelessness is for many Americans only a pay-check away.

The camps are therefore not only a vivid illustration of the fears of foreclosed homeowners but they directly respond to the experience of many US Americans for whom decent housing is out of reach. Simply, the camps are the final consequence of two landslide developments converging: falling wages and rising housing costs which are no longer compensated by social welfare and not contained by emergency shelters. The camps are thus a stark but by no means exceptional but rather logical consequence: They are the tip of an iceberg of chronic housing insecurity where many struggle to make a home; and eventually may find themselves with nothing but tents.

The current conjuncture of economic and political crisis only adds urgency to the following analysis as in result of intensified commodification social inequality increases and spatial

disparities multiply: housing insecurity across the state drawn lines of in/formality has become the norm for many US Americans who are tangibly affected by the changing tides of poverty management. In this context, my work aims to examine the governing of homeless camps in the context of the hegemonic re-production of space.

2. Research agenda for the analysis of governing camps

The tent city struggle confronts the hegemony of propertied citizenship (Roy 2003) with its limits. Taking up Marcuse's (1989) seminal argument about *neutralizing homelessness* this research analyzes the state's management of the homeless as a strategy to neutralize the political implications of homelessness by focusing on the symptoms rather than the causes. When tent cities make visible a long denied misery of poor housing – as societal failure to house all people –, then this hitherto neutralized reality is now worked on locally. This raises again the perennial questions of how the problem of homelessness is to be understood, whose responsibility it is, and what space the non-propertied are allocated to. Taking on this unresolved hegemonic struggle, my research focuses on the question of *how poverty is governed through space*.

Accepting camps as indicators of unresolved economic and housing crises – aggravated through an eroding welfare state – my starting question is why then are camps legalized in some cities? Such a policy contrasts to the prevalent strategies where camps are criminalized to contain the homeless in shelters, or informally policed (a tactic of selective enforcement tolerating informal settlements at the edges that seems to work so often).

Clearly, the question whether, and if so how, cities should allow homeless people to camp is a hotly debated topic in many US cities. Contrasting beliefs and perceptions about the causes and the necessary or adequate responses to homelessness clash: the deeply rooted pathologization of homelessness as individual problem that calls for coercion and paternalist treatment complicates local discussion over establishing legally sanctioned camps.

Furthermore, the legalization of camps raises plausible hypotheses about the current and future state of America's response to homelessness: arguing that legal encampments constitute a quick-fix, low-cost solution to the immediate problem of relieving homelessness, some fear that this paves the way to a neoliberal (post-)welfare state which entirely abandons the promise for decent housing, whereas others considered this a pragmatic way of addressing human needs for safety and shelter. Several questions arise that complicate such assumptions: is this "quick-fix" a strategic move of governing poverty differently or a concession to

grassroots demands? Who's burden is *relieved*: the homeless plight of survival or society's confrontation with un-accommodated poverty, or government's coffers? Which powers and rationales become decisive locally?

Moving beyond a classical policy analysis that examines the benefits and costs or problems of legalizing a homeless camp my research situates the struggle over homeless camps within this struggle for hegemony. The central hypothesis is that camps are an indicator of multiple crises and I will argue that camps may de-stabilize hegemony, while also being a potential neoliberal solution to re-stabilize hegemony locally.

My research therefore focuses on those instances where local communities struggle over how to deal with poverty. Addressing the concern that such encampments largely ignore the more fundamental problem of ensuring decent housing for all citizens, the insinuation needs to be verified that legalized camps actually serve to ignore or *neutralize* the problem of lacking affordable housing. Legal recognition makes a decisive difference to the struggle of survival and local mode of crisis management. Allowing the non-propertied to camp without police harassment does not resolve the underlying structural problems but addresses the phenomena with an immediate effect: reducing some hardship experienced by those living in tent city. At the same time, granting a legal right to camp confronts the logics of state governing of poverty and infringes on a core element of propertied citizenship: the exclusion of the non-propertied from a right to housing. Legal recognition of camps, therefore, serves as crucial reference point in my analysis, which is evident to differing degrees in the cases of Ontario, Fresno and Seattle.

What makes the issue tricky is that overall both poverty governance and production of propertied space are not static but subject to change. Responding to multiple crises, the hegemonic boundaries of property are constantly reworked. Thus, an analysis of camps needs to account how market logics introduce standards and sub-standards producing a shadow housing market, while state interventions veer between repression (ensuring the law), toleration of informal grey spaces (bending the law), and legal recognition of self-help (adapting the law). Hence, while I am interested in decent housing standards (as ideal outcome) this analysis focuses on the politics of re-making sub-standards of housing (as reality and process).

Embracing the survival of those without shelter who attempt to produce "as much home as possible" (Sparks 2008), I conceptualize tent cities as minimum standard of shelter, where

minimum decency relies on autonomous self-help, in the absence of housing. Accepting *tent city as a political claim*, I want to take seriously and tease out how the needs of unsheltered people are not simply ignored but managed, how opposing claims and logics compete and thus to better grasp how social suffering is managed to persist? Unlike with an ethnographic approach focused on survival as a practice, I focus on the political side of survival. My aim is to show how society comes to terms with the manifestation of poverty. Focusing on these questions my research addresses central characteristics of survival in the current state of capitalism: how spatializing poverty serves to normalize poverty i.e. how the designation of specific poor spaces (for the poor) makes poverty governable and accepted?

When I started this research in 2011 it was not at all clear what kind of response the camps would receive. While in some camps the hope was for state intervention – similar to the New Deal – others claimed to bail out mainstreet not Wallstreet, forming an alliance to *take back the land*: organizing the re-appropriation of foreclosed homes. Later on this spark fueled the *Occupy movement* which re-invented camps as sites of protest and today's movement for a *homeless bill of rights*, which some have labeled a legal revolution.

Yet, regardless of how camps are explained or interpreted, it is at the local level where it is decided how to deal with them: punitively as expression of disorder or more accommodating with care and respect to the human rights of the campers. The three cases studied show an exemplary range of how legal camps are regulated with differing degrees of repression, toleration, and integration. My comparative analysis of three cases sheds light on the *processes* that produce these policy *outcomes* and provides empirical evidence for clarifying the open debate on whether current homeless management is determined by a stronger punitive, a re-crafted welfare and care, or new forms of informal management. Tracing the process of negotiating homeless survival, the role of local governments and the role of advocacy, which influence local homeless management significantly, ultimately, my comparative research provides a nuanced perspective on the local as a mediary between the hegemony of propertied citizenship and everyday life.

At the core of this research my aim is to show how the scope of local regulatory experimentation is the product of dynamic and specific local struggles, while at the same time I detail the ways in which the reproduced supra-local structures also have an impact on the local political constitution of the local state. This research also accounts for the scalar politics of homeless management. Through the lens of local struggles over camps I reconstruct the

changing policy context of a homeless management that aims to *end homelessness*. My research tackles the enthusiasm over the promise for *housing first* to show that the process of managing homelessness – until sufficient housing is produced – is becoming in fact less responsive to unmet shelter needs. Re-articulating the hegemonic promise for homeless care this new standard of managing homelessness does not allow for compromises and re-introduces a baggage of re-enhanced stereotypes and assumptions about the homeless as being deviant and pathologic.

This research illuminates the processes by which US society comes to manage homelessness in more or less miserable ways. The aim is to stimulate readers to further re-question these constantly re-stabilized hegemonic relations: Which form of miserable housing users will cope with, what degree of substandard the state will tolerate or utilize, and what does the market impose as adequate to make profit, i.e. the question is: what new normal of poor housing and shelter will be accepted? At the minimum, my empirical work will give flesh to the conceptual contours of homeless/ness management as strategy to neutralize homelessness. But comparing three critical cases to identify a paradigmatic case, I explicitly aim to generate conclusions regarding the wider context. Identifying a paradigmatic case means specifying the scope of contingency in local policy-making processes: the paradigmatic case of Seattle shows a distinct novel local compromise re-calibrating the competing logics of poverty governance at work to establish new durable spaces of state and survival that may entail a transformative perspective for ensuring survival while politicizing the reproduction and management of homelessness.

3. Structure of the work

Dealing with a rapidly evolving field of empirical inquiry, in 2010, at the beginning of my research, there was almost no research available upon which to draw. This situation changed during the course of my research. Since 2011, a series of publications came out that provide useful answers to questions that were initially open (Heben 2014, Speer 2014; Loftus-Farren 2011). In response to such publications my research process has been shaped by a constant process of re-assessing the state of research, integrating new knowledge contributions and renewed efforts to adjust and specify the still-relevant open themes that call for further inquiry. Nevertheless, I would argue that to date the issue of homeless camps has not received adequate scholarly attention. The list of scholars devoted to the theme remains short, with only a handful of substantial contributions thus far (Sparks 2011, 2017, Mitchell 2012, Herring 2014, Herring/Lutz 2015, Lutz 2015a and 2015b).

Given that there are no established parameters of analysis that seem readily adequate to grasp the phenomenon of homeless camps, I pursue different analytical approaches comprising various rounds of extensive explorations and phases of intensive investigation in both the given literature and the empirical field. As we argue in our joint article, popular media explanations of homeless camps' emergence are "economically over-determined and politically under-determined" (Herring/Lutz 2015: 690). Integrating the perspective of governing and the perspective of survival and resistance with hegemony theory, my research provides a way to clarify what the real-existing corridors of contingent homeless management are and how their perimeters are narrowed and widened. As these corridors of contingency explain much of the puzzle that the variegation of real existing neoliberalization poses, I consider my research as a unique contribution to better explain how governing the local works today. This in mind, my overall work builds upon the following aspects and chapters.

The ways in which homeless camps are regulated locally result directly from the shifts and changes of state form. But what the state is and what it does to or for the poor is far from agreed. **Chapter II** therefore brings the existing research on homeless camps into conversation with three distinct research debates about governing urban marginality. Revisiting the (1) *penal city*, addressing the emerging argument for a (2) *city of care* which I challenge through key works on neoliberal welfare state restructuring, and introducing the debate on the (3) *informal city* which offers new perspectives for understanding the state as designer of il/legality as means to govern, this chapter discusses the strengths and the weaknesses of these existing research perspectives for explaining the camps phenomena. This discussion synthesizes an understanding of homeless camps being best understood as creatures of poverty governance, which deploys a dosage of *care* and *coercion* to govern the poor.

In the struggle over camps, existing hegemonic relations become visible in daily life as tents reveal a minimum or substandard of shelter/housing that depicts a rupture to a housing career and home-ownership. Presumably, all sorts of otherwise-unarticulated deeply-sedimented beliefs to find a place called home are touched upon in this struggle. The struggle over camps provides a fruitful opportunity to examine the active frontier of urban neoliberalization as a hegemonic struggle. Examining (deep) hegemony, however, is tricky and the challenge remains how to render the study of hegemonic projects empirically. Addressing this challenge **Chapter III** develops a conceptualization of the state and poverty governance as means to politically neutralize homelessness. Drawing on theories of the state and hegemony and

fusing them with Marcuse's (1989) seminal argument about *Neutralizing Homelessness*, I conceptualize the regulation of homeless camps in the local state as hegemonic struggle resulting in socio-spatial compromises. This conceptualization allows to examine the local policy of legalizing camps as attempt to stabilize local hegemony and to consider how such local hegemonic compromises relate to the larger problematique of how hegemonic relations of propertied citizenship are reproduced and homelessness is neutralized. My ambition is to explain the meta-level of policy making as result of a struggle where alternative claims for care and against coercion are articulated, selectively recognized and/or marginalized, i.e. rendered controllable or not.

Chapter IV focuses on methodology: I fine-tune my research question and show why the critical cases of Ontario, Fresno and Seattle qualify for comparative analysis. Selecting the North West region as epicenter of US homelessness I shed light on three cases that I regard *exceptional and critical cases*. Aiming to (a) adequately analyze the realities of local struggles over homeless management through a perspective of the integral state, I explain my approach of *process-tracing* that takes into account institutional and actor network arrangements (including policy development), as well as (b) integrating theoretical analyses of space and state along scale and poverty governance. Accounting for local specificity, I do not aim to underline variegation for contingency's sake but rather aim to identify *inter-local patterns of governing the poor* that speak to the salience of *paradigmatic shifts* in political economy, hegemony and governmental rationalities.

Searching for a paradigmatic shift and case means providing an account of how precisely the local scale responds to political imperatives. I approach the field with the means of qualitative social research and comparative case study analysis that involves 85 semi-structured expert interviews and first-hand observations in the field. Having experienced camp life myself I also explain why I still distance myself from an ethnographic approach. In this line, my research does not address the individual subject: i.e. who the homeless are, why they are homeless etc. Also questions of gender and race are not discussed. Given the body of ethnographic accounts and ample research on demographics and compositions of the homeless I decided to focus on the political meso-level: how they are governed, how their claim to space is negotiated, denied or partially granted.

Chapter V presents the three case studies and offers a thick description tracing the process of the struggle over camps for several years in each city. While each case study features *legal*

*camp*s I show how this was locally produced in different ways: leading to the *authoritarian* case of Ontario, the mixed case of *non-profit* managed camps in Fresno and the *self-governed* camps in Seattle. The case studies contextualize local settings, explain the emergence of camps debates, how the legal shift from solution to problem was achieved, and account for how these experiments are secured in propertied space. Searching for a paradigmatic shift the case of Seattle stands out, since only here we see local support and legal recognition for autonomous self-organization that leads to more decent shelter. Focused on the making and breaking of meaning in the three cities the case studies account for the perspectives of different actors: the homeless activists and advocates, the service providers, and local government.

Chapter VI compares and contrasts the three cases to highlight three shared themes: the *strategic use of informality* for governing homeless camps and the ways in which the *legalization* of camps is articulated as a locally articulated hegemonic strategy to provide care to temporarily resolve and *stabilize the multiple crises* of local homeless management. In each case I show how the legalization emerged as a compromise between logics of governing and demands for improved survival. A comparison of the ways in which the camps are rendered durably compatible to local propertied order, reveals why top-down controlled camps are less viable than the self-governed camps.

The critical cases of Fresno and Ontario show that the stabilizing effect of legalizing camps is undermined by a problematization of the political and financial costs of such legal camps. In contrast, the case of Seattle is paradigmatic as it reveals a local compromise that integrates civil society and recognizes homeless needs with respect to autonomy. Highlighting the *role of law as catalyst for contingent struggle* I explain why only this compromise proves durable and replicable. To substantiate my argument that the cases are exemplary of a hegemonic struggle, I show how the local search for new compromises directly addresses a nation-wide search for constructive alternatives to criminalization and the limits of paternalist shelters. This leads me to a concluding argument about how the neoliberal fantasy of coopted self-help works out locally. Addressing the ambiguities of managed and claimed survival, I argue for a recognizing the transformative power of poor people's *commoning* in camps.

My final **chapter VII** considers the argument that legal homeless camping depicts a cheap, cost-efficient and effective local policy that is proliferating in the current post-welfare, post-revanchist, austerity moment, where the needs for both survival and managing homelessness

multiply. Although I have shown and explained how the legalization of camps seeks – and partially succeeds – to resolve the multiple crises of homeless management, these local compromises have been trumped by the solidification of a *new national hegemonic project for homeless assistance*, that is, *housing first*. Explaining the new promise and how it ascended from the margins to become a federal policy template I argue that the aspired *outcome* is hard to contest but point to critical changes in the ongoing *process* of managing homelessness. Above all this involves the necessity of immediate shelter where housing is unavailable. With its selective profiling, economic focus and inadequate funding *housing first* has not only not reached self-set goals so far, but if continued this way will likely not fulfill its promise in the near future. The local policy deliberation of responding to survival needs is narrowed by a new imperative where cost-efficiency replaces compassion, where political negotiation is reduced to matters of calculation. Acknowledging that the new national hegemonic project overrides local attempts to re-stabilize the hegemony of neutralizing homelessness, I conclude by pointing to the case of Seattle and the continued struggle of homeless advocates who seek to force a *legal revolution*, that is, a homeless bill of rights.

Chapter II: The research context of governing urban marginality and homelessness in the 21st century

1. Introduction

The contrasting hypotheses on why local governments would sanction homeless camps or not (see chapter I) reflect broader scholarly debates that exhibit similarly contrasting assessments of how urban marginality is governed in the (post-)welfare state. More than three decades after the demise of the Fordist welfare state, it is quite clear that poverty has taken on new quantitative and qualitative forms, exemplified by the re-emergence of mass homelessness since the 1980s. As a well- and perhaps even over-researched topic (cf. Blasi 1990), the main features of the new “homelessness American style” (cf. Mitchell 2011) are easy to define: homelessness is more spatially dispersed, more demographically varied and increasingly uncoupled from the ebbs and flows of economic boom and recession, thus marking a chronic and persistent phenomenon (cf. Hopper 1990; Mitchell 2011). In addition, much has been written about the repressive and/or insufficient (welfare) state responses to this new form of poverty (ibid.). However, the drivers of such public policies are less clear. Phenomena such as the struggles over homeless camps underline the messiness of the current conjuncture as 'not-quite-post-welfare-yet', which complicates the validity of grand narratives on neoliberal poverty governance: evidence of homeless camps being regulated as legal and legitimate sites of homeless management stands in contrast to key tenets of homelessness research, which stipulate the criminalization and repression of camps. This expansion and particularly the space given to self-governed homeless communities challenges the narrative of an atrophy of supportive spaces for the homeless: ultimately, no concessions would be given to homeless claims for informal self-sheltering as all claims for autonomy, decency and self-organization are marginalized and suppressed.

This theoretical inconclusiveness suggests that the contemporary relation between the local state (actions) and third sector organizations (actions) as well as the role of homeless subjects as active agents requires a re-examination to better explain the complex geography of homelessness with its variegated forms and spaces of inclusion, toleration and exclusion. Grappling with the messy transformations of an eroding welfare state, the following discussion responds to a discontent with totalizing accounts of a roll-back of welfare and the subsequent roll-out of a punitive governance of poverty. Over a decade ago, Peck cautioned against such broad-sweeping diagnoses, highlighting that "the realities of welfare state

restructuring are infinitely more complex than stylized readings of processes such as de-regulation, re-regulation, privatization, and neoliberal 'hollowing out' suggest"¹ (Peck 2003: 223; cf. Fairbanks 2009).

Governing the poor between punitive coercion, supportive care and grey-spacing

This chapter argues that the struggles over camps raise crucial questions about social agency in determining minimum and maximum housing decency, the answers to which will shed light on how homeless management actually works and how the welfare state at large is restructured and transformed by various actors. Current research debates reveal that the trajectories of welfare state restructuring and the future of housing are far from conclusive: in particular, it remains disputed how and for what purpose which urban marginality is governed and what role the poor play in this governing.

For this chapter, I differentiate three debates that hold particular relevance for my research, which aims to better assess how the homeless are dealt with, whether and if so which space is given to them, and as under what conditions (autonomy and decency). The aim of this chapter is to *highlight the strengths and identify the omissions* of these existing debates. Re-visiting these three debates, I aim to clarify their respective assumptions about why and how poverty is governed after the Fordist welfare state about how social control is achieved or maintained, about the role of the state and other actors, as well as how these process spaces are problematized and instrumentalized.

Contrary to the thesis of punitive policies dominating state responses to homelessness, some homeless camps are in fact tolerated and legalized. The section on the *“penal state”* thus revisits the argument that a distinctively new mode of social control has developed that mobilizes fears about security and disorder to roll-out a new set of penal measures aimed at poor populations. The argument of the *“revanchist city”* applies this form of penal control to urban homelessness, arguing that while the carceral containment has taken on new significance, the criminalization of homelessness has the primary effect to exclude and banish

¹ Peck goes on further explaining what a state theory informed research should deliver which is to unpack such commonplace terms and to reveal their dynamics:

"The task of theoretically informed research on state restructuring has to extend beyond mere reaffirmation of these received categories (or, worse still, the indiscriminate relabeling of mundane policy shifts in such terms, as if this itself constituted an 'explanation'). Not only must the categories themselves be subject to critical scrutiny, but carefully formulated empirical work is required in order to expose underlying patterns and processes, and to generate critical cases and counter-cases" (Peck 2003:223).

the homeless, thus making their survival ever more precarious. From this perspective, homeless camps are depicted as victims of as well as sites of resistance against forced displacement, claiming a right to stay put.

In contrast to the thesis of welfare as malign neglect, the sanctioned camps indicate that spaces of care and sustenance are expanded. Furthermore, the regulated camps often entail some measure of autonomy and self-organization of the homeless, which stands in contrast to the central argument about paternalist welfare. The section on the *“welfare state and care”* thus revisits the argument on neoliberal welfare restructuring to discuss the ambiguities of care for the homeless. Tracing the evolution of US homeless assistance policy, I lay out the uneven and conditional landscape of care. From this perspective, homeless camps are depicted as a rejection of paternalistic care and as claims for and appropriations of spaces of self-care.

Although many argue that informal and substandard self-help housing is illegalized in the US, the sanctioned camps indicate that some exceptions and compromises are made where the right to (any) shelter may trump the exclusionary right to safe and sanitary shelter. The *“informal city”* section thus broadens the perspective from homelessness to housing insecurity and introduces the argument that social control is exercised through selective toleration of informal and illegal practices of self-help housing. From this perspective, homeless camps can be seen as sites of struggle over a managed persistence of grey space, where homeless people realize better survival and where the state aims to extend regulatory control.

In addressing these three debates, the chapter draws on several works that transcend the boundaries between the disciplines of urban studies, geography, social welfare and poverty governance (Wacquant 2008; Wacquant 2009); Soss et al. 2011; Fairbanks 2009) and offer new impetus and stimulus for research on governing urban marginality (Irving 2013: 623). The explicit aim is to broaden discussions on homelessness by drawing on the broader debates of welfare studies and poverty that clearly but unevenly and selectively inform the study of geographies of homelessness.

Tackling different levels of abstraction, a main concern and motivation for this chapter is to show how analyses of homelessness and its management benefit from the theorizing of poverty governance, as it enables better explaining why and how the homeless poor are actually governed. I am well aware of the difficulties in comparing Piven/Cloward (1993),

Wacquant (2009) and Soss et al. (2011), given their different time frames. Piven/Cloward cover the period up to the 1990s, Wacquant's empirical evidence covers the 1980s/90s, whereas Soss et al.'s study is based on a ten-year research project that started in 2002. Furthermore, they all discuss *the poor* at large and only give mention to the homeless poor sporadically. Addressing these difficulties, the following chapter devotes special attention to highlight the differences between governing the urban poor and governing the homeless poor to stress how the latter has been invented as a distinctive category of governing. Thus, the aim of this chapter is to highlight what the three different analytical approaches allow us to see, which dynamics, actors and processes they grasp well, and what continues to escape their explanatory grasp.

A final instruction to the reader is necessary: the interdisciplinary appreciation of the explanatory insights of different – often disconnected – research perspectives allows us to better conceptualize homeless management and the role of camps within it (see next chapter). However, this research is equally concerned with doing justice to the complexities of real existing policy strategies aimed at homelessness. Thus, in order to identify the gaps in both conceptual and empirical research, the following sections fuse work on different levels of abstraction: connecting and contrasting macro theorizing with micro analysis, inserting historical accounts and data on homelessness and policy developments, these discussions are reflected through a review of existing homeless encampment research. In each of the following three debates, I address how they inform the existing understandings of homeless camps that are framed as sites of repression and resistance against the revanchist city, sites of rejection of paternalistic welfare, or sites of informal survival.

2. Re-visiting the penal state and the revanchist city: homeless camps as spaces of repression and resistance?

Any discussion of America's contemporary homeless management has to take note of the ascendancy of punitive strategies aimed at homeless people. It is well documented how over the last three decades a panoply of new forms of punitive exclusion of the homeless has reshaped US cities, ranging from banishment to anti-homeless architecture to the forced eviction of homeless encampments. Acknowledging that homeless camps are key targets of repression, I would like to briefly rehearse the argument on the penal turn as characteristic of the new neoliberal poverty governance. The aim is to specify how and why punishing has

advanced as a convincing response to poverty. In a second step, this section addresses the limits of the penal framework, as it cannot effectively explain the phenomena of sanctioned camps. Summing up scholarly critique of the penal turn, I point to a more 'messy ground' of post-revanchist policing, which raises critical questions for examining the role of camps moving beyond the interpretive frame of repression and resistance. Therefore, this section highlights how repression of survival has advanced as a powerful strategy and how less repressive policies may also relate to the reproduction of this penal project of governing poverty.

The penal turn in governing urban marginality: camps as target of urban revanchism

As any quick reference to the histories of poverty governance will illustrate, neither punishing the poor nor the spatialized strategy of excluding the poor are new. Nonetheless, regarding the period since the 1980s, "what does seem novel is the ferocity with which this goal is pursued" (Mitchell 1997): 317). In marked contrast to the previous decades of expanded welfare entitlement, the current conjuncture is characterized by renewed discourses that frame poverty in general and homelessness in particular as problems of safety and order. The penal debate thus underlines a key feature of neoliberal homeless management: a subjectivization of the homeless poor as deviant and pathologic who can and must be policed and a corresponding set of spatial strategies of control.

The case of homeless encampments illustrates this argument as camps are routinely destroyed in the name of safety, law and order. While such response inflicts increased hardship on homeless people, state officials defend such a policy and describe encampment sweeps as fulfilling their responsibility for homeless welfare and the greater common good. It is for these competing notions of justice and common good that scholarly accounts have highlighted homeless encampments as key indicators of an emerging "post-justice city" (Mitchell 2003). Geographers in particular have emphasized the competing spatial conceptions and practices where the camps feature as almost iconic manifestations of the marginalized *other*, confronting dominant strategies of the commodification of urban public space (Mitchell/Heynen 2009). Neil Smith's seminal book on "Gentrification and the Revanchist City" was path breaking for this perspective on camps as primary victims of a class war from above, in which he depicts urban encampments as "one of the most intense anti-gentrification struggles" (Smith 1996). As Smith explains, the economic interest in the re-valorization of historically-produced spaces of cheap inner-city housing is pushed by a new alliance of urban

managers, business and middle classes that rallies for policies to exclude the homeless (Smith 1996). In a context where new laws for the use of public space aim at the annihilation of homeless and space by law (Mitchell 1997; Blomley 2009), the fight for homeless survival has thus become one of the most visible and stark examples illustrating the “new urban frontier” (Smith 1996).

The penal state as a hegemonic strategy

In order to avoid the somewhat economic determination of the urban revanchism thesis – which tends to focus on urban elites and business interests as driving forces for the advance of punitive policies aimed at homelessness (cf. DeVerteuil et al. 2009, see next section) – it is useful to recognize how the penal turn is also explained in terms of a large-scale shift towards governing social insecurity. Beyond the logic of the *entrepreneurial city*, repression of homeless camps may be located within this general shift in social perceptions and responses to poverty and homelessness.

Following this argument, social insecurity is not primarily caused by the presence of homeless people but responds to the vagaries of the new economy, rising rates of unemployment, etc. With terms like “security state” (Beckett/Sasson 2000) or “penal state” (Wacquant 2009), scholars have explained this restructuring of the welfare state from a regulation of poverty through welfare relief towards the regulation of poverty through policing. As Wacquant (2009) states, the penal state marks a shift in the ways in which control over marginalized populations is achieved. Rather than maintaining control through welfare compromises and relief, since the 1980s the social contract has been re-framed and the state secures public order and safety by weighing down increasingly punitively on various marginalized groups.

Drawing on the concept of hegemony, Sasson and Beckett argue further that the shift towards more punitive responses to poverty also entails a new promise of a desirable social order. Similar to Wacquant, they argue that “the war on crime” is not a consequence of a rise in crime, but rather a concerted effort to reproduce and extend control over a society that has undergone “the various challenges of the late 1960s and early 1970s” (Beckett/Sasson 2000: 68) including de-industrialization as well as an expansion of social and civil rights. Responding to these challenges, the “neoliberal remaking of the state” that weds the welfare and the penal arms of the state (Loic Wacquant 2010: 202) is seen as the result of “a hegemonic project of the ruling class, spearheaded by political conservatives (neoliberals and

social conservatives)” (Beckett/Sasson 2000: 68). Sasson/Beckett argue that this “hegemonic strategy” of the security state:

“is a viable alternative to the Keynesian welfare state precisely because it satisfies ruling class interests (in lower taxes and wages, expanded corporate freedom, and reduced responsibility for social welfare) in a way that also resonates with the common sense of large segments of the public” (2000: 69; authors use the terms hegemonic strategy and project interchangeably).

The powerful and pervasive *performance* of penal policies has been elaborated by Stuart Hall, who elaborated on the penal turn towards criminalization as one element in a larger struggle to manufacture “‘public consent’ for new forms of statecraft and state reform” (Hall et al. 2013[1978]:148). Elaborating on how such a strategy ascended as hegemonic, Hall discusses the making of successive waves of “moral panic” and explains that crime issues allow “all ‘good men and true’ to stand up and be counted – at least metaphorically – in the defense of normality, stability and ‘our way of life’” (ibid.). In other words, this argument demands to examine the criminalization of homelessness as an issue of social control that exceeds urban affairs of commodifying housing.

Inventing and policing homelessness to secure society

The perspective of hegemony highlights that not only the interests of urban elites and issues of urban disorder are at stake, but also the role of the state and social order in general. The penal turn thus needs to be understood as a restructuring of how social control is enforced and the penal management of the homeless is intricately bound to the making of a new social order (Susser 1996). In this context, various scholars have proposed analyzing homelessness as a social construct that was “invented” (Willse 2010a; Hulchanski et al. 2009) as a specific form of knowledge and object of state intervention in the 1980s to govern the new dimensions of poverty. Critical scholars have stressed that homelessness was in fact a term rarely used before the 1980s, whereby it usually referred to social disaffiliation rather than literal houselessness, as the problematized denizens of skid row could often rent some poor place to stay (Hopper 2003; Hulchanski et al. 2009). By contrast, the new homelessness is a result of an absolute level of impoverisation caused by the conflation of rising housing costs, destruction of cheap housing options, falling wages and eroding welfare transfers. As Hopper specifies, where in the 1960s individuals relying on welfare transfers could still buy poor housing, in the 1980s dependency on welfare often meant the streets (Hopper 2003). New homelessness thus marks a moment in US history where an increasing number of the larger

class of persons living in extreme poverty can no longer find poor housing conditions but experience literal houselessness and thus become a new problem, the “visible homeless” (Blau 1992; Hopper 2003; Liebow 1995; Wright 1997).

Calling specific dimensions of poverty *homelessness* is thus an attempt to naturalize poverty as an individual failure (reviving the Bible proverb of “*the homeless have been with us always*”), obscuring politically-produced “*dehousing* – the fact that an increasing number of people who were once housed in these wealthy countries were no longer housed” (Hulchanski et al. 2009: 3). More to the point, the specific term homelessness speaks to the aspired “new social order”, as Ida Susser summarizes in “The construction of poverty and homelessness in US cities”:

“Homeless populations are not large [but] they have emerged as a symbol of the new poverty in the United States. Political concern for housing the homeless, or at least removing them from the streets and subways, stems from the need to make the increasing inequality to which the majority of the residents are subject invisible, individual, and private” (Susser 1996: 415).

This way of speaking of homelessness has thus been a technique to separate a special subpopulation from the rest of society, which thus avoids addressing them as people experiencing one of the harshest conditions of extreme poverty. The invention of a problem category of homelessness rather than poverty and the lack of adequate housing propelled the development of a distinct institutionalized framework to deal with the problem, produced new strategies and forms of knowledge addressing the problems of the homeless. Framing homelessness as an issue of deviancy and pathology of individuals makes it possible to hold these individuals responsible for their fate, as well as providing the basis for constructing binaries that contrast “us and the common good” to “them”.

Scholars (cf. Mitchell 1997, 2011, Smith 1996) have shown how the policing of homelessness channels widespread feelings of insecurity and leads to blaming the homeless for their failures and the threat of a declining economy: “The hope is simply that if homeless people can be made to disappear, nothing will stand in the way of realizing the dream of prosperity, social harmony, and perpetual economic growth” (Mitchell 1997: 307). What I want to underline here is that using policing – as first and often only response to deal with mass homelessness – has become a convincing and irresistible policy option for local governments. Policing responds to immediate experiences and concerns of voters that something is going wrong, and offers immediate recourse by demonstrating government competency. In this process, the

rights and entitlements gained by the poor in previous decades are effectively revoked, denigrating the poor into urban “enemies” (Smith 1996: 211-212) or “urban outcasts” that not only can but also must be punished to maintain desirable social order (Wacquant 2008).

Offering analytical inroads to examine how punishing the poor became so persuasive, Don Mitchell points to an “ideological U-turn”: the massive “reinvestment in a language of deviance and individual disorder at the expense of structural explanations for homelessness” observable since the mid-1980s (Mitchell 1997: 316-7, cf. 2011). In this sense, the penal policing of homelessness re-articulates deeply-rooted sentiments and a collective identity of those who are housed properly and consume properly. As the homeless are the ones who visibly “refuse” to comply or conform with the new demands of the aesthetic and competitive city (and economy in general), it becomes an imperative for the local state and the middle class to exclude the homeless and invisibilize this threat and reminder of the “vagaries” of globalized capitalism (Mitchell 1997: 319). Quality of life has become the main argument to transform the particular interests of business owners and political elites into a claim for preserving the “common good” (National Law Center on Homelessness & Poverty/National Coalition for the Homeless 2009). Changing the dominant discourse from one that dealt with “people in trouble” to one that deals with “people who make trouble” enabled a swath of new and often penal interventions against poor people (Beckett/Sasson 2000: 69).

The discursive re-arming led to a reinforcement through legal innovations. Particularly legal geographers such as Mitchell (1997, 2003), Blomley (2003, 2009) and Feldman (2006) have detailed how such changed perceptions have been translated into legal ordinances that regulate homelessness as deviance and disorder rather than addressing it as houselessness. “Anti-homelessness legislation is not about crime prevention; more likely it is about crime invention” (Mitchell 1997: 307). As Mitchell notes, “the purpose” of such policies is “certainly not to gain hold of the conditions that produce so much anxiety, but rather to condition people to it” (ibid.: 316). The legal framing of homelessness as an issue of urban (dis)order enabled a new insidious form of responding to poverty. Therefore, penal policing reflects and reinforces a “highly exclusionary sense of modern citizenship, one that explicitly understands that excluding some people from their rights not only as citizens, but also as thinking, acting persons, is both good and just” (ibid.: 306).

Criminalizing the homeless as the deviant other

In this sense, the proliferation of local anti-homeless legislation clearly indicates that the battle has been won by those who seek to re-personalize homelessness. Framing the homeless as the *other* – as the failed neoliberal self – is coupled with an unprecedented reclamation of those “successful” neoliberal selves who claim public space exclusively, essentially withdrawing any entitlements for the failed subjects to exist in public space. This form of regulation and exclusion of the homeless gains urgency in a political economy that fails to fulfil the needs of an increasing number of people, where "homelessness is only a pay-check away". A quick glance over recent homeless advocacy reports reveals an incessant rise of so-called “quality of life” ordinances, which are better labelled as anti-homeless laws as they explicitly target behavior that is only sanctioned when conducted outside one’s own property (National Law Center on Homelessness & Poverty 2014b). For instance, between 2011 and 2014 the number of city-wide bans of camping in public increased by 60 % (ibid.: 17). This situation is particularly dire in California, the leading state when it comes to criminalizing homelessness. Recent reports document a massive increase in local anti-homeless laws, which are linked to the history of early-20th century vagrancy laws and ugly laws that were designed simply to exclude the poor from the city (Berkeley University Policy Advocacy Clinic 2015; San Francisco Coalition on Homelessness 2015).

Advocacy organizations criticize this “race to the bottom” for harming homeless people, for perpetuating poverty, being illegal, expensive and ultimately ineffective (ibid.). Characteristic of the new legal control of marginal populations is the fusion of civil and criminal law, allowing enforcement agents to deploy a wider range of interventions to sanction “uncivil behavior” that quickly renders a misdemeanor into a criminal offence. The targeting of e.g. homeless people for drinking, sleeping in public or jay-walking accrues fines, the nonpayment of which subsequently leads to incarceration (cf. Stuart et al. 2015: 237). In the US the number of people incarcerated is growing, but the homeless are 20% more likely to end in jail (cf. NLHCP 2014). If anything, this new criminalization of homelessness thus reproduces the criminality that it seeks to banish. This is in fact the main conclusion from the penal debate: if we accept the claim that social control over aggravating social insecurity is reproduced through the invention and managing of problem populations, then punishment develops its own dynamic. Like a self-fulfilling prophecy, the passing of new disproportionate and discriminatory laws and ordinances targeting marginalized poor populations re-enforces their

stigmatization and reproduces the kind of moral panic that deepens the *othering* of these groups and – in a vicious circle – calls for more stringent measures to control them.

The “messy ground” of post-revanchist policing

How is it possible to make sense of the phenomenon of sanctioned homeless camps, which seems to contradict or suspend this penal policy template? The practice of this less punitive policy points to the need for closer scrutiny of the penal turn. Questioning its unfettered proliferation, I would like to address variation in time and space that results in more “messy” configurations of uneven and post-revanchist policing strategies. Since the early-1980s, the penal turn has been contested and Neil Smith’s account is particularly instructive. Rather than taking Smith’s work as proof of an achieved revanchism, close reading reveals that he describes a concrete historical political struggle over liberal values where local politicians acknowledge that relying on penal policing may be politically risky (cf. Smith 1996: 214). This struggle, I argue, is ongoing. Recent studies have begun to examine local policing practices from a historical and relational perspective, e.g. Stacey Murphy’s (2009) analysis shows how a decade later revanchist policing gave way for what she calls a post-revanchist policing of homelessness. Based on a sophisticated analysis of homeless policy in San Francisco, Murphy argues that post-revanchism marks a historical moment where the entrepreneurial elites have successfully re-made most major US downtown cores: a project that was still far from succeeding when Neil Smith identified and scandalized its explicit revanchist character over a decade ago. At a point of relative victory, the sense of “unremitting danger and brutality that motivated the elite to reclaim the urban realm have largely disappeared” (Murphy 2009: 311). As a result, the naked hostility towards “disorderly populations” that characterized the revanchist era has been replaced by a more ambivalent urban policy regime, focusing on defending a “revitalized” city. Rather than being entirely anti-liberal, this regime is open to still-powerful liberal sensitivities that continue to frame homelessness as a welfare issue rather than a mere issue of urban order (ibid.).

Murphy’s research is exemplary of a range of more recent studies attempting to more accurately describe the ways in which the homeless become subjects of socio-spatial control. Such a research focus on local variation and concrete dynamics of implementation is evidently more likely to produce findings that challenge the thesis of a seemingly monolithic increase in punitiveness. Smith has argued that the main effect – if not the aim – of urban revanchism has been to usher in a policing regime that rejects “the basic assumption of liberal

urban policy, namely that government bears some responsibility for ensuring a decent minimum level of daily life for everyone” (Smith 1996: 1). By contrast, these studies point to policies that – in the name of restoring public order – actually provide for some minimal decency of survival.

However, we cannot simply call such less punitive and more accommodative forms of control either novel or compassionate (Stuart et al. 2015: 240). For instance, Murphy suggests that US homeless policy has generally become more ambiguous, with a “contradictory mix of interventions designed to help the homeless alongside laws that criminalize their existence and movements” (Murphy 2009:307). In fact, such ambiguity has been characteristic of US homeless management since its inception in the 1980s. As with other macro concepts such as post-structuralism or post-Marxism, the pre-fix *post* should not be understood as signaling a radical departure from or end of *revanchism*, but rather as an invitation to examine how socio-spatial control is also exercised in less overtly-repressive ways.

This means that we have to remember that criminalization as a strategy to control populations is incomplete and can only temporarily resolve the problem of homelessness at places (Mitchell 2011). Many homeless advocacy reports highlight that criminalization relies primarily on forced displacement (National Law Center on Homelessness & Poverty 2014b; National Law Center on Homelessness & Poverty 2016). This strategy, however, encounters a problem when there is limited or no space to which to push the homeless. In this sense, the strategy of penal exclusion is necessarily incomplete. In order to better understand how policing actually works, recent studies have shifted their focus to the spaces of seclusion in marginal space and the practices of policing in prime space. Challenging portrayals of a sweeping universal punitiveness that underrates the various forms of “informal policing” amounting to a kind of “negotiated toleration” (Stuart et al. 2015: 239), they devote attention e.g. to how spatialized control works through “dispersal policing” (Walby/Lippert 2012). The effects of such messy strategies, however, remain nevertheless dire for the homeless, as a most recent report states:

“The management of homelessness in public space is a complex issue for a society that tolerates mass homelessness, yet that desires public spaces clear of visible poverty. Mix this impossible situation into a society that systematically punishes its poorest residents and the outcome is devastating for those experiencing homelessness” (San Francisco Coalition on Homelessness 2015: 3).

In the bigger picture, the take-away message is not to downplay repression, but rather to scrutinize the emphasis of current research on the novelty of exclusive strategies at the expense of (traditional or inherited) seclusive strategies (Beckett/Herbert 2010). Wacquant's (2009) diagnosis of a “Janus-faced” neoliberal state is symptomatic of such a stark picture highlighting novelty, which is “liberal, caring and enabling towards the upper strata of society, but fiercely authoritarian towards the lower, precarious ones” (Mayer 2010: 94). However, such a punitive face may not be so novel, at least not for marginalized populations. Arguing that the increase in incarceration is best understood as shifting modes and spaces of control but not necessarily shifting goals or targets of control (Lynch 2011: 242), these critics demand more careful attention to how policing works not only through repression but more often through the threat of repression to achieve the aim of ordering space. Even if annihilation is the *aim* of policing, it certainly is not the *effect* policing achieves. We need to account for how exclusion always requires seclusion, how the homeless resist exclusion and produce their own spaces of seclusion, as well as how such spaces of persistence or resistance are dealt with by regimes of policing.

Such questions are taken up by recent debates where scholars analyze locally new forms of less repressive policing: how policing works not only through forced exclusion and repression but also through more subtle and *informal* modes of selective toleration. I will discuss the role of informality later (cf. Chapter III) and here only wish to highlight that the power of policing needs to be measured not only in terms of how bans are enforced and offenders are incarcerated; instead, policing that aims to relegate marginalized groups to specific zones also relies on selective suspension of enforcement (Stuart et al. 2015: 239).

Homeless camps as sites of repression and resistance to urban revanchism

This debate has three implications for examining the role of camps in the current conjuncture: (1) acknowledging the rise of urban revanchism as a powerful strategy, we are to examine more carefully how this strategy is actually pushed forward and maintained locally; (2) appreciating the mix of liberal and anti-liberal ideologies that drive policing, we need to be cautious in our interpretation of less punitive or suspended repression, as it is not necessarily only a result of successful resistance by marginalized groups; and (3) considering the alleged performative superiority of penal policing, the practices of suspended repression need to be analyzed regarding the consequences for the reproduction of popular feelings of (in)security.

Existing research on encampments focuses on policing efforts to evict the homeless and other *undesirables*. Following Smith's (1996) iconic example of the battle over New York's Tompkins Square Park, homeless camps are contextualized in the process of whole-sale urban restructuring². This perspective on encampments as sites of repression goes hand in hand with scholarly emphasis on the active agency of the homeless, their collective resistance and struggle in forms of open protest (Wagner/Cohen 1991; Wright 1997; Black 2010; Casper-Futterman 2011; Speer 2014) or forms of less confrontational but widespread "resistance by persistence" focusing on homeless camps surviving in more or less hidden places (Wolch/Dear 1993: 284ff; Miller 2012) or public space (Por 2014). Characteristically, in these studies encampments serve to illustrate the active struggles of homeless individuals resisting the increasingly punitive policing and displacement by claiming space.

However, where this framework emphasizes resistance against displacement, often the difference between persistence and protest becomes fuzzy. The first studies of tent cities by Wagner and Wright already described a shift in homeless agency from protest to cooperation to ensure toleration. This shift from sites of protest against punitive policing to claiming a more permanent space within a "hostile environment" has become the characteristic feature of tent city movements comprising several struggles in the American North-West where homeless people claimed tent cities (Hellegers/Mercier 2002). Analogous to Neil Smith's conclusion, most authors interpret these examples of persisting homeless camps as contemporary but highly precarious outposts in the historical process of accumulation that excludes the poor from the enclosed, propertied spaces (Smith 1996: 135). When Mitchell and Smith published their studies, their particular perspective of urban revanchism was still struggling to garner popular and academic consent. Meanwhile, the "punitive frame" has become hegemonic in the analysis of urban homelessness (DeVerteuil et al. 2009) and it also dominates encampment research.

² Smith's detailed study of the struggle prompted by the policing efforts to evict homeless and other „undesirables“ from New York's Tompkins Square Park is stunning not only because of the fierce battle scenes, but also because of the careful descriptions of the wide alliance of social groups involved. Picking up Wagner and Cohen's claim about homeless movements as social movement (Wagner & Cohen 1991), Smith details how autonomous and anarchist groups as well as others including middle class groups supported the defense of the park and its encampments. In his conclusion Smith underlines homeless encampments as contemporary expression of a fundamental historical struggle of capitalist accumulation, where the poor are enclosed from the commons and excluded from propertied city space (cf. Smith 1996: 135).

Framing homeless camps as primarily victims of a revanchist project of urban restructuring (Smith 1996, Mitchell 1997, Wright 1997, Casper-Futterman 2011, Speer 2014) effectively addresses the ongoing proliferation of anti-homeless ordinances, which seem so irresistible to urban managers. However, the framework of repression-resistance cannot fully explain the struggles over persisting homeless camps. While such an approach tends to emphasize injustice, it pays less attention to the question of why these policies are enacted or not. Without doubt, there are strong economic interests behind removing the homeless from prime urban areas to avoid disturbing business or tourism. Nonetheless, this does not account for why homeless camps are also evicted from marginal/peripheral areas.

Furthermore, examining homeless camps within a framework of repression-resistance either highlights the active resistance of the homeless or depicts the homeless as more or less passive victims. In both cases, such studies depict a precarious existence of homeless camps that never escape the threat of eviction. However, the persistence of durable camps escapes such a framework. Cast between hope and despair, the penal framework devotes insufficient attention to the complex ambiguities of governing the homeless as well as homeless agency, i.e. the practices by which homeless people negotiate their place not only against but also with authorities.

There is hardly any research within this framework on how spaces are assigned that provide such a minimum level of decency/dignity/autonomy for the homeless poor. Instead, we have ample studies that repeatedly document more or less brutal onslaught on the homeless. In particular, there is no research that can explain why the dominant punitive response should be altered or complemented. The punitive frame leaves little room to consider why authorities may actually enter negotiations, or conversely how the homeless might influence their right to stay put.

The case of sanctioned camps, I argue, indicates that the penal turn and criminalization have no absolute grip and are contested locally. Understanding the project of criminalization as the primary and sole remedy for the urban problem of homelessness, the punitive framework would interpret suspension of criminalization and toleration of camps as resulting from successful resistance. But seeing the criminalization of homelessness as a contested and uneven project, we might explain the persistence of such strategies and their variation by looking at the crisis of penal policing in practice and as a political project. It is necessary to devote attention to how these strategies produce crises on their own, which may lead to

challenges to their very ideological foundations. In order to examine how camps are used to complement and extend policing, we need to analyze the ways in which camping is negotiated locally as a partial solution and how it responds to the evident problems of criminalization and to concerns over human rights.

Conclusion: the pervasive performativity of penalty

The key lesson from this discussion of the penal state/city is to acknowledge how criminalization of the homeless has advanced as a powerful local policy template for dealing with homelessness in the US. A new regulatory framework and a new hegemonic discourse have been developed that allow the exertion of draconic measures on the homeless poor, depleting their last resources and reducing them to bare life. Re-visiting the penal state debate reminds us how a powerful discourse has developed since the 1980s that degrades homeless people and denies them even the most basic acts of survival and decency. If not in intent then in effect, cities have produced ordinances and laws that allow the denial of safety, shelter and dignity to the homeless.

Mitchell's statement that "regulation is designed not to regulate the economy, but to regulate those who are the victims of it" (Mitchell 1997: 317) resonates with the political agenda of the conservatives (cf. Edsall 2012). Nonetheless, reducing anti-homeless policing to a conservative politics may be overly simplistic because – as Mitchell notes – it was liberal cities that spearheaded anti-homeless laws (Mitchell 1997). Apparently, the conservative-liberal divide does not sufficiently explain the proliferation and limits of anti-homeless policies.

While the homeless have become a prime target of the revanchist city, the criminalization of the homeless is not an end in itself. Instead, criminalization is pushed by (re)development boosters and supported by anxious middle classes. Its logic has also been accepted by those who are caring for the homeless but frustrated with the limited effects of sheltering. However, it has neither been uncontested nor is it monolithic. The unanswered question how to explain the phenomenon of sanctioned camps ties into a larger theoretical as well as methodological question about the penal state. In this line Robert Fairbanks argues, "The fundamental coherence of what he [Wacquant] has elsewhere termed the 'carceral-assistential state' remains at the same time overdetermined and underrealized" (Fairbanks 2012: 547, author).

In sum, acknowledging the penal turn in governing marginality, we need to conceptualize policing beyond the explicitly repressive forms as a broader practice of socio-spatial ordering. Urban revanchism can usefully be understood as a historical moment where a political hegemonic alliance was forged around a moral panic around losing the city to the homeless. Given that such alliances are unstable, we need to examine empirically how such a policy becomes effective in garnering consent. What this discussion suggests is that we should not overestimate penal approaches, but also examine how they fail to achieve coherence and completion – either through informality, subversion, resistance or solidarity. In order to both adequately describe policing and more effectively criticize it, it is useful to examine how repressive policies have been complemented and contrasted by less punitive forms of policing.

While the penal turn makes a convincing argument about how homelessness has effectively been de-politicized and turned into a problem of public order and safety, it is useful to examine the local limits of the greater hegemonic project of propertied citizenship and urban practice of policing. I will argue in the following chapters that the perspective of hegemony allows us to see the penal project as far from complete but locally contested: shot through with crises (scholars Don Mitchell and Neil Smith were well aware of this but decided to not elaborate on it for political reasons) due to specific local contexts, conflicts and actors that point to local conditions of necessity, adequacy or urgency.

My empirical analysis provides such a more nuanced local analysis of the penal project. Documenting the brutality and inefficiency of such policing, critics have argued for years that “we can’t criminalize our way out of homelessness” (Interview Boden). The case of durable camps allows examining this claim in local practice: for camps to become regulated rather than repressed means that the legality and legitimation of existing strategies of criminalization are contested to some degree. This further suggests that local governments recognize critique and that the option of sanctioning camps might respond more adequately to popular concerns. For a camp to become officially recognized as a legitimate space of homeless management, concerns for security, etc. need to be addressed somehow. When – as the penal debate stresses – the fabrication and reproduction of insecurity becomes the main pillar of homeless management, this has to be factored into any explanation of why sanctioning camps becomes an alternative policy choice.

3. Re-visiting welfare and care: supportive spaces between care and control

In this section, I revisit the wider debates on the role of welfare provision to the poor in the context of neoliberal restructuring of welfare to assess what it means to understand regulated camps as new spaces of care. My starting point is an intervention by geographers (DeVerteuil et al. 2009) who argue that we cannot understand the complexity of homeless management by only looking at how revanchist punitive neoliberalism destroys spaces of survival and care. Such a claim for post-punitive geographies of homelessness contrasts to more skeptical accounts detailing how welfare services to the homeless have been restructured since the 1980s: reduced to emergency services and rehabilitative treatment of “malign neglect” (Wolch/Dear 1993), they are more often deterring and coercive than providing actual care.

Linking the small body of encampment literature to these wider debates about welfare and geographies of homeless assistance, I aim to highlight the open questions of (a) how much state welfare has been eroded to conditional charity and (b) how supportive spaces for the homeless assume a place between care and control in the context of neoliberal welfare. My review will underline that critical scholarship needs to bridge structural macro analysis with a micro analysis of policy implementation, the agency of actors and local struggles if homeless management and the role of camps are to be adequately conceptualized.

Supportive spaces as “urge to care”?

Geographer Steve Herbert summarizes in a review of the work on geographies of social exclusion, “scholars miss the variegated range of state responses to poverty, some of which are quite well-meaning” (Herbert 2010: 258). Herbert and a growing number of authors (DeVerteuil et al. 2009; DeVerteuil 2012; May/Cloke 2013) point out that next to the highlighted punishment in most American cities, there is also evidence of a homelessness politics that is more “accommodative” than merely punitive. Under the headline “Complexity not collapse - recasting the geographies of homelessness in a ‘punitive’ age”, DeVerteuil and his co-authors enlist a range of critiques of the punitive framework of urban revanchism (DeVerteuil et al. 2009). They argue the latter fails to account for the variegated forms of agency (i.e. of state actors, service providers and the homeless) and thus underrates the more complex spatial patterns of homeless geographies.

The justification for such a post-punitive approach – and this is where I agree – is that there is a more complex spatiality of homelessness: “just as we can trace significant differences in the extent and form that homelessness takes in different places, so too we can trace a range of

responses to the problems of homelessness: from the obviously punitive, to the ambivalent, to the more accommodating” (ibid.: 661). This “geographical variation in both the production of and responses to homelessness” (ibid.) clearly requires better understanding. This intervention has been welcomed as refreshing critique to a dystopian account of revanchism that has become the orthodoxy of urban geography and sociology. With numerous articles (DeVerteuil/Wolch 2001; Cloke et al. 2010; May/Cloke 2013; DeVerteuil 2012), the post-punitive turn has been established as a research approach of its own. It has certainly spurred considerable debate among geographers, who are now divided in “semi-hostile camps” of punitive and post-punitive explanatory frameworks for explaining the geographies of homelessness (Speer/Hennigan 2014).

At its core, the proposed post-punitive framework builds on a concept of “*poverty management*”, which “refers to the creation of spatial and temporal structures designed to regulate and manage the spillover costs associated with so-called disruptive populations” (DeVerteuil et al. 2009: 652). Such a concept is extremely useful to conceive how “the state – alongside other institutions and elites” develops specific techniques of poverty management ranging from the supportive to the ambivalent and the punitive that translate into specific historically-varying spaces of management of the homeless (ibid.). The main argument for a “co-existence” of supportive and punitive strategies essentially holds that “*the punitive needs the supportive*” (DeVerteuil 2012: 17). DeVerteuil argues that “without the presence of support both from the state and (especially) from the voluntary sector, in all of their complex and contradictory imperatives”, the situation in our cities would be “absolutely unbearable, and untenable”. Conceiving of an unfettered implementation of punitive logics would mean totalitarianism (ibid.). Contrary to the thesis that “revenge” dominates public perception and policy – which ultimately aims at “extermination” – DeVerteuil et al. thus argue that in liberal nation states the geography of homelessness is shaped by an “urge to care” (2009: 653). While it is necessary to question the misleading binary between a stylized revanchist and a caring society – and state – (see below), the post-punitive focus on such caring sentiments is useful for my analysis in two ways.

First, the political support for legalized camps can be effectively interpreted as exactly “part of a continued and widespread public response of goodwill and generosity towards homeless people - one that stands in contrast and opposition to the motivational underpinnings of revanchism” (May/Cloke 2013: 909). Within the frameworks of social policy as (punitive) social control, claims for care are often subsumed as a minor factor and it remains

unexamined how such claims actually shape policy and what spaces they produce. Second, the post-punitive approach rightly points to a narrowed focus of critical geographers on punitive exclusion. I argue that the more general argument for a multiplicity and co-existence of different policies and spaces ranging from more punitive to more accommodating is a first step towards conceptualizing how legal camps are not necessarily exceptions but form a central part of a complex geography of homelessness.

Nonetheless, despite the claim of achieving more nuanced analysis, due to its exclusive empirical focus on the voluntary sector the post-punitive approach actually creates new binaries, where its suggestive thrust extends beyond constructive additions to the revanchist framework and tends to de-legitimize the underlying concept of social control as the main driver for homeless or poverty management (cf. DeVerteuil 2012). My argument is that as post-punitive scholars criticize the dystopic description of social control that guides the revanchist framework (Clove et al. 2010: 3), they throw the baby out with the bathwater. Striving for a “more complex understanding of the ways in which homelessness is governed” (ibid: 10), they actually offer little explanation concerning why and how such spaces of care emerge, persist and change. Focused on stressing the truly caring in “secular and faith motivation”, they bring limited attention (and conceptual tools) to further examine the complex and contradictory “co-existence and co-dependency” of policies and logics aimed at homelessness that they observe. Their central call “to better understand the exact balance of (and relationship between) punitiveness and support” (DeVerteuil 2012: 7) thus awaits answers.

The limits of a singular focus on micro politics become evident when DeVerteuil tries to empirically verify the claim of the significance of the voluntary sector. Although Piven and Cloward’s insight that “the line between ‘care’ and ‘control’ is not always easy to determine” is noted (DeVerteuil 2009: 652), much of the post-punitive work emphasizes the role of care where e.g. soup runs and shelters for the homeless demonstrate a “genuine ethical expression of going-beyond-the-self, of caring about and caring for the victims of neoliberal excess” (cf. May/Clove 2010:10). Nonetheless, a dichotomy between care and control is misleading. Even their own empirical research contradicts such a clear dichotomy: it shows little evidence of social non-profit and volunteer providers of homeless services being able to deny or transcend “the more constraining and punitive elements of urban policy” (DeVerteuil 2012:17, cf. May/Clove 2013: 911). If anything, they acknowledge that “subversion” may best describe how service providers actually “counter” neoliberal control (ibid.). Against their aim, this thus

reconfirms the central duality of such “supportive” spaces as both providing sustenance and functioning as spaces of control.

Understanding neoliberal poverty governance beyond the binary of care and coercion: from regulating to punishing to disciplining the poor

Embracing the argument on welfare’s dualism of care and coercion, the main caveat of the post-punitive approach is in my mind the reading of neoliberalist restructuring of social policy as a largely punitive, revanchist, post-justice framework. This reduction neglects how the neoliberalization of social policy has worked precisely through the enrolment of such caring and supportive motivations. This first opposite – supportive policies *vs.* punitive policies – tends to entail a second binary, which further underrates the coercive elements *within* supportive policies.

This limited reading of the neoliberal state as primarily punitive is in no way exceptional but indicative of the current conjuncture of the “post-welfare moment” (Fairbanks 2009: 18), where scholars are increasingly keen to focus on complexity and search desperately for positive, hopeful, tendencies and alternatives to the seemingly omnipotent brutal penal state that penetrates the social world with “insidious control” (DeVerteuil 2012). Such explorations are certainly important if we want to avoid a truly dystopian imaginary of the urban as “necropolis” (McIntyre/Nast 2011). However, such micro perspectives focusing on the messy practices of muddling through at the frontlines of “not-quite-yet-post-welfare” arrangements would be well advised to draw inspiration from the more nuanced approach of the “new poverty research”. Various scholars informed by poststructuralist perspectives (e.g. Dean 1992; Morgen/Maskovsky 2003; Lyon-Callo 2003; Fairbanks 2009; Soss et al. 2011) remind us how welfare restructuring has radically restructured the relations of state, civil society and poor subjects, where new forms of social control and exclusion intersect with new subjectivities of self-help, ranging from renewed subordination to new potentials for resistance. For instance, the neoliberal mantra of “doing more with less”, i.e. mobilizing civil society to provide welfare services, can be traced back to the inception of US federal homeless assistance³. A similar focus is adopted by a small body of critical geography

³ Already in 1988, a national conference in Washington, DC, on “Assisting the Homeless: State and Local Responses in an Era of Limited Resources” initiated deliberation on innovative local and state responses. Although several critical protagonists (including Cushing N. Dolbeare and Maria Foscarinis) exposed the structural causes and the structural insufficiency of state responses to homelessness, the thrust of the conference conclusions aimed at improving cooperation between public and private actors, i.e. utilizing better private

research where scholars examine how the roll-out of *compassionate* homeless policies alters spaces of homeless management (Sparks 2012; Jocoy 2013; May/Cloke 2013; Klodawsky 2009; Murphy 2009).

The condensing of the neoliberal state to a punitive one can also be traced to the previously-discussed penal turn in the exercise of social control most eloquently and starkly elaborated by Loic Wacquant (2009). Acknowledging the wider debate over the role of power in concepts of social control (van Krieken 1991⁴), rather than exploring this debate here, I want to draw on the work of Sanford Schram, Joe Soss and Richard Fording (2011). These leading scholars on US social policy have provided a compelling study that resuscitates the role of welfare policies and thus counters the thesis that supportive policies have become largely meaningless. Defining social control broadly as “the means by which collectives secure adherence to ideational and behavioral norms and curtail disruptive forms of deviance” (Soss et al. 2011), they address the arbitrary simultaneity of different – even contradictory – policies aimed at poverty. Their main argument is that poverty governance today is appropriately explained as a disciplinary project of neoliberal paternalism that informs sustained and strong albeit varied state interventions.

As the title of their seminal book "Disciplining the Poor" suggests, they connect – in an intriguing way – the regulation, punishment and disciplining of the poor. They draw on the insights of the groundbreaking work of Piven and Cloward (1993) but at the same time integrate Wacquant’s findings (2009). Together, these three works have provided new ground for interpreting the recent transformations of poverty governance in the neoliberal era. They also exhibit a wider dispute over how to think social control in social theory and the reproduction of social inequality (cf. Cruikshank 2014) and socio-spatial order. Unlike Wacquant, who tends to downplay sources and inspirations for his own work, Soss et al. (2011; Schram et al. 2010) are remarkable in their modest and appreciative accentuation of theoretical linkages integrating sociology and political theory and – importantly – reminding us of the historical trajectory and continuities of poverty governance. Building on the wider

resources (U.S. Advisory Commission on Intergovernmental Relations 1988). Ever since mobilizing civil society for – from churches and non-profit service providers – such efforts have been a major policy element for US neoliberal homeless management.

⁴ Sociologist Robert van Krieken argues in his article on "The poverty of social control" (1991) that the use of social control in social and political theory to explain social order often underrates the complex working of power and obscures the relation of state and civil society.

body of welfare research, Soss et al.'s work thus provides a useful reference point to re-think care in homeless management, something that post-punitive scholars have promised but failed to deliver thus far (cp. Deverteuil 2012: 2).

Taking up Piven and Cloward's (1993) analysis of the welfare state as a "secondary institution" that – going beyond pacifying and controlling the marginalized – mediates "conflicting needs of institutions and actors in states and markets", they ascertain the theoretical lineage of their argument:

“In our view, welfare programs today continue to serve the same basic functions that Piven and Cloward specified in 1971, but the operations that fulfill these functions have shifted in important ways. (...) Welfare programs continue to play a key role in ‘regulating the poor’ in precisely the ways suggested by Piven and Cloward (organize and maintain political support for the state apparatus, restore social order, and enforce work norms), yet they are also organized to ‘discipline the poor’ in ways that go beyond their landmark analysis” (Schram et al. 2010: 744).

For Soss et al., “poverty is more than a blight to be eradicated; it is also a problem of governance” (Soss et al. 2011: 1). With poverty being systemic to capitalism, there is a continuous need to govern the poor. Poverty governance can never be fixed and poverty governance is time- and place-specific, responding to political and economic restructurings. Deploying a lens of governmentality, Soss et al. examine the recent welfare reforms⁵ and describe the current system as a configuration of techniques to govern the conduct of conduct applied to make the poor more manageable:

“The disciplinary project we describe weds the normative enforcement of the new paternalism (Mead 1997) to the market rationality of neoliberalism (Brown 2003, 2006) and is

⁵ Based on a thorough empirical analysis of welfare provision in Florida they enlist five key shifts in poverty governance that characterize distinct disciplinary practices: (1) the new paternalism in welfare provision resulted in a “more overt and muscular” deployment of “surveillance, instruction, and penalty as therapeutic tools” to transform the subjectivities of the poor, (2) market roles have been “elevated as the most essential civic roles” to be pursued by welfare intervention, (3) the provision of welfare is directed by market logics and not only recipients but service providers are pressured to develop market rationalities (4) in this line administration and management systems are remodeled to enhance “the scope of lower-level discretion and, as a corollary, to ensure that social service personnel (embedded in new contractual and performance-based systems) will be self-disciplined in their uses of discretion”, and (5) disciplinary actions in welfare systems “have shifted towards a more penal logic” as welfare is more entwined with carceral systems (Schram et al. 2010: 740f).

implemented through the organizational reforms associated with the ‘new public management’ (Kettl 2005)’ (Soss et al. 2010: 741).

Put simply, they argue that poverty governance is characterized by the interplay of a re-enforced paternalistic logic to tell the poor what to do, as well as a neoliberal logic that assigns this task to private non-profit providers that are disciplined by the state to adhere to market principles of competition and evidence-based performance. Within the wider debate over how paternalist and neoliberal rationalities intersect in neoliberal welfare restructuring, Soss et al.’s proposal offers a theoretically-sound and empirically-grounded conceptualization to integrate neoliberalism and paternalism into ‘a shared disciplinary project’ (Soss et al. 2011: 7)⁶. The main and fundamental function of neoliberal welfare reform is to instil market discipline in the poor (Schram et al. 2010). Punishment is thus not the aim of poverty governance, as Wacquant suggests, but rather it is better understood as simply one technique among others to achieve the aim of market integration and social control. Working through incentives and self-discipline, the disciplinary project enables an effective form of social control that does not rely only on punitive sanctions.

The roll-out of federal homelessness assistance as a neoliberal paternalist project to discipline the homeless poor

Transferring disciplining the poor to the proposed concept of “poverty management” or “homeless management” (DeVerteuil/Wolch 2001; DeVerteuil 2012; DeVerteuil et al. 2009), I argue, is helpful to better conceptualize the role of supportive measures aimed at homelessness. In this sense, I agree that we need to inquire how the “state and others” seek not only to “contain and control” but “may also be seeking to ‘care’ for homeless people”

⁶ There are many debates over how to conceptualize the post-Keynesian welfare state that features clear neoliberal tendencies but also clear paternalist tendencies. Much of the dispute, in my mind, can be traced back to rushed diagnosis of novelty where neoliberalism is identified as central feature. But diagnosing “a neoliberal state” has brought problems of how to account for that empirically neoliberal reforms often do not live up to their promises of freeing individual responsibility from governance tutelage but impose new authoritarian paternalism onto the lives of the poor. Some have interpreted this as contradiction and counter movement insisting on a “pure” definition of neoliberalism whereas other scholars proposed a re-definition of neoliberalism arguing that it is inherently punitive (cf Wacquant 2009). These debates illustrate the difficulties of scientific abstraction to adequately describe the current conjuncture which defies any label of either/or. In this context I welcome Schram et al.’s proposal (2010) that allows to integrate concepts highlighting historical lineage of poverty governance. Having said that, it needs to be acknowledged that also their proposed novelty of a “disciplinary turn” in welfare where they identify a distinctively new political rationality designed to produce a new governmentality may be equally over-stated for its presumed novelty. But it remains a strength of their book that they repeatedly point out that their diagnosis is contextualized in a historically ongoing project of poverty governance where old and new techniques overlap.

(DeVerteuil et al. (2009: 652). At the same time, it is important to inquire how provision of homeless services “can be used to shore up state legitimacy and build political followings, to restore social order in times of unrest, and to enforce work norms and behaviors that support labor markets” (Schram et al. 2010: 744). Taking up the call for a “political analysis of poverty governance” that “must clarify, not only the forces that have driven policy change, but also the political logic of the resulting forms” (Soss et al. 2011:3), I wish to move from local to national state. I will revisit the evolution of federal homeless assistance to specify the causes of the federal roll-out and the logics that determine the new landscape of homeless assistance.

By addressing the scales of homeless policy, I point to a remarkable absence of supra-local scales in the post-punitive discussion. Although they aim to account for diverse and fragile political coalitions through which homeless policies unfold, the central claim that "there has in fact been a remarkable proliferation of homeless spaces over recent years ... that accommodate and support homeless people" (DeVerteuil et al 2009: 651f) cannot, however, be adequately understood without considering the impact of federal policy. This federal policy illustrates how the “policy dilemma” of homelessness (Marcuse 1988) has been neutralized and can be read in the light of a larger disciplinary project of neoliberal paternalist poverty governance.

Certainly neither “recent” nor shrinking – as DeVerteuil et al (2009: 652) misleadingly suggest – since its passing in 1987 the federal McKinney-Vento Act for Homeless Relief has prompted a massive expansion of homeless services. With their focus on the “institutional perspective” on the role of the volunteer sector, these scholars obviously struggle to factor how federal expenditure for homeless assistance radically multiplied: increasing from \$300 million in 1984 to \$1.6 billion in 1986 (Burt et al. 2001: 12). In 2015, HUD’s Homeless Assistance Grants total up to \$2.1 billion (in addition, the smaller budget programs for Homeless Health Care, Emergency Food & Shelter, and Homeless Veterans also increased) (Perl et al. 2015: 26)⁷. Since the 1980s, more than 350,000 shelter beds and supportive housing units have been created and nearly every city – large and small – has formed new taskforces and agencies to handle the homeless question. When assessing homeless management and geographies of survival beyond the punitive, this substantial roll-out of

⁷ Perl et al. (2015) provide a comprehensive overview on all federal programs addressing homelessness and document the federal appropriations for each program between 2007-2015 (ibid.:25).

homeless support clearly needs to be taken into account (cf. Willse 2010a for an excellent analysis of how the Kinney/McVento Act altered homeless management). How can this roll-out be explained?

The roll-out of homeless assistance strongly illustrates the established claim that the neoliberal state has not retreated but taken an active role in not only responding to “rising moral panics around law and order, urban unrest (...) and homelessness” (Peck 2003: 227). Fairbanks summarizes that under neoliberalism “the state responds perhaps *only* to points of crisis, but, quite significantly, *to* points of crisis” (Fairbanks 2009). Contrary to the claim of “the retreat of the welfare state”, the case of US homeless assistance shows how new and more expansive forms of governing poverty have been developed. The argument that welfare state responsibility has been eroded and devolved to the third sector – e.g. articulated by the “shadow state” thesis of malign neglect (Wolch/Dear 1993) – only partially applies for homeless assistance.

In fact, the massive expansion of non-profit and charity operated homeless services since 1987 has only become possible due to new federal funding. Responding to the “new homelessness” that could no longer be ignored given that it “looked like crisis” (Mitchell 2011) and fuelled by federal dollars, from the early-1980s onwards a variety of local initiatives including traditional charities and new community-based organizations began to provide shelter and services. The limits of local efforts were quickly turned into a national political topic. Not least due to newly-formed homeless advocates who politicized the moral panic surrounding the visible homeless (Blau 1992) by organizing protest locally and nationally – for instance, in 1989 thousands marched on Washington DC demanding “housing now” (Gold 1989; Hopper 2003; Mitchell 2011) – federal government was prompted to not only acknowledge the lack of shelter but also to mobilize public resources to govern it:

“the Nation faces an immediate and unprecedented crisis due to the lack of shelter (...) the Federal Government has a clear responsibility and an existing capacity to fulfill a more effective and responsible role to meet the basic human needs and to engender respect for the human dignity of the homeless” (U.S. Congress 1987)

This new federal policy was interpreted in ambiguous ways: for one, it is hailed by advocates as a political success as federal government recognized responsibility for homelessness for the first time even, an issue that was hitherto left to the state and local level (Hopper 2003). Other scholars interpret this roll-out in economic terms and point to the economic demands aimed at

securing “urban tourist/consumer consumption economies” that were threatened by the presence of mass homelessness (Willse 2010b: 159). From this latter perspective, the main driver for the expansion of homeless services are economic demands to contain the homeless out of sight. In this line, geographers examined how since the 1980s such services have been increasingly relegated to urban peripheries and concentrated in so-called service-dependent ghettos (Wolch/Dear 1993).

In any case, pushed by economic and political demands to address unmet shelter and housing needs, the federal response is a textbook example of neoliberal welfare erosion where the massive slashing of federal programs for housing is replaced very unevenly, by an emergency relief system. Replacing public housing programs to which poor households are entitled with shelters that are provided as charity – rather than as a right – is strongly criticized as undemocratic and for abolishing what scant welfare entitlements the US still provides (Feldman 2004; Mitchell 2011; WRAP 2006; WRAP 2010). The massive gap between (eroded) public housing monies and the new funding for homeless assistance is clearly a major explanation why homelessness emerged as a mass phenomenon that persists until today (WRAP 2006; WRAP 2010). At the same time, this roll-out of emergency assistance is remarkable as it runs counter to a trend where social programs are cut and where arguably the “charitable state” (Wacquant 2009: 53) is drastically downsized. What makes a clear assessment difficult here is the problematic terminology where the terms “welfare”, “relief” and “charity” are often used interchangeably or with little precision, which prevents clarifying what exactly the US welfare reform or erosion entailed (cf. Wolch/Dear 1993:14; Wacquant 2009:53; May/Cloke 2010: 45).

Acknowledging the shifts in how the state takes responsibility for poverty relief, I wish to highlight that new streams of federal funding were released that led to an expansion of homeless services. The bipartisan support for the McKinney-Vento Act – which was renewed by Congress ever since – clearly stands out in the context of overall welfare cuts. Even within the current austerity era, funding for homeless assistance has been increasing. This suggests that despite the repeatedly-diagnosed “compassion fatigues” – a popular trope that scholars use to explain why public policy remains insufficient (Wagner/Gilman 2012; Mitchell 2011) – homelessness continues to be a concern for both the American public and governments at all levels.

The McKinney Act thus illustrates how a new kind of institutionalized response to homelessness was formed that adheres to “the most basic purpose of poverty governance”, which is “not to end poverty” but rather to “secure, in politically viable ways, the cooperation and contributions of weakly integrated populations” (Soss et al. 2011: 2), as well as garnering bipartisan political support. Where critical scholars described this “poverty of public policy” in responding to the homelessness since the 1980s as “Malign Neglect” (Wolch/Dear 1993), it also needs to be recognized as a radical increase of federal authority (Willse 2010a) aiming to establish a viable hegemonic project that transforms homeless management.

Three phases of federal homeless assistance

Since 1987 three phases of federal funding can be differentiated that are indispensable to understand the logics of homeless assistance: from the explosion of (1) emergency services to (2) coordinated care to (3) housing first. In the first phase federal funding was awarded to local programs that provided emergency services, mainly shelter. This largely unconditional funding was challenged when service providers as well as the public and policy-makers realized that emergency shelters do not reduce homelessness and that the homeless need more than simply a mat on the floor. This growing consensus across liberal and conservative spectrum on emergency shelters as a costly and insufficient response to homelessness led to a first major change in federal homeless assistance policy (Sparks 2011:7).

The second phase started in the 1990s when a new funding model was developed. Codified under President Clinton in 1995 as the Continuum of Care (CoC) it aims to provide more coherent and adequate services to the homeless. Since then, homeless assistance has been provided along three types of shelter: emergency shelter, transitional housing and permanent supportive housing. While emergency shelters and the old model of “non-competitive needs-based allotment” (ibid.: 6) still persist – albeit on a small scale where under the Emergency Shelter Grants Program (ESG) ca. 15% of federal funding is allocated to communities based on formulas that calculate local needs (National Coalition for Homeless Veterans n.d.) – since 1995 the majority of federal funding has been competitive. Under CoC funding is no longer awarded to individual programs, but rather to so-called “local homeless assistance program planning networks”. Local CoCs, that integrate local providers and policy-makers have to be formed that prepare annual plans identifying the needs of the local homeless population, enlist the local programs and rate them by priority. Based on these CoC plans, the local communities compete against each other for federal funding (Berg 2013). The new

competitive system based on “outcomes” sought to “increase harmonization of local homeless policies according to federal imperatives” (Sparks 2011: 8). With these CoC plans, funding increasingly depends on the results of services where local service providers need to demonstrate how effectively they assist the homeless to “move to stable housing and maximum self-sufficiency” (NCHV n.d.). As Sparks claims, the “dramatic shifts in federal assumptions about the ‘problem’ of homelessness were quickly normalized across the country as cash strapped service agencies shifted their priorities to compete for federal Continuum of Care dollars” (Sparks 2011: 7).

The primary effect of the CoC reform has been a renewed focus on the homeless people to take care of themselves. However, far from the neoliberal principle of self-management, homeless assistance exhibits a marked paternalist impetus to tell the poor what to do and how to take care of themselves. Rather than simply providing emergency support, programs of transitional and permanent supportive housing are now encouraged to address the individual characteristics that cause homelessness, “ranging from mental illness and substance abuse counseling to personal life skills and workforce training” (Sparks 2011: 7). These services aim at better care and the shift towards CoC has been supported by service providers. However, as anthropologist Lyon-Callo claims, “the focus on ‘disease’ within the discourses of ‘helping’” where problems are located in the individual bodies “actually obliterates discussions of alternative explanations” (Lyon-Callo 2000:330). Re-activating deeply-rooted discourses that attributed homelessness to personal deficiencies and ultimately pathologies the logics of the CoC thus resulted in a “medicalization of homelessness” (Snow et al 1994, Lyon-Callo 2000, Sparks 2009, Willse 2010b: 165, Mitchell 2011:934).

The most recent third phase of federal homeless assistance was launched in 2010 under President Obama. Since then, funding is supposed to focus on homelessness prevention programs and the provision of so-called *housing first* for the *chronic* homeless (U.S. Interagency Council on Homelessness 2010). However, it is not yet clear whether this policy innovation truly depicts a third phase of federal homeless assistance. As Sparks comments, already in 2001 President Bush announced a federal commitment to “end chronic homeless by the year 2012” as part of his broad “Compassion Agenda” (cf. Sparks 2011:6). However, in terms of both discourse and effective service provision, this new policy agenda has been sparsely researched by geographers and other disciplines to date. The literature on “ending homelessness” and “housing first” is dominated by positivist studies producing evidence-based analysis to demonstrate to policy-makers that housing first works (e.g. Tsemberis et al.

2004) and few more critical assessments interpreting the plans to end homelessness as “old wine in neoliberal bottles” where effectively the old tropes of the deviant and pathologic homeless are re-inscribed (Sparks 2011: 12; Willse 2010b). Therefore, the extent to which this “governing the homeless in an age of compassion” (Sparks 2011) contradicts or matches the optimistic hope that post-punitive scholars tie to caring supportive logics (DeVerteuil et al 2009, DeVerteuil 2012) remains unanswered by the existing literatures and will be examined through my empirical research (cf. Ch. VII).

Neoliberal and paternalist logics of homeless care: medicalization determines deservingness

The federal policy of homeless assistance plays a crucial role in reproducing disciplinary homeless management where neoliberal elements are evident regarding service providers but where praxis of discipline is dominated by paternalistic governing of the homeless:

“Discipline worked in two directions here: on the charitable organization which relies on the good will of political elites for its very survival (cf. Poppendieck 1999); and on the individual seeking shelter or food, who is subject to the disciplinary logic of the neoliberal state and the rejuvenated paternalism of the charitable agencies (Fraser and Gordon, 1992)” (Mitchell 2011: 946).

When it comes to acknowledging the role of discipline, the scholarship on homelessness tends to emphasize discipline imposed on individuals, although – as Mitchell states – it is important to recognize the dual focus of discipline. In order to pre-empt accusations for an all-too-functional analysis, I remind here that – following Soss et al. (2011) – such disciplinary effects are contingent but systematic outcomes of policy decisions: state policies do not need to aim at disciplining (they may be driven by care) but by creating specific subject categories of care receivers and care-givers they actively contribute to the reproduction of disciplinary effects.

The McKinney-Vento Act enacted new policy and funding mechanisms for federal programs operating through state and local government and non-profit organizations. The federal response is thus a caring one, although it is also a limited one: reduced to shelter needs, it explicitly refrains from providing housing. Instead of taking responsibility for addressing homelessness, the McKinney-Vento Act – as this government consultancy clarifies – devolved responsibility, transferring “leadership” to secular, non-profit providers to

encourage and demand "flexible, community-based efforts" such as "partnerships, coordination, and collaborative mechanisms ... for resolving homelessness" (Abt Associates 1995). Willse likens this new "heterarchic" arrangement of meta-governance to "a domestic form of structural adjustment, in which states, municipalities and localities are 'free' to innovate within restrictions attached to funding" (Willse 2010b: 164).

Neoliberal discipline is exercised through funding requirements that enforce distinct logics of eligibility. While federal funding is always provided based on matching funds, where local and state recipients need to match federal dollars to various degrees with their own resources or other funding sources, the existing landscape of homeless assistance is significantly shaped by these federal funding structures. There is limited data on the funding sources for homeless shelters – many of which are financed exclusively or partially by charities, but the National Alliance to End Homelessness (NAEH) states, federal funding "is responsible for funding many local shelter and housing programs" (National Alliance to End Homelessness n.d.).

The paternalistic dominance in US homeless welfare is illustrated once we look at how this discipline relies on defining different categories of deserving and undeserving poor: a distinction that runs through American social policy and poverty governance in general (Dean 1992). In public and political spheres, competing discourses prevail on how much responsibility is to be assigned to the homeless individual and the extent to which the government is responsible for their welfare. This debate is ongoing, where the poor are differentiated into "the good and the bad, the deserving and the undeserving" (Kyle 2005:105). According to Don Mitchell, such differentiation allows according differentiated treatment, where relief is conditioned: the "main question" for governing the visible homeless in cities is not only to "punish those who chose not to properly govern themselves" but simultaneously to find efficient and effective ways of governing that "encourage the deserving" homeless to leave the streets and enter paths to prosper through self-responsibility (Mitchell 2011: 945).

To date, homeless management has certainly excelled in fulfilling the first task, but not the second. Effectively, the deserving homeless are enticed to leave the streets not by assistance but rather by the outlook on stringent and highly-conditional relief. Such conditional and disciplinary relief is also suitable to garner consent among the US population. As Mitchell notes, the "new disciplinary measures for the homeless" that "push the deserving onto the path of individual responsibility, and discipline the undeserving" have been successful to

“garner a great deal of popular support, even among putative liberals” tired of stepping over the unsheltered homeless on the sidewalk (Mitchell 2011: 945).

In line with the historical aim of poverty governance aiming at a “rendering of the greatest numbers of the Poor self-subsistent, and thus no longer a drain on national resources” (Dean 1992: 222), the roll-out of homeless assistance is accompanied by a new category of deserving and undeserving poor that allows limited federal responsibility: since the passing of the McKinney-Vento Act, the homeless have essentially been established as a new category of poor populations that deserves relief. However, a shared denominator of US homeless assistance is the medicalization of homelessness. Considering the narrow definition of homelessness where homeless assistance programs are explicitly designed to assist people who are “literal homeless” (U.S. Department of Housing and Urban Development 2011b), this already excludes all those experiencing housing insecurity (cf. Ch. II)⁸. Indeed, those who are identified homeless may be labelled deserving, albeit at the price of being considered pathologic. This medicalization of homelessness follows a broader trend where a range of social conditions and behaviors including sexuality, credit card debt, addiction, weight problems and teen pregnancy, etc. are depicted and treated as individual pathologies, thus neglecting and obscuring the consideration of how they relate to systemic inequality (Lyon-Callo 2000: 331). Understanding homelessness as individual pathology that is equally an individual health problem that becomes a public health concern ushered a new set of treatment interventions as necessary resolve. Updating the paternalism of pre-welfare institutions of relief that demanded the work test or atonement, at the core of the new disciplinary management of the homeless is a ladder model that makes compliance with specific self-improvement programs a pre-condition for access to services. In this logic, housing is only to be acquired after the individual has successfully passed several steps to make him/her “housing ready” (Sparks 2009)⁹.

⁸ Only in December 2011 has HUD amended its official definition of homelessness to include people “at risk of homelessness” (e.g. people doubled-up or living in motels) as eligible for homelessness assistance (U.S. Department of Housing and Urban Development 2011a). Yet, “at risk” is still defined narrowly as people need to demonstrate that they are either facing immediate eviction or cannot afford to stay there for more than 14 days (ibid.) wherefore it is criticized as “arbitrary, complex“ creating new „bureaucratic hoops“ and effectively excluding many in need (Baer 2012).

⁹ Tony Sparks points out in a succinct manner that homeless individuals in the US are defined through spatial discourses of privacy, publicity, property, and their place therein or the lack of these properties makes them distinguishable from the rest of the population (Sparks 2009: 24): “Within the paradigm of propertied

The medicalization of homelessness is widely accepted well as it resonates, confirms and reinforces the wide register of *othering* the homeless in many ways. Various scholars have examined how the homeless are perceived by the public, politicians and the media in a wide register of “otherness” where – implicitly or explicitly – the homeless is constructed as an almost archetypical other provided with attributes that negatively confirm social norms and standards. While it is accurate to claim that such forms of othering are “wholly false” (May/Cloke 2013: 903) and linked to “peculiarly American misunderstandings about poverty, race and social difference” (Marcus 2006: 2), their lasting impact on policy cannot be ignored. In a succinct manner, Sparks highlights this salient and lasting way of *othering* the homeless:

“Today, as in the 16th century, the homeless subject is framed in public policy discourses as a pathological and dependent subject in need of State intervention ... this intervention, in both rehabilitative and punitive forms, is premised upon the spatial management of the homeless body through surveillance, quarantine and exclusion within and from urban space. The persistence of this paradigm in the management of homelessness, I have argued represents the limit point of State knowledge” (Sparks 2009: 162)

What Sparks highlights is that the category of “homelessness” is already replete with social constructs: far from being neutral or objective, framing people as homeless means a pathologic subject that by definition is incapable of proper self-governance. Following Sparks, we are to recognize a shared denominator in both punishing and regulating that both derive from a problematization and identification of a problematic population is lacking not only housing but proper capacity for self-sufficiency and thus "needs to be governed". He thus claims:

“Reminiscent of stereotypical tropes of tramp, beggar, and bum, yet understood with modern scientific precision, today’s homeless person appears, in contemporary policy, as a pathologized individual trapped in a social milieu wherein access to “care” is premised on their own unfitness for rational self-governance, while refusal subjects them to criminal sanction and banishment” (Sparks 2011:9).

Acknowledging the long-standing pattern of conditional welfare distribution, again we need to raise the question of the degree to which we can assume “truly caring” services to exist

citizenship, the homeless subject appears only ever as the ‘Other’ whose very existence is defined through his deviation from a homed norm” (Sparks 2009: 162).

outside “the disciplinary gaze of the state” (Sparks 2011: 18). The capacity for care to counter or subvert such a more systemic control function seems at best limited, given these structural constraints of service provision with severely-limited and highly-conditional funding.

Institutions of homeless assistance as spaces of discipline

Inquiring into the quality of care offered on the ground, this section looks at how logics of conditional and selective care manifest in the local institutions of homeless assistance. According to Mitchell, a “city of care” has not unfolded since the 1980s, but rather “a geography of power that often works through a scrim of compassion” (2011: 942). He argues that compassion often tends to be a distant one: while researchers observe strong, even popular support for the homeless, where a majority embrace the existence of homeless shelters and other facilities of support, there remains a strong rejection of having homeless services in one’s neighborhood (Takahashi 1997). Any analysis of homeless management in the US needs to account for the extremely variegated local landscapes of homeless services. Coined by anthropologist Teresa Gowan, the term “homeless services archipelago” describes well the local co-existence of scattered services of different quality – sometimes concentrated in service-dependent ghettos – which comprise the variety of service approaches between compassion, care, malign neglect and deterrence (Gowan 2010).

Although Sparks argues that services have been harmonized in recent years (Sparks 2011), my own research confers with the earlier insight of Joel Blau, who warned against generalized diagnoses of homeless services: he argues that the singular common characteristic is the unevenness of service provision across cities (Blau 1993). While federal funding streams may aim to harmonize local service provision, the path dependencies of local service provision still defy such outcomes. Therefore, the degree to which local providers operate independently from federal funding mandates (cf. May/Cloke 2010) and how this affects the quantity and quality of services – i.e. the degree to which they exercise paternalist control or promote self-help of the homeless – needs to be specified for each city.

Nonetheless, critical scholars underline that there are some salient characteristics of US homeless assistance that resemble the categorizations between deserving and undeserving poor upon which historical institutions of poor relief have relied. In particular, the historical principle of “less eligibility” stipulating that those receiving public relief have to live worse than the least-paid worker (cf. Hopper 2003):

"Indeed, the degrading conditions and stigma associated with welfare have never been incidental to the purposes of public aid; they have served as an object lesson, instructing low-income populations that even the meanest wages and work conditions are better than the shameful status of the 'welfare poor'" (Soss et al. 2010: 739f)

Critical scholars argue for research to consider that today's shelters deter poor people from relief as much as they offer relief (Hopper 2003; Lyon-Callo 2000). In order to assess what the welfare state did and how this is done differently, in today's post-welfare era we should move away from only asking what the welfare state is doing *for* the poor to asking what the welfare state is doing *to* the poor (Mandell 2007).

The historical state dilemma of how to define the proportions of coercion and care in welfare repeats in today's institutions of homeless assistance. Especially within policy debates, it is recurrently debated how homeless services relate to homeless agency and the "choices" that homeless people make. The underlying economic logic for providing only a minimum of autonomy is explicitly summarized by this policy analyst:

"Shelters have one fundamental flaw: if shelters are nice enough to entice people into them off the streets and without substantial restrictions on a resident's freedoms (otherwise the homeless will choose to stay on the streets), more people might rationally choose to be in shelters rather than paying for the lowest-quality housing available (since they would be able to keep the money they would have paid for housing and use it on other items) and, therefore, join the ranks of the homeless" (Ficenec 2011:48).

Accordingly, irrespective of how well intended shelters may be, we need to account for the salience of these old logics of poverty governance where social control works through degrading welfare clients. Whether the intention is to discipline the homeless or whether it is simply for a lack of funding, in practice many homeless shelters are characterized by a dual dynamic of minimizing support and maximizing restrictions. Reminiscent of old poverty governance principles, several scholars describe how homeless services relegate clients to the status of second-class citizens: they are excluded from full political participation in social policy (cf. Sparks 2011; Feldman 2003) and exempted from the protections that regular

tenants are granted (cf. Wong 2009: 1887)¹⁰. Without any legal right to decent living standards (except for New York City, cf. Hopper 2003), the “shelters as caretaker organizations swing between a medical and Salvationist model, embracing treatment-oriented ideologies, which discourage collective empowerment in favor of individual self-oriented success, or a simple caretaker response” (Wright 1997: 216).

Virtually all shelters operate without sufficient funding: unsafe and overcrowded conditions are a direct result, imposing subordinating conditions for their users even without any explicit disciplinary intention. Anthropologist Lyon-Callo argues further that notwithstanding the good intentions of single shelter staff persons, the routine practices of everyday work in the shelter are focused on “developing techniques for detecting, diagnosing, and treating pathological disorders within individual homeless people” (Lyon-Callo 2000: 333). Working on the symptoms of crisis and trying to manage and distribute scarce resources to too many persons in need, shelter providers are compelled to categorize and differentiate individual deservingness. In this context, resource scarcity and the urge to care quickly converge to identify the homeless as either deviant subjects to be controlled or pathologic subjects to be rehabilitated. Thus, by simply “doing their job”, shelter operators tend to reproduce a medicalization of homelessness (ibid.).

Lastly, next to the qualitative shortcomings of not so caring institutions of homeless assistance, there is the quantitative shortcoming: the shelter landscape proves incapable of absorbing all homeless, which continue to be present in many cities especially during the day when shelters are closed. Even if aggregate data suggests a declining problem, homelessness certainly continues to “look like a crisis” (cf. Mitchell 2011) and remains a tangible political problem, particularly in the larger cities.

Homeless camps as resistance to paternalist shelter discipline

The perspective of homeless camps is well suited to acknowledge the described coercive and discriminatory character of homeless services. Emphasizing homeless agency aimed at autonomy and self-determination, the literature on homeless camps presents a strong corrective to the post-punitive perspective. Works on this perspective highlight the shelter as a

¹⁰ Legal scholar Wong shows how US courts define shelters as not housing and accordingly, while on a daily basis ca. 250.000 people are in shelters, there they are not granted rights against discrimination (for gender, status, etc) as the Fair Housing Act applies to housing (Wong 2009: 1887).

space of care, and therefore make only fleeting mention of empirical findings showing homeless agency that actively rejects specific shelters (cf. May/Cloke 2010). Where post-punitive scholars either accept or neglect the notion that emergency shelters demand homeless people to accept whatever the providers deem as “proper degree of humility” (Mitchell 2011: 945), the stories on homeless camps emphasize the quest for more than minimal autonomy.

The literature on such homeless camps makes two central arguments relevant for this discussion of welfare and care: (1) camps are a self-help response to the insufficiency or absolute lack of shelter; and (2) camps are a self-help response to the inadequacy of existing shelters. Focusing on the agency of homeless people, these scholars show that homeless campers explain the benefits of living in an encampment primarily in reference to the shelter: for many, the practice of homeless camping is a way to reject paternalistic shelter rules that infantilize them and curtail their autonomy (Black 2010; Donley/Wright 2012; Heben 2014; Herring/Lutz 2015; Herring 2014; Miller 2012; Loftus-Farren 2011; Lutz 2015a; Sparks 2009). The fact that people create encampments thus speaks to both the absolute lack of shelter and the inadequate conditions of existing shelters.

Identifying “desires for community, autonomy, and privacy” (Wright 1997), these scholars highlight the fact that homeless campers seek to produce a level of autonomy *and* decency that shelters and treatment programs do not offer. What these scholars underline is that for many camp residents the significance of encampments extends beyond the improvised and precarious material arrangement of self-sheltering that more or less protects against the elements. In contrast to “the shelter” – which is conditioned as a non-home – many described their encampments as a space in which they can produce shelter that is “as much home as possible” under given circumstances (Sparks 2009). The qualities of privacy camps enabled in contrast to the forced visibility in both public space and shelters hold particular significance (ibid.; Miller 2012). Directly, such homeless camps challenge popular assumptions of shelters as a “benevolent and caring place” that the public often assumes provides all the minimum a homeless person may need (Miller 2012: 276). The described forms of collective organizing in homeless camps are in stark contrast to the shelter condition, which is working explicitly to prevent and discourage collective sentiments (Lyon-Callo 2003).

The majority of these scholars focus on mid-sized to large camps, where homeless people formed community ties. Little research exists on the many smaller and hidden encampments, although there is an indication that both the described motivations of campers as well as the

specific qualities and benefits that these improvised and precarious shelter settings offer to the inhabitants apply (cf. Donley/Wright 2012). All of these accounts of homeless campers challenge hegemonic cultural ideals of home (Veness 1992). Aiming for more nuanced definitions about what constitutes home and homelessness and acknowledging the agency of the homeless, these works examine the “home” qualities that tent cities can provide and demand recognition for “housing plurality”, which Feldman sees as a starting point to counter the combined injustices of misrecognition, deprivation and political exclusion from which the homeless suffer (Feldman 2004: 113; Miller 2012; Heben 2014; Black 2010; Sparks 2009). Feldman’s argument speaks foremost to those homeless camps that struggle to move beyond a precarious self-help emergency response and aim at recognition for their self-sheltering and home-making practices. While most homeless campers try to secure regular and decent housing, there are also more permanent campers. Since the 1990s, several homeless camps have evolved into intentional tent communities or “villages” (Hellegers/Mercier 2002). Also described as a “tent city movement”, their shared denominator is an active rejection of the eroded welfare state, whose assistance fails to meet their needs and handicaps their agency. Driven by (a) an individual acknowledgement of homelessness as a likely terminal stage, they (b) demonstrate a will to create collectively more permanent alternatives to shelters and the lack of affordable housing.

Conclusion: accounting for ambiguities of care

When analyzing how camps are negotiated as new welfare spaces, it is necessary to account for this ambiguity of supportive spaces of welfare that DeVerteuil so aptly summarized:

"shelters are contradictory and nuanced institutions that contain/conceal/manage the homeless while also providing basic subsistence needs and hopefully some prevention" (DeVerteuil 2006: 119).

What this discussion sought to show is that it is misleading to reduce the neoliberal logic to a merely punitive, revanchist one aimed at containing the homeless (for a recent attempt to address these binaries, see Scullion et al. 2015). Rather than perceiving punishment or care as mutually exclusive, I have identified the conceptualization of a disciplinary project that allows for their simultaneity. This helps to account for supportive spaces as sites full of unresolved tensions between simple containment – that may be caring and supportive or allowing only bare subsistence – and different levels of discipline where shelters take the function to deter and rehabilitate the homeless.

All too often, both the punitive and the post-punitive frame generalize the highly variegated archipelago of homeless services. The three major forms of institutionalized homeless assistance – emergency shelter, transitional housing and permanent supportive housing – are then lumped together into the general term of “shelter”. However, while emergency services and rehabilitative services (transitional housing, housing first) share many similarities, they also exhibit important differences. Both fulfill a function of abeyance (see next section) where the homeless are contained and where homelessness is depoliticized. Both institutions are subject to recurring political struggle over expanding, re-locating and transforming these spaces. But these institutions operate under different guidelines and are funded differently. Their co-existence thus exhibits an unresolved tension between actors, claims and spaces that provide emergency survival relief and the actors, claims and spaces that seek to rehabilitate the homeless. These different institutions seek to activate the self-sufficiency of the homeless, repress and channel it to differing degrees. For instance, the logic of that shelters need to be deterring to some degree presupposes some agency of the potential homeless to help themselves without relief, whereas those who ask for rehabilitation are identified as *truly* homeless that need to be governed.

While the function of discipline can be theoretically deduced and while structural conditions of neoliberal paternalistic homeless management have been laid out (see shadow state thesis), it is necessary to specify how it is enacted, giving due credit to the agency of service providers, the homeless and local policy-makers. When we take Soss et al.’s statement seriously that “poverty governance today is pursued through a diffuse network of actors who are positioned in quasi-market relations and charged with the task of bringing discipline to the lives of the poor“ (Soss et al. 2011: 3), we need to explore how such discipline can be identified in governing at multiple levels, as well as how national policy decisions shape local governing where discipline is put into practice. As those authors claim, we need to focus on what public authorities actually choose and do: governing and discipline not only emerge or are handed down and implemented, but they are result of various policy decisions, adaptations, etc.

This discussion highlights that there is an “urge to care” (DeVerteuil et al. 2009) where civil society – including institutionalized faith-based and secular service providers and volunteers – and government exhibit motivations to do something about homelessness, at minimum the visibility of unsheltered homeless. Nonetheless, a similar impetus drives economic actors who demand spaces of support for the homeless. As I have shown, the urge to care has prompted a

federal policy roll-out of a highly-diverse, institutionalized landscape of homeless services, which in turn has channeled the urge to care. In line with the Marxist critique on welfare, anthropologist Leonard Feldman has thus argued that we should not exclude “whatever is not explicitly punitive” from critical examination. At the same time, he acknowledges in accordance with the post-punitive claim that we also should not simply dismiss “compassionate and welfare efforts” (Feldman 2003: 5). In order to avoid becoming relativizing or idealizing survival or care, we need to scrutinize both care and survival.

In post-welfare times, welfare analysis demands a sharp differentiation in terms of how welfare, charity and relief differ from each other to avoid idealizing past welfare or the new civil urge to care. Therefore, to analyze how camps are established as new spaces of welfare, we need to examine the differences between “sanctuary and discipline” within the operations of homeless management “and the underlying logics that connect them” (Feldman 2003: 5).

This means taking seriously the central finding of homelessness research that a “certain undecideability” remains in the political discourse over whether the homeless are *deserving* or *undeserving* (ibid.: 7): an undecideability that is reflected to a certain degree in the variegated and uneven landscape of homeless services that veer between more and less conditional and more and less decent service provision. When looking at US social policy and particularly homeless policy, the level of societal denial is striking and one wonders how it is possible to gain and maintain consent for such an ideology that personalizes poverty in the face of an evident gap between low wages and high housing costs.

The struggle over camps is one of those moments where ideological answers are challenged and tested and where some alternative answers are at least raised and discussed and sometimes made into policy. Accordingly, we can examine how the plethora of ideological counter arguments are then re-articulated where liberal belief in individual self-sufficiency is once again chained to paternalistic beliefs in that the poor need to be governed.

Finally, ascertaining whether and how camps are regulated as spaces of welfare requires understanding and examining how the system of assistance works, what its contradictory goals are, as well as how its failures and crises are perceived and dealt with by in/formally expanding or transforming existing sheltering arrangements. The question of supportive spaces is not only one of containment, but – as I have shown – shelters also have symbolic and political significance: thus, changing the shelter system is aptly examined as a struggle over hegemony.

4. Governing the informal city: camps as grey spaces of housing insecurity

In this final section, I complement the previous two debates with a third debate examining how poverty governance also works in and through the informal margins. This perspective is particularly important for researching the role of homeless camps characterized by illegality and claims for legalization. Drawing on the growing literature on urban informality, I focus on two streams of research: first, a general argument on urban informality as a crucial mode of survival in times of welfare restructuring, through which I aim to highlight the significance of visible illegalized encampments, hidden homelessness and the role of informal housing in the US; and second, the argument on the managed persistence of illegality, which shows how governing poverty works through grey-spacing and provides important clues to conceptualize governing poverty and camps through selective (in)formalization. Both strands of research are conspicuously absent from most homelessness research in the US, and even welfare studies and urban studies in the US are only beginning to examine the role of informality.

In order to understand the governing of the geographies of homelessness, it is necessary to move beyond the focus on formal strategies – aimed at intervention and re-location – to examine an additional set of informal state strategies that are more about non-intervention and toleration. Far from being an exception or novelty, Hopper argues that it is “the historical legacy of the urban poor” to produce elaborate makeshifts and “informal alternatives to official homelessness” (Hopper 2003: 209). The informality perspective thus sharpens our focus on the *poor housing continuum*, where the poorly housed and de-housed non-propertied people deploy a variety of tactics to self-create shelter arrangements within the limited options of public space, shelter and poor informal housing. Hence, I follow Hopper’s call for more research on the largely-untold workings of these visible and invisible “makeshifts” to examine how growing “precariously accommodated populations at risk of displacement” (ibid.) actually find space. In short, the informality perspective focuses on the differences between legal homeless management and informal/illegal self-management, as well as on how these relate to each other, i.e. how these spaces are managed both formally and informally through repression, re-location, containment and toleration.

The dark side of the American Dream: informal housing and hidden homelessness as complementary to visible homelessness

Acknowledging the ongoing changes in redistributive national policies, Altrock suggests that the sheer necessity for informal housing alternatives – especially regarding the survival of the poorest – is certain to maintain high and likely to increase (Altrock 2012: 178). The statistics on poverty and housing costs in the US provide overwhelming evidence for this claim.

Reports document that, just like in 1983 (Mitchell 2011: 941), today at least 15% of the US population live below the official poverty line (The Stanford Center on Poverty and Inequality 2014: 5). Since 1989, the annual reports by the National Low Income Housing Coalition have documented the growing gap between wages and housing costs: at present, in every American city the costs for a market rate apartment exceed the minimum wage (National Low Income Housing Coalition 2016).

Given that regular housing is “out of reach” (ibid.) for millions of Americans, it should come as no surprise that the poor who cannot buy market housing seek recourse to informal dwelling arrangements to make ends meet, resulting in a growing number of precarious housing arrangements in various states of informality and illegality (Pindell 2006). The nexus between housing insecurity and homelessness is repeatedly noted by homelessness researchers, advocates and increasingly by policy-makers. Nonetheless, despite recognizing literal homelessness as the tip of the iceberg of a vast mass of “persistently poor and precariously housed people” (Wolch/Dear 1993), the bulk of homelessness research has focused on examining literal homelessness and devoted little attention to question where and how the majority of low-waged and unemployed poor are accommodated.

One of the main causes of the emergence of mass homelessness is the destruction of traditional skid row areas and other “specialized districts for housing, maintaining, and managing the massive reserve army of labor” (Mitchell 2011: 937). The expansion of the shelter industry as new “permanent tier in the housing market of many localities” (WRAP report) obviously proved incapable of replacing the lost cheap housing stock. Thus, the question is what functional equivalents of these historical zones of poor housing emerge and thus shape the rise and ebb of the literal homeless population?

Defying Altrock’s plausible expectation that both scholarly and political interest in informal housing would increase (Altrock 2012: 178), overall research into the realities of the continuum of poor and informal housing in the US remains sparse. Ward and Koerner thus

claimed that “the only strange thing, perhaps, is that the phenomenon has not been more widely recognized” (Ward/Koerner 2004: 243). Along with a range of other scholars, they started to examine different forms of housing informality to show that it is neither rare nor exceptional: informal and unauthorized housing developments have shaped US urbanization and the informal shadow housing market has played an important role in the provision of affordable housing for the poor and to prevent literal homelessness (Fairbanks 2009; Tanasescu et al. 2010; Ward 1999). Their research describes a wide range from the more visible forms of housing informality in the peri-urban and rural to the more invisible urban informal housing. Over 20 million US Americans live in often unlicensed trailer parks and mobile homes, so-called farm worker housing is inhabited by around 3 million, and the over 2,000 so-called colonies are home to more than 500,000 people (Ward 1999; Larson 2002). In the urban basements (Tanasescu et al. 2010), garages (Mukhija 2014) or accessory dwellings are used as housing.

Unwrapping "The Informal American City" (Mukhija/Loukaitou-Sideris 2014), these studies contribute to a research debate that engages a transnational perspective to discuss urban informality as a universal feature and seeks to re-cast the North-South binaries in informality discussions (A. Roy 2003; McFarlane/Waibel 2011; Roy/AlSayyad 2004). Of course, the phenomena of poor informal housing is not necessarily new: Joel Blau noted in the early-1990s that next to the visible homeless in skid row, across Los Angeles “40,000 other homeless live unnoticed in garages” (Blau 1992: 7). However, his informed observation was only verified in 2014 when Mukhija provided an estimate of at least 50,000 informal second units in Los Angeles (Mukhija 2014: 47). This scholarship (re)discovering informal land uses in the global North highlights convergences and differences between the two largely separated discussions on urban informality in the South and poverty governance in the North (Roy 2003), and offers useful reference points to examine and contextualize the governing of the poor through informal camps.

Informality as a tool of governing: (state) managed persistence of illegality and grey-spacing

Within the debate on urban informality, two contrasting approaches are recurring: on the one hand, interpretations stressing the heroic self-empowerment and the qualities of informal settlements producing levels of autonomy and decency; and on the other hand, emphasis placed on illegality and deficiency, which requires ordering and improvement. Responding to

these often idealized accounts of informality as “unplanned” or “ungovernable” respectively, Altrock has criticized that

“the informality debate is sometimes not explicit enough about the fact that it can be a strategic choice of the state to tolerate informality (or ignore implementation) when this promises a positive contribution to achieving a decent living – be it motivated compassionately or just to avoid social unrest” (Altrock 2012: 178).

Reminiscent of what Luhmann called "useful illegality" (Luhmann 1964: 304f), this perspective is not entirely new to urban studies in the North. In fact, anthropologists have investigated the persistence of illegality in relation to the state (Heyman 1999). Similarly, social movements literatures take issue with co-optation as a key technique of governing subordinate and resistant communities. Here, the instrumentalization of informal self-help housing practices and corresponding spaces is examined in the context of the eroding welfare state (Katz/Mayer 1985; Mayer 2003; Mayer 2007; Pruijt 2013), where co-opted informalities serve to catalyze new forms of governance and serve as a resource for the requirements of creative city competition (Colomb 2012; Buchholz 2016). However, while there is growing consensus on informal modes of social (re)production as significant in the global North (Katz 2014), to date only a few scholars have taken up the challenge of examining the selective informalization of housing and dwellings in the urban spaces of Northern cities.

Two scholarly works and three authors are noteworthy in terms of preparing this ground empirically and conceptually: anthropologist Alan Smart based in Canada developed the concept of *managed persistence of illegality*, anthropologist Robert Fairbanks applied his concept to the US, and Israeli planning theoretician Oren Yiftachel developed the concept of *grey space*. Together, they explicate the notion of managed persistence of informality or grey-spacing, which may further enrich and substantiate the concept of (hegemonic) homeless management.

Based on empirical research on illegal forms of housing in the global North, Smart has differentiated five forms of illegal persistence (Smart 2001a). The most obvious and prevalent one is *market persistence*: wherever profit is to be made from informal practices, this tends to be a major counter force to implementing regulatory norms. However, there are other forms of persistence, such as *state-managed persistence*, which he explains with the example of illegal housing in Hong Kong. These irregular settlements persist not so much because the government fails to enforce the law, but local government actually reaps benefits from

actively managing this persistence (Smart 2001a). Thus, in his definition, state-managed persistence applies when the state or its agents benefit from illegalities (Smart/Zerilli 2014: 230). In addition to state-managed and market persistence, Smart's concept further differentiates between *ambiguous persistence* (where some social legitimacy is attached to the informal settlements), *rebellious* and *subversive persistence* (when informalities persist through open or underground opposition to state authorities), all of which may explain why and how even highly-visible urban informality is tolerated and sometimes even regulated (Smart 2001: 31f). Smart is well aware of the methodological challenges that such a concept implies and he cautions that these modalities of persistence may often overlap (ibid).

Robert Fairbanks (Fairbanks 2012; 2009; 2011) has provided a US specific analysis of Smart's managed persistence of illegal housing and contextualized it within US austerity urbanism and welfare state restructuring. His work underlines the politics of informality, where "state managed persistence" is not merely explained by its functionality but also described as a result of interactions and negotiations between government officials and informal providers/producers of housing. Taking up AlSayyad's key insight that informality primarily implies the negotiability of norms and values, he ties it to the current context: "As an ideology and a practice of austerity, urban informality is redefining the role, scope, and scale of the state" (Fairbanks 2009: 268). Highlighting the role of the state, he states that "the simultaneity of illegality and normalcy puts the state in not so much a reactionary as a regulatory position, on many fronts" (ibid.: 217).

This notion of the state managing the il/legality of spaces also lies at the core of Yiftachel's larger argument. As societies seek to manage unwanted but irremovable populations, Yiftachel argues that local governments throughout the urban world create grey spaces. These comprise many shades of grey, although because they are located between the "lightness of legality/approval/safety and the darkness of eviction/destruction/death" (Yiftachel 2009), they are generally characterized by a state of uncertainty and included exclusion. Following Yiftachel, such grey space is the foundation of the coming urban regime where – in contrast to the modern state ideal of legal integration – grey space accommodates and simultaneously rejects second-class citizens by relegating them to liminal spaces.

Governing housing poverty and homelessness through selective informalization and toleration

This brief review shows that it is timely to reassess the sharp divide between "American poverty policy" and "Third world informality policy", where the former makes no concessions for the informal self-help strategies of the poor (which are understood and treated in registers of marginality, disorder, deviancy and pathology) (Roy 2005; A. Roy 2003). As Fairbanks argues, "now more than ever, it is important to investigate informality as a socio-spatial restructuring, negotiated through elaborate legal and extralegal systems of neoliberal regulation" (Fairbanks 2009: 268). The case of informal housing in the US supports this claim about informality as a form of governing marginality. As legal scholar Kennedy Duncan states:

"With respect to the dimensions of legality/illegality and formal/informal normative ordering, the United Statesean market is much more like typical third world metro regional markets than we United Statesean analysts generally recognize" (Kennedy 2002: 81)

The persistence of the various forms of informal housing that are known by the government (but not responded to) suggests such a case of *state-managed persistence of informal housing*. Underlining the claim that informality is (self-)exploitative (Roy 2003), the persistence of informal housing arrangements is driven by attempts to maximize the use value at the expense of safety and security. Taking the literature on (poor) housing and urban movements in the US and comparing it with literatures on the global South, we can surmise that the first characteristic feature of US housing informality is that few political claims are articulated (Lombard 2014; Roy 2003). When dwellers and advocates demand the improvement and legalization of illegal housing, these calls remain marginal and receive sparse political or legal recognition (Ward/Koerner 2004; Waterbury Observer 2012). Pointing to how such managed persistence actually persists, Kennedy identifies a "stable, efficient equilibrium" (Kennedy 2002: 86) where the incapability and/or unwillingness of understaffed local enforcement personnel to actually enforce regulations is matched by the hesitation of low-income tenants or home-owners to claim legal housing standards and rights (cf. Roy 2003: 475, cf. Tanasescu et al. 2010).

A second key characteristic of US housing informality is that informal housing generally takes place and persists in and around regular homes on property where the ideological and material shell of propertied citizenship and the normative home is stretched and maximized

through illegal conversions and additions. Informal housing may allow emulating the American Dream, although it often turns into a nightmare for the informal users. Informal housing remains precarious and while government may tolerate informal arrangements – especially when they are invisible as in rural areas or take place on/in/around private property, or when the dwellers are considered economically useful (e.g. farm workers), when government does intervene this results in eviction and destruction.

Camps as managed sites of informal survival

Having sketched some evidence for poverty governance that works through more "flexibility of sovereign power" (Roy 2011: 235) where tolerated grey spaces of informal housing enable some relative benefits in terms of safety, security and decency to poor inhabitants, these benefits presuppose some access to property titles (even if land titles are purchased illegally, as in the case of the colonias (cf. Ward et al. 2004)). Those without any access to legal property are excluded from the relative benefits that state-managed persistence of informal housing may offer. What comes to light here is a distinct characteristic of how the informality of housing and shelter is governed differently regarding property. As I argued earlier on the poor housing continuum, from the lived experience of poverty the divide between those poor who manage to remain housed in some way and those poor who fail to do so, is a fleeting and temporary one. Most often very poor people slip in and out of episodes of literal homelessness. Nonetheless, this distinction is a marked one from both the experience of policy-making and that of being governed. In the 1990s, Hopper clearly summarized this selectivity of state intervention:

“Officially, only those improvisations that are on display in public spaces, and the need that declares itself to public or charitable authorities, are classified as ‘homeless’. Until that threshold of visibility is crossed, hardship may exist and suffering may occur-but they happen off stage, to people who although ‘at risk’ are, for the time being, ‘coping’. ‘Unmet need’, to put it bluntly, is publicly irrelevant need” (Hopper 1990: 307).

Roy and others have confirmed this argument where the dominant insistence to understand homelessness as a pathology and deviancy renders it unthinkable to grant the homeless poor any space for self-help and improvement: “Put bluntly, American cities are free of the populist volatility of squatting and other forms of informality, but they are fraught with the humiliations of homelessness” (Roy 2003: 474; cf. Roy 2005; Sparks 2009).

From this definition of homelessness, it follows that the homeless “need to be governed”, as discussed in the previous sections, and this governing rarely includes scope for self-determined self-help housing. Therefore, the case of the homeless poor as a category of poverty distinct from the rest of the poor seems to defy the logic of “useful” informality precluding any form of state-managed persistence. The dominant strategies of criminalization and institutionalization repress and discipline informal practices of homeless self-help survival. As the growing number of anti-camping ordinances shows, informal encampments are repressed as manifestations of a pathological life-style and as urban blight rather than being seen as a resource. In the vocabulary of Smart and Yiftachel, the grey spaces of homeless survival in public space may be managed but they are decidedly dark: the policy imperative for criminalization of homelessness leaves little room for autonomy and decency; instead, it pushes the homeless constantly to the brink of “eviction/destruction/death” (Yiftachel 2009).

Different grades of grey in US housing: formal and informal spaces of abeyance

Following an emerging consensus in critical informality studies, a close examination of how legal and illegal are defined and enacted, by whom and for what purpose is called for (rather than simply identifying spaces or practices as legal/illegal or formal/informal, given that such distinctions do not explain much). If some sort of "useful illegality" is a central feature of rule, the challenge is to analyze and theorize how this contributes to reproducing hegemony in everyday life, both formally and informally. Deconstructing the social category of “the homeless” as a political tool of governing, I have shown that by expanding the perspective beyond the literal homeless to the continuum of poor housing we can obtain a more complete picture of the extent of housing insecurity. Analogously, further nuancing Roy’s argument, it becomes possible to see how “American poverty policy” actually works through nuanced and differentiated sets of governing and thus may well include more of the Third World logics than Roy acknowledges. Roy makes the argument that “the American paradigm of propertied citizenship” (Roy 2003: 473) with its “rationalized urban landscape of housing regulations and codes” leaves “little room for informality”. Although she concisely summarized the formal logic of propertied citizenship, its workings and effects may be more ambiguous as indeed some room is given to informal housing and – to a lesser degree – to the homeless poor.

As I am interested in explaining the “theoretical enigma” of how space is deployed “as a product and medium of power” (Wacquant 2011: 165), I refer to conceptual approaches that attempt to integrate such different spaces as shelters, prisons and informal housing into more general concepts. Wacquant’s concept of *socio-spatial seclusion* – “whereby particular social categories and activities are corralled, hemmed in, and isolated in a reserved and restricted quadrant of physical and social space” (Wacquant 2011: 165) – and the concept of *abeyance* (Hopper/Baumohl 1994) describe quite similarly how spaces are produced that absorb and contain the “dispossessed and dishonored populations” (Wacquant 2011). The heuristic of spaces of abeyance is particularly useful. Hopper and Baumohl (1994) use abeyance to encompass all of the spaces that absorb the (temporary or permanent) surplus populations, i.e. those without the means and prospect to find desirable work, income and housing. The shared function of these spaces of abeyance is to avoid the “shock of meeting poverty on the street – ‘unaccommodated’, its hand outstretched, the plea for assistance made personal and immediate – [which] is both edifying and disingenuous” (Hopper 2003: 213).

Such spaces of abeyance can then be conceptualized as differently organized and conditioned with varying degrees of complicity and oppression (cf. Wacquant 2010¹¹) as well as in/formality, ranging from welfare housing and shelters to the informal and precarious spaces within the housing market, drop-out communities, prison and jail (Baumohl/Hopper 1994), as well as camps, I would like to add. When Hopper argues that literal homelessness marks the failure of a given system of abeyance and that it can constitute a local and hegemonic crisis as such (Hopper 2003: 213), conversely, for homeless management to become hegemonic (again) means that spaces are produced that allow ignoring or concealing the fact that and how (miserably) the poor survive, which historically is the way in which socio-spatial orders were supposed to work.

With the sketched managed persistence of informal housing in and around property, I wish to stress that the lived realities of the poor housing continuum escape the simple binary of "propertied" vs. "non-propertied". When scholars like Roy and others generally lump together the poor and the homeless as non-propertied, they underrate the fact that the poor “can occupy various states of vulnerability in relation to private property, and move in and out of a life on the streets or in shelters. This entails shifts in tenurial status over time—as owner, renter,

¹¹ For instance, the urban ghetto, Wacquant (2010) highlights, is both a space of relegation and confinement as it is a space of sustenance, identity and self-determination.

hotel occupant, guest, couch surfer, and so forth” (Blomley 2009: 582). Similarly, it is not so much the difference between formal/informal that makes a difference for the lives of the poor, but rather the degree of informality and the respective qualities of relative autonomy, security, decency and stability that these arrangements offer. Governing the homeless poor through different registers of in/formality opens up a more complete conceptualization of homeless management.

Acknowledging the limits and failures of the previously discussed strategies of punitive exclusion (through criminalization of homelessness) and paternalistic containment (through welfare institutionalization), it is crucial to consider how these formal strategies are complemented by informal strategies of control. In other words, where the formal strategies comprise a set of interventions aimed at re-locating, containing and disciplining homeless bodies, the non-enforcement of such interventions does not depict failure of homeless management, but may point to how it is extended informally. In this respect, we can acknowledge how informal housing functionally relieves the limited shelter approach (i.e. care) and thus plays a crucial role for sustaining the operations of neoliberal paternalistic homeless management. We can also acknowledge how the “zones of exclusion” (i.e. control and punishment) defined and enforced by the police (Beckett/Herbert 2010) are often complemented by informally-defined “zones of toleration”, where exclusionary policies are selectively suspended by enforcement officers. Such practices of informal policing are mentioned by many homelessness researchers, yet research into these informal spatial strategies of control beyond containment and exclusion remains rare (Walby/Lippert 2012).

These few examples indicate that in the case of the homeless poor, grey spaces of forced and claimed survival exist where informal self-sheltering arrangements not only persist in public space but may also be managed to persist. If we acknowledge that the homeless are not literally “exterminated” or “annihilated” (Mitchell 1997) but reduced to “bare life”, we can further assume that the power relations determining the management of these persistent dark grey spaces are dominated by state actors' concerns over political or financial costs, which would accrue if they actually enforced the displacement of such “irremovable populations” (Yiftachel 2009).

Conclusion: top-down and bottom-up grey-spacing in the shadows of the state

Urban informality is best understood as a heuristic device highlighting that social relations and processes – even when formally established – are rarely static but rather negotiable. The

key characteristic of informality is that it offers additional options for managing given social problems (Roy/AlSayyad 2004). Analogously to Altrock's claim that informality has taken on new significance because it allows reframing the fundamental question of "whose responsibility is it?", Fairbanks explains that informality not only re-negotiates "spatial values" (ibid.) but also re-articulates core questions of poverty governance and welfare, e.g. what justifiable state intervention should be (Fairbanks 2009: 268). In this sense, proceeding beyond the confines of the formal, informality allows re-calibrating what can be as well as what should be.

Taking up Polanyi's double movement, Fairbanks argues that the increased commodification propelled by the erosion of the welfare state has prompted a "reaction" in the form of informal welfare, where de-commodified spaces emerge (ibid.). Rather than seeing informal welfare (including housing) as only distant from the state that treats it as "ungovernable" or "unplannable" (Roy 2003), we should analyze how the state depends on such informal welfare to ensure the reproduction and sheltering of the nonpropertied, and thus to "slow the rate of change" where commodification leads to the destruction of the "fictitious commodities" of land, labor and money. Where under austerity the state is no longer willing to ensure decent (welfare) standards to all, we should analyze how the state ensures some level of coherence, order and predictability through selective management (where the state provides pathways to regulate informality).

Whether seen as minimal state benevolence, concessions wrestled by the poor, or due to lacking capacity of enforcement, the increased significance of urban informality as a tool of power in our time has been confirmed by several scholars. Their findings feed into a new stream of research which argues that for "renewing urban politics" (MacLeod/Jones 2011: 2542) as well as fully understanding the American Welfare state and its current transformation (Katz 2010), these forms of informal welfare provision and survival and their ways of governing need to be accounted for. In particular, these authors instruct us to examine how grey-spacing is driven by claims and practices from below, but also seems to resonate with top-down interests to extend regulatory power and compensate for state-provided welfare, thus establishing new spaces of abeyance (cf. Fairbanks 2009).

Importantly, Yiftachel notes that while domination and exploitation are the main drivers of grey-spacing furthering a "creeping urban apartheid" (Yiftachel 2009), these grey spaces are not only sites of repression and survival but also active sites of subjectivities in the making.

Thus, grey spaces can be hotbeds of an “insurgent citizenship” (Holston 2009), where new claims to the city are developed that challenge state logics. The informal or rather the selective (in)formalization depicts a powerful form of social regulation that is used by both the elites and the marginalized (McFarlane/Waibel 2011: 6; see also Roy 2003). On a more moderate scale, Fairbanks likewise underlines that where informal welfare spaces are caused, necessitated by and even managed to persist through policies of neoliberal welfare retrenchment, they are also sites of resistance to these trends (Fairbanks 2009). He underlines that the very ambiguity of informality – where autonomy from regulations and discipline enables survival and reproduction but also means increased insecurity – results in a constant negotiation over autonomy and integration (Fairbanks 2012: 554).

This negotiation across different grades of greyness – where homeless management aims to differentiate and govern “the homeless” and where the survival strategies of the underhoused poor continue to escape this subjectivization – can be seen as an “engine of regulatory restructuring”, as Yiftachel stresses. It is through *selectively tolerating/integrating and repressing some forms of informality* that the neoliberal state may extend its regulatory reach. A dominant pattern of policy-making in the US where “the right to safe and sanitary shelter trumps the right to shelter” (Roy 2003), should not mark the end but rather the starting point for analyzing how these different rights compete in specific struggles. Having shown the different grades of greyness where toleration of informal housing is central to the stabilization of rule, the next question is whether and how some of this toleration is also extended to the homeless. Conceptually and empirically, it is necessary to inquire whether (and how) camps are regulated as such extensions of the informal housing stock, or whether they continue to be governed in the darker grey spaces of the streets and shelters that limit autonomy and self-determination. Whether and how such managed persistence and “whitening”/regulating of homeless camps can be described as strategic and planned (state-managed persistence), or whether they are concessions to the claims of the homeless poor (rebellious, subversive, or ambiguous persistence).

As these questions exemplify, the informality discussion opens new perspectives on "subaltern urbanism" that demand deconstructing “the very basis of state legitimacy and its various instruments: maps, surveys, property, zoning and, most importantly, the law” (Roy 2011: 233). However, analytical deconstructing does not mean dismissing the role of law. The case of sanctioned camps is interesting as here the universal rule of law that is so central to the reproduction of bourgeois hegemony (cf. Hall et al. 2013: 208) is actually challenged: in

contrast to Anatole France's famous dictum on the impartiality of the law, here the law is bent to allow the poor to sleep in tents. Where the rule of law is so crucial for stabilizing hegemony as it equalizes things that cannot be equal, where it seeks consent from the majority by imposing a universal rule to protect the common good (in this case, public order, ecological protection, health, safety), the case of sanctioned camps indicates that some deliberation and partiality is applied to adapt the universal rule to specific local social conditions.

These works are relevant as they provide theoretical arguments to explain the many riddles of real existing neoliberalization: selective (in)formalization illustrates how we can make sense of the thesis that neoliberalization tends to "fail forward" (Peck et al. 2010). Moving away from seeing "government inertia" to examining the toleration and management of informality as constitutive to homeless management allows us to identify those instances of "strategic selectivity" that authors like Jessop assume to be present amidst the contingency of local restructuring (Jessop 1997). The legalizing of camps indicates such a process of selective (in)formalization that is aptly described in Yiftachel's terminology of whitening and blackening (cf. Roy 2011: 235). In this sense, legal camps can be understood as a new space of abeyance where the grey space of homeless survival on the streets – which criminalization increasingly turns into black – is whitened.

These works on the roles of informality offer useful clues for thinking hegemonic compromises and strategies to garner consent beyond the formal spaces of welfare and exclusion, as well as examining how hegemonic consent to homeless management may be struggled for and achieved across the formal/informal divide. At the same time, this discussion raises new questions on how to think the relation of governing through informality with matters of hegemony.

Together with the previous two discussions, this last discussion raises questions about how we can adequately conceptualize the governing of urban marginality working across the spectrum of punitive-welfare-informal in relation to local homeless management. The following chapter III will address these questions by sketching the conceptual contours of hegemonic homeless management.

Chapter III: Conceptualizing the contours of homeless management

1. Introduction

This chapter seeks to integrate the strong points of the previous discussion on governing urban marginality in liberal societies. Taking up the concept of homeless management, in the first section, I propose conceptualizing it as a hegemonic project. This allows us to overcome the discussed omissions (generalizing the punitive, idealizing welfare, underrating informality) and thus to better grasp the relational local struggles over governing homeless camps. Thinking in terms of hegemonic projects highlights the political dimension of homeless management and allows conceptualizing the varying degrees of care, punishment and informality as shifting results of ongoing struggles for popular support for managing the homeless. The hegemony perspective further allows us to see what the function of homeless management actually is: in line with the historical lessons of poverty governance, homeless management is not limited to governing homeless people but is also about governing the social condition of homelessness as a normalized facet of poverty. In order to specify this aim of homeless management, I refer to Peter Marcuse's (1988) argument on neutralizing homelessness and argue that this function of neutralizing not only literal homelessness but also the wider problem of housing insecurity is contested at all scales, but particularly at the local level. Thinking of homeless management as a hegemonic constellation thus prompts the need to examine it through how the homeless are selectively governed.

In the second section, I conceptualize my critical policy analysis by situating the struggle over homeless camps within this struggle for hegemony. I argue that camps are an indicator of multiple crises and thus de-stabilizing hegemony, while also offering potential solution to re-stabilize neoliberal hegemony locally. Unpacking the (local) state, I propose to analyze this struggle over the necessity and adequacy of camps as an effort of local actors to re-stabilize a local socio-spatial order as hegemonic through formal and informal strategies. Such a relational analysis of policy change as outcome of political struggle allows us to counter the latent functionalism identified in the debates on governing urban marginality (cf. Ch. II) and helps to close the empirical and conceptual gaps in existing research on homeless encampments. Moving beyond normative appeals to what researchers presume to be the political rationalities of local policy-makers, this conceptualization seeks to actually explain what determines this struggle, by focusing on the struggle over camps as a process of

achieving a stable and consented form of (local) rule. Conceptualizing such struggles for (local) hegemony gives due credit to the complex work of governing the local including the strategic selectivity in path-dependent local settings and the agency of differently-situated actors exercise in the integral state. This making a new policy for governing camps is hence conceptualized as the negotiation of territorial, temporarily-stabilizing compromise within highly-structured fields of institutionalized policy.

2. Homeless management to achieve the neutralizing of homelessness

Building on the insight that social control means more than controlling an immediate group of subjects targeted as "potentially disruptive" (DeVerteuil et al 2009: 652)¹², I discuss here how we can conceptualize homeless management in the US as a hegemonic project to neutralize homelessness.

Neutralizing homelessness

Thinking of neoliberal homeless management as a historical hegemonic project is an appropriate and timely approach as this allows us to grasp how the *new homelessness* emerging as mass phenomena since the 1980s has persisted until today not despite but rather because of welfare interventions and the many caring efforts of civil society. This also provides us a new perspective on how homelessness continues to defy continuous efforts to criminalize it into non-existence. I consider homelessness management as hegemonic because while it has been challenged through street protest and legal as well as parliamentary battles, thus far it has not triggered any political opposition movement capable of challenging its persistence. Instead, mass homelessness continues as a stable, unwanted but largely tolerated phenomenon somehow managed throughout American cities.

Marcuse's (1988) argument about "neutralizing homelessness" helps to explain this largely consented persistence. Written shortly after the historical onset of "new homelessness", it provides one of the most concise explanations of how US society responds to homelessness, proving as accurate today as it did then. Moreover, Marcuse provides a relational approach to explain the production and managed persistence of homelessness that is very useful for specifying how homeless management is intrinsically related to hegemony, what this

¹² DeVerteuil et al. define poverty management as "the creation of spatial and temporal structures designed to regulate and manage the spillover costs associated with so called disruptive populations" (DeVerteuil et al. 2009: 652).

hegemony entails (i.e. propertied citizenship but also hegemonic projects of ending welfare and urban renewal) and by which strategies and techniques it is maintained.

Essentially, Marcuse transfers the historical rationalities of poverty governance – which stipulate that the poor always need to be governed (cf. Dean 1992) – to the issue of homelessness in neoliberal times. If we accept that at the core of this poverty governance is a principle or ethos of prudence that is equally concerned with the prosperity of the state and limiting the interventions of the state (cf. Dean 1992, see also Lemke 2007), we need to assess how the current ways of regulating, punishing and disciplining the homeless poor are calibrated as "wise poverty governance" capable of increasing the wealth of the nation. Marcuse helps to address this question and allows examining how homeless management works as a disciplinary project of neoliberal paternalism (Soss et al. 2011) by clarifying who is disciplined, how, for what and by whom.

He argues that homelessness is obviously linked to both morals and the economy, although it is essentially a problem of governance. Prioritizing the perspective of US policy-makers, he argues that homelessness presents an uneasy dilemma: “if government does not deal with homelessness, it appears illegitimate and unjust; if it does try seriously to alleviate homelessness, it breaks the link between work and reward that legitimizes wage labor” (Marcuse 1988: 70). I will return to the question of how precisely the homeless trigger a legitimation crisis that necessitates state intervention, but for this moment it suffices to acknowledge that since the 1980s politicians at all levels have indeed been called upon to deal with homelessness to maintain social order and public security, but also to restore faith in the “American Dream” and/or provide relief to the destitute.

When Marcuse concludes that policy-makers “cannot actually ‘solve’ the problem of homelessness ...they cannot ignore or conceal it either” (ibid.: 70), he captures the key logic of hegemony encapsulated in the catchphrase *dealing with a social problem without solving it*. Thus, as “the dominant response to homelessness will require both recognition of the problem and the prohibition of effective action to solve it”, the challenge – as Marcuse writes – is to find a way that “neither admits nor denies homelessness, that neither provides homes nor leaves the homeless on the streets” (ibid.: 85). He calls this response to homelessness “*neutralizing homelessness*” and in my mind this elucidates the variegated but in sum insufficient policies mobilized in the course of the last three decades to address homelessness.

By seeing this neutralizing as a hegemonic strategy, I wish to stress that this way of dealing

with a political dilemma needs to and so far managed to find popular consent. This hegemony perspective allows specifying why and how different political imperatives along the axis of punishing, regulating and disciplining the homeless come together in varying proportions and compromises to guide societal responses to homelessness. If the aim of poverty governance is to control the poor – i.e. to assign proper conduct and places to them to prevent rebellion and illegal forms of survival, then we have to inquire how policies aim to achieve this either in more caring or coercive ways.

For the last three decades, policy has done little to resolve homelessness and thus has contributed to the persistence of homelessness as an inevitable consequence of a political economy relying on the commodification of housing. “Ending homelessness” would require structural changes, i.e. providing housing based on needs rather than the ability to buy: "It would require the acknowledgement of the failure of the market to solve the housing problem, the provision of housing for all those in need, the care of those who are outside the system" (Marcuse 1988: 70). The structural inevitability of homelessness within given parameters (Blau 1992; Ficenecc 2011) is highlighted by the most recent economic crisis, where people have become homeless not because there is not enough housing but rather because too many houses are built at a price that they cannot afford¹³. Nonetheless, as these structural explanations reveal that dominant powers are interested in not jeopardizing the fundamental principle of housing as a commodity – and actively push the commodification of housing – homelessness remains an unresolved issue of governing.

¹³ Blau asserts, the US economy is „so dependent on the production of widespread homelessness that it could not, in its current form, tolerate the necessary remedies“ (Blau 1992: 14). Rephrasing Marcuse he explains the unresolvable dilemma of housing to meet the needs of people:

„the problems of incomes and housing costs cannot be solved within capitalism because the required redistribution of income would lead to the collapse of the labor market, while the required reduction of housing costs would lead to the collapse of the private housing market.“(ibid.)

Within this political-economic picture it is no surprise that the sharp diagnosis of Stone and Blau is confirmed two decades later when economist Ficenecc writes:

„Homelessness is not a problem that will ever disappear from the policy agenda without subsidization of housing for all; in a country that values free capacities at all levels. The challenge for policy makers is finding ways to help those who want housing but are unable to procure it or need short-term assistance to retain it. This problem will likely take on a new dimension in the coming years, as more people lose their homes due to the current housing crisis" (Ficenecc 2011)

The challenge this economist mentions is foremost a challenge to find consent to specific differentiations of deservingness. In this quote there are already differentiations between those who want housing and an unnamed group which presumably does not want housing.

Neutralizing homelessness as a hegemonic project

Based on the discussions of the two distinct policy approaches to homelessness in chapter II, I now specify how these can be understood as central strategies to stabilize the socio-spatial order in an era of radical transformation. In order to go beyond the frequent – albeit often only ornamental – references to hegemony (Winter 2003), first the object, time, place and scale of hegemonic relations surrounding homelessness need to be specified (Jessop 1997; Nonnhoff 2010). Thus, before discussing how state actors seek to gain consent through coercive and assistential strategies, some definitions are in order regarding what exactly is secured and what are the specific dimensions of rule and hegemony that are touched by homelessness and can be re-articulated by homeless management.

Policies and programs targeting the homeless involve fundamental social relations constitutive of US society and space. For one, homelessness is fundamentally enmeshed with the hegemonic socio-spatial order of propertied citizenship and essentially is a no-property problem (Blomley 2003; A. Roy 2003; Baron 2004). Calling this *the property and housing dimension of hegemony* means that to ensure the maintenance of this specific set of rules, the active consent of subjects to the unequal distribution of land and housing is required. This requires a political explanation for the existence of individuals who have no property and are thus forced to survive in (someone else's) propertied space.

Directly related, homelessness points to the limited extent in which welfare mechanisms provide relief to the non-propertied, who cannot compete on the market for access to housing. The *welfare state as a second dimension of hegemony* concerns the ways in which the quantitative and qualitative provision of relief is explained and justified. This dimension includes attention to the ways in which the welfare function is replaced or complemented by a shift to the security or penal state (Beckett/Sasson 2000; Wacquant 2009).

Homelessness is intricately connected to the *commodification of the urban as third dimension of hegemony*. In its most recent version of the competitive city, commodification of the urban is formed along three axes of the entrepreneurial city, the city of difference and the revanchist city (cf. Kipfer/Keil 2002: 234-238). To the extent that this project seeks consent, it needs to explain why those who cannot buy their right to the city are to be excluded. All three dimensions are manifest in the urban or local dimension of hegemony. As the persistence of homelessness challenges these three relations of hegemony, it may well be said that homelessness depicts a war of position, which remains an unresolved problem where

competing claims of how to deal with it are put forward (cf. Mitchell 2011).

What is a hegemonic project?

While there are various interpretations of hegemony, I consider the following definitions of hegemony useful for my research:

“For Antonio Gramsci, it involves the way a specific class or economic group endeavours to construct a more general ‘common sense’ that can actively appeal to – and thus win the consent of – a wide range of social classes and groups in support of its particular project or programme by transcending its narrow economic-corporate interests (though he insisted that the task of constructing hegemony is a contingent and precarious undertaking)” (Gramsci, 1971 cited in Griggs/Howarth 2008: 125).

More specifically, a hegemonic project, seeks to mobilize political “support behind a concrete, national-popular program of action which asserts a general interest in the pursuit of objectives that explicitly or implicitly advance the long-term interests of the hegemonic class (fraction) and which also privileges particular “economic-corporate” interests compatible with this program” (Jessop 1997).

We can differentiate three grades of dominance/supremacy through which classes or fractions seek to solidify popular support: (a) single *hegemonic articulations or claims*, (b) *hegemonic projects* – sometimes also called hegemonic “strategies” (Beckett/Sasson 2000: 64) – and (c) achieved *hegemony* (Nonnhoff 2010: 310). This differentiation is fairly established within the literature on hegemony as most scholars who engage with hegemony theory empirically focus on moments in which hegemonic projects are in the process of formation or examine competing hegemonic projects (cf. Jessop 1997; Laclau/Mouffe 2001; Nonnhoff 2010; Wullweber 2010). This frequent focus on hegemonic projects indicates that the condition of achieved hegemony – while being closest to the popular understanding of hegemony – proves the most difficult to grasp analytically. Thus, probably less surprisingly, existing hegemony is the least examined form of rule. Where most studies focus on the active process through which hegemonic claims become more extensive and integrative as they are taken up by others and find political alliances to form hegemonic projects, these studies, however, evade the question of how ongoing struggles of competing hegemonic projects relate to such plausible mature and deep hegemony. It is less reflected how hegemonic projects condense in time and space and how they connect to deep-rooted beliefs and practices to form such

institutionalized routinized patterns that solidify a specific meaning of what the state should do and a practice of how to do it (Wullweber 2010: 109)¹⁴.

The primary object of study in this respect is the process of neoliberalization. However, due to the notorious fuzziness of the term “neoliberal” (Peck et al. 2010: 183–4, cf. Peck 2003; Peck 2012), the “necessary incompleteness of neoliberalism as a social process ensured that the analytical and political questions around the project’s hegemony, or otherwise, were destined to remain unresolved” (ibid.:96). While some scholars have thus called for discarding the term altogether, it remains useful (cf. Clarke 2008) for my purpose to specify the historical emergence of a particular form of homeless management as a new form of statecraft replete with new *state forms* and new *state spaces* (Peck et al. 2010; Peck 2003).

Where the previous discussion of three approaches to neoliberal restructuring of poverty governance showed that it is disputed whether the neoliberalization of homeless/ness management is dominated by regulating, punishing or disciplining approaches, I propose integrating these into a concept of neoliberal paternalistic homeless management. Peck claims that rather than preordaining how “neoliberalism has kept ‘driving on’, at least, so far”, any “real-time analysis” needs to attend to the “constructed and contradictory nature of neoliberalization as a transformative process” (Peck 2013: 140f). When together with Neil Brenner and Nik Theodore he argues that “ideal-typical formulations of “the neoliberal state” are questionable as a matter of principle” and suggests that “neoliberalization should be conceived as a hegemonic restructuring ethos, as a dominant pattern of (incomplete and contradictory) regulatory transformation, and not as a fully coherent system or typological state form” (Peck et al. 2010: 104), it becomes clear that neoliberal poverty governance always comprises intertwined forms of governing the poor. More relevant than identifying “the neoliberal” as such is Wacquant’s definition of neoliberalism as an “open-ended, adaptable” political project, that nevertheless has a distinct identifiable core and needs to be examined as a political process of struggle (Wacquant 2012: 71). Although there are similarities between Wacquant’s approach and mine in analyzing neoliberalism as a political project, I have chosen a Gramscian framework to grapple with the open question of “how exactly does the process of neo-liberal expansion actually work?” (Peck 2003: 225f, cf.

¹⁴ Joscha Wullweber suggests that such “deep hegemony” can be understood as “layers of sedimentation” - a useful heuristic to capture how different social relations and meanings are more or less easy to politicize while retaining a sense of dynamic and potential for re-politicization (2010).

Beckett et al. 2001; Mitchell 2001; Mitchell 2011)¹⁵.

A key finding of recent scholarship on neoliberalization recognizes that neoliberal forms of state craft are inherently and inevitably intertwined with other state formations, whereby its characteristic feature is uneven spatial development (Peck et al. 2010: 95)¹⁶. Accordingly, my definition of neoliberal paternalist homeless management states that *homeless management is neither dominated by punishing or regulating but entails a mix of both and their common aim is disciplining*. Just as Marcuse reminds us that homelessness cannot be "moved off somewhere; it is all around us" (1988: 70), any conceptualization of homeless management needs to complement the focus on punitive exclusion from specific spaces, with a focus on seclusion into either formal spaces of welfare/homeless assistance or spaces of informal survival, as the two sides of the same coin called socio-spatial control. While this initially looks like a simple equation of crucial differences where I conflate the previous discussions with reference to hegemony theory, this integrative but broad definition requests research to further differentiate and qualify the proportions in which welfare is punishing and regulating as well as the degrees of informal extension and subversion.

Especially in the "political-economic twilight world that has been taking shape 'after' the crisis" (Peck 2013: 133), critical research continues to try to capture the evasive yet tangible work of neoliberalization. In seeking to grasp the complexity of creative re-regulation and destructive de-regulation (Peck 2003: 225), scholars increasingly feel compelled to resort to terms such as "mutation" and describe "zombie" or "mongrel" neoliberalism:

"Rather, the dynamic mapping of inescapably mongrel formations and mutative flows—that is, tracing the uneven spatial development of neoliberalization amongst its others—holds the key to understanding how neoliberalism has been reproduced, systematically, through discrepant formations" (Peck 2013: 145).

¹⁵ Wacquant states that neoliberalism has an institutional core that makes it distinct and recognizable: "This core consists of an articulation of state, market, and citizenship that harnesses the first to impose the stamp of the second onto the third. So all three of these institutions must be brought into our analytic ambit. I diverge from market-centered conceptions of neoliberalism in that I prioritize (political) means over (economic) ends; but I part with the governmentality framework in that I prioritize state-crafting over technologies and non-state logics, and I focus on how the state effectively redraws the boundaries and tenor of citizenship through its market-conforming policies" (Wacquant 2012:71).

¹⁶ They encapsulate this insight with the simple catch-phrase „always with others“ which is, however, profound as it challenges research to avoid single-sided reference to neoliberalism without adding its respective political alliance with e.g. conservative or authoritarian forms of rule (cf. Peck et al. 2010).

These hybrid terms mark the latest and most advanced stage of research, but in essence they only confirm once again the key insights of a decade's research, namely that as neoliberalization is inherently and inevitably intertwined with other state formations, its characteristic feature is uneven spatial development (Peck et al. 2010: 95). The productive creativity of neoliberalization clearly continues to puzzle scholars as it seems to escape any pre-conceived form and any single analytical framework. In order to overcome this analytical inconclusiveness that impedes a clear description of the current conjuncture – i.e. to decide whether the survival of zombie neoliberalism indicates its lasting hegemony or not – I wish to clarify at least one piece to the puzzle of neoliberal hegemony: addressing the open question of whether the neoliberalization of homeless/ness management is dominated by regulating, punishing or disciplining approaches to govern the poor.

The national hegemonic project of homeless assistance

Considering the degree of public support and consent, I argue that the federal roll-out of homeless assistance can be described as a hegemonic project. The roll-out of homeless assistance depicts a compromise in the handling of the intertwined challenges to a social order based on unequal distribution of property, the question of the welfare state and the demands of the competitive city¹⁷. In light of the deep polarization of US politics – which features equally strong convictions that the poor are best helped through state support versus beliefs that the poor are best helped when left alone (cf. Edsall 2012) – the roll-out of homeless assistance as an emergency program marks a viable compromise that allows both conservatives and liberals to claim success while neutralizing the larger defunding of public housing. Considering how Republicans and Democrats pit largely antithetical value systems (regarding freedom, liberty, role of the state and common good) against each other, it is remarkable how these are actually integrated into an apparently coherent homelessness policy that has maintained albeit of some reforms for over 30 years. Re-calibrating the responsibility of the state, the roll-out of homeless assistance underlines that federal government has taken up “the task of hegemonic leadership to resolve this conflict on a less abstract plane through specific political, intellectual, and moral practices” (Jessop 1997).

¹⁷ With Marcuse (1988), structural explanations for the persistence of homelessness as a chronic surplus population can be traced to the economic interest in maintaining (a) the iron law of wage labor and home ownership; (b) maintaining uneven housing markets as source for profit, while (c) maintaining a roll-back of welfare state support for the poor.

While the housing question has been exacerbated since the 1980s, when the few state programs to limit market dynamics were de-funded, resulting in a growing problem of housing insecurity, the housing question has not been entirely ignored by policy-makers. Rather, the roll-out of homelessness assistance indicates how at least the extreme social hardships of homelessness have been recognized: throughout recent years, the diagnosis of lack of housing as a cause of homelessness has been identified at all levels of government. Thus, limiting the crisis of state legitimation (Marcuse 1988: 85), homelessness has been dealt with in a particular way: addressing the various concerns and demands for order, the provision of conditional relief has simultaneously worked to limit welfare state expenditure (cf. Chapter II). The conceptualization of homeless assistance as a hegemonic project allows accounting for the variation in symbolic and material concessions, i.e. recognizing the lack of housing but not addressing it as cause for homelessness, that were made through the state to garner commitment of different social forces.

The national hegemonic project homeless assistance produces what Jessop describes as a “policy paradigm” that “establishes the parameters of public choice” (Jessop 1997), i.e. framing the homeless as deserving poor eligible for conditional relief. Where welfare in form of emergency relief is granted by the federal state, the strategy of criminalization, I argue, is best understood as a local resolve. In contrast to Wacquant's (2009) and Beckett and Sasson's (2000) thesis of a hegemonic project of the penal or security state, in fact the penal strategy towards the homeless has remained a local project, as the national level of policy-making has only made it a hegemonic claim, but not a hegemonic project. Despite its popularity among local policy-makers, the penal response to homelessness seems to be less conducive for a popular national project. This is not to say that criminalization would not be compatible with the national hegemonic project of homeless assistance. Criminalization clearly responds to the limited effect of assistance's material concessions and – as discussed above – together with paternalist welfare it frames the homeless as “subclinical citizenry in need of either soft or tough love” (Schram 2006: 135). Reproducing the pathologic and deviant subject of the homeless, both approaches are thus situated at the opposing poles of the hegemonic policy paradigm and serve to re-arm the ownership society.

By highlighting a national popular hegemonic project of homeless assistance and its local implementation, complemented by local hegemonic strategies of criminalization, I wish to focus attention on the salience of Marcuse's argument about neutralizing homelessness. When the aim of neutralizing is not only to manage the literal homeless but also to neutralize the

wider problem of a structural housing crisis, then homeless assistance exhibits a more coherent and consensual approach than criminalization. The provision of spaces of assistance albeit insufficiently clearly enables “managing housing insecurity” writ large (Willse 2010b: 158) with more consent than has criminalization.

The pathologization of poverty is not new, but as the previous discussions illustrate the invention of homelessness describes a specific re-articulation of this pathologization that has become crucial to developing and stabilizing the two hegemonic projects of welfare and urban restructuring. As such, the neoliberal paternalist project of homeless management is marked by a distinct pathologization of the homeless subject, which leaves even less space for informal self-help and demands more stringent rehabilitation towards the increasingly unattainable dream of propertied citizenship.

Ideology and consent: neutralizing housing insecurity through othering the homeless

Without mentioning the term hegemony, Marcuse highlights similar to Gramsci the role of consent rather than coercion for maintaining the hegemonic mode of housing production and distribution. Marcuse identifies four main techniques to neutralize the implications of homelessness (1988: 85ff) that allow to observe what Gramsci called the active or passive consent of subjects is aimed at. Aiming at "acceptance, conformity, and compliance", the following four key government strategies allow us to see ideology put into practice: (a) denial of the problem; (b) “blaming the victim”, whereby responsibility for social hardship is devolved to the individual; (c) "specialism", through which social hardships are attributed to various sub-groups of the homeless population, each characterized by specific conditions and targeted by specific programs of assistance; and (d) isolating the homeless, through banishing and concentrating them in demarcated spaces of poverty (ibid.).

The last three decades of homeless management illustrate Marcuse’s prescient analysis. At least at the federal level (a) denial has meanwhile been replaced¹⁸ by government recognition of homelessness, which is managed as (b) a problem of individuals who are governed through (c) ever-new programs focusing on changing sub-populations (veterans, youth, family, chronic homeless). The common denominator of all strategies is the versatile pathologization

¹⁸ Such denial has been much more evident in the 1980s and 1990s. Scholars like Mitchell (2011) repeatedly remind us how President Reagan and high ranking US officials declared way into the 1980s that there is no homelessness.

of homelessness. The previous chapter discussed how the spatial implications that Marcuse predicted have materialized since the 1980s: new specialized spaces of homeless assistance have been pressed into service in order to isolate, i.e. contain and segregate the homeless, while complementary policies of criminalizing homelessness add a vicious version of the blame-the-victim strategy.

The persistence and expansion of these strategies underlines the efficacy of the myriad stereotypes about the homeless poor even though they have been countered and refuted by scholars since Wolch and Dear (1993). The “conscious ideological effort by the dominant culture to neutralize the political implications of homelessness, the shock of homelessness” that Marcuse noted (1988: 69) thus seems to have been largely successful in garnering consent to the hegemonic project as it guides both caring and coercive approaches to homelessness. Raising but leaving open for the moment the question of the degree to which the hegemonic project of homeless management relies on the consent of the homeless themselves, it is fair to state that the neoliberal paternalistic project of homeless management has garnered hegemonic consent to viewing the homeless as a pathologic subject.

Nonetheless, the productive effect of this ideology is not due only to the effective othering of the homeless who are managed as pathologic subjects that can and must be governed. Hopper has argued before that rates of the 'literal' homeless are poor indicators of housing insecurity. Rather, a broadened understanding of “redundant people lacking sufficient resources (money or kin) to secure ... regular access to a conventional dwelling” (Hopper 2003: 19) is not only an appropriate description but should also be transferred to conceptualize the problem of governing homelessness. This means that we must not reduce analysis to the ways in which the literal homeless are governed, but rather we need to inquire into how the definitions of homelessness and subsequent policies aimed at those defined as homeless have implications for governing the invisible homeless as well. We have to consider how punishing and assisting the homeless enables specific governing of the underhoused. In essence, through stereotypical framing, the homeless become a figure that encourages the belief that poverty is primarily an individual problem. This othering of the homeless – the making of a homeless subject – thus works not only to manage the homeless more effectively, but also to manage the underhoused poor. Thus, we need to gauge the ways in which disciplining and containing the homeless are practiced and how they are made interdependent. In this sense, the parameters of measuring how successfully homeless management achieves the function of neutralizing are not limited to how the literal homeless are managed in space, but they

necessarily include examining how such governing allows keeping the underhoused away from claiming relief in shelters or seeking survival on the streets. Inserting the issue of the underhoused poor into the analysis means acknowledging the property problem underlying homelessness. Managing homelessness cannot be understood without understanding the geographies of propertied citizenship. The informality debate presented earlier introduced a perspective on how the underhoused poor are enticed and coerced to stay housed at all costs, informally stretching and expanding the limited spaces of property. What we see now is how a growing population marked by housing insecurity has been neutralized since the 1980s by pushing it into informal precarious private housing, while simultaneously a smaller but likewise growing population of "the homeless" has been invented as subject of ever-new forms of "improved" governing.

The persistence of mass homelessness and an even-larger population experiencing housing insecurity thus call for investigating the role of ideology and common sense to explain this remarkable stability of bourgeois rule, especially in its current neoconservative, neoliberal form. This seemingly widely consented persistence of housing insecurity calls us to examine the exercise of power that works to "prevent subjects from translating dislocatory experiences into demands and challenges" to this rule (Howarth 2010: 321). But when we want to explain the voluntary subordination of subjects to alienating forms of rule and their active consent to restrictive condition, we need to do so without recourse to the troublesome notion of "false consciousness" or economic determinism (Rehmann 2008: 10). Acknowledging these potential pitfalls of conceptualizing ideology and its critique— which has led many to reject the concept altogether (Howarth 2010: 310) — I follow the approach of examining ideology as existing in apparatuses, intellectuals, rituals and forms of praxis (Rehmann 2008: 10): in short, I focus on the process of hegemonic struggle through which ideology is constituted and reproduced.

One example of understanding homeless management as a hegemonic project to neutralize homelessness is to note how widespread toleration of mass homelessness (cf. San Francisco Coalition on Homelessness 2015) goes hand in hand with a reinvigoration of the American Dream, i.e. the normative ideal of private home ownership as a measure and pre-condition of full citizenship (Schram 2006) or what Roy calls "propertied citizenship" (Roy 2003; cf. Sparks 2009). There have been massive efforts to enhance the American Dream with policies and tax credits that actively nurture a mass perception of housing as profit and personal achievement attainable even for poorer households (cf. Ivanova 2011). While the foreclosure

crisis illustrated that this dream obviously failed for a growing number of people, my previous discussion indicated that the predicted "unraveling of hegemony" (Ivanova 2011:411) has been at least partially averted through informal housing arrangements that extend "values, ideas and dreams" of propertied citizenship and thus reproduce the ideology of home ownership.

While informal housing provides grey spaces of incentive to the underhoused poor and middle classes, their acceptance of the hegemonic American dream is actively and tangibly enhanced by the discursive and practical treatment of the homeless. As I argued before, the invention of the subject of the pathological homeless serves to externalize feelings of insecurity and discontent to the homeless as a distinct "other", and has thus been crucial for the neutralizing of homelessness as a societal condition of housing insecurity. In short, the aims and effects of homeless management are not only to control the homeless population but to control the larger underhoused population. Thus, we can summarize that neoliberal paternalistic homeless management provides one piece of the puzzle for explaining how increasing social inequality persists and is stabilized with a certain degree of popular consent.

What's in a term? Poverty governance and homeless/ness management

In order to capture the double function of neutralizing – i.e. the ways in which the homeless are managed and the specific societal condition of homelessness is maintained, I use the term homeless/ness management. Although the terms governing and managing are often used interchangeably, for the purpose of this book I prefer the term homeless/ness management over poverty governance. I follow several recent studies that speak of "managing" poverty and distinct poor populations to explicitly counter the prevailing sentiments and narratives suggesting that welfare institutions and social policy are about helping the poor.

"Homeless management" then focuses on how "homeless people are governed and managed" (Lyon-Callo 2003: 155) as "potentially unruly" populations that thus need to be contained (Deverteuil 2012: 11). At the same time, they become clients of a newly-developed "homeless management industry" replete with specific forms of knowledge production: "the techno-conceptual organization of homelessness" and "governmental interventions to manage mass

homeless populations" effectively and profitably (Willse 2010a: 15)¹⁹.

The term "homelessness management" (Sparks 2009: 162) is used less frequently. However, when the aim of critical analysis is to deconstruct homelessness as a societal condition rather than a personal trait, I argue that it is crucial to remember that the homeless are just the tip of an iceberg of housing insecurity. "Homeless management" focuses attention on the making of social consent and acceptance to how the homeless are treated. Nonetheless, even critical scholarship that seeks to counter stereotypes and discrimination easily slips into essentializing the particular group of "the homeless". By adding the "/ness" to homeless management, I thus address this additional dimension of housing insecurity that is always implicated yet not always adequately accounted for, if not even obscured in e.g. post-punitive approaches (DeVerteuil et al. 2009; cf. Ch. II).

Having said that, the concept of homeless/ness management seeks neither to explain homelessness nor to counter the stigmatization of the homeless. Moreover, while I recognize homelessness as a social construct, in this text the term "homeless" will not be further deconstructed but (for lack of better alternatives) it is used for easier reading. The strength of the concept of "homeless/ness management" is its acknowledgement of the persistence of homelessness and its focus on the continued process of neutralizing homelessness that consolidates the survival of state and capitalism.

The notion of homeless/ness management is not novel, but it seeks to take stock of key tenets of homelessness research and account for (1) homelessness as a problem of poverty rather than personal traits where homelessness is only the visible tip of the iceberg of underhousedness, (2) how through defining a homeless population as a problem category that is overall pathologized, the homeless population is managed along the axis of punishing, regulating and disciplining, thus neutralizing the threat of the potential disruptive homeless population, while (3) neutralizing the threat of homelessness through deterring the underhoused population from claiming relief, thus aiming at *wise governance*. The term

¹⁹ This main argument of his intriguing work is summarized by Willse:

"Far from simply responding to homelessness, social services and science are active forces in shaping both understandings of homelessness and the actual material experiences of living without shelter. Thus, I look to a homeless management industry, which includes both social services and sciences, as a site to assess two linked processes: the production of knowledge about homelessness and the development of governmental interventions to manage mass homeless populations. This is to shift from asking, Who are the homeless? to asking, How does homelessness become something to be known and managed?" (Willse 2010a: 15f).

"homeless/ness management" is thus useful to grasp the function of neutralizing without prioritizing any strategic actor such as the state, as well as without pre-determining any singular logic, such as "mean" punishment or "caring" benevolence; rather, *managing* highlights a rationality replete with experiments and failures that primarily adheres to an economic calculation of (cost)efficiency but is not independent from consent either. The hegemonic project of homeless/ness management thus means to manage a population defined as homeless in ways approved by a majority, while simultaneously neutralizing the causes of homelessness as well as deterring the many underhoused from seeking other forms of self-help.

The concept summarizes core tenets while also living up to more recent critiques. Expanding spatial thinking, the concept comprises multiple spaces of abeyance for the homeless and the underhoused poor, each conditioned by specific strategies along the axis of regulating, punishing and disciplining. Taking up this heuristic, we can see how the hegemonic project of homeless management (a) has produced new spaces of abeyance (services, the shelter and transitional housing as de-commodified spaces of welfare) that insufficiently replace the destruction of poor and cheap market housing (skid row, etc.) and the erosion of public housing, (b) seeks to prevent the emergence of shantytowns (Gowan 2010) through criminalizing homeless survival, and (c) entices/coerces an expansion of invisible informal housing. Between the threat of jail or subordination to shelter rule those non-propertied who cannot find shelter through kin or friendship have limited options. In this theoretical concept, we can contextualize homeless camps as a new space of abeyance and examine how they are produced as a new niche in the process of socio-spatial ordering, as well as how this space of abeyance is managed to achieve the aim of neutralizing the homeless threat.

Analyzing the hegemony of neutralizing homelessness: not whether but how homelessness is managed

This expanded concept of homeless/ness management as a hegemonic project to govern "the problem of redundant people lacking sufficient resources (money or kin) to secure housing" demands – as Hopper stated – "to redirect our assessment of the social response to homelessness" (Hopper 2003: 19). Historically, periods of mass homelessness in the US have not been resolved by redistributive welfare measures aimed at the poor (neither the reforms of the progressive era nor the New Deal measures), but rather were ended by domestic mobilizations for world war and concessions in the form of land provisions to returning

property-less soldiers after WWII (the GI Bill fueled suburban homeownership and subsidized higher education) (ibid.). Acknowledging this, both Marcuse and Hopper are most skeptical about the effects of any policy aimed at helping the homeless. Ever since Wolch and Dear submitted their 1993 study, numerous critical scholars as well as advocacy organizations have exposed and refuted the myriad stereotypes on the homeless poor²⁰.

Therefore, we know well how the ideologically-charged framings of *the problem* that Marcuse presaged as “specialism” contribute to the persistence of homelessness. Hopper and others have documented consecutive historical cycles of selective policy focus on specific homeless populations that never ended homelessness. As long as homelessness remains framed as the ideological other to propertied citizenship, any relative success or failure of strategies aimed at homelessness remains dependent on the availability and access to informal dwellings of the shadow housing market. Consequently, all attempts to improve or reduce homeless assistance, to expand or contract policing, are likely to only temporarily re-stabilize the existing mode of poverty governance: given that they have to “reckon with homelessness” to sooner or later re-surface as a political problem (Hopper 2003), the struggle over homeless/ness management is likely to continue.

Acknowledging this historical variety of approaches and strategies deployed to achieve neutralizing homelessness, my proposal is to adjust the analytical scope. Studies that detail, decry and scandalize the notion that the homeless are excluded, contained to disciplinary shelters or that their survival is criminalized “only” confirm the working of a presumed hegemonic project of neoliberal paternalistic homeless management that manages to govern the homeless while neutralizing the larger problem of housing insecurity. Instead, what the hegemony perspective calls for is moving beyond latent functionalism in the analysis and to give due attention to the struggles over homeless survival to clarify how improvements can be achieved while simultaneously staying alert to the question of how such strategies and tactics

²⁰ Wolch/Dear (1993) conclude with a short chapter on truths about homelessness which reads quite similar to contemporary accounts of homeless advocacy organizations: people are homeless not by choice, they want to work, living on welfare is not easy and far from luxurious, etc. see also this recent scholarly finding. In a similar vein Mahar concludes her dissertation of homelessness in Miami:

"The findings of this study contradict the common discourse heard through the media and political debates that poor and homeless are lazy. Given a fair choice, the vast majority of poor and homeless men interviewed for this study, including both blacks and hispanics, would choose to earn their own income. The desire to support themselves was the most common theme in all of the interviews. In some cases, this was out of pride. Nobody wants to be considered a bum. They wanted to be active, engaged in society, and a source of pride for their families. In other cases, it was out of recognition that an earned income would be higher than any welfare benefit. Indeed, trying to live on welfare benefits alone was extremely difficult" (Mahar 2012: 239).

contribute to the reproduction of neutralizing. The main question for critical policy analysis of local homeless management is thus not

"*whether* homelessness will be 'solved' but *how*; not whether adequate resources will be devoted to this problem, but how what counts as 'adequate' will be determined; not whether a coherent response will take shape, but how the relative proportions of relief and repression that make for 'coherent' policy will be calculated; not whether when all is said and done some measure of discomfort will be exacted of ordinary citizens, but how this potentially divisive spectacle will be held in check. The question is how people with insufficient resources to purchase housing on the market (and unable or disinclined to turn to friends or family) will be accommodated, and this remains the question even if such re-absorptive mechanisms never proclaim themselves as 'solutions to homelessness'" (Hopper 2003: 19).

This quote by Hopper encapsulates my research agenda: *the hegemony perspective focuses analysis on the political process through which the proportions of care and coercion in homeless/ness management are recalibrated*. If we accept that homelessness is managed to neutralize it, we need to better understand how this works. The specific phenomenon of legal camps demands close analysis of how relief is provided in substandard ways, how claims for shelter are integrated so selectively and how such legal camps are defined as "adequate" policy of homeless management to garner consent, in order to explain why such legalized camps emerge in the current conjuncture. In a similar vein, Robert Fairbanks has stressed the central importance of questions of *how*:

"These considerations call on us to detach research from the normative questions of "what should be" that frame the ever-venerable "policy implications" of urban and welfare research. The post-welfare age calls on us to map questions of the *how*—such as how policy is *done* (that is, lived); how welfare restructurings are facilitated through the value systems, aspirations, and volitions of the poor; how notions of autonomy, freedom, choice, and responsibility are presupposed in contemporary policy formulation; and how urban citizens are *made* en route to taking up their place in the new urban order. Such an approach leads us to the *doings* of the formal and informal apparatuses of the welfare state; the technologies which facilitate its restructurings; and the effects, meanings, experiences, and subjectivities which derive from these restructurings." (Fairbanks 2009: 18)

Following Fairbanks, the analytical focus should examine how specific actors negotiate what response to homelessness is adequate, necessary and legitimate. Where “issues of morality and economy” certainly shape welfare and social policy and need to be explored to assess such policy, both the problems of poverty and how it is dealt with are fundamentally political questions of governance (cf. Dean 1992: 218). When neutralizing is the aim of homeless/ness management, we need to question how managing the homeless relates to the problem of housing insecurity, i.e. how the problem category of “the homeless” is reproduced as a manageable, distinct category for dealing with housing insecurity.

While my research focuses on the struggle over how to respond to a local problem of homeless management, I retain analytical attention to how homeless management is functional to maintain a hegemonic neutralizing of housing insecurity (homeless/ness management). With this focus on the political process, a different set of questions can be formulated to re-examine how the three previously-discussed strategies for managing urban marginality come to determine current homeless/ness management.

From the historical perspective of poverty governance, the previously raised question concerning homeless management – “does the punitive need the supportive?” – reveals itself to be a rhetorical question: the more interesting question is to specify *how* – in concrete settings – the punitive needs the supportive and vice versa. Thinking the policy of criminalization as a hegemonic strategy, the analytical focus should not be reduced to seeing criminalization only as a strategy aimed at a specific homeless population; rather, in order to capture the viability and prominence of this strategy, it also becomes necessary to specify how exactly criminalization responds to popular concerns and how effectively it channels and re-frames feelings of insecurity by housed and under-housed populations. Assuming that criminalization is as much a policing strategy aimed at ordering space as it is a “symbolic” demonstration of an aspired socio-spatial order, analysis needs to inquire into concrete policies of policing while also examining the competing conceptions of security and insecurity. In order to understand which concept prevails, it is crucial to closely examine how such strategies prove efficient. Focusing on questions of how criminalization advanced while assuming this to be an incomplete advance means inquiring into the multiple struggles and contestations of this strategy. Ranging from the scholarly, advocate and homeless critique and resistance to legal challenges and urban popular concerns, the empirical question is how these challenges and resistances actually inform and shape local policy. Here, a range of scholars have raised questions about the repeated suggestion of the “necessity” of penal responses to

poverty and homelessness and their suggested superior capacity for securing social control (cf. Mayer 2010; cf. Beckett/Godoy 2008). Critiquing Wacquant, Margit Mayer (2010: 100) argues that “we certainly need more investigation into these correlations before jumping to conclusions about the efficiency of individual components of the new poverty policy”. The challenge – as Beckett and Herbert urge us to address, after summarizing the rise of “quality of life policing” aimed at penal exclusion of the homeless – is to inquire further into questions of *how* these processes generated by neoliberalism emerge and differ:

"The argument that neoliberalism necessitates hyper penalty in order to manage and contain the 'disorders spawned by the deregulation of the economy, the desocialization of wage labor, and relative and absolute immiseration of large sections of the urban proletariat' (Wacquant 2003:20) does not shed light on the process by which crime-related problems assume political ascendancy" (Beckett/Godoy 2008: 155).

Conversely, when we assume that claims for care contribute to the recognition of camps as valuable and legitimate alternatives to the shelter, this raises questions about *how* this happens. If we accept that the welfare system has not been ended but rather restructured, where new welfare partners step up, it needs to be asked how the shift from informal to formal welfare is negotiated and justified. When new welfare partners step up what is their relation to government and other welfare agents: how autonomous or dependent are they, being forced to operate based on government funding and regulations? Rather than artificially differentiating the role of homeless services between “punitiveness/abeyance and support/care/ sustenance” (Deverteuil 2012: 16), the degree to which and how homeless services are disabling (punishing the homeless), disabled (services acting as mere container), but also “enabling” as sites of care and empowerment needs to be examined. For instance, considering the fierce resistance of business and residential communities (NIMBY) against the location of any homeless service facility, it is even more pressing to examine how a camp as a new welfare space is located, i.e. how the new socio-spatial niche is justified and secured.

Questions of *how* are also called for to specify the relevance of managing homeless/ness through selective informalization. In particular, the previously-discussed theorizing of selective whitening of homeless camps as legitimate and legal places of homeless management demands an analytical focus on the underlying political process. When the institutional and particularly the legal landscapes shape the geographies of survival (cf. Mitchell/Heynen 2009), how then are the many legal restrictions to outdoor and indoor

survival flexibilized without de-stabilizing the overall coherence of such legal order? If we assume that regulating camps offers benefits to local government (expanding control into hitherto-ungovernable places, expanding sheltering capacities), can we assume that local governments bend the law at will, or how is their scope of discretionary power conditioned? Can we – and if so, at what scale – identify strategic deliberation to qualify for what Smart (2001) defines as “managed persistence” of illegal housing where rules are bent and discretionary powers exploited? In order to examine such questions, “the state” to which both Smart and Yiftachel (2009) refer as producing these persistent informalities – which “whitens” and “blackens” seemingly at will – needs to be broken down to render it operationalizable for empirical research.

Addressing research gaps in homeless camp research: explanations of local governing rather than appeals to local government

The focus on questions of how homeless/ness management works and how it is transformed is highly useful to address the gaps of existing research on homeless encampments. In particular, the more recent works provide an important overview as well as exemplary insights into a still-understudied phenomenon. Together, the studies underline that the dominant policy of criminalizing homeless survival is problematic and that homeless encampments depict a self-help response to the lack of shelter. This is important for policy-makers to consider camps as a partial solution rather than as problem to be repressed. Overall, these studies stress the governability of camps and refute the many claims to the contrary: camps do not breed crime and disease per se, but in different cities camps have been regulated in order to prevent safety and health problems; while there are differences in degrees of control, these studies demand the integration of camp residents to co-shape regulations.

Given the important educational impetus of many studies about contemporary homeless encampments that seek to counter dominant stereotypes to convince policy-makers and the public that there are real benefits to legalizing camps, the studies are strong in descriptive terms but less developed in analytical terms. Overall, these studies apply different categories to describe different camp regulations that do not allow for easy correlations and prevent generalizable conclusions on whether or how this variegation speaks to a strategic selectivity. For instance, Loftus-Farren merely acknowledges that tent cities may persist for years without legal status, while legalized tent cities may be organized in authoritarian as well as self-governed ways. Although these authors advocate legalizing tent cities that are “a self-help

solution to the current lack of affordable housing” (Loftus-Farren 2011: 1075; cf. National Coalition for the Homeless 2010; Heben 2014; Feldman 2006), they have to acknowledge that even this appeal may not be convincing to policy-makers. It remains unclear whether carefully-designed plans for a “tent city model” (Heben 2014), the appeal to the human suffering of the homeless and violations of human rights (National Coalition for the Homeless 2010), or the appeal to economic calculus where authors highlight that tent cities are a more cost-efficient and quicker-to-implement measure than rent vouchers or subsidized housing (Loftus-Farren 2011: 1074), have an impact on local policy-making.

In sum, the existing research on legalized homeless camps is strong in explaining the political-economic conditions leading to the emergence of homeless camps, although it is more suggestive than explanatory when analyzing the struggle over how to deal with the camps. These studies *appeal to policy-makers* but do not verify the exhibited assumptions about political rationality and functional correlations, i.e. benefits of legalized camps for improved local welfare and order. It remains unexplained why and how local governments actually govern camps. For instance, all studies highlight the role of civil society organizations, particularly homeless advocacy groups and religious organizations, but they struggle to assess their impact on policy-making. Loftus-Farren is well aware of these limits and acknowledging different local actor constellations and pathways, she concludes: “As these varied strategies suggest, there is no single formula for government-sanctioned tent cities” (Loftus-Farren 2011: 1074). The fact that the National Coalition for the Homeless has not delivered the promised follow-up report on policy recommendations for local encampment policy to date (NCH 2010: 9) further underlines that these advocates are well aware of the complexities and ambiguities of local policy-making. Given the lack of more in-depth analysis, they thus refrain from formulating pre-emptive policy recommendations.

To summarize, the conceptualization of the contours of homeless/ness management presented in this first section is designed to grasp the characteristic feature of *homeless/ness management*, which aims at *the reproduction of a manageable problem population of the homeless and simultaneously aims at the reproduction of a neutralized underhoused population*. In other words, this research does not seek to answer whether sanctioned camps are a “solution” but primarily examines how camps are debated as “solutions”, i.e. how different actors come to see sanctioned camps as necessary, adequate and legitimate responses to an unresolved housing problem and the locally-articulated crises of homeless/ness management. Local processes of policy-making are examined as a lens to understand the

hegemonic struggle over reproducing homeless/ness management. This conceptual focus has implications for my methodological approach: less interested in (once again) examining the “other” – i.e. how marginalized groups survive by organizing encampments in a hostile environment – and more interested in the process of how such “othering” is reproduced to re-stabilize specific forms of governing, my research does not apply an ethnographic approach but rather engages in a critical analysis of the policy of homeless camping.

3. Critical policy analysis: examining local struggle over camps as a struggle for re-stabilizing (local) hegemony

Having discussed how hegemony theory enhances the conceptualization of *what* we can consider the function and modality of homeless/ness management to be (opening a relational perspective to how homelessness is produced and managed), in this second section I mobilize hegemonic theory to enhance the methodological approach to conceptualize the challenging question of *how* such management is (re)produced in concrete local contexts.

Making the case for hegemonic theory as "indispensable for the conduct of critical policy studies", David Howarth states that close reference to "power and hegemony can inform the critical explanation and evaluation of policy" (Howarth 2010: 309)²¹. Providing a broad entry point for such an analytical approach, he argues that “policy change is often connected to the struggle between opposed forces, whilst policies are often stabilized and maintained by the construction of fantasies and ideologies that secure the consent of subjects, as well as complex political techniques and tactics” (ibid.:310). Following this lead, I discuss *how the policy of homeless camping – i.e. the regulation and sanctioning of homeless camps – can be examined regarding the ongoing attempts to re-stabilize local homeless management and hegemonic relations at large*. This means examining the policy of homeless camping as an indicator of a crisis of hegemony and as a subsequent attempt to re-stabilize a local hegemonic order to explain whether and how camps are useful to stabilize local hegemony.

Deploying a perspective of struggle for local hegemony, my research seeks to more closely examine these negotiations and struggles at the local level, clarifying *how* local re-regulation works in practice. Interested in explaining the big question of how hegemony is actually

²¹ Howarth’s article " Power, discourse, and policy: articulating a hegemony approach to critical policy studies" is ranked in 2017 as the most often cited article of the journal "Critical Policy Analysis".

grounded in everyday life, I ask *how local actors manage to re-frame the problem of camps into a partial solution and how this is rendered compatible with hegemonic relations*. More specifically, how does homeless/ness management integrate camps and how do local state actors render camps from a problem into durable socio-spatial formations that are recognized – if not valorized – by the local state as legal forms of homeless habitation?

In order to assess how and what role homeless camps are assigned in the current conjuncture, close attention is required to the process of governing, policy-making and regulatory experimentation. This means exploring the role of the state in the production of space. The following discussion prepares the building blocks of my methodology for critical policy analysis by (1) specifying the nexus of space and hegemony, (2) clarifying my understanding of local hegemony and (3) unpacking the local integral state to (4) analyze local policy change as hegemonic struggle in the local integral state.

The production of space and hegemony: “urbanizing Gramsci”

Recent years have seen renewed interest in applying Gramsci’s theory of hegemony not only to national and supranational hegemonies so popular in political science and much of the political economy (cf. Scherrer 2007: 76)²², but also to matters of space and politics at lower scales. In line with Jessop, who stated that while Gramsci’s “prison writings dealt mainly with ‘national-popular’ politics in national states ... nothing excludes its application to urban politics” (Jessop 1997), scholars in critical geography have sought to tap the fuller potential of his work. This “Gramscian moment” (Ekers et al. 2013:16) in urban studies and geography speaks to a shared perception that the hegemony perspective may provide a missing link to a better understanding of both the (re)production of space and the survival of capitalism and the state, as urban governance and urban development undergo a process of “mongrel” or hybrid neoliberalization (Ekers et al. 2013, Peck et al. 2010). It also offers different political perspectives for social change. Excavating the linkages between Lefebvre and Gramsci, these works prepare the ground to conceptualize the role of space for hegemony. Lefebvre’s writings on the production of space, the state and the role of everyday life provide promising entry points for theorizing how hegemonic projects identified at higher scales actually enter everyday life and are grounded in space.

²² Scherrer views it to be highly interesting to analyze whether hegemony can be exercised on a higher scale without influencing practices and worldviews on lower scales. This very question is also addressed by Uitermark’s framework for analyzing the genesis and evolution of local policy (Uitermark 2005).

Lefebvre makes explicit Gramsci's implicit references to space and thus offers an urbanized understanding of hegemony (cf. Kipfer/Keil 2002²³; Kipfer 2002) as a "sociological extension and politico-theoretical redirection of Gramsci" (Kipfer 2008: 206) most appropriate for the current conjuncture in general and this analysis in particular. Brenner and Elden argue that Lefebvre gives a "salient methodological reminder" where "the task, in his view, is not simply to describe the spatial aspects of political life, but to elaborate a systematic, comprehensive 'spatialization of political theory'" (Brenner/Elden 2009: 360). By contrast, political theory still tends to omit how the spaces where political struggles are fought out make a difference as well as ignore how space is simultaneously the condition for and the subject of political struggle. After all, abstract spaces, rules and principles (e.g. property relations) need to be enacted and articulated in everyday life to gain meaning and thus existence, whereby struggles over (hegemonic) meaning thus shape the re-ordering of social space (Kipfer 2002; Kipfer 2008).

As the "simultaneity of multiple trajectories" (Massey 2005), space adds complexity to an already-elaborate definition that "conceptualizes hegemonic projects as efforts to produce and reproduce political, intellectual, moral, and self-leadership within specific populations in all their personal, institutional, and organizational complexities" (Sum 2009: 186). The (re)production of these multiple and simultaneous forms of leadership is usefully explored through the (re)production of space. Drawing on Lefebvre's rhetorical question "Is it conceivable that the exercise of hegemony might leave space untouched?" (Lefebvre 1991: 10), the "active and instrumental role" of space for the reproduction of bourgeois capitalism (ibid.: 11) and ensuing hegemonic projects can be conceptualized as the production of a socio-spatial order. The "primary role of the modern state is (...) to maintain a hierarchized system of places, functions, and institutions" (Lefebvre 2002: 94; cf. Charnock 2006). To put it bluntly, in order to govern capitalist society marked by stark differences and inequalities the state assigns "proper" places for all subjects, practices and functions. This means that the state has to produce designated spaces for both the winners and losers of capitalist societies.

²³ The article by Kipfer and Keil presents one of the first attempts to urbanize Gramsci. It formulates the still open challenge: "The full political, conceptual, and theoretical implications of Lefebvre's brief comments about the urban and spatial nature of hegemony (1991, 1011) remain to be thought through in an integral fashion" (Kipfer & Keil 2002: 254). To "shed light on the role of the production of urban space in capitalist hegemony (Lefebvre 1991: 1011) (...) such a project must capture the materiality of the urban as the central, multiscale mediation between grand social structures (and the state) and the microrealities of everyday life (Lefebvre 1970a; Prigge 1987)" (ibid.)

What makes space central is that it normalizes or “conceals” the conditions of its production, its deeply contradictory character, and hence the multifold historical struggles over redistribution and recognition (Fraser/Honneth 2003), inclusion and exclusion (cf. Lefebvre 1991: 306). The managed persistence of informal poor housing arrangements within more or less normal-looking houses described above exemplifies this normalization of poverty through space. It works in the interplay between the shelter and the street as the places for those who are framed as deserving and undeserving homeless. Everyday life is thus the best “guarantee of non-revolution” because it refers to what we take for granted, what seems self-evident and inevitable, “irrespective of whether we like it or not” (Kipfer 2008:199). Such normalization – where “the space of a (social) order is hidden in the order of space” (Lefebvre 1991: 289) – depicts the main vector of reproducing hegemony as it conceals unequal distribution. The production of space allows separating and segregating different groups and functions. Moreover, while the state thus uses the fragmentation of space through deploying different projects and strategies, it also seeks to give this socio-spatial order a level of territorial cohesion (Brenner 2003).

Kipfer (2008: 205) summarizes well how a socio-spatially constructed hegemony (Kipfer/Keil 2002) works through different forms of “*territorial compromise*” (Hitz et al. 1996: 110) that mediate conflicts between abstract and lived space. Hegemony requires specific forms of abstract space to dominate the multidimensional ways of how space is perceived, conceived and lived. This process is necessarily incomplete and the arena of struggle “for potentially hegemonic projects of producing space” is everyday life (Kipfer 2008: 205). In order for hegemonic projects of producing space to become hegemonic, they need “to integrate the affective-symbolic sides of everyday life (lived space) into the practical- material (perceived) and institutional-ideological (conceived) dimensions of abstract space.” (ibid.). In other words, it is through allowing for some socio-spatial compromises that make symbolic or material concessions to users of space to realize some differences, that the production of space becomes hegemonic. Socio-spatial orders achieve then hegemony through the making of specific informal spaces (see the notion of useful illegality discussed in chapter II) or so-called spaces of difference, the *heterotopias* which both Lefebvre and Foucault refer to.

Yet sparsely mentioned in the existing geographical debates on Gramsci and Space (Ekers et al. 2013 where only Glassmann refers to it on page 249), the idea of compromise features

centrally in Gramsci's thinking²⁴. Therefore, I consider the transfer from material and symbolic compromises to territorial or socio-spatial compromises most useful to understand the working of hegemony in and through space.

If, as I argued in chapter II, the concept of *disciplining* frames best how homeless/ness management works, we can now translate this to the production of space. The aim is a hegemonically secured socio-spatial order to sort the poor into specific in/formal places of abeyance that neutralize housing poverty. As Marxists from Engels to Harvey have underlined, capitalism does not solve the housing question but rather deals with it through space. The function of disciplining is then to use coercive and incentive strategies that ensure that the poor actually move to these assigned spaces. But disciplining targets not only at the literal homeless but comprises a strategy to discipline wider society particularly the underhoused, too (cf. Katz 2013; cf. Schram et al. 2010: 739f). Thus, for the (local) state, socio-spatial compromises may be useful to discipline the homeless but the viability of these compromises is checked by the aimed at disciplinary effects on society at large.

Local hegemony and the stabilization of socio-spatial order

Curiously enough, although regulation scholars have examined the local level as a crucial site for re-regulation since the 1990s and concluded that the local level and everyday life depict significant if not key sites at which hegemony is struggled over and where potential hegemonic projects need to pass the "trial of space" (Marchart 2007: 178; Kipfer 2008: 202; cf. Winter 2003), the notion of an explicit local hegemony is rarely elaborated (for exceptions, cf. Loopmans 2008; Rosol 2013). Dutch geographer Loopmans (2008) made a first proposal to conceptualize local hegemony by analyzing local strategies for urban development and ordering as central to stabilizing local hegemony. When Loopmans argues for perceiving gentrification not simply as a form of urban development, policing or welfare, but rather as a technique of power that aims to secure "both legitimacy with the wider public and co-

²⁴ Gramsci states that hegemonic rule presupposes compromises which are at once closely related to accumulation regimes but at the same time and - even more importantly- result and subject of political-ethical struggle:

„Undoubtedly the fact of hegemony presupposes that account be taken of the interests and the tendencies of the groups over which hegemony is to be exercised, and that a certain compromise equilibrium should be formed – in other words that the leading group should make sacrifices of an economic-corporate kind. But there is also no doubt that such sacrifices and such a compromise cannot touch the essential; for though hegemony is ethical-political, it must also be economic, must necessarily be based on the decisive function exercised by the leading group in the decisive nucleus of the economy" (Gramsci 1971: 373).

ordination of relevant actors within and without the state apparatus” (Loopmans 2008: 2501), he highlights that it is through the making of such local hegemonic projects that the central institutions of the local state and the state functions are reproduced.

In this sense, homeless management as a local hegemonic project seeks to establish a coherent and consensual policy response to homelessness, thereby re-establishing popular belief in the prevalent socio-spatial order as “right and proper” or at least preferable to any alternatives (Newman 2014). Within the process of socio-spatial ordering, homeless management can be imagined as one strategy that seeks to *(as)sort* the homeless into differently-produced spaces across the available territory (cf. Lefebvre 1991: 375, cf. interview Herbert)²⁵.

I argue that the main task for local hegemony is to establish a socio-spatial order capable of *sorting populations into clearly-bounded places*. In order to render this socio-spatial sorting hegemonic, these variable spaces of abeyance need to be secured as common sense, i.e. acceptable justifications and explanations for such places for the non-proprietary in proprietary space need to be devised. A preliminary definition of *local hegemony* would be that it is *the task of the local state to harmonize the contradictions and gaps between the different available strategies of punishing and regulating the homeless into a coherent form of homeless management that draws popular support, i.e. is followed by the homeless and accepted – if not supported – by actors in the local economy and civil society*.

It is characteristic for local hegemony that to establish a local consensus representing homelessness as, if not well managed, then at least as *manageable*, a wide range of spatial strategies are mobilized that relate to local knowledge and conditions as a history of struggles. Obviously, to stabilize a local hegemony, local actors draw on nationally-defined policy templates, although they need to adapt and transform them to make them work in everyday life. In mediating the abstract logics through urban space, rendering national hegemonic projects compatible to local conditions, local actors exhibit relative autonomy and deploy discretionary power, the scope of which needs to be specified empirically. As previously

²⁵ Prof. Steve Herbert provided inspiring feedback to grasp this heuristic for understanding spatialized poverty governance. The original inspiration refers to Lefebvre who noted how poverty is managed as problem of spaces and segregated in space:

„The space of this social practice becomes a space that sorts - a space that classifies in the service of a class. The strategy of classification distributes the various social strata and classes (other than the one that exercises hegemony) across the available territory, keeping them separate and prohibiting all contacts“ (Lefebvre 1991: 375).

discussed, at the local level the penal strategy of criminalization and the informal strategies of toleration complement the national hegemonic project of homeless assistance. Both the exclusion of the homeless from certain spaces and their relegation to spaces of abeyance with varying degrees of greyness are central to such a hegemonic leadership. In sum, these strategies produce spaces of abeyance and *local hegemony is stabilized when the problem of homelessness is neutralized, i.e. absorbed and managed in different spaces of abeyance.*

How to measure such local consensus as actively or passively established, to which degree such consensus integrates local actors or not, poses major methodological dilemmas. While Lefebvre offers a widened understanding of how hegemony works through space as territorial compromises, the questions of whether, how and when this homeless/ness management amounts to a form of rule that is hegemonic ultimately needs to be verified empirically (cf. Peck 2013).

Unpacking the (local) state: key lessons from debates about the “gov-complex”

The central actor here – as Lefebvre highlights – is the state. There is wide agreement that by codifying legal norms, property rules, procedures and controlling means of coercion, the state acts as a central “organizer” (Hall et al. 2013) and “designer” (Loïc Wacquant 2010) of socio-spatial ordering. In doing so, the state is assumed to decisively shape the common sense of hegemonic space, i.e. that it designs these spaces in ways that society perceives them as sufficiently justifiable. Nonetheless, while the functional necessity of the state is widely accepted (e.g. on the American state, cf. Hall et al. 2013:201) and scholars repeatedly refer to the state as *doing something*, this contradicts a shared understanding of (not only) state theoreticians that we cannot think of the state as a monolithic actor (cf. Clarke 2012; Jessop 1997; Wacquant 2009). Tackling the long line of critique that rejects conceptions of the state as neutral, contractual or mere handmaiden of the capitalist class, the *governmentality* and the *regulation approach* hold particular relevance as they have pointed to the more complex trajectories and workings of power in, through and beyond the state (cf. Fairbanks 2009; Uitermark 2005; Sum 2009).

Prioritizing different actors, institutions and scales, these approaches offer great merits to understand and examine power relations, yet there remains an unsatisfactory gap in explanatory reach between the high-flying macro analysis political-economic approaches of the regulation school and the low-flying micro perspectives generally more closely associated with governmentality approaches (Peck et al. 2010: 333). Much has been written on the

respective advantages and disadvantages (e.g. Wacquant 2012: 70²⁶; Uitermark 2005; Coulter/Schumann 2012²⁷): where Marxist approaches tend to be insensitive to detail, subjectivity and process, the governmentality approach tends to get lost in process. Addressing this gap and trying to overcome the mutual entrenchments where each academic camp blames the other for exaggerating and neglecting either the role of economic and political structures or the agency of subjects capable of developing different forms of calculation that shape policy, scholars have started to bring these approaches into conversation. For example, Bob Jessop's strategic relational approach offers more advanced theorizing of the dialectical, co-constitutive relation of strategies and structures (Jessop 1997), efforts such as "Gramscianizing Foucault" (Sum 2009)²⁸, or Uitermark's (2005) work are wedding governmentality and regulation school approaches to examine the genesis and evolution of local policy. Within these endeavors, Lefebvre's understanding of the state as working through abstract space provides an additional useful starting point to address the problematique of the state, which is not limited to government but includes all forms of

²⁶ "The trouble with the governmentality approach is that its working characterization of neoliberalism as 'governing through calculation' (Ong 2007: 4) is so devoid of specificity as to make it coeval with any minimally proficient regime or with the forces of rationalization and individuation characteristic of Western modernity in globo. Lastly, as technologies of conduct 'migrate' and 'mutate', neoliberalism is found to be everywhere and nowhere at the same time. It becomes all process and no contents; it resides in flowing form without substance, pattern or direction. In the end, then, the governmentality school gives us a conception of neoliberalism just as thin as that propounded by the economic orthodoxy it wishes to overturn" (Wacquant 2012: 70).

²⁷ Especially in the field of anthropology a growing movement to analyze government by transcending Foucauldian and Marxist approaches: "Foucault's relational, agent-centered, and negotiated approach to governmentality has proven invaluable to the anthropological study of power (Inda 2005; Miller and Rose 2008; Nadesan 2008; Redfield 2005). Yet it can also be said that governmentality offers only one perspective on the reproduction of hierarchy and difference through political institutions" (Coulter & Schumann 2012: 9). The authors therefore suggest: "Accordingly, governance is a process of rationalizing the inequality of class interests through legal-bureaucratic means that stabilize and protect capitalism's material relations of production and subsequent structured, systemic inequalities. Given the range of political ideologies and governing projects produced globally, we suggest that the functions of government are more diverse and complex than Marx's historical characterization. At the same time, expanding economic polarization and class inequities within and across borders emphasize the enduring relevance of Marxist critiques" (ibid.).

²⁸ In short, cultural political economy (CPE) seeks to "Gramscianize Foucault" by: "(1) using Gramsci (and neo-Gramscian work) as the lens for studying how hegemony is produced and reproduced in class-divided and otherwise inegalitarian social formations; (2) using Foucault (and neo-Foucauldian work) as an entry-point into the discursive aspects of subject formation and techniques of subjectivation; and (3) integrating these (neo-)Foucauldian insights into a broadly Gramscian approach whilst avoiding eclecticism through commensuration of their respective concepts for analyzing the discursive moments of social relations. This enables CPE to examine the relationship between the micro-dynamics of disciplinary-governmental power relations and their strategic codification to produce specific hegemonic effects at more encompassing levels of social reality (Sum 2004)". (Sum 2009). Specifically, CPE "conceptualizes hegemonic projects as efforts to produce and reproduce political, intellectual, moral, and self-leadership within specific populations in all their personal, institutional, and organizational complexities."(ibid.).

rationalized, calculating knowledge (cf. Brenner/Elden 2009: 359)²⁹. This relational understanding of the state as being socially-produced anticipates and directly addresses many of the concerns in the ongoing debate over the nature of the state.

These highly-sophisticated attempts at rapprochement notwithstanding, Fairbanks states that after roughly 30 years the “literatures on governmentality and regulation theory remain - to borrow a phrase from Clifford Geertz - theoretically muscle-bound yet empirically anemic” (Fairbanks 2009: 36). Thus, tackling the lack of empirical grounding (Uitermark 2005: 141) instead of delving deeper into this theoretical rapprochement, for my methodology I focus on *three key lessons for empirical research* that can be derived from these debates.

Interested in opening the black box of governing the local, I reviewed a broad literature from different disciplines such as political science, urban sociology and anthropology, concerned with examining how urban policy is generated and has evolved. This literature exhibits an increasing congruence between the methodological sensitivities where the tools of research are largely compatible despite their different ontological starting points (ibid.). While the following three lessons – (1) *a relational understanding of the state*, (2) *accounting for the contingent processes of governing but also* (3) *the seeking for coherence and consent* - may seem banal, these themes ignite recurring debates (cf. the engaged debate over Kevin Stenson’s article (2008)) and thus they present necessary foundations for a sufficiently sensitive analysis of local governing.

The first lesson is to think of the local state as relational. This means to account for the relative autonomy of the local state in relation to the scale and spatial variegation of uneven development. The co-constitution of urban policy on various scales and differences of places demands analysis where – as Uitermark in intentionally polemical fashion claims – “we indeed should start at the local level but [that] we simply should not keep stuck there” (Uitermark 2005: 141). How do local actors adapt policy templates but also experiment and thus generate new policy options? Furthermore, how do such local *crisis management solutions* relate to national policy?

²⁹ Cutting short the lengthy debates on what Lefebvre’s abstract space may entail, Elden and Brenner underline this is a political process where “abstract space is, in short, the political product of state spatial strategies—of administration, repression, domination and centralized power” (ibid:359).

The *second* lesson is to account for the processes through which actors are doing state. Addressing the rampant debates about what John Clarke calls the “gov-complex” where a wide range of concepts from *government* to *governance* and *governmentality* are put forward to better account for how governing the local works, Clarke criticizes that these terms are too firmly located in the respective academic camps and thus may constrain perceptions (Clarke 2012: 218f). He argues that with the concept of governance scholars try to capture the “fluidity and permeability” of power relations that are not limited to government, but they essentially try “too hard to displace the state in favor of a mixture of contracts, networks, and partnerships” (ibid.: 220). As discussions on “good governance” underline, talk of governance continues to emphasize the role of so-called quangos, while veering uneasily between description, explanation and normative standpoint (ibid.; cf. Newman 2014). In turn, while strong in examining the subject relations, the concept of governmentality tends to struggle to account for how the micro-dynamics of disciplinary-governmental power relations are strategically codified to produce specific hegemonic effects at more encompassing levels of social reality (cf. Sum 2009).

In order to overcome these limited notions and proceed in the analytical “bridging”, Clarke proposes the term *governing*, which *prioritizes the process* but encapsulates the key dimension of *persistent hierarchic power relations* and thus reminds us of the central role of government (Clarke 2012; Newman 2014³⁰). Coming to a similar conclusion Stone argues to attend more carefully to the process of governing the local:

“For city politics, I want to state the matter more forcefully by asserting that (...) governing is a process in which formal government plays a major (but sometimes less than defining) role; government is not a deeply autonomous force but one that operates as an institutional sector heavily infused by other sectors” (Stone 2013)

Clarke’s focus on *governing* follows a self-admittedly “idiosyncratic” approach to welfare and the state, drawing “on a strange array of analytical, empirical and theoretical resources garnered from diverse sources” (Clarke 2004: 2). Close to Foucault’s core thesis that governing needs to be understood as a flow of many directions, thinking of governing also

³⁰ Newman articulates a similarly strong skepticism as Clarke towards the recent proliferation of terms used to describe but actually serves to hide the changed role of the state: “My focus of analysis and critique is the tensions and contradictions produced as multiple regimes are aligned (or not) in particular sites. This critique leads me to a preference for the generic term ‘governing’ rather than ‘governance’: the latter, I suggest, unhelpfully elides description, explanation, and normative standpoint” (Newman 2014: 134).

embraces the duality of subjectivity and (sovereign) power, forms of self-governing and domination. In liberal societies, to understand power and domination it is paramount to examine how governing always includes acceptance of being governed, whereby hegemony theory conceptualizes the active consent of non-ruling classes. The focus on governing fits well into the proposed "theoretical ceasefire" where, rather than trying to fit the complexities of the world into one theoretical approach, "concrete analysis of concrete situations" is called for (Valverde 2010: 120)³¹. For instance, Valverde argues that critical analysis should not stop at detailing this and how many people are imprisoned or homeless, but rather should explain how such mass incarceration is reproduced. Here, the *social and institutional form of the state* come to the center of analysis: asking questions of *how* can reveal mutual dependencies and determinations that cannot be deducted from theorization alone (cf. *ibid.*).

As a *third* lesson, entirely consistently with the thesis of neoliberalization as process, the focus on governing demands re-questioning the failure or “‘success’ of governmental projects in practice” (Clarke 2012:219). I find the focus on the process and work of governing useful to elaborate the operationalization of hegemony to the local³². Importantly, Clarke argues that within these processes of governing a main characteristic is to (re)produce coherence:

“All of these ways of organizing governance are marked by paradoxical, if not contradictory, dynamics that derive in part from the processes of state authorization (and the ties of funding, strategic direction, accountability, responsibility, scrutiny that are involved in states’ attempts to manage this new landscape). For me, then, governing still implies forms of the state but points to the dispersed and diverse arrangements through which politics, projects and policies are turned into practice. Indeed, one key aspect of governing may be the effort to impose coherence on these diverse and dispersed apparatuses.” (Clarke 2012:220)

³¹ Commenting on Wacquant’s ‘Theoretical Coda’ to *Punishing the Poor*, Mariana Valverde proposes a “theoretical ceasefire” where we restrain from the usage of theoretical weapons such as “neoliberalism, state, bare life, governmentality, or globalization” and first try to come to an understanding of “what actually is going on in a large variety of places” (Valverde 2010: 120). I share her concern for a tendency in „Marxist style of thought” trying too hard and in vain to frame into a coherent structural order the much more complex forces of capital, gender, race. Yet, I part with her singular emphasis on the really “theoretically interesting questions” of how they are governed inside the prison (Valverde 2010: 108). After all both questions matter: how the poor are governed and how many are affected by such governing.

³² It needs to be acknowledged that in contrast to my reference to hegemony theories, Clarke opts for assemblage theory to examine further the work of governing the local.

Clarke underlines here that when studies of neoliberalization in urban governance highlight contingency and hybridity, they often leave open the question how the local is actually still governed within this panoply of failure and failing. Similarly, other scholars argue that analysis of neoliberalization needs to more carefully examine how regulatory failures tend to amount to a process of “failing forward”, which they suspect to be in fact constitutive of the process of neoliberal restructuring (Peck 2010; Peck et al. 2010).

Understanding governing as a contentious process where programs and policies are translated and transformed to be enacted, a never-complete process of re-articulated compromises, the hegemony perspective is helpful to capture the elements of consent and coherence sometimes lost but always aimed at within this fluidity and contingency.

To give one example for the relevance of these key lessons, in a much-discussed article Kevin Stenson concludes that local resistance to new community policing programs reveals the neoliberal, new right political project to be full of ambiguities and tensions of meaning and contested legitimacy (Stenson 2008)³³. This article triggered constructive and insightful rejoinders by Wendy Larner, John Clarke and Richard Fairbanks (Larner 2008; Clarke 2008; Fairbanks 2008)³⁴. Not questioning Stenson’s findings, Fairbanks nonetheless remains skeptical about the interpretation of resistance as an indicator of hegemonic breakdown. Instead, he suggests that we might have to look at how – on the grounds of unchanged race and class markers – these new forms of policing “amount to a new planned and multifaceted system of governance that transfers, sediments, and adapts vestigial practices (including cosmopolitan/universalistic values of human rights) into a highly localized geography of social governance” (Fairbanks 2008: 40). With a focus on governing, this strategic selectivity of the state – which Jessop conceptualized and Fairbanks alludes to – can be examined as inaction where the state’s “relevant ‘actions’ may in some cases include deliberate inaction,

³³ Stenson argues that “there is no mechanistic link between the nature of the local economic, demographic, and social patterns and diverse local political cultures, these filter perceptions of social problems, the local interpretation of central governmental policy, and local policy responses” (Stenson 2008: 9). His point is, that “local shifts in political coalitions, involving political negotiation, contingency, and chance, can make a significant difference” - an argument he substantiates in his case study on the implementation of community policing programs in the Thames Valley, UK, where he found that local agents have been able to “shield” local policing programs from neoliberal national imperatives pushed by the hegemonic right and managed to retain inclusive, cosmopolitan values that still guide some of the local policing practice there.

³⁴ These three highly sophisticated rejoinders exemplify one of the still rare moments when constructive academic debates find entry to the world of journals. Their debate offers deep insights into the current debate over the respective explanatory powers of governmentality approaches and political economy approaches to regional restructuring and respective conceptualizations of “rationalities” in the analysis of governing the local.

that is, non-enforcement of regulations or standing by passively in the face of outbreaks of disorder and violence” (Stone 2013). Therefore, I argue that with this additional sensitivity for coherence and – as I add – consent, the concept of governing may grasp well the real existing conditions of governing, and it depicts a useful element to enhance analysis of the struggle for local hegemony.

The local integral state

These lessons on the state as relational and the importance of process with contingency, coherence and consent can be integrated by transferring Gramsci’s concept of the integral state to the local, which provides a conceptual bracket to tie together the loose, multifaceted workings of the state in governing the local. The concept of the integral state thinks of the political society and civil society not as separate worlds but rather in a dialectical relationship, where civil society negotiates the content of what the state should do and what issues are to be resolved, whereas political society shapes this negotiation through establishing a *strategic selective terrain* that privileges some interests and claims over others, e.g. through law. This concept of the integral state allows us to liberate state actors from pre-conceived notions – such as Wacquant’s differentiation of a “left” and a “right” hand of the state (Wacquant 2012: 74) – that (not only) since the advent of the post-welfare state seem outdated as they tend to obscure the (historical and present) complexity of state action. When – as the “gov-complex” debates underline – we accept that the boundaries between state and civil society are less clear and blurred, the state obviously needs to be seen as doing more than two things, being “more kali-esque with having many hands doing different things” (Clarke 2012: 220).

The notion of the *integral state thus captures well the historical shift under neoliberalization, where civil society is commissioned to organize social and economic problems while adhering to market logics*. Peck argued over a decade ago that since the erosion of the historically- and geographically-specific form of Keynesian statecraft, “new institutional and regulatory landscapes are created which animated by distinctively new functional logics and political imperatives” (Peck 2003: 222). However, while this shift is comprehensively described as central feature of post-Fordism, “the question of how these market transformations are legitimized, internalized, or even resisted within the larger population leaves room for additional scrutiny and theorization” (Perkins 2011: 560). Where hegemony is recurrently invoked, especially political-economic approaches lack “any clear sense of how consent is actually secured, or any convincing account of how hegemonic projects are

anchored at the level of everyday life, other than implying that this works by “getting at” people in some way or other” (Barnett in Perkins 2011: 560). How these new forms of statecraft actually fulfill regulatory functions remains to be fully understood (cf. Peck 2003: 222). Hence, I follow Fairbanks' call for closer analysis of “what the state might actually be doing to transform and extend its regulatory power” (Fairbanks 2009: 18) while aiming at consent and coherence. Mobilizing the concept of the integral state for governing the local as a process, my methodology seeks to address these open questions.

Crucially, *the concept of the integral state points to the role of coherence and consent while not abandoning the salient role of coercion* (cf. Hall et al. 2013; Marchart 2007; Laclau/Mouffe 2001; Davies 2014). The lens of hegemony compels the analysis to examine the ways in which regulatory experiments seek to achieve coherence and consent. This means taking seriously the ways in which the state at all scales makes promises to shelter and care for the poor. Nonetheless, the fabrication of consent and coherence cannot be achieved by government alone, as both concepts of governance and governmentality underline. Crucially, the fuller body of civil society is involved in this work of governing to fulfill this function: various policies inscribe “expectations, orientations and obligations” that are translated in often transformative ways into guidelines and schemas (cf. Clarke 2012: 210). Clarke comprises this work of governing as the labor it takes for “enacting government” in everyday practices in specific locations (ibid.). In order to prevent the analytic short circuits suggested by idealized (welfare) state accounts and generalized accounts of neoliberalization, for analyzing local policy change as a hegemonic struggle, this work of governing is crucial to note because “in analyzing political programs, ideological schemes or governmental strategies we need not to mistake the fantastic projections of those who would rule for their real effects” (Clarke 2012:209). Conversely, it is true that “we cannot really zoom into the everyday life practices without taking them as interrelated to the (political) programs” (Kessl/Kutscher 2008: 34).

Political rationalities to govern are elaborated through hegemonic struggle and enmesh with rationalities to govern the self, whereby this dialectic can be tackled by examining the work of governing at the local and everyday life frontlines of governing where political agendas and imperatives are translated into concrete practices. However, how can we understand the actions and decisions of “frontline” workers of survival, care and regulation in the local state? Moving beyond the dichotomies of co-optation and autonomy, we can assume that these actors – while working under conditions of unresolved tensions – have some agency and

discretionary power to adapt and cope, thus shaping the work of homeless management. Highlighting the essential work of governing, Clarke explains that coherence and – arguably – consent require continuous efforts where the work of governing includes different sorts of labor from “mobilizing or articulating political blocs” to becoming dominant or even hegemonic, which is to “inspire confidence, belief and support” (Clarke 2012: 209f). Here, Clarke’s term “articulation” refers directly to post-structuralist concepts of discourse and hegemony theories that focus on the process of articulating claims into discursive chains of equivalence to either connect or disconnect social forces (cf. Dzudzek et al. 2012; Howarth 2010).

The need to focus on the work of governing by local actors – i.e. how they adapt and enact policies, as well as what they consider necessary and irresistible – is highlighted by Steve Herbert. His account of an interview with a local council member is exemplary for the messiness of empirical realities:

“Beyond his inability to substantiate any claims that disorder is increasing, the Council member’s stance finds him taking the too-easy path toward criminalization. Even as he embraces programs that deliver assistance [to homeless individuals], he finds the urge to punish politically irresistible. The proper balance between these two impulses remains elusive, for him and for too many others.” (Herbert 2010: 261)

Recalling the previous discussion (chapter II), this quote illustrates that while the penal project certainly exhibits substantial “performative” power, it is rarely the only approach taken. Where, acknowledging the broad acceptance of the monopoly of coercion held by the state, Stuart Hall ventures as far as arguing that the liberal state is hegemonic (Hall et al. 2013), this quote indicates that this hegemony is struggled for. Gramsci’s integral state allows grasping both the intractability of coercion and the expansion of non-coercive power techniques not as binary but rather as co-dependent (cf. Davies 2014). How this “necessary” measure of coercion is defined, how it is rendered acceptable by a variably calibrated “balance”, remains to be examined empirically through the *struggle of differently-situated actors in the integral state*.

Underlining the relevance of consent and coherence for governing, this methodological approach also opens a different way for assessing the “powers of the weak” (Scott 1985). Situated in a hegemonic struggle, the homeless may be limited in their capacity to change the hegemonic relations, although they can claim the realization of hegemonic promises. Such

claiming – as Scott elaborated – can be a de-stabilizing element and alter social relations providing tangible improvements for the homeless poor. This involves examining how subaltern actors are not only marginalized in the process of policy setting, but also how they shape the process of policy implementation. For instance, when Hall and others highlight that the legal re-ordering of space is crucially instrumental for reproducing hegemonic relations due to its appeal to universalistic and equal treatment that seem impartial and objective, they suggest that legal re-ordering precludes possibilities for bottom-up claims. Nonetheless, I argue that we should not pre-emptively preclude such possibilities and instead examine how the practices and claims of marginalized actors also actively co-determine policy outcomes to specify the conditions under which legal re-ordering can open up new spaces of possibility (cf. Proudfoot/McCann 2008).³⁵

Focusing on the integral state at the local level involves prioritizing a *meso-level* where the urban mediates everyday life and abstract space, the scales of micro-politics and macro-politics. It is thus an attempt to do justice to the “multi-scalar origins” of urban policy (Uitermark 2005: 238), which is not determined by national policy and the macro-dynamics of restructuring but certainly influenced by them, nor is it simply the expression of local power struggles over defining what should be done. The focus on the local integral state allows to discern the levels of local discretion actually available to local policy-makers, to specify how responsive they are to local actors and structural demands, respectively. Moreover, importantly, this involves specifying precisely where and when policy templates derived from a national hegemonic project no longer suffice and are re-articulated and complemented or transformed locally. I thus focus my research on the struggles in the local integral state to examine how civil society actors and political society actors together shape homeless management.

To summarize, my aim is not to provide a theory of “the state” but rather to develop an adequate methodology to address the problematique of the state (cf. Uitermark 2005: 148; Jessop 1997). Given that the state cannot be pinned down to programs or strategies, we can

³⁵ The lesson from these studies is that to understand contemporary urban development we can't assume any fully „sedimented and completed project“ but have to attune to the contingency of local development dynamics and regulatory practices. Importantly, these studies demand due focus on the micro, meso and macro levels, the scales of urbanization. With focus on street-level management, Proudfoot and McCann argue, to avoid the over-generalized accounts of omnipresent neoliberalism but also the excessively concrete analysis of contingent neoliberal strategies, „the „most useful work seeks to hold these poles and their interconnections in simultaneous focus“ (Proudfoot/McCann 2008: 364).

only closely examine what the state does in terms of regulating, punishing and disciplining, to subsequently deduce a conclusion of what the current state of the state is. For this purpose, I attend to the frontlines of policy-making at the local level, where I examine the work of governing in the integral state via local policy-making processes for legal camping.

Conceptualizing homeless camps: hegemonic challenge and tool to re-stabilize local hegemony

Homeless camps are both a challenge and a partial solution to the hegemony of homeless/ness management aiming at neutralizing homelessness. While legal camps may expand regulatory reach by enabling more effective policing and more humane and cost-efficient sheltering, they also respond to claims that other existing state responses are insufficient. When Neil Donovan – executive director for the National Coalition for the Homeless – claims that tent cities are “de facto waiting rooms for affordable and accessible housing”, he highlights that such camp sites have now become the best alternative for a growing population because the market fails them and government lets them wait indefinitely (National Coalition for the Homeless 2010). The sanctioning of homeless camps thus marks not only a deviation from the routine where repression is suspended but also that some government responsibility is accepted where the state provides some minimal support to the homeless poor.

A quick glance into US history illustrates that such a shift can amount to a hegemonic crisis and proves potentially transformative: in both the 1930s and 1980s, the emergence of mass encampments challenged common sense, stirred up political debate regarding the role of the state and triggered significant changes in welfare (Willse 2010a). While the “Hooverilles” of the 1930s ushered in the “New Deal” as a new hegemonic project of Keynesian welfare, the “Reaganvilles” of the 1980s led to the emergence of the neoliberal paternalistic project of homeless management. In this historical lineage, the struggles over contemporary camps (dubbed also “Obamavilles” by some) illustrate that the question of categorizing and subordinating the homeless is far from stable or complete: when camps are sanctioned, a new category of the homeless poor and a new form of management is negotiated. Indeed, this has – according to my assumption – implications for the larger set of existing categories and spaces that guide neoliberal paternalistic homeless management as a hegemonic project to deal with homelessness. Theoretically, such a new socio-spatial fix thus implies a re-articulation of hegemonic power relations where both the socio-spatial management of the homeless and the underlying premise of the homeless as pathological are re-articulated.

How then can we examine the local policy change and the new policy of homeless camping in relation to hegemony? This means coming to terms with the central finding that hegemony is always incomplete:

“No project achieves a position of permanent ‘hegemony’: it is a process, not a state of being. No victories are final. Hegemony has constantly to be ‘worked on’, maintained, renewed, and revised. Excluded social forces, whose consent has not been won, whose interests have not been taken into account, form the basis of counter movements, resistance, alternative strategies, and visions . . . and the struggle over a hegemonic system starts anew. They constitute what Raymond Williams called ‘the emergent’ – and the reason why history is never closed but maintains an open horizon towards the future.” (Hall 2011: 727f)

This claim for a continuous political struggle for hegemony is not to be taken too lightly. As any hegemonic claim is constantly challenged, the fundamental temporality of any local policy thus needs to be underlined. The concept of hegemony certainly “provokes muddled thinking” (ibid.) as it demands thinking together the durability and the negotiability of social relations. Hegemony provides one fruitful way to think of this contingency and the path-dependent structuring of social relations. Stressing this dynamic, hegemony – as Jens Winter succinctly described it – needs to be understood as a *temporarily stabilized terrain of dealing with social problems* (Winter 2003).

As we constantly live in hegemonic constellations that describe the rules and norms of a way of life that we follow and practice in common, the notion of *counter hegemony* should not be equated with no hegemony (as claimed by anarchist thinking). Instead, in this understanding counter hegemony describes shifts in hegemonic constellations. This “problematic nature of social change – problematic in the sense that transitions are always partial, provisional and characterized by countertrends rather than fully established” (Uitermark 2005: 148) – needs to be fully accounted for in concrete empirical research of local policy change.

Permanent and regulated homeless camps certainly cannot be conceptualized as counter hegemony but rather as a *challenge to hegemonic relations*: such camps raise contrasting specters of social denial and ignorance to survival in camps vs. a post-welfare mechanism of relief that institutionalizes and normalizes substandard shelters vs. a right to space claimed by the non-propertyed, which trumps orders of property and planning. Veering between values that are difficult to weigh such as decency, autonomy and order, my conceptual conclusion is to examine precisely this process.

Combining Howarth (2009) and Uitermark (2005), I use hegemonic theory to approximate in an analytical back-and-forth movement the nexus of space-hegemony-state as a constant attempt to re-stabilize the systemic contradictions of capitalist societies, by fixing meaning in and through space as a process of creative destruction. Assuming that the deliberation of the policy of homeless camping implies that hegemonic relations are challenged, re-articulated and flexibilized, concrete policy change is examined in two steps regarding the two processes of (1) challenging and de-stabilizing hegemony, as well as (2) maintaining and re-stabilizing hegemony as a form of rule. Following Howarth (2009), Newman (2014) and Uitermark (2005), this analytical differentiation of two closely-interrelated processes is appropriate to grasp the complex “dynamics of coercion, consent and resistance that constitute any hegemonic configuration” and hence unveil the *dual face of hegemony* that comprises two distinct phases (Newman 2014:136).³⁶

The *first phase* of hegemony is the process of making and breaking hegemonic alliances that seek to re-articulate disparate meanings into a new hegemonic common sense. It is characteristic for hegemonic constellations that dominant actors seek to define crisis as problems to be dealt with *in* existing frameworks, i.e. without re-questioning the hegemonic relations, thus preventing crisis from becoming a problem *of* hegemony (which would be an *organic* crisis) (cf. Wullweber 2010: 16)³⁷. When public debate over camps arises, this capability to justify and explain the problem of unsheltered people is apparently compromised. The first step for analysis is thus to examine who are the actors of political projects and how claims for homeless camping as a necessary alternative are not only articulated by the homeless but also taken up by other political actors to determine the power relations in the integral state and the relative stability of given hegemonic relations. The definition of the problem is to be examined as a creative and collaborative act (cf. Howarth

³⁶ These two phases or faces of hegemony are useful to examine empirically the "dynamics of coercion, consent and resistance that constitute any hegemonic configuration". They allow to see "the ways in which alternative, even counter-hegemonic, forces can become inscribed in dominant political projects: that is, how social movements may simultaneously generate oppositional projects and become incorporated into dominant forms of rule. However current cycles of protest and dissent show the eruption of new forms of activism alongside the continued significance of older social movements. That is, the present hegemonic struggles take place in a landscape traversed by dominant, residual, and emergent political projects (see Williams 1977)" (Newman 2014: 136).

³⁷ Wullweber differentiates „If the crisis can be interpreted as a crisis in the existing economic order, then minor reforms and a passive revolution will first be attempted to re-regularize that order. If this fails and/or if the crisis is already interpreted initially as a crisis of the existing economic order, a discursive space is opened to explore more radical changes“ (ibid.). He, thus, opens crucial questions about whether hegemonic crises open up options for radical change, and how they are stabilized or not, and what is considered successful stabilization.

2009): in order to achieve the politicization of a given socio-spatial order, the presence of camps needs to be reframed from posing a problem (camps are not a crisis per se, but only when they are framed and accepted as a crisis of something) to the “articulation” of a hegemonic claim proposing an alternative approach that resonates with the beliefs and interests of other actors in the local state.

Where Blau already identified the shifting composition of “local alliances” (1992) as primary determinants for the wide variation of local homeless services, I wish to devote additional attention to the conditions and the political negotiation necessary to bring a topic into political debate. Asking how the policy of camping enters the political negotiation, who supports or rejects the policy of camping why and how involves identifying those groups and actors for whom the hegemonic narratives do not work and how they think and claim alternatives. How the policy of legal camps becomes a political subject of debate is not sufficiently explained by the assumption of a strategic neoliberal usefulness or an “urge to care” or the resistance of homeless movements.

The making of such a new “state space” involves “diverse actors, organizations, and alliances [that] promote competing hegemonic visions, restructuring strategies, and developmental models” (Brenner/Theodore 2002: 356). The political debate concerning whether camps are a problem or a partial solution underlines that imperatives identified by macro political-economic analysis such as the austerity dogma are not simply implemented but that there is a process of adaptation, transformation and negotiation where claims are articulated that aim to win the hearts of people or at least their acceptance. With this theoretically informed analysis of local policy struggle, or the politics of policy, I should be able to “offer an eye for the unfinished and differentiated, as well as the contextually specific ways in which processes of “neoliberalization” must always forge alliances on the ground (Peck and Tickell, 2002)” (Fairbanks 2012: 545).

The *second phase* of hegemony refers to the translation from the politicization and struggle of competing hegemonic claims into a compromise that takes the concrete form of policy. Whereas the first phase of hegemony is characterized by the process of making and breaking of hegemonic alliances and projects, the second phase of hegemony presents itself as the form of governing that seeks to maintain the social relations and policies formed by such forces (cf. Howarth 2009:310, see also – albeit without explicit reference to hegemony – Uitermark 2005: 146). Here then, close attention is called to the processes by which the policy of

camping is rendered compatible or rejected as incompatible with the existing sedimented meaning, e.g. legal and spatial orders. Any change of neoliberal-paternalist homeless management means changing the inherited landscapes of institutional responses and thus affects the expectations and imaginaries that these nurture and maintain. What then matters for a hegemonic claim to become effective? How does the selective integration and transformation of homeless camping as a new state space balance the claims for survival and the strategies of control? Public articulation of critique and the recognition of alternatives clearly does not translate directly into policy implementation, whereby the more or less silent and salient works of bureaucracy as a stabilizer of given orders require attention.

Together, the two phases call for analytical attention to (1) the political struggle of actors and alliances who articulate new hegemonic claims and projects to win the hearts and minds of others and thereby forge new *common sense*, as well as (2) the various techniques and policies that aim to stabilize given orders: aiming to “secure the consent of subjects”, new demands are institutionalized highly selectively to prevent further challenges (Howarth 2009: 310). Differentiating these two steps of analysis of policy change promises to better explain the frequently-evoked process of policy experimentation. From regulation scholars, we know that the current conjuncture is best described as a sustained “period of institutional searching and regulatory experimentation” to find a “new institutional fix” (Brenner/Theodore 2002: 356). However, in actual analysis, Uitermark objects that “such experimentation and the strategies of actors that underpin them receive little attention” (Uitermark 2005: 148).

Where studies often highlight that existing hegemonic meanings and institutions are destroyed, less attention is devoted to how specific local knowledge is integrated and how this integration inevitably results in a partial “reworking of inherited institutional landscapes” (Brenner/Theodore 2002: 356) where competing claims produce new discursive and territorial compromises. When the *policy of homeless camping is well understood as a regulatory experimentation* to establish a local “*self-help fix*” capable of harnessing the benefits of containing the homeless in more humane and cost-efficient ways, the complex “techniques and tactics” that calibrate adequacy, efficiency and legitimation in the locally-specific path-dependent institutionalized field need to be examined.

Recalling the claim of the integral state as a dialectic and co-dependent relation, this means asking how local actors influence the implementation of policy and how in turn the logics of these institutions shape the demands and claims articulated by diverse actors. Such an

approach comes close to examining the state as a social relation (cf. Jessop 1997): when we assume the state working towards coherence and unity (hegemony), we need to analyze concrete policy-making as a process where social forces adapt their claims to the structural selectivity of the state and vice versa.

Grasping the political: the discursive constructedness of social actors and political struggles

A final remark is called for to clarify how this methodological approach relates to the salient controversy over research approaches relying on discourse analysis vs. materialist analysis. In order to pursue such an approach that is sensitive to various local state actors including the subaltern co-determining local hegemonic struggle and concrete policy-making, my methodology draws from the post-structuralist understanding elaborated in theories of discourse and hegemony (Laclau/Mouffe 2001; Dzudzek et al. 2012). Distinct from presumably classical readings of Gramsci – that reduce the struggle over hegemony to class struggle – I appropriate this understanding of Gramscian thought to analyze society as a discursive construction. Discursive construction states that all subjectivities and thus their meanings are not pre-determined (by e.g. class position) but produced relationally through a process of articulation.

Arguing that the world is constituted discursively produces recurrent misunderstandings, and there remains considerable controversy over the adequacy of critical theory that reduces the world to mere text. For instance, Kipfer takes issue with the underlying ontology of linguists, which traces the making of any socio-political meaning back to the definition of antagonistic differences such as white-black or we-them. He rejects such thinking as overly voluntaristic because it ignores the materiality of existing structures that severely limit the possibilities of meaning, which linguists in turn assume to be contingent in principle (Uitermark 2005: 147, cf. Kipfer 2008).

Acknowledging this critique, I choose to follow for my approach – which aims to examine the political struggle over meaning via two faces of de- and re-stabilizing hegemony (cf. Uitermark 2005: 140) – a middle path proposed by a recent strand of post-structuralist thinkers. They claim that structures are persistent and durable yet in principle changeable as no meaning can be fixed permanently. Furthermore, as Wullweber (2010: 100) explains succinctly, discursive constitution necessarily includes materialities. He and other scholars of discursive hegemony have repeatedly sought to clarify that (a) the focus on discursive

constitution does not mean a radical de-constructivism (in contrast to the argument that there is no objective world, as some post-structuralist discourse theory argues), (b) nor does it mean that meaning can be constructed at random and at will (they highlight here contingency, which does not mean random but rather that the theoretically-contingent meanings are path dependent, which means – I want to add – that they are specific to time and space) or (c) that discursive relations exclude or ignore material relations because the latter describe routine and patterns of interaction of subjects and things in time and space, which are the foundation for specific material relations. Any material formation is based on repetition of routines and such routines require precisely a mutually-established discursive understanding and shared meaning (cf. Wullweber 2010: 100). In this sense, the social production of space and state is inherently also a discursive construction. To illustrate this point, Howarth – who otherwise eschews talking of the state – explains that:

“Institutions like states, markets or governance networks can be conceptualized as more or less sedimented systems of discourse, that is, partially fixed systems of rules, norms, resources, practices and subjectivities that are linked together in particular ways.” (Howarth 2009: 312)

My approach focuses on the struggle of local state actors over meaning and inquires into their actions and strategies of governing to produce hegemonic meaning. When we think everything as socially constructed, then political struggle is theoretically possible at all levels, which leads critical analysis to discern why and how specific relations remain so difficult to politicize (Wullweber 2010: 107)?³⁸ The significance of the camps debate is that it renders a largely de-politicized institutionalized form of homeless management political. Where new actors enter the debate by putting forward different ways of diagnosing the pathology of social problems and negotiate again the norms of responses by questioning what is adequate

³⁸ My understanding of articulation draws here from post-structuralist thinking which postulates that social identities, meaning, and social praxis can't be reduced or traced back to a primary instance (e.g. class relations) but need to be understood as fundamentally relational. Meaning and identity are not pre--given or dictated by relations of production but emerge and are constituted through a praxis where meaning is established in relation to other elements and practices. As such, discourse is not the mirror or a representation of reality but produces reality (cf. Vey 2015, Wullweber 2012). This thinking is crucial as it allows to consider how social identities are never pure or permanent but rather always only temporarily stabilized as multiple interests and identities intersect within any subject. Such an understanding allows to realize how subjects are always multiply constituted and entirely contradictory subjects (white, gay, racist, worker...) who therefore can relate to hegemonic claims in quite different and contradictory ways. Such an understanding is further political-theoretically useful as the deconstruction of the constitution of specific identities and discourses unveils a wider scope of political possibilities and capacity for action.

and necessary, they thus challenge existing hegemonic relations and may contribute to shifts within the existing hegemonic constellation.

Fundamentally, welfare restructuring and local re-regulation are not simply a process of finding more effective forms of governing specific problems, but rather they are always also a political process of hegemonic struggle. When Wacquant notes that “the shifting dosage and aim of socialization, medicalization, and penalization are political in that they result from choices that engage the conception that we have of life in common”, he captures well the “doubly political” where policy is (1) the result of political struggle between discernable actors but (2) also political in the sense that it is about reproducing a specific social order. The local struggle over camps allows us to identify how the “choice” of a specific “dosage” is negotiated and not simply imposed by structural constraints: governing is neither the “product of some mysterious systemic imperative” nor an “irresistible functional necessity” (Wacquant 2009).

Unfortunately, though adamant in rejecting tendencies toward functionalistic closure, Wacquant does not fulfill his promises. While he claims that poverty governance needs to be understood as the contingent result of (historical) political struggle in the bureaucratic field over “the responsibilities and modalities of operation of public authority”, this promise to account for political struggle remains restricted to the introduction and conclusion of his seminal work on advanced urban marginality (Wacquant 2009a: xix–xx, 67–9, 312–13). The bulk of his work is surprisingly devoid of social conflicts in and over the state, whereby he reifies the irresistible rise of a popular belief that “police and carceral management is the optimal remedy, the royal road to the restoration of sociomoral order in the city” (Wacquant 2006: xxii) rather than explaining it as a result of struggle. In turn, the post-punitive approach exhibits an even weaker conceptualization of the political: here the local state is sketched as a well-intended organization where policy-makers seek to provide support and care (May/Cloke 2013: 903), but which finds itself limited by “factual constraints” where then “given such constraints, the local state does not set out to be revanchist out of spite, but rather out of necessity” (DeVerteuil 2006: 119; cf. DeVerteuil et al. 2009: 651).

Towards a conjunctural analysis of the political in local struggle

Dissatisfied with overly-generalized accounts of *the political*, my research follows Janet Newman’s call for “conjunctural analysis” (2014). The focus is on *how exactly at given historical moments hegemony falters* and loses its capacity to produce a coherent narrative of

the present as inevitable, natural or even desirable. Within the unresolved question of how fully or incoherently neoliberalization (and how penal paternalist or neoliberal it is) gained hegemony, the more interesting question is to clarify how specific policy changes are justified, i.e. which claims determine success or failure. Identifying the ways in which the vocabulary of justification changes – how claims for decency, autonomy, justice, social needs, etc. are processed in policy discourse – opens a way for identifying how hegemony is currently stabilized and how it is challenged.

When we assume that the ascent of the policy option of regulating rather than repressing camps speaks to the survival of certain popular beliefs in social welfare as state responsibility (provide shelter) and claims for neoliberal promises of autonomy and self-determination, then the interesting question is how political discourse and concrete forms of policy-making draw on and speak to such popular common sense (cf. Newman 2014: 144).

Focusing on the political struggle over problematizing homelessness and defining adequate responses allows us to counter the latent *post-politics* thesis that lurks in much of the debate regarding the shadow state as well as the punitive and revanchist city. In sharp contrast to the calls for more participation and greater democracy that are prominent especially at the local level, the post-politics thesis identifies a tendency where cities become less democratic as citizens have less ability to influence urban policy. Sparks shows how particularly the homeless are excluded from policy-making and – even further – how their ability to participate as full and active citizens is limited (Sparks 2011:1).

My methodology aims at a more nuanced perspective, highlighting how the homeless can co-shape the geographies of homelessness and even have an influence on policy-making to meet their needs. When we then understand the integral state as a social relation where political society always reacts to changes in civil society while at the same time seeking to influence civil society, this process can be broken down to concrete individual actors in the local state (Uitermark 2005). Being aware of the dangers associated with over-estimating the scope of deliberation and the agency of specific actors, the opposite is also true. Uitermark highlights the “real danger that changes are ‘read off’ from general accounts of social change, which would limit the understanding of causalities and micro-processes underlying large-scale trends” (ibid.: 148). Similarly, in line with Foucault’s dictum that power works through dispositives, I do not assume that specific ideologies (e.g. the pathologic homeless) and strategies (e.g. criminalizing, sheltering, rehabilitating the homeless) are deducible to the

intentional or strategic deliberation of individual actors, or that they are identifiable in specific institutions. However, what my analysis can and needs to examine is how specific and identifiable actors at the local level take up such ideologies and strategies, how they adapt them to promote specific interests and thus articulate them as stakes in local political struggle (cf. *ibid.*: 141).

In this sense, Uitermark proposes a concrete analysis of local governing “that the actions of state actors should be explained as the result of the creative and generative response of actors to the institutional context in which they operate and their inherently troublesome relation to the entities they govern” (*ibid.*: 142). While I would confirm Sparks' salient argument that the paradigm of propertied citizenship that relies on the pathologic homeless as its other marks the limit of liberal state reason (Sparks 2008) regarding federal policy, my research examines how this is struggled over locally. In order to explain the emergence and persistence of legal camp policy, what is called for is to not preordain normative claims such as “care” or even “sustenance”, but rather to examine how such values are articulated in specific ways: what is considered proper or adequate “care” and what is considered inhumane or more dignified “survival” depends on political actors in the local state.

Chapter IV: Research design

1. Introduction

This work comprises a comparative case study approach of qualitative social research that aims to more adequately document how homeless camps are governed locally; explaining why legalized camps have not been further replicated in recent years while the crisis of shelter intensifies. Therefore, the argument embraces questions centered around minimum decency and autonomy for managing shelter needs, in the light of shifting notions of what sort of homeless management is *legitimate* and *legal*.

In order to achieve this dual ambition, I developed a specific research design that will be presented in this chapter. I show (1) how I developed my research question, (2) describe which cases I selected for comparison and why, (3) how I approach critical policy analysis (i.e. process-tracing, researching critical cases, searching for a paradigmatic shift), and (4) which methods I used to examine the empirical cases (i.e. interviews, document analysis, participatory observation/ embedded research, not ethnography). In conclusion (5), I discuss my role as a researcher.

These sections thus describe the data that I gathered to account for the policy-making process in three cities and the mix of methods that I use to *trace the process of policy struggle* in the local integral state in Ontario (CA), Fresno (CA) and Seattle (WA). By bringing the case studies into conversation with each other and relating them to data generated from further cities – particularly Sacramento (CA) – the aim is to identify shared patterns that reveal how these local regulatory experiments relate to national policy and more general trends in urban and welfare restructuring.

As I will show in the next chapters (chapters V, VI and VII), each local struggle for a hegemonic order of propertied citizenship thus speaks to the ways in which the larger problem of housing insecurity is re-framed and managed in the current period, as well as highlighting which role penal, welfare and informal modes of governing and survival play in this process.

Developing the research question

Having outlined three heterodox perspectives (activist struggles for the right to housing, welfare and poverty governance, urban informality) that guide my analytical approach, it needs to be stressed that merging them into a coherent research design proved to be complex

indeed. During the course of this research, more than once I was compelled to re-focus my research question. To give but one example of how my research focus shifted and sharpened, I want to explain why I revised my aim to generate research that can be used by activists and is suitable for policy recommendations. Initially, my aim was to address the multiple stereotypes, misrepresentations and blind spots in the existing debates on camps. As these discourses are dominated by stories of chaos, blight and crime – ultimately suggesting un-governability – I wanted to produce knowledge to counter such all-too-simple justifications for neglective and repressive state interventions. For this purpose, I examined how local governments deal with camps and contrasted them with comparable and historical forms of state regulation to suggest possible and improved policy responses. I explicitly linked the camps to research on urban informalities, planning and housing rights. No research of this kind existed when I started. In 2011, however, legal scholar Loftus-Farren published an excellent article that in many ways closed this research gap. In her article, Loftus-Farren (2011) compiles exactly such a critical literature review that is well suited to meet the demand for knowledge that is both scientific and policy-relevant. After this publication, I revised my plans to create a more comprehensive survey of existing local forms of camps' regulation based on empirical research. At this point, I decided to focus on the gap that remains between the legally possible – which activist scholarship may highlight – and the scope for municipal policy as it is actually perceived and enacted as politically necessary by local state actors.

While critical geographers tend to produce radical demands for more responsive and just local policy, they tend to underrate the dynamics of local *realpolitik*. On the other hand, planners and legal scholars tend to underrate the fuller scope of politics, especially the role of urban social movements and the degree to which informal arrangements prevail that contradict norms and regulations. In any case, advocacy research may well expose and map the field of possibility, but it struggles to explain it. Therefore, I decided to deepen my case study analysis to examine the question of what is happening more in depth, i.e. to explain how and why camps are dealt with locally as a problem rather than a solution. Such an approach met my ambition to better explain the political of space – being produced locally – while also producing knowledge that supports the claims for safety, decency and autonomy that homeless campers insert into this struggle.

Hence, by translating the larger problematique of poverty being governed through space, my research focuses on the specific research question:

How do homeless camps transform from an indicator of crisis and manifestation of desperate and direct self-help for housing to a strategy for homeless management that becomes useful to neutralize homelessness again?

This research question includes several follow-up questions that address central characteristics of the current state of capitalism's survival: how spatializing poverty serves to normalize poverty, i.e. how the designation of specific poor spaces for the poor to self-house in substandard conditions allows rendering housing insecurity governable in consented ways. What difference does local hegemony make for paternalistic care vs. coercion? What are legal limits? What are limits of legitimacy? And finally, to what extent can we identify a paradigmatic shift with respect to autonomous self-help and decent shelter?

Centering on this process of lowering housing standards and societal expectations on human decency, the research question embraces the attempts of those without shelter to produce "as much home as possible" (Sparks 2008) and examines how such articulations of fundamental human needs are articulated and processed today. I want to take seriously the political sphere where opposing claims and logics compete and thus tease out how grassroots needs and claims for shelter are not simply ignored but rather integrated selectively and managed to better grasp how social suffering is managed to persist without greater conflict.

While my research focuses on this research question, I want to acknowledge that my previous halted or deflected analytical inquiries have not been futile or lost as – overall – these variegated approaches to the field certainly inform my research. Several chapters of this work have been inspired and substantiated by these heterodox rapprochements. For instance, the phenomenological approach to shelter regulation informs my chapter VI.: understanding camps as places of simple and congregate shelter, I started to compare the current governing of camps to the historical and current regulations that state bodies apply to govern similar forms of shelter, such as camp grounds, emergency camps, migrant worker housing, colonias and tiny houses. This approach revealed a history of poor people's struggles where each regulation is closely related to protest and conflict. Although these explorations did not culminate in the aspired genealogy of poor housing in the US – which traces the shifting forms of housing's bottom segment between self-help, market integration, welfare state substitutes and political-legal marginalization – they provide the basis for my argument about inevitable illegality where the managed persistence of informal housing depicts a central but under-researched feature of capitalist housing provision as housing insecurity.

2. Case study selection

Comparative studies in combination with case studies mark a highly popular methodological approach in qualitative social sciences and urban studies; where comparisons are drawn between various socio-spatial patterns and processes across different cities and neighborhoods, and often across national boundaries. Several scholars have recently sought to further push the debate on comparative urbanism: Roy (2003), Robinson (2011 and 2016), McFarlane (2010; McFarlane/Robinson 2012) and others call for transnational comparison to unchain comparative urban analysis from overly-rigid and stifling conventional methodological requirements. My comparison draws on this impulse: rather than simply comparing how and why certain policies or processes of social inequality play out differently or similarly, converge or diverge in more or less comparable cities, the comparative gesture of politics and conditions of political claim-making and the techniques of governing social poverty via either punishment or welfare aims at expanding imagination, deepening critical knowledge to critical knowledge.

Although in favor of a transnational comparative framework that builds on my previous research on informal wagon dwellers in Germany (Lutz 2008 and 2015) two reasons determined my choice to focus on the national context of the US: first, pragmatic reasons of time, workload and feasibility; and second – more importantly – considering the under-researched nature of homeless camps, the wider context of homeless camps in relation to processes of welfare restructuring, poor people’s struggles for shelter and the governing of poor housing, I opted for a comparison of local cases within the US. While the US camps are undoubtedly part of the larger global struggle of the poor for (less) poor shelter, the local specifics ultimately make a difference in terms of whether and how the concrete claim of US homeless people for shelter is met. Taking this claim seriously means acknowledging the specificities of US poverty governance as well as focusing on the reproduction of a hegemonic discourse in daily life.

Mapping the camps phenomenon in the North West region

Data on homeless camps was – and remains – vague and strongly differing in quality. At present, there are Wikipedia entries on most of the larger and particularly the organized and legalized homeless camps³⁹. My desk-top explorative research revealed that the phenomenon

³⁹ https://en.wikipedia.org/wiki/List_of_tent_cities_in_the_United_States.

of large camps is indeed a significant one: across the US between 2008 and 2014, more than 100 large homeless camps were reported, with regional concentrations in the North West and South East of the US (cf. National Law Center on Homelessness & Poverty 2014a). The map below offers an overview of large homeless camps I identified based on news articles and blog entries (see Fig.).

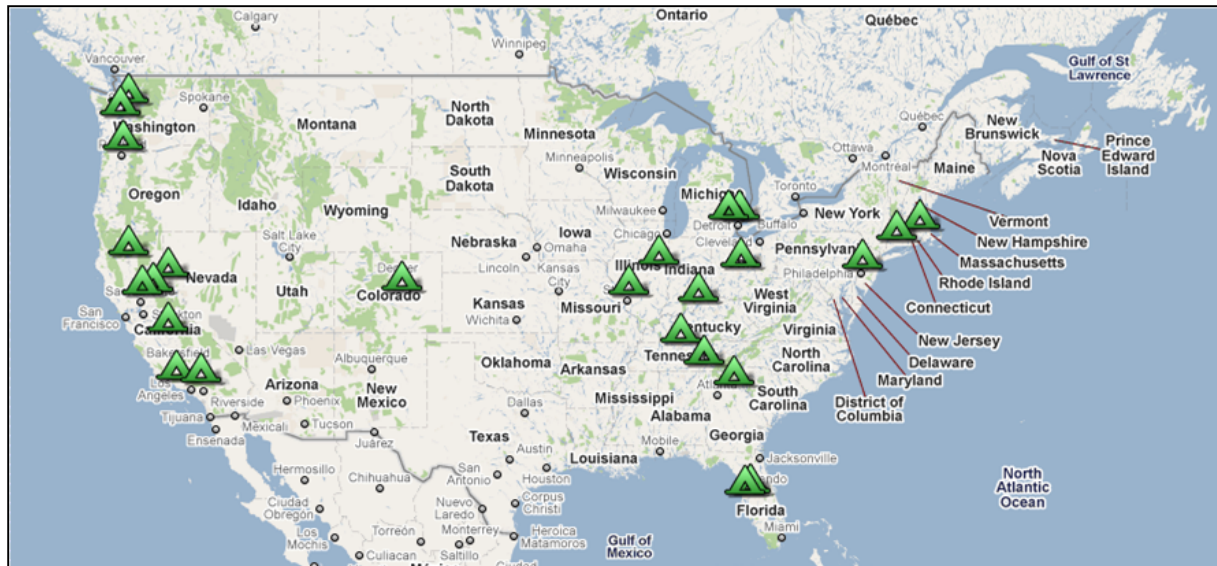


Fig. 2: Homeless tent cities across the US in 2011; Source: created by author; cf. <https://inhabitat.com/how-tiny-house-villages-could-solve-americas-homeless-epidemic/tent-city-map-documented-in-us-2009-2014-2/>.

In order to generate more reliable insights into camps I needed to narrow the scope of inquiry and identified the West Coast as my primary research area. The region features prominently in many respects of homelessness, hosting almost one-third of America's entire homeless population: within the region, California has the largest homeless population with 134,278, followed by Washington State with 21,112 and Oregon with 13,953 (USICH 2017). This official data from 2017 reflects a long-standing trend and is largely comparable with data from 2010. Significantly, the West Coast also continues to exhibit the largest share of unsheltered homeless: with roughly 100,000 persons unsheltered, California alone accounts for almost half of the entire total of unsheltered people in the US. In both absolute and relative terms, the West Coast is significant due to its highly uneven relation of unsheltered and sheltered homeless: in California, 70% of all homeless persons are unsheltered, while in Oregon and in Washington State about 50% of the homeless are sleeping on the streets, tent encampments and underneath overpasses (ibid.). As the West Coast's large share of unsheltered homeless is traditionally attributed to the absolute lack of shelter, rising costs of housing as well as the mild climate and liberal political culture (Byrne et al. 2014), it is little surprise that this region exhibits the highest concentration of large homeless encampments,

both illegal and legal. The West Coast has also pioneered the development of new models for organizing and regulating homeless camps (National Coalition for the Homeless 2010; Hellegers/Mercier 2002).

My field research in the West Coast region comprised a first exploratory phase during which I travelled to Seattle and Portland in winter 2010 to conduct first interviews and visit camps, as well as a second extended phase of empirical research with six months (April to October 2011) of intensive research. In this phase, I conducted field work in my case study cities as well as visiting several other cities in California, Oregon and Washington State. Through this field research, I came to know a wide range of different forms of homeless camping including the oldest tent city, Portland's Dignity Village, the car campers in Venice Beach and Santa Barbara, Ventura's legal camp ground, Olympia's Quixote Village, Bremerton's indoor camp as well as Los Angeles' skid row, Seattle's tent cities, Fresno's legalized and illegal camps, Sacramento's Safe Ground struggles, and Ontario's sanctioned camp. In addition, I complemented my exploration of camps in the US in other regions: during my participation at Antipode's Summer School 2011, I visited a camp built by Mad Houser's Inc. in Athens, GA and in the same year I travelled to Vancouver, Canada where I spoke to tent city activists.

Selecting the critical cases of Ontario, Fresno and Seattle

In order to select reliable cases, I drew on research by Flyvbjerg (2011; 2006) and Pickvance (2001), who have written extensively on comparison and convincingly tackle common misunderstandings in undertaking qualitative comparative work. In particular, here I use Flyvbjerg's (2006) differentiation of critical, extreme and paradigmatic cases: following Flyvbjerg, critical cases illuminate the typical and relevant spectrum of responses to a general societal problem, whereas extreme cases describe more exceptional – and hence extreme – responses to a general problem (ibid.). The paradigmatic case adds a qualitative dimension through which a new, potentially prototypical societal response to a given problem can be identified. While critical and extreme cases can be identified along criteria of similarity and difference the paradigmatic case escapes any pre-given criteria; introducing a paradigmatic shift and new standard it can be identified by the researcher's intuition, but is only verified in hindsight through empirical research (ibid.:15f).

Searching for the legal pitfalls of homeless management and a paradigmatic shift, I shortlisted six potential case studies and identified the three cities of Ontario (CA), Fresno (CA) and Seattle (WA) as the best suited cases. The three selected cases show how a *similar local*

policy of legalizing homeless camps is used in response to a shared structural crisis in most different local settings. Put simply, my comparison of cases is guided by a "heterodox approach" that explains "similar outcomes not as straight, causal derived from one unique set of variables" but assumes that different pathways can result in similar outcomes (Pickvance 2003: 171).

While strategies of dealing with camps through either informal toleration or repression are typical and ubiquitous, *the option of legalizing camps is rare*. As the cases share this phenomenon, it seems fair to argue that my selected cases are exceptional or extreme cases (Flyvbjerg 2006, cf. Pickvance 2003: 170). Nonetheless, I argue that they are not simply *exceptional* cases but also symptomatic for the majority of US cities, hence yet *critical* cases. In the light of such an ambivalent picture, my guiding hypothesis is that the exceptional phenomenon of legalized camps is in fact indicative of how homeless management in general is currently transforming: the legalization of camps is not simply exceptional but responds to several ongoing contestations and challenges to existing homeless management that are also evident in other cities. Therefore, examining such cases serves to understand the crises of the hegemonic project of propertied citizenship, devoting predominant attention to deviating trajectories of local crisis management to re-stabilize the hegemonic project.

Comparing these three exceptional *and* critical cases allows us to explain in more nuanced ways which trajectories local crisis-ridden homeless management may take in the current conjuncture. This strategic selection further enhances my aim of generalization: the comparison of the three cases not only allows specifying whether homeless management is shifting towards punitive, caring or informal strategies, but also explaining how this process of shifting directions works, i.e. verifying my hypothesis on hegemonic homeless management as a form of governing that is constantly struggled over and reproduced in the local integral state.

At this point, one clarification is called for: by focusing on cities that have legalized camps, I do not wish to *fetishize legalization*. The granting of formal legal status cannot be equated to either more decency or autonomy for homeless survival nor does it necessarily imply more safety or stability than informal practices of toleration. Instead, I understand the formal designation of a legal status as a useful opportunity to examine processes of local policy-making in relation to the legitimacy and reproduction of hegemonic relations. Legalization thus foremost highlights the fact that local government has taken responsibility for dealing

with homeless camps in a novel, hitherto-refused way. Legalizing camps signals the formal recognition of existing policies as failed (or at least insufficient) since the local state is in need of rendering its policies legitimate and consented, obviously to differing degrees, which this research aims to specify.

In contrast to the practice of informally-tolerated camps, legalizing camps means that government actors have to justify policy in transparent ways. Thus, the selected cases are most likely to exhibit the full range of arguments and claims that civil society and political society actors articulate publicly for and against the recognition and (spatial) support of homeless people seeking shelter. Due to this more public negotiation of territorial compromises, the selected cases offer a rich, readily-available data set that satisfies the pragmatic needs of empirical research.

In the following, I will briefly present the specific mix of differences and similarities of the three cases that I regard as symptomatic for the hegemonic project of neoliberal-paternalistic homeless management. The first *similarity* of the cases is that each city faces a chronic shelter shortage. Although total numbers vary, Ontario, Fresno and Seattle consistently fail to provide sufficient shelter to those in need (detailed data on the "local settings" is provided in Ch. V). Given my focus on the politics of homeless camps as a lens to the wider transformation of poverty governance in the US, my priority for selecting cases was to find cities that are similar in exhibiting the full range of homeless camps formations: in each selected city, one can observe a history of managed persistence of informally-tolerated camps, punitive policies of repression as well as various forms of regulation to formalize and legalize camps. In all three cases, policies to sanction homeless camps have been proposed, debated and implemented. Furthermore, in these cities legal recognition of homeless camps has been sustained for several years, depicting a durable strategy for local homeless management.

In order to verify my hypothesis of three not only exceptional but critical cases, I strategically chose cases that exhibit not only similarities in policy outcome but also *differences* in both local settings and policy outcome. The three cases exhibit path-dependent differences that are representative of the system of neoliberal-paternalist homeless management and thus allow us to identify the critical factors determining local variegation in how local homeless management is enacted, challenged and reproduced. Facing a shared problem of housing insecurity, the cities of Ontario, Fresno and Seattle have historically deployed quite different responses to manage this problem. Put simply, Seattle, Fresno and Ontario span the spectrum

of large to small, rich to poor cities, local politics characterized as very liberal to very conservative, urban size and growth dynamics veering between rapid reinvestment and decline, strong or weak landscape of local homeless services, and grassroots organizing being more or less sophisticated. Subsequently, these three cases show different calibrations of the mix of punitive, care and informal strategies that characterize neoliberal-paternalist homeless management (cf. chapters II and III). My selection of these three critical cases thus allows accounting for significant differences in the local state, responding to the question of how a similar policy outcome of legalized camping is produced despite different local actor constellations, path-dependent trajectories and extra-local factors.

While the phenomenon of legalized camps is exceptional at the national level, taking a close look at the selected cases reveals significant variation in terms of *how* camps are legalized *locally*. In order to illustrate these case specific differences in settings and policy outcome, I introduce a *typology* of the three cases featuring models of camp legalization, namely (1) authoritarian/top-down, (2) mediated by service providers and (3) self-governed/bottom-up.

- (1) I characterize the legal camp in Ontario as an authoritarian city-managed camp that provides shelter to the unsheltered but does so in a forced way and under conditions that allow little self-determination or decency. The case of Ontario represents a small, conservative city that tends to resort to the denial of homelessness. When there is a response to homelessness, this is strongly paternalist, including a decisive punitive streak. While the logic of quarantining the homeless has historical precedents, the case of Ontario shows how such a post-revanchist penal variation succeeds in policy-making today.
- (2) I characterize the case of Fresno's legal camps as mixed, intermediary because it highlights the role of local service providers and their strategies of extending shelter space outdoors. Such an informal extension of relief has been reported since the early-1980s (cf. Ch. II) but the case of Fresno – as one of the poorest large cities in the US – shows how this practice has become a central pillar of local policy. Therefore, Fresno's non-profit managed camps emphasize how local service providers continue to shape policy-making to address unsheltered homelessness in the context of current conditions.
- (3) I characterize Seattle's legal camps as bottom-up/self-governed because here the role of homeless organizing for survival is most pronounced. In Seattle, the role of churches is also highlighted, being attributed a significant role in the post-secular

welfare regime. Seattle's self-governed camps are thus critical as they show how these civil society actors struggle to co-determine local policy in a self-proclaimed liberal and affluent city.

The three cases comprise different qualities of the process of local policy-making: Ontario shows how the problem of homeless camps is managed in more authoritarian ways by local government, Fresno shows how local service providers shape policy, and Seattle shows how policy is shaped more by compromises with homeless and churches. Each case thus fits one of my hypotheses about which logic is relevant for shaping policy outcomes, whereby these three cases allow discerning which mix of punitive, care and informal strategies comes to dominate local homeless management.

A crucial defining criterion for my selection of these three cities as exceptional but critical and potentially paradigmatic cases is their *similarity of homelessness crises* as critical cases in a *relational* and a *conjunctural* sense (Peck 2013). Addressing the methodological challenges associated with empirical case study research to analyze variegated processes of urban neoliberalization, Peck (2013) explicitly recommended choosing cases that allow reconstructing the theoretical concepts that are applied. For such a purpose, local cases should be positioned to each other in "relational and conjunctural terms, rather than terrain of typicality or exception" (ibid). In order to achieve this dual aim, my case selection merges conjunctural and relational selection criteria and focuses on cases where the existing repertoire of possible policy responses (tolerating, repressing, legalizing) reached an impasse and has been considered by local actors as exhausted, insufficient or failed.

In terms of *relational criteria*, the role of local actors is significant for my case selection. The cases show that poor and rich cities legalize camps and that this occurs with and without strong movement pressure. Furthermore, the three types of legalized camps are representative of what grassroots organizations aim at (self-governed), what critical observers fear most (authoritarian), and what has been an old but now more highlighted practice of outdoor relief by service providers (mediated). Examining local actors shaping local homeless management towards more (albeit subtle) post-revanchist punitive coercion, towards more welfare care or towards more integration of homeless claims, I will argue that camps are indeed a symptom and indicator of multiple crises that affect all cities (independent variable). Yet, they also offer partial solutions to crises whereby they have been established in such different settings. Hence, these contrasting cases provide the best basis for generalizations: because when I can

verify that camps have been legalized in most different cities in response to similar and shared crises, then not only are these crises to be expected in other cities, but also a debate over camps as a partial solution is also highly likely to happen there.

In terms of *conjunctural criteria* for the selection of cases, the role of the 2008-2011 economic crisis warrants explanation. While the economic crisis is certainly a shared element in all cities, I consider this similarity to be a defining but not determining factor. Camps have not been legalized in direct response to the economic crisis (cf. my argument against the media's recession myth as a misleading causal explanation for camp emergence and camp regulation, Ch. II). Instead, in almost all documented cases (except Ontario, cf. National Law Center on Homelessness & Poverty 2015) homeless camps were legalized prior to 2008. However, in my three case studies this option resurged as public and debated claim between 2008 and 2011 during the high time of economic crisis, where various actors demanded an expansion or replication of this policy. Thus, selecting cases that have had an experience with legalizing camps (Fresno and Seattle) and where this policy experience was brought back to the table as an option since 2007 allows examining how effective local actors deemed this option in the face of the current national crisis. My comparison thus sets out to (a) strategically avoid a recession myth bias while (b) not discounting the significance of this historical crisis, which clearly challenged some hegemonic relations and still had – if not causal – direct effects on local policy-making (cf. Herring/Lutz 2015).

To conclude, selecting these three cases as exceptional cases with strong critical tendencies and potential for paradigmatic case quality along conjunctural (regarding current national crisis) and relational (regarding local state actors) criteria serves to comparatively examine how local policy-making works. Acknowledging the existing body of research – as already discussed in chapter II – where in particular the three selected cases have already been subject to research, my research seeks to address the remaining research gap. My work cross references grassroots experiences, media accounts, policy reports and scholarly work; searching for a paradigmatic shift and case. Through a systematic comparative examination of the policy-making process in these three case studies, this research responds to open questions and aims to produce more generalizable findings on the role of camps in the current transformations. Highlighting the relational perspective, both bottom-up claims for survival by homeless and supporters and top-down interests to manage homeless/ness are examined as drivers for change.

Looking at similarities and differences, these three critical cases also allow to produce more general conclusions on the larger developments of homeless management in the US. Paying close attention to the relations of autonomy, decency, legality and informality, I use my comparative analysis to assess how the hegemonic project is localized, i.e. to discern how necessity, adequacy and normalcy are currently re-calibrated and legally reproduced.

Excluding the cases of Sacramento, Venice, and Portland

In order to illustrate my typology of camps and better explain my selection of three exceptional *and* critical cases, it is useful to describe why I did not include other examples. Along with Ontario, Fresno and Seattle, my empirical research included field work (interviews, participatory observation, document analysis) in Portland (OR), Sacramento (CA) and Venice/Los Angeles (CA). These cities feature intense and lasting local struggles over how to deal with homeless self-help sheltering that have led to the crafting of territorial compromises for legalized homeless camping. However, while each of these cases fits the criteria of an exceptional case regarding legalizing camps, they are less suited as critical cases.

In Venice, the struggle over how to deal with the self-help sheltering of homeless people takes a special turn because here cars and vans are used for habitation. This phenomenon of car homeless is closely related to the camps phenomenon, discovered by mass media during the crisis of 2008 and expanding significantly ever since. Despite certainly being a critical case that in particular meets the conjunctural criteria, I decided to exclude Venice from my case selection. Although the trajectory of struggle for a right to camp or park takes similar paths, where similar claims for and against criminalizing, tolerating or supporting this form of shelter are articulated, and despite the fact that in Venice (as well as Seattle and a number of other cities) first pilot projects for legal car camping spaces have been established, it is also true that the specific quality of cars as shelters (which brings in different social and legal relations of property and public space) complicates comparison with the other cases. Legal car parking sites tend to be regulated top-down not least because car campers exhibit considerably fewer elements of collective organizing (cf. Wakin 2013; Pruss 2012): in short, due to the stronger individualistic characteristic ('my car is my home') notions of community differ from the tent city communities.

Portland is an exceptional case due to its pioneer role of being the prototype and primary example of the self-governed camp. Considering the specific liberal setting of Portland, this

case may be even counted as extreme. In sum, I consider the genesis of Dignity Village as an exceptional but less critical case, mainly due to conjunctural criteria: Dignity Village is the oldest, best organized and sustained legal camp, which has evolved into a village of self-built shacks and proves highly inspirational as it informs both activists and policy-makers in other cities (cf. Heben 2014, Kristina Smock Consulting 2010). Nonetheless, it remains an exception locally: ever since it was established on a peripheral location in 2001, there has been little local debate over replicating this model to address persistently unmet shelter needs in Portland. Only in fall 2011 – after I had concluded my field research – was this local experience successfully revived when the Right To Dream Too (R2D2) campaign was launched, leading to a successful squatting action to create an urban camp on vacant land in Portland’s downtown, which continues operation since then.

By contrast, Sacramento is indeed a critical case because it shows that while all relevant actors and factors are evident there – sustained and committed homeless organizing against criminalization and for a right to camp, supportive civil society organizations including high-profile legal advocacy support from even the UN Rapporteur for the Right to Housing, and a responsive local mayor who supports the homeless claim for safe ground – after years still no legalized camp has been produced. After the peak of the economic crisis in 2011, many (media) observers, advocates and myself were confident that the breakthrough was near following the sustained efforts of protest, legal advocacy and the numerous rounds of hearings in the city council where the elaborate proposal for a safe ground was deliberated and all relevant claims for and against legal camps had been brought to the table. All observers thus expected Sacramento’s Safe Ground to become the role model of legal tent cities in the US, because if this high-profile and medialized struggle succeeds here, it will work everywhere. The failure of Safe Ground to overcome its forced grey-space status, where informal camping is tolerated selectively but not accepted as legitimate and legal policy for expanding shelter, means that Sacramento is still a critical case, albeit a negative one. As Wells (2015) convincingly argued, researching local cases where progressive policy fails can offer important lessons to better understand the process of neoliberalization. However, without having established a durable legal camp space, the case of Sacramento precludes the possibility of a paradigmatic case that I define as relevant criteria for case selection (see below). In this sense, I will use Sacramento as an additional reference to substantiate the argument of my comparative analysis, i.e. when assessing whether and why the case of Seattle is a paradigmatic case.

3. Elements of policy analysis

This work aims at scholars interested in governing the urban, the poor and housing. It draws from and addresses the disciplines of political science, social and spatial sciences, particularly urban sociology and political geography. My policy analysis thus tackles two disparate dominant approaches in urban studies to comparatively examine *governing the urban*: first, the focus on what the state does, which generally compares governance arrangements; and second, the growing scholarly interest in *de-centering analysis* to focus on social practices for a better grasp of the social production of socio-spatial arrangements. While the former approach centers on dominant (elite) actors, the latter brings attention to the argument that social space is never only simply devised top-down but rather always co- and reproduced in everyday life (Lefebvre 1991). I have already discussed how I seek to reconcile these two approaches of governance and governmentality (Ch. III) through a conceptual focus on the work of governing in the local state. In this section, I want to briefly describe how I translate my conceptual approach into concrete comparative analysis, namely upon which actors and processes I focus in the different cases to examine both grassroots actors and elites in the local state.

The central task of my comparative analysis is to adequately account for the different qualities of processes of local policy-making to determine the role of local actors as drivers for policy change. For this purpose, my methodological approach does not follow one well-established social research design but deploys a heterodox approach and a plurality of strategies; in Peck's words "there is no readily available methodological abracadabra here" (2013: 153). In what follows I will first discuss my search for a paradigmatic shift and, second, explain my use of process-tracing, which is central to political science and comparative research. Aiming to identify common patterns and deviant specifics, my comparison is to qualify the process of articulation and negotiation of state spaces in the local integral state as a determinant of one concrete policy-making in the local and as a determinant of the reproduction of hegemonic relations at large always keeping in mind that state spaces are not static spaces.

Comparing critical cases, searching for a paradigmatic case

Using the phenomenon of homeless camps as a lens, my research tackles the central question of how the unresolved tensions of propertied citizenship and therefore homeless/ness management are currently re-worked. In chapter II and III I conceptualized how paternalist logics veer between supportive care and a harsh punitive fist. Both strategies subordinate the

(pathological) subject and reframe (neo)liberal logics – i.e. autonomy and self-determination – with individual failure, self-responsibility and malign neglect. These unresolved tensions determine the variegation of neoliberal-paternalist homeless management and are characteristic for what other scholars summarize as neoliberalization processes.

The first task of my comparative research is to *verify or falsify the assigned critical status of the case studies*. The selection of cases that show the strongest differences in settings while still producing a similar outcome is suitable to (a) assess whether there is a clear direction of development of homeless management towards less punitive strategies, and (b) verify my hypothesis that *outcome is determined by process*. These varied cases allow specifying whether local policy-making and the outcome of legal camping is less determined by local settings or structural conditions (e.g. city size or affluence) or the role of single actors (whether progressive or conservative government, well-established service providers, or homeless movement/organizing), but through the interplay of these actors in the integral local state. Responding to crises actors from political and civil society re-calibrate the local mix of given strategies that characterizes neoliberal-paternalist homeless management. If the verification of the three cases as critical cases empirically demonstrates how the territorial compromise of legalized camping is (a) not only compatible with each of these strategies (as historical precedents suggested) but also (b) how each of these strategies has reached limits, this suggests that the local policy option of legal homeless camping is instrumental to serve the supra-local/overarching hegemony of propertied citizenship. The aim of my comparison is thus not only to show empirically how legal homeless camping is compatible with the existing strategies of neoliberal-paternalist homeless management (cf. chapter III) but further to identify whether legal homeless camping emerges as a new paradigm of homeless management on its own, where standards of shelter are lowered and new civil society actors mobilized and integrated to expand local sheltering capacity at a low cost. This means assessing how this new state space becomes instrumental to re-articulate and re-organize hegemonic relations in a new way.

The second closely-interrelated task of this comparative research is to *identify whether new or paradigmatic elements are introduced that shift and transcend the existing repertoire of homeless management*: do the legal camps signal a more caring form of homeless management that limits the dominant oppressive grip and enables more autonomy to poor subjects, enhancing collective self-help while committing society to more support for the homeless? According to Flyvbjerg, paradigmatic cases highlight a characteristic cultural

logic, organizing or management pattern to deal with a given problem, whereby this logic speaks to more "general characteristics of the societies in question" (Flyvbjerg 2006: 232). A paradigmatic case shows this logic in the most pronounced manner: it sets new standards and thus serves as a reference point to compare and better understand similar elements in other cases. Paradigmatic cases show how a long-standing puzzle for governing a problem is solved in a new way (Roy 2005).

For my research, a paradigmatic case would show a process of how existing strategies are re-calibrated into a new local state response to deal with the issue of unsheltered homelessness and illegal self-sheltering. As I stated earlier, homeless camps are not new, nor are local strategies of tolerating or sanctioning them. My aim is thus to better explain what form of legalization strategy currently prevails or is replicated – targeting legitimate and legal limits. A paradigmatic case would thus require revealing new elements of how a local territorial compromise is produced in the context of the current conjuncture. Do new actors step up or are new actor constellations evident? Which trade-offs and concessions are brokered, how are claims for shelter posed differently, etc.? A paradigmatic case would thus show how a new paradigm is tested/implemented, responding to unmet survival needs, highlighting new actor constellations, partnerships and practices, new claims and justifications of how minimum standards of safety, stability, decency and autonomy are provided. The question to be answered is whether the authoritarian case of Ontario, the non-profit case of Fresno or the self-governed and church case of Seattle represent a paradigmatic case that shows how locally a new normal of managing homelessness is forged and rendered acceptable to hegemonic relations. When we assume that hegemony is capable of tolerating and integrating local, spatial differences and deviations, the question for comparative analysis is to identify which kind of local deviation is most likely to prevail. In order to answer this question, I compare the three critical cases, showing the existing mix of penal, welfare and informal strategies, searching for a paradigmatic shift.

Process-tracing of articulated claims for local hegemony

To assess the quality of process, my comparative analysis focuses on the specific ways in which crises and solutions are articulated locally. Focusing on *process-tracing* and *articulations* in this process promises to identify whether and how various local actors in the integral state manage to change the political debate – and policy paradigm – i.e. providing space for the non-propertied. As the concept of articulations focuses on the agency of actors

but also accounts for structuration, it helps to specify the corridors of contingency and thus heed the call for a more nuanced analysis of specific local conditions. However, focusing on articulations, I wish to clarify that my research does not engage in a typical discourse analysis; instead, I cling to the conceptual significance of the articulations elaborated in discourse and hegemony theories, but use the term *articulations to enrich my method of process-tracing* (see below).

The term *articulation* features prominently in discourse theoretical approaches. Following Mouffe and Laclau (2001) my use of the term focuses on the common-sense characteristic whereby the specific ways in which a problem is defined or articulated strongly determine what constitutes a solution. Crises do not simply occur but rather are always articulated as crises by someone. Hence, my comparative analysis will examine how different articulations of crisis are related to certain actor constellations. The specific ways in which this responsive rather than repressive homeless policy – turning a problem into a solution – is claimed, justified and enacted, the specific configurations of these legalized camps between self-government and external regulation, are highly different. Frames of reference differ (human rights, the US constitution, moral decency, budget constraints, public safety, housing standards, etc.), while articulations of claims also exhibit different qualities regarding stability and durability. Focusing on articulations in hegemonic struggle thus means examining how such a new space for homeless camping is articulated in ways that others consider necessary, viable and adequate or argue for the contrary (camps as problems, illegal, etc.).

The task of comparative analysis is thus to examine how variously-situated actors try to articulate their claims as hegemonic claims: i.e. how particular interests are generalized to gain acceptance and even support from other actors. At this point, the different local path-dependent (territorial) histories become enmeshed with multiple other local as well as supra-local histories of struggle over hegemony: a nexus that calls for a relational comparative approach (cf. Ward 2012: 480). Reference to legal norms and laws clearly proves to be a powerful mechanism to generalize interests and render a claim hegemonic that is in the alleged common interest. However, next to the US constitution other moral imaginaries and normative frames of reference are also sought to evoke a common interest or desirable future for a given scale, whether the city or the nation. Nonetheless, in any case such hegemonic claims are produced and inserted in a process of struggle and negotiation by actors in the local integral state. The comparison thus seeks to specify how in each case the policy of legalizing camps is connected to the articulation of a more desirable, better urban order.

As indicated, my work makes use of qualitative “process-tracing” (George/Bennett 2005:224, Collier 2011) which – being similar to but also different from historical explanation – aims to systematically uncover the many factors and micro-correlations involved in the making of a specific policy. Process-tracing is arguably an “invaluable method” for political science “that should be included in every researcher’s repertoire” (George/Bennett 2005:224). Process-tracing foremost gives sensitive attention to the minutiae details of back and forth political debates, where small discursive changes and policies have effects as they shift the terrain and thus alter the ground for future negotiations. Process-tracing is also – as Flyvbjerg notes (2011) – best suited for case study analysis.

At the core of this method is thus careful, thick description (Collier 2011) of the detailed changes and struggles in different cities that follow alternative (causal) paths and lead to a similar policy outcome. My case study research invites such a “heterodox approach” to explain outcomes not as being straight, causally derived from one unique set of variables but rather that different ways can produce the same result (Pickvance 2003: 171). Process-tracing is thus attuned to capture the contingency in local policy-making. I want to illustrate why *process-tracing is suitable for a relational multi-actor analysis* of homeless management: focusing on e.g. the mayor as relevant actor is certainly necessary (as these actors articulate populist claims and thus push the envelope), but we cannot ignore that her scope of governing is usually compromised by competing council and bureaucracy claims on what is politically and legally possible. In other words, in no city would mayors simply determine a policy; rather, they shape the terrain of negotiation by integrating other actors (e.g. through convening task forces). Through process-tracing I aim to unveil the proportions of protest and institutional support that shape every case study. My research design is directed explicitly against a dominant tendency in camps research, where homeless camps are framed only as phenomena of social protest. Conversely, I want to refrain from ignoring the role of protest, whereby I trace how the political claims of the homeless are articulated and negotiated.

4. Interviews, observations and embedded research

Turning to the methods relevant in this work I will first outline my interview approach in more detail and explain the role of qualitative interviews for my work. Secondly I address the media and document analysis, which are central to my work. In a third step I will discuss my participatory observations in the field as embedded research; providing insights of my time

and stay inside homeless camps. While such an experience comes close to ethnographic research, fourth, I will nevertheless distance myself from a thorough ethnographic approach as my research is not so much focused on the homeless but homelessness. I close with critical self-reflection on the role of the researcher.

Qualitative interviews

For a multi-actor analysis of local political struggle, qualitative interviews are well suited as they allow investigating both the practice of governing and the practice of surviving, coping and resisting of those being governed. For this purpose, in each case I examine the role of the four relevant actors: *local government officials, homeless camp residents and activists, social service providers, and advocacy organizations.*

Between autumn 2010 and autumn 2011 I conducted 85 semi-structured interviews (excluding my preliminary conversations with potential interview partners during the US Social Forum). Roughly half of these (43) comprise interviews with actors from my case study cities (25 in Seattle, 10 in Fresno and 8 in Ontario), while the remaining interviews were held with actors from Los Angeles and Sacramento, who also inform my general argument. A complete list of all interview partners can be found in the appendix.

In sum, I would speak of a balanced relationship between all relevant actor groups (cf. Fig.) although the majority of all interviews must count as semi-structured expert interviews, which reflects my research interest in policy analysis and the fact that I gained first-hand information as embedded researcher inside homeless camps myself.

Since actors of local government are central to my work I conducted expert interviews with *local politicians and their staff* and representatives of *local administration*, namely from the departments of human services and planning. I examine governmental and administrative actors as elite actors to see how they respond to popular claims, namely which rationalities they subscribe to when they aim to achieve coherence and consent, as well as how they articulate claims for desirable, viable and necessary order. These elite interviews aim to explore the ways in which “structural constraints” such as electoral politics, funding resources as well as legal constraints are processed when responding pragmatically to the urgent problem of people without shelter in their city.

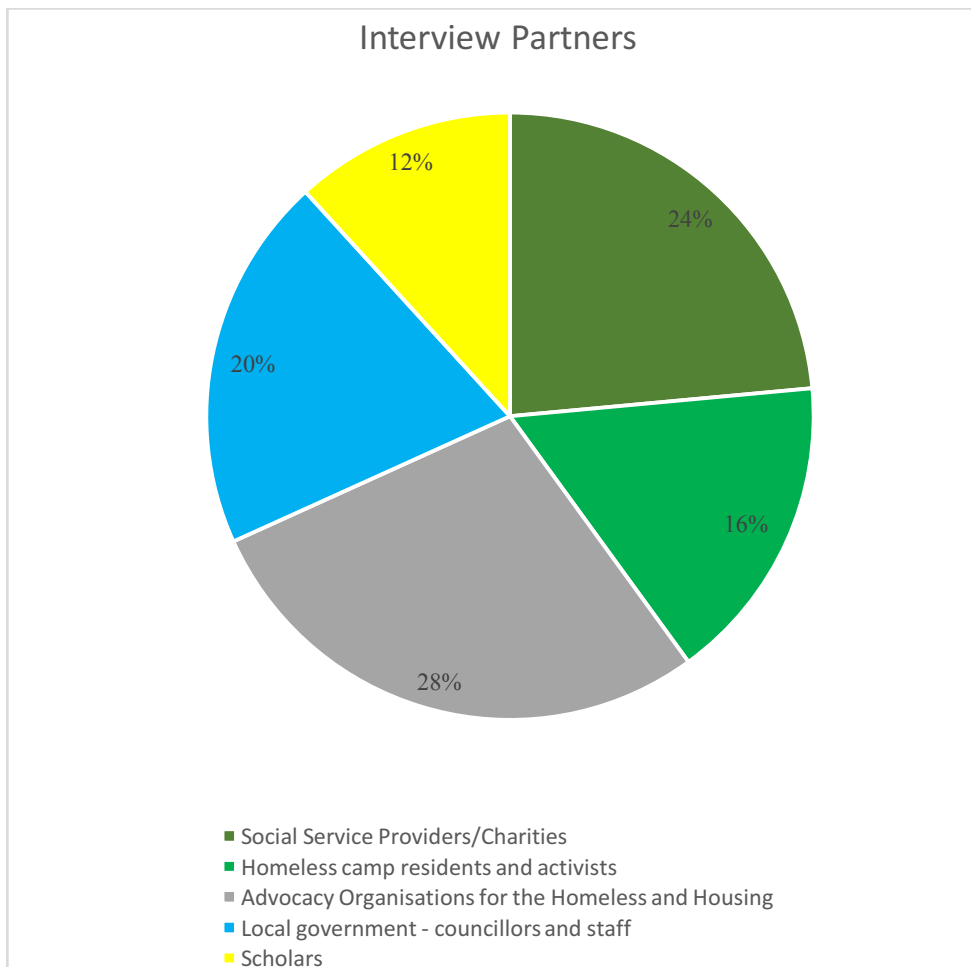


Fig. 3: Interview partners; Source: author.

For this purpose, I have identified political actors who articulate strong claims in the camps debate. In all cases, local politicians were difficult to reach, but in Seattle I could gain access to their staff (Office of the Mayor of Seattle and city council members). An important source were those actors in city administration who are directly involved in managing the issue of homeless campers. Tasked to assess the viability of legal camps or as person in charge of administering local homeless management they offered valuable information on the context, detail of development or normative comment (Housing and Neighborhood Revitalization Agency of Ontario, Fresno’s Homeless Prevention and Policy Manager, Fresno’s Housing Authority and Fresno’s Development & Resource Management Department, the Departments of Planning and Development and the Human Services Department in Seattle, Seattle/King County Committee to End Homelessness, and the Regional Coordinator of US Interagency Council on Homelessness). The interviews with local planners in Seattle and Fresno proved fruitful insofar as they revealed the constraints that they face or perceive when planning these camp shelters and thus de facto making politics. A particular piece of luck was the snow-

ballad successful interview with a regional representative of HUD in Seattle who offered valuable insights into the intersection of local and national policy-making (Interview Carlson).

All these interview partners shared the sense of urgency and a problem perspective that something is going wrong in their city. As a result, most interview partners were ready to reflect and debate possible alternatives. Nonetheless, due to the heightened sense of urgency and political sensitivity I also encountered serious setbacks in accessing interview partners. My requests at elected politicians – namely mayors – were typically delegated to staff personnel or administrations. It should be stressed that all interviewed government actors are sufficiently media-savvy to be very careful about their statements. In Ontario, the hesitation of officials to speak was most explicit: all of my interview requests to different government officials were re-directed to a single person nominated as the sole official interview partner for the issue of homelessness. Regarding the interviews conducted with government actors, these limits meant that my rationale for interviewing experts – the wish to hear elite and powerful actors articulate what they will not say in public and tease out some of the dirty and secret tricks and rationales – was only partially fulfilled. Furthermore, requests for interviews at police departments were denied altogether wherefore my inquiries into policing logics remained limited to second-hand information by other interview partners and media analysis.

My interviews with *homeless activists and advocates* certainly complement the picture and serve to analyze how these primary proponents of homeless camping articulate claims. The interviews centered on the political demands and *collective claims* of the homeless and thus account for homeless agency. Touching upon Spivak's larger and unresolved question of whether the subaltern can speak, my interviews sought to identify the claims and interests as articulated by the interview partners. Equally important was the aim to understand how these actors make sense of and try to navigate the political negotiation, working with and against institutions: e.g. "we ask city council to consider encampments as best and cheapest shelter option that works" (resident of Nickelsville during a public session of Seattle's city council, July 2011).

When entering the field and accessing interview partners, my experience of the Social Forum in Detroit is significant as it provided me with first contacts to several key interview partners in Seattle, Sacramento and San Francisco, which proved highly useful as initial contacts and multipliers for further snowballing. For example, Lynn Sereda from Seattle's Tenants'

Organization, Ibrahim from Portland, and John Kraintz & Tracie Rice of Safe Ground Sacramento were extremely helpful as they also created access to other local activists. Snowballing was an important technique to identify further interview partners. Snowballing proved inevitable prior to my field research, during interview situations and after. Eventually, I interviewed actors who are centrally involved in local homeless or homeless advocacy organizations (e.g. SHARE/WHEEL in Seattle and Community Alliance in Fresno). These interview partners are not official spokespersons representing the homeless organization, but rather they are interviewed as knowledgeable and experienced actors in the struggle. In addition, I interviewed *homeless campers* and activists who I contacted through my participatory observation as embedded researcher (cf. below on "why not ethnography").

Finally, in each city I identified *homeless service providers* and *faith-based organizations* that have been directly involved in camps negotiation as relevant because they either host or serve homeless campers (the Poverello House in Fresno, SHARE/WHEEL and the faith-based organizations Greater Seattle Cares and the Church Council of Greater Seattle, Mercy House and First Lutheran Church in Ontario) articulating strong political claims with regard to the pitfalls of homeless management (United Way of Seattle and King County, Catholic Community Services of Seattle). While some scholars consider such service providers to be fully enrolled in the "shadow state" where their capacity for "progressive possibilities" is reduced and they are seen to "help entrench the original economic policies of neoliberalism in a hegemonic and recursive process" (Perkins 2009), my interviews re-examine the role of these "frontline workers" of governing.

When interviewing these actors, I was interested in how the institution of the shelter works and how they account for autonomy and decency. For this I visited and interviewed representatives of so-called *low-threshold shelters* in Fresno and Seattle which provide a direct reference to assess what alternative or progressive homeless shelters are like. The main aim was to learn how these actors explain their specific form of shelter in regards to the shelter system in general and how they articulate (hegemonic) claims in the political struggle over homeless management. This means examining how the hegemonic ideologies of pathologization, deviance and subordination that Lyon-Callo (2003) identified within the shelter apparatus actually become tangible and powerful, as well as the ways in which they are used to define alternatives outside the shelter, i.e. how they shape the struggle over camps as a new welfare state space. The service providers interviewed proved very informative: usually working in the field for years, they have gone through various policy cycles and know

the game inside out.

The design of my *semi-structured interviews* corresponds with my relational approach to examine how the policy option of legal homeless camping is put forward, negotiated and codified. They served to substantiate but also verify my desk-bound collected knowledge. Essentially, in my semi-structured interviews I asked how differently-situated actors define the problem at hand, how they respond to the claims of homeless organizations, as well as how they explain and justify the shift to a hitherto unconventional policy in relation to local context. Specifically, I wanted to learn first-hand how differently-situated actors understand and explain the *necessity, adequacy and viability* of homeless camping as a legal policy supported by the local state. I wanted to learn how they explain and justify what they can do or why they do not support the homeless in this way. Through these semi-structured interviews, I sought to gain a better understanding of how local actors define their responsibility and the scope of possible state action.

To guide my interviews, I compiled a comprehensive range of arguments on whether and how homeless camps are articulated as necessary, adequate and viable by different actors. In an ongoing looping process, I mirrored identified arguments or claims back to different interview partners. The identification of these claims was based on the literature and media analysis as well as the already conducted interviews and numerous conversations during field research. The latter comprise the US Social Forum and radical homeless organizing meetings, participation at city hall debates, and spontaneous talks in homeless camps and homeless service actors. As mentioned before, I also used field research on the excluded case studies for this task. These combined sources were extremely helpful as they helped me to navigate the intricate web of US poverty governance, welfare and homelessness and thus contextualize and clarify the relevance of locally articulated claims for or against camps.

Ultimately, the interviews are crucial to meet a central concern of my research: specifying the scope of agency, i.e. to question what difference local actors can make. For this purpose, I explicitly focused my interviews on exploring the *scope of discretionary power* that government actors as well as other local state actors dispose of to clarify what rationales are at play when these actors articulate specific claims that condition the locally possible. Are they bound to the law or do they bend the norms, and if so why and how? The leitmotif of my interviews is the understanding of letting people camp being a no-brainer, as a pragmatic humanist response that simply needs to be organized and regulated. That is how I confronted

my interview partners and many agreed. On this basis, I wanted to identify the various constraints under which they operate (from ideological to practical to powerlessness) to better understand the process of policy-making.

Conversely, I asked grassroots actors about the ways in which they (re)organize homeless survival, charity and welfare, but also asked about the local state of radical activism on housing and land (e.g. Homes Not Jails in San Francisco, anarchists and tenants' organizers, in Seattle, Fresno and Portland). This methodological decision to ask for both perspectives in tandem results from my Detroit experience where I encountered how debates about radical activism and about cooperating with charities and non-profit organizations for organizing survival are discussed closely together⁴⁰. Therefore, I asked questions of institutional alliance building and about the opportunities and praxis of squatting and informal survival to groups and individuals across the spectrum of those working in and outside institutions. This proved not only possible but also fruitful, resulting in rich conversations.

My interviews serve to expand on political claims that different actors insert into the political debate and the negotiation. Giving these actors the time and opportunity to elaborate on the issue at hand, the hope was to gain statements that are more self-critical, considerate and explicit than the statements these actors articulate publicly and often in the heat of debate. Interview partners were assured of confidentiality to the point that any information would be used for research purpose only. My role in these semi-structured interviews was to enhance this special opportunity by addressing *normative questions* to interview partners with my personal and scientific assessment of the situation: an assessment that is informed by experiences from elsewhere (other cities that experimented with legal camping, the larger context of housing crisis, self-help and homeless movements campaigns) and own experiences of camping with homeless people in the city (see "embedded research" below). The interviews were of mutual interest particularly when I could offer information about local conditions and practices by other relevant actors which my interview partners were not aware of yet (e.g. telling the head of Seattle's planning department that the number of Nickelodeons is growing, or sharing with homeless advocates explanations on the legality of specific camp

⁴⁰ This is in contrast to the German context where urban activism and institutionalized work are more separated. At the US Social Forum, however, radical housing activism of taking back the land was discussed in one session while the next session featured the concrete example of a self-organized homeless camp in Ann Arbor, MI, called Camp Take Notice (modeled after Seattle's Tent City 3 and 4) where social workers, homeless people and legal advocates discuss how to organize social relations in the community but also how to garner support from civil society and gain legal recognition from local government.

arrangements that I learned from local administration).

Nevertheless, the interviews would repeatedly reveal the limits of my knowledge about the specifics of US homeless assistance systems, albeit the interview partners were quick to assure me that is no flaw given that they also repeatedly struggle to fully comprehend this messy system. Through these cross references, my position was elevated closer to an expert status who knows the lay of the (local) land. Such an expert status enabled my expert interview partners to share their more specific insights. For instance, rather than trying to impress the researcher by narrating the list of services that the city offers to the homeless, I could inquire interview partners to directly address the selectivity of such services, specifying whom they leave out or in what ways these services are different in practice than on paper. Interview partners from all actor groups often took the opportunity to cut to the bone and discuss why homeless services are so limited and why they are likely to remain so. Importantly, the combination of activist and expert interviews together offers information about the local power relations as they implicitly or explicitly justify their action regarding not only other relevant actors but also in relation to what they consider popular will or common sense.

Therefore, the interviews were one important source but needed to be complemented with additional forms of inquiry. Only with reference to political context is it possible to explain why certain claims for legal tent cities may be identified as successful as they comprise extensive and durable chains of equivalence, but at the same time reveal limited political viability.

Document analysis

All interviews in mind, my case study discussion nevertheless strongly draws on media sources and document analysis. My interview partners and the embedded research findings from the camps appear less often in the form of direct quotes. Firstly, this reflects a certain reluctance of my (elite) expert interview partners to share more in-depth information with me on the process of homeless management that goes beyond what they say to public media. In fact, I often found media statements to be more explicit and thus more fruitful. Regarding camps' struggles in daily life, on the other hand, I would like to put substantial weight on my first-hand experiences as embedded researcher (see below). But secondly, the function of the interviews is foremost to substantiate and expand my knowledge on what was debated and decided politically. While interviews are helpful to deepen an understanding of institutions

and the actors therein, my aim was to assess the effects on policy formation. In other words, not aiming at the micro level where one can analyze how individuals articulate and chain together values and interests, my meso-level analysis seeks to identify which claims become policy-relevant and which do not.

In order to trace and document the process of expanding and contracting local discourses in chronological order, it thus proved more adequate to rely on media accounts than individual interviews. In order to describe the contingency of the process, I emphasize media accounts that more closely mirror how the complex local debate has shifted and turned over time. Conversely, I use my interviews selectively to verify my document analysis, while occasionally using direct quotes to supplement and illustrate my argument. For instance, media accounts often use generic terms such as "shelter", "homeless", "permanent housing" or "a roof over everyone's head" in vague and suggestive ways. The interviews allowed clarifying such media narratives, allocating generic claims to specific actors and ultimately assessing the relevance of certain claims represented in documents for political negotiations.

Along with data derived from qualitative interviews, my empirical research relies on a wide range of documents. Documents comprise media accounts – both national and local – in the case studies, policy reports and statistics on homelessness, homeless assistance and the criminalization of homelessness. This includes reports by federal government agencies (USICH, HUD) and the often closely-associated policy consultants such as the Urban Institute or Abt Associates which describe themselves as national leaders in analyzing and implementing solutions for homeless programs and systems, but also reports by national advocacy organizations such as the National Coalition for the Homeless, the National Law Center on Homelessness & Poverty or the National Alliance to End Homelessness. At the local level, document analysis additionally comprises local ordinances, protocols of city council meetings and statistical reports on housing and homeless assistance.

The data gathered from these documents was used for two purposes: first, to adequately contextualize the local case studies with secondary data about national conditions; and second, to contrast the data from interviews with data on local conditions. This provided the basis for my previous discussion of national context (cf. chapter II) and of the local settings of case studies (cf. chapter V) where I use document analysis to sketch the pathways of national and local homeless management, respectively. The local settings characterize the local political economy for each case and indicate quantitative data to assess the extent of housing

insecurity and the effects of welfare assistance. However, particularly the latter proves difficult given chronically unreliable data. Acknowledging this messy data evidence, I produced charts – provided in the local settings of chapter V – in an effort to pierce the convoluted and confusing official data on homeless services at all levels. My charts offer a simple comparison of local homeless count numbers, shelter beds and the emergence of camps over time. This serves to contextualize the local political process of negotiating alternative policy and to better assess the effects and function of this policy.

Print and online media have been a major source of information. With the exception of Ontario, I regard the public debate in mainstream media as having strong value for its (a) extensive coverage in both local and often national media. This quantitative richness is enhanced by (b) quite well-balanced coverage where local reports document in a high quality the minutiae of the local camps' struggles. Particularly in Seattle, the large local newspapers adhere to liberal principles and give voice to the different claims and positions raised by the various stakeholders – including the homeless – in the debate. In Fresno, the homeless perspective is less represented in the mainstream media but is articulated by the community paper. In Ontario, however, critical perspectives from the homeless and from civil society in local media are lacking. Here, similar to the other two cases, I draw from the works of journalists, bloggers and activist groups who publish commentaries on political, social and legal aspects of the different camps on their homepages (e.g. the San Bernardino Sentinel, Slog the stranger, ...), global media platforms such as Reuters, as well as independent web journals such as the worldsocialist website, indymedia.org. or the utne reader and the websites of homeless advocacy organizations such as the Western Regional Advocacy Project in San Francisco.

Participatory observations and embedded research in camps

In addition to qualitative interviews and document analysis, my empirical research relied on participatory observation to get to know what managed persistence of homelessness looks like in different cities of the US. For this purpose, various field trips within and beyond the case study cities sharpened my focus with noticeable mentions of my trip to Los Angeles' skid row – the epicenter of urban homelessness in the US, which prominently showed what concentrated poverty looks like. Within the case study cities, my observations also included attendance at public city council meetings (in Seattle and Sacramento), community meetings of homeless advocacy/activist organizations and participation in demonstrations and public

fundraiser events (e.g. Share's sleep-out campaign and Women in Black Vigils in Seattle).

Most time-consuming was my participatory observation in the field, namely living in a homeless camp myself. The primary aim of visiting a camp was to gain a first-hand impression of the variety of camp formations and camp life in different settings. In all three of my cases, I visited both unorganized camp areas and organized encampments. The latter comprise one-time visits of variable duration ranging from a few hours up to two weeks in Fresno's Village of Hope and Seattle's Nickelsville. Short visits usually included a tour offered by residents, hanging out, or participating in a collective action. I volunteered in one of Tent City 4's moving days when they had to pack all the camp to move to a different church ground. In Seattle's Nickelsville and Tent City 3, Sacramento's Safe Ground and Portland's Dignity Village I made follow-up visits which allowed me to maintain contact and recheck my primary observations. Overall, out of the seven months of field work, I lived as a resident for a total of two months in three different homeless encampments: three weeks in Seattle's Nickelsville, two weeks in Fresno's Community of Hope and one week in Sacramento's Safe Ground.

Access to the camps was provided by the camp communities who decided to host me as a guest researcher. Reflecting the different organizational models of the camps, I either contacted known activists who function as elders of Sacramento's Safe Ground community, or emailed Nickelsville via their public community info email to ask for access. In Fresno, contact went through the Poverello House, whose manager asked camp residents for approval of my stay. I was not the only researcher joining the camps and in Fresno's Village of Hope I moved in directly after fellow researcher Chris Herring vacated his toolshed, which thereafter was dubbed the "researcher's shed" by residents. Particularly the communities of Nickelsville and Safe Ground actively invited journalists, researchers and even local officials to camp out with them as part of their public relations agenda. During these stays, I put my sleeping bag into a tent provided to me by camp communities of Nickelsville and Safe Ground Sacramento, and in Fresno I was allocated one of the tool sheds as a lodging: my privilege being that I used it alone, whereas other sheds are inhabited by two persons. In Ontario the city government declined access to the camp (Interview Schultz): like any other visitor I was allowed to watch from outside and spoke to camp residents at the designated visitor space just outside the fence.

My *rationale for living in the camp* was to understand how this minimum standard of (decent)

shelter works, how the pitfalls of (lacking) autonomy play out and what the local conflict around legalization is all about. For this purpose, I participated in regular daily life and followed the daily routines, which include socializing and common meals provided by volunteers, going to the food bank and picking up toiletries provided by volunteers on the streets in Fresno and directly to the camp in Seattle. While I was considered a guest in Fresno's camp, where participation in weekly camp meetings is voluntary, in Nickelsville staying in the camps also meant participating in self-government procedures including mandatory community meetings and fulfilling my mandatory chores such as doing security shifts and staffing the reception desk or – in the case of Sacramento's Safe Ground – collecting water for the camp from downtown. These stays also meant that I went home to camp at night: traversing each city's poor areas, crossing train bridges, taking shortcuts along footpaths through the dark greens of Sacramento's River Parkway to find "Sherwood Forest", where Safe Ground was located at that time. Such experiences made me realize how tangible the relative safety and stability of organized camps is, in contrast to sleeping rough as well as in contrast to the shelter system.

Living in the camps also meant gaining insight into the shelter and service system, which I made use of similarly to my fellow campers. Standing in line for basically everything (meals, shower, donated items, etc.), I also got a sense of what the paternalist shelter system feels like, and I can comprehend why such institutions are criticized and even rejected by people for their humiliating and infantilizing conditions. However, I also learned to appreciate the small differences that matter, how staff treat you and that the design of conditions is central to decent shelter.

Knowledge about the subjective perspective of homeless survival in daily life results from my stay in several camps. In this role, I never pretended to be part of the community but participated in the daily camp life as a guest. Although my role as an embedded researcher was known, I would nevertheless not record our conversations but made notes every night. I strictly refrained from any kind of semi-structured inquiry for ethical reasons. My communication with residents ranged from small talk to political discussions, but for the semi-structured interviews I would contact individual actors of the camps explicitly. For ethical reasons I also decided to not take photos: a decision that felt right during the stays – in light of the power imbalance between observer and object – but one that I regretted during later conferences when authentic coverage was called for.

Why not ethnography?

As the use of ethnographic methods has been identified as the primary and best-suited approach to research questions around poverty survival in the post-welfare state (Fairbanks 2012), I find it necessary to explain why I consider my research is both close to ethnography but also different. My empirical research in the camps comprises many of the typical practices of ethnography, including "hanging out with others in their local contexts, engaging in verbal exchanges with them, sharing and learning about their everyday practices, digging back into our own – and their own – memories for likely antecedents to current practices, jotting down notes, or tape-recording interviews, when possible" (Goodall 2000: 84). Yet, while I spent considerable time in camp life, talked to people and produced a research diary where I noted remarkable information, all of this does not live up to standards of ethnographic research.

For one, I am not an anthropologist and only invested limited time. Where ethnography demands extended periods immersing oneself into the social life worlds of interest, I perceived this part of my empirical research as a *pre-test*, which nevertheless taught me a substantial lesson about presumably pathological subjects and paternalist care. Through my observations and conversations with campers I could confirm that many speak of personal problems but most also told stories of how difficult it is to enter adequate housing with limited income. For instance, one couple in Fresno's Village of Hope told me they prefer the camp to the shelter, but essentially, they are here to save money to so as be able to pay the first and last month rent of a rental apartment.

Second, and more importantly, looking back at the troubled history of ethnographic research into poverty, any ethnographic investigation into the life worlds of the poor needs to consider how it deals with latent reproduction of prejudices and stereotypes about the poor and their space (cf. Wacquant 2002; Fairbanks 2009). There is a long debate about how researchers on homelessness deal with (re)producing hegemonic perceptions and stereotypes (cf. Blasi 1990; Hopper 2003; Bourgois/Schonberg 2009; Gowan 2010). Indeed, while many ethnographers seek to counter such stereotypes, they often struggle to control the kind of information that they produce and insert into political discourse. This is very true for the case of homelessness, where despite generations of committed critical ethnographic research the stereotypes on causes of homelessness prove deeply rooted in popular and political debates. Given that narratives of deviancy and pathology prevail in official documents and many research studies, critical research efforts remain highly relevant.

Generally, ethnographic research aims to delve deeply into the subjective perspective and lived practices of homeless survival to better understand how homelessness is struggled with in everyday life. In this line, scholars have revealed how homeless people use cars and tent cities as sites of survival, how these places involve specific qualities of life and how they are related to the creation of individual and collective identities of survival and resistance (Wakin 2013; Sparks 2009). The strength of these studies is to illuminate the processes of "othering" and reveal how these subjects not only suffer but actively re-make spaces and transform the paradigm of propertied citizenship (Sparks 2009: 163). Where these ethnographic studies examine specific micro-sites of survival that are either claimed by or provided to the homeless to address how these micro-sites re-work "the spatial and social hierarchies of propertied citizenship" (ibid.: 144f), my research targets the meso level of the social production of social space. Central for my research is the political process of how local society negotiates – and how the homeless co-shape this process through claims – whether and, if so, how to grant a new space for survival welfare. Without doubt, research based on the subjective experience of myself and others generates insights for urban sociology and political science. However, my interest is to better comprehend the local political negotiation of policy in the local integral state and it is from this inquiry that I relate back to the question of autonomous subjects, citizenship and the state/society/space nexus.

Therefore, by focusing on the political claims that homeless people articulate, I explicitly seek to avoid stereotypes and misrepresentations that are so stubbornly attached to homeless subjects. Hence, my research does not set out to learn how the homeless live their life to take the homeless perspective articulated. With such an approach, I also take on the critique that has been raised against scholars like Don Mitchell, who has been accused of using his research on the homeless plight to address urban revanchism rather than truly looking at how the homeless survive (cf. Deverteuil 2012). Don Mitchell – together with fellow homelessness researcher Lynn Staeheli – actually accepts this criticism when stating: “neither of us works directly to advance homeless people’s own political aims. We do not advocate on their behalf – at least not directly (...) homeless people remain indicators of something else just as they do in so much political academic debate” (Mitchell/Staeheli 2012).

Just like Mitchell, I acknowledge a problem when only treating the homeless as marginalized subjects rather than as active subjects suffering from the reproduction of marginalization. Nonetheless, the contrasting claim for research to focus only on the lived struggles of the homeless subject brings its own problems as it tends to underrate the re-making of the

structural conditions in which these struggles take place. Such research may then be "more interested in the homeless themselves", as DeVerteuil (2012) claims, but it may be questioned whether it actually does justice to the homeless. My research agenda thus offers a middle-path: focusing on political homeless claims as they are articulated by homeless organizations in the local struggle avoids the pitfalls of overestimating the agency of the homeless as resistance while also offering a more nuanced perspective on how the state governs not only against, but also with some consent of, the subaltern.

The motive for not engaging in full ethnographic analysis of camp life itself has thus been a strategic and political one. I did not want to produce data that would satisfy the strong and often-demanded needs of policy-makers and journalists alike to qualify the phenomenon of homeless camps: answers to questions like "who lives in a tent city" and "why are they there" are difficult to control. Therefore, my research explicitly abstains from delivering new coherent and verifiable evidence on the shifting demographics of campers, nor qualitative data about the concrete practice of collective decision-making processes in camps. For evidence on demographics and camp life, I draw instead on existing research (cf. Sparks 2008).

Omissions of race and gender

My research devotes no explicit attention to questions of race and gender. This is not because such questions are not relevant. As Soss et al. (2011) argue, poverty is heavily gendered and racialized, which also applies to homelessness: the homeless more often tend to be male and people of color (HUD 2017). This omission is even more problematic, as Soss et al. (2011) convincingly show in their work on current changes of US welfare policy that the factor of race is the only measurable pattern evident; a similar argument for homeless management being heavily racialized is made by Greg Willse (Willse 2010a and 2010b).

My decision not to focus on the issue of race therefore reflects the limits of my theoretical conceptualization, but is also reflective of the literature on homelessness and poverty in general, which tends to neglect questions of race (for an exception, see Hopper 2003, for geography, see DeVerteuil et al., 2009: 659). Baron argues that this omission is partly due to the early works of advocates and activists who deliberately silenced questions of race in order to raise mainstream compassion for the new homeless (see Baron's critical account of neglecting race in homelessness research, Baron 2004: 1015-17).

Moreover, the absence of race and gender aspects is also due to my research focus on the political negotiation of homeless camps. In this regard, it is noteworthy that in my case studies the homeless activists only raised issues of gender and race in very selective ways, the most important one being the claim that self-governed homeless camps also provide a safe place for women and children. This claim was articulated prominently as both a political claim directed towards inside – i.e. demanding residents to create a shared living space that allows women and children to feel safe, and a political claim directed outside as critique of the shelter system, which simply does not offer such qualities. This claim asks for recognition of the fact that not only in Seattle are the organized camps de facto the only place where adults with children can find shelter. Conversely, this desired quality of self-managed camps as places of inclusion, solidarity and equality beyond markers of race or gender or age may also speak to the absence of race-related claims. While all statistics underline that overall homelessness affects non-white groups disproportionately, in the case study camps white persons tended to form a slight majority of residents. At the same time, when looking at the ways in which groups like Nickelsville self-organize and distribute rotating tasks, no clear race pattern can be detected. What can be identified as obvious pattern is a hierarchy regarding experience and commitment, where seasoned homeless campers and/or activists (this may include activists who were at that point no longer homeless in the technical sense) are more likely to function as elders or arbitrators and step up in articulating claims to the public and function as a "spokesperson" for the camp.

The role of the researcher

As a German researcher being less entangled in the thicket of US homelessness research, my background enabled me to make a fresh start in grasping "how it works", with presumably fewer or differently pre-conceived "common sense" images and explanations than an American. Coming from Germany and with a good grasp on welfare, state and planning theory, I can offer a specific transdisciplinary perspective to reflect US poverty governance and especially the field of homelessness research. Hence, my background has been helpful in particular to critique the new paradigm of housing first, which thus far has only tentatively been criticized in the US. However, to develop such a critique, I do not utilize "outsider" material (e.g. European discourses on homelessness and homeless management) but rather draw on US research with the explicit aim to tie together its different, rich scholarly debates about governing urban marginality (cf. chapter II) with a close empirical analysis of the current praxis of governing homeless camps.

Reflecting on my role as researcher in this project, my personal academic evolution is relevant. From a critical engagement with urban planning (MA at TU Dortmund), where I immersed myself in an ethics of good planning that counters the historical tendency of paternalist godfather planning to accept dissent, I approached political science and political geography, which fuses the large but inevitable question of how the production of space comes about with an explicit focus on political struggle. With my long-standing interest in phenomena of unconventional forms of housing and grassroots claims to urban space, my research is shaped by my Master's research (Lutz 2008) examining the spatialization of German wagon dwellers' claims, namely a sub/cultural form of substandard housing reminiscent in form but not content to the US trailer parks. Inspired by Lefebvre's production of space, this research explored how planning can accommodate irregular dwellings and why they are so contested locally.

Crossing the Atlantic to study substandard housing and the phenomenon of homeless camps, my theme is therefore similar but at the same time more linked to political economy, poverty and homelessness than alternative socio-cultural lifestyles. At the same time, however, phenomenological similarities of camps – namely informal, unconventional shelter and self-help housing – across time and space are significant. While this research fully embraces the perspective of poverty governance as central to explain welfare restructuring, my research interest continues to be guided by the question of how claims for camps are articulated in regards to issues of human rights and a general right to the city. These questions always aimed to better understand a relational web of claims, rejections and possibilities that comes from struggles involving activists, service providers, advocates, planners and politicians.

Arguably, my "outsider" perspective eased access to the empirical field. Although my visits and stays at homeless camps were personally tough in many respects, where various scholars have problematized their limited access to the life worlds of homelessness (cf. DeVerteuil 2004), I did not experience significant barriers of access to the camps. This includes, that I neither felt the need to dress up for expert interviews nor to dress down for stays at homeless camps. My access to the field was in many instances paved by activists and advocates with whom I could easily connect. Most of the time I did present myself as a planning scholar and activist interested in the politics of shelter struggle. This research interest concerning their main problem: enabling a quality of life and a place called home, coupled with my non-intrusive participation contributed to my acceptance in the camps - and it was respected by non-homeless interview partners, too.

Chapter V: Managing homeless camps to govern local crises: case studies

1. Introduction

This chapter provides insights to the empirical realities of the protracted struggle for the recognition of housing needs. It shows in three cities how claims by the homeless for shelter, decency and autonomy conflict with the institutionalized landscape of neoliberal-paternalist homeless management, but also resonate with appeals to hegemonic promises and the quest for more efficient, legally-sound and legitimate homeless management.

The following three vignettes provide a close process-tracing to discuss in due detail how the policy option of regulating rather than evicting and displacing homeless camps emerged and has become normalized in Fresno, Ontario and Seattle. For each case study, the conditions that led to such regulatory experimentation are differentiated: (a) local actor constellations between top-down and bottom-up claims, highlighting the role of mediating organizations; (b) extra-local factors, primarily legal courts; (c) discursive changes in local policy debates; and (d) deals and compromises shaping the implementation of regulated camps.

The aim of this policy process-tracing is to illustrate how the recognition of homeless claims for survival, shelter and rights relates to specific articulations of crises of the legitimation, efficiency and legality of existing policing and sheltering strategies and how police and welfare logics are adapted and compromised to make space for legal camps as the demonstration of care and compassion. Overall, the dense description of these three cases aims to convey a sense of the varying intensity of local struggle stretching over years, erupting and settling down at various instances.

Each case study is divided into three sections:

(1) first, an introduction is provided to local settings where the institutional and historical outlines of the geographies of housing insecurity and local homeless management are related to a brief sketching of the city's political-economic geography, including maps and tables chronicling the milestones of local camps struggle;

(2) the second section enters the camp struggles and traces how the policy option of regulated camps has advanced in each city;

(3) the third section shows how this shifted discourse recognizing policy failure and the need to address shelter needs has been translated into policy. This section shows how the camp was implemented, and in which ways the camp regulation depicts a socio-spatial compromise and whether this arrangement was settled and normalized, contested and/or expanded and replicated.

Given that in Seattle the camp struggle spans a longer historical period dating back to the 1990s and features a much more variegated and sustained debate than in both Fresno and Ontario, the following case studies are uneven in length and detail.

2. The case of Ontario: top-down governing of camps

The critical case of Ontario highlights how crises of homeless management are dealt with through camps when the local government acts as a central actor. After briefly presenting the local settings highlighting the nexus of urban development and homeless management, the second section shows how the crisis of penal policing culminates in a strategy of informal policing where all local homeless campers are corralled to a designated area. This informal "safe zone" would eventually morph into a highly regulated camp where local government establishes strict rules. In the third section, I show how this camp was normalized and integrated into the local system of homeless management as an unconventional form of emergency relief, until it was closed in 2012.

Local settings: small town deters the homeless

Ontario is a city of about 170,000 residents, nearly 40 miles east of Los Angeles. Originally a small farmer town, it has grown tenfold since 1960. Today, its economic growth relies on services, manufacturing and warehousing, with the city-owned Ontario International Airport – the third major airport in the region – being the largest local employer. The city positions itself as an attractive community to middle classes, offering a high quality of life with safe and green living conditions. As part of the suburban agglomeration, the city continues to grow.

Ruled by conservative politics similar to the other San Bernardino County cities, Ontario has a long track record in deterring homeless people. Intending to prevent any visibility of homelessness, for decades the city relied solely on strategies of exclusion, offering no services and continuing to deter the homeless out of town. Reducing the pull factor of

homeless services to zero and enhancing the push factor through restrictive local anti-homeless policies including a ban on camping in public space, Ontario's homelessness policy has contributed to a highly uneven regional pattern of homeless services that has been noted since the 1990s (Wolch/Dear 1993; Deverteuil/Wolch 2001). Essentially, Ontario – like most other cities in the counties surrounding Los Angeles – tries to shift the homelessness problem to Los Angeles, which has long been dubbed the nation's capital of homelessness. Rivalling New York for this title, Los Angeles has ca. 50,000 homeless people and despite offering the largest amount of homeless services, shelters and housing in the region, it still tops the national ranking of unsheltered homeless as more than 25,000 persons are living on the streets (cf. Roberts 2014).



Fig. 4: Homeless camping in skid row, Los Angeles; Source: author 2011

Despite this clear rejection of taking political responsibility for homelessness, by the early-2000s the cities in San Bernardino County also experienced a significant increase in homelessness. No longer confined to Los Angeles' skid row, the suburbanization of homelessness is evident. Compared to Los Angeles, homelessness figures in San Bernardino County are still lower but considerable, with 7,331 persons counted as homeless in 2007. The

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regional problem of homelessness predates the great recession: this count represents an increase of 39% in homeless persons since 2003 (SBCHP 2009: 7). Such data is gathered at the county level and there is no official data on homeless individuals in Ontario. However, several news reports describe a local increase in homelessness: according to county officials, in 2007 the city of Ontario counted 331 homeless people, ranking second after the county capital, San Bernardino (Kelly 2008a).

While the weakness of homeless data – which often does not correspond to local perceptions of need and problem – is not only characteristic of smaller suburban municipalities, the corresponding data on services is unambiguous: until 2008, the city provided no homeless service facility offering shelter. Local churches and charities provided food and some medical assistance and occasionally offered support to individuals in terms of finding housing. Other than committed church communities that provide charitable relief, there is no homeless advocacy organization in Ontario that articulates homeless voices and needs. The story of the camps struggle thus marks a historical moment where the city’s strategy of homeless management is challenged by an increase in homelessness that – deplete of any services to seclude the unsheltered population indoors – becomes manifest and visible in everyday encounters with homeless. This serves to irritate the middle class which sought to have escaped this “large city” problem, and results in an increase in media reports on complaints by local businesses about aggressive panhandling, urinating and defecating in the city’s downtown (cf. Interview Schultz).

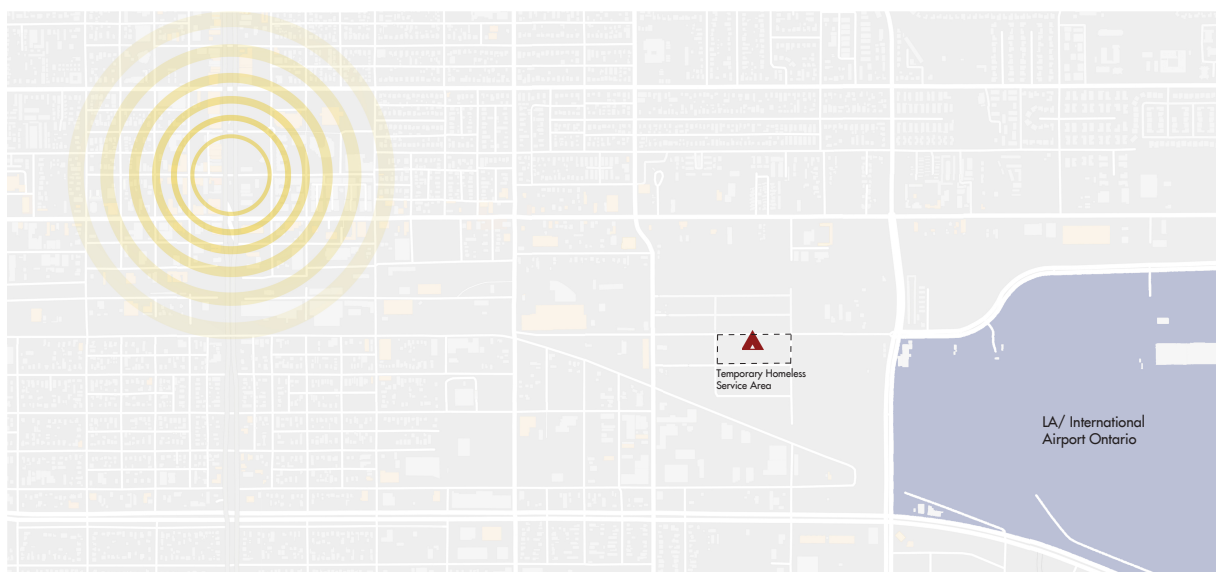


Fig. 5: Location of Ontario’s camp in urban context 2011; Source: author.

Milestones in Ontario’s camping struggles

Tab. 1: Milestones in local camping struggle: Ontario; Source: author.

2005	City of Ontario establishes Community of Care.
2007 (July)	City designates informal zone to allow homeless camping; encampment quickly grows up to 400 campers.
2008 (March)	City establishes the Temporary Homeless Assistance Area (THSA) hosting over 300 campers.
2008 (October)	Population of THSA reduced by 50% by expelling non-locals.
2009	San Bernardino County releases its Ten-Year Plan to end homelessness.
2011	City decision to close THSA is postponed.
2012	City decides to close THSA, number of residents down to 5.
2013	Official homeless count of 136 homeless people in Ontario, 87 unsheltered.
2013 (Feb.)	Media reports THSA still operating with ca. 20 residents.

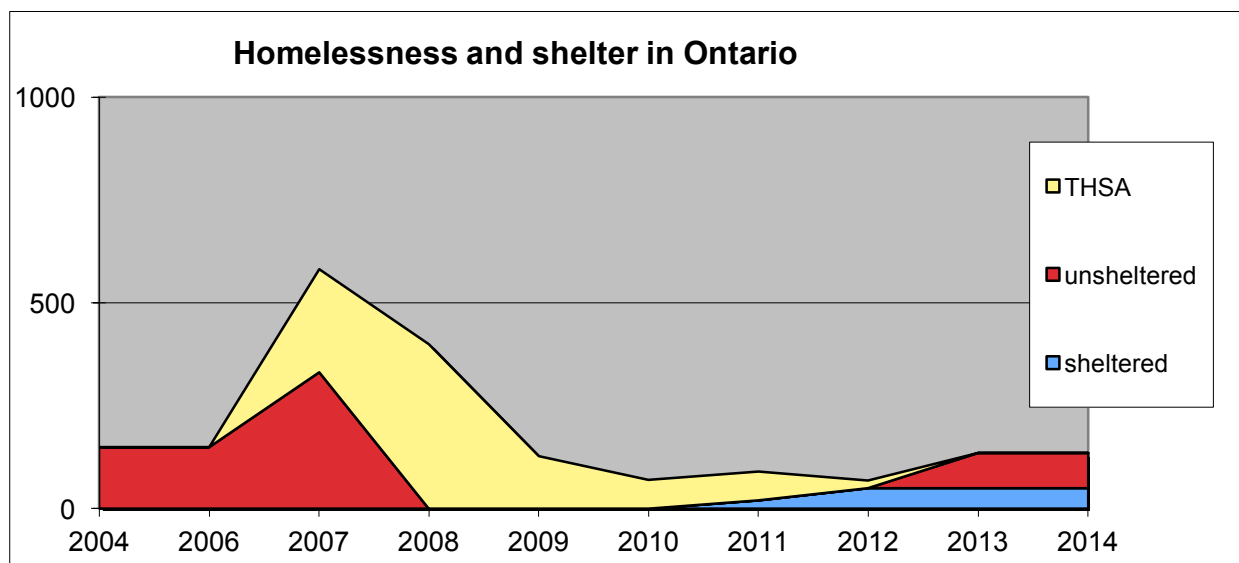


Fig. 6: Homelessness and shelter in Ontario 2004-2014; Source: author based on Kelly 2008, Colletti et al. 2013.

Dealing with homeless campers informally and formally: the establishment of a homeless rest area

In 2008, Ontario made national news for being host to one of the largest homeless encampments in the US. On the barren lands close to Ontario International Airport, more than 400 people were camping in tents and trailers, triggering news headlines of the 21st century’s slum and skid row. However, where many articles highlighted the large encampment as a

visible manifestation of economic crisis (Ehrenreich 2009; BBC News 2008; Shedlock 2008), the emergence of this specific encampment is more directly linked to the history of local homeless management replete with a lack of shelter and challenges of policing.

The history of this large tent city began in July 2007 when the local police and city administration decided to assign a special area where the unsheltered homeless could camp without police sanction. The background for this decision for an informal safe zone are the sustained experiences of frustration by enforcement agents, city officials and housed communities with the limited effects of policing the homeless (Nolan/Emerson 2013). Since the early-2000s, the presence of homeless people – particularly practices of panhandling and camping in public space – has been problematized in Ontario. However, the problem that city officials and police encountered was that since the 1960s homelessness as such could not be criminalized: rescinding the hitherto-practiced vagrancy laws, legal courts decreed that such status laws were illegal (Mitchell 2011). Thus, given that practices that force homeless people to leave the city violate the US constitution, police enforcement has since focused on prosecuting so-called uncivil conduct, rendering criminal the various practices of homeless survival. Nonetheless, even when citations are issued to homeless campers, the offenders are likely to return or build another encampment down the road. Policing was further constrained by the overfilled local jails and the increasingly staggering costs of incarceration.

In Ontario, city officials together with the police sought to respond more effectively to the persistent presence of homeless people and came up with the idea of an informal safe zone. While little is known about the backroom deliberations leading to this decision that made numerous journalists to come to the city three years later, the city officials justified their decision to designate a safe zone next to the airport as a pragmatic decision that addressed both concerns over the safety of homeless people who were previously camping in dangerous places, and the interests for safety defined as quality of life valued by local business and residents who felt disturbed by the increased presence of homeless people (Marquez 2010). Whatever the rationale may be, all news and interview sources concurred that by the summer of 2007 local police began to enforce the new policing strategy by referring all unsheltered homeless people in the city to the new urban rest area. Here, they could camp without police harassment, but also without any services or infrastructure.

Within weeks, what started with twenty people had begun to grow. The pragmatic informal experiment to regulate the problem of unsheltered homeless in a grey space of managed

persistence of informal camping started to become a problem of its own. While assessments differ concerning the degree to which the crowd of campers swelled due to influx from out of town (local officials like to underline the number of migrants), it is clear that news about this safe place spread beyond city limits. Therefore, it is highly plausible that the promise of a relative safe space motivated people suffering from housing insecurity to leave their precarious and shadowy shelter arrangements. New campers moved in, making home in RVs, caravans and tents, while a surge of volunteers also began to visit the site, bringing food and clothing. The sheer size of the encampment quickly exceeded the capacity of local charities, which – as a local pastor told me – had tried to assist the homeless relegated to the safe zone from day one. Reporters followed to document what many described as the new ugly face of America. The situation is described as chaotic, caused by the lack of sanitation and garbage disposal, but also by the volunteer donations. While the urge to care of volunteers has been evident (cf. chapter II) and many individuals, church communities and non-profit organizations provided necessary services and resources from food to sleeping bags, several reports and my interview partners also noted how donated food and items were simply dumped at the site, thus aggravating the health and disorder problems (Interview Aviles, interview Schultz).

The local government was clearly overwhelmed by this influx of attention and need, which became an administrative nightmare. Mayor Paul Leon is quoted as saying: “It took on a life of its own (...) It didn't occur to us it would grow to this size this fast, which reflects the need” (Shedlock 2008). Indicative of the looming legitimization crisis, the media described the area as a major embarrassment to local and national government (Kelly 2008a; BBC News 2008). In contrast to other cities where the homeless are informally managed to persist in rather hidden areas out of sight for years, Ontario's space of informal relegation attracted strong attention. The growing number of campers, their increased visibility and the deteriorating conditions of survival triggered local authorities to intervene. Citing safety concerns and limited local resources, city officials articulated worries over this development and decided to curb and regulate the camp (Kelly 2008a). However, how best to achieve this demanded deliberation: regulating people in camps is described by Schultz as “uncharted territory” for city staff (Interview Schultz), who took on this task in a distinct top-down approach. While some observers described the sprawling open-air camp site as “Woodstock”, stressing the practices of mutual aid and solidarity where homeless people not only created precarious homes but also developed loose forms of community formation and self-government (Interview Bush), the city's intervention did not seek to respect or even harness

these self-help practices. Instead, the response focused on eliminating existing self-sheltering structures and the social ties attached to them: these are perceived primarily as a breeding ground for crime and drug abuse, posing a safety problem as well as environmental and health hazards (Interview Schultz).

On 24th March 2008, police and city staff entered the area with heavy machinery, began cleaning debris and camps, removed trucks and caravans and encouraged campers to leave the area. Intending to reduce the number of campers to 170 – a number that local officials deemed to match the local homeless population – the city declared that only those with ties with the city were allowed to stay. Police and city staff began distributing colored wrist bands, differentiating homeless individuals who could prove residency in Ontario, those who were in process of gathering sufficient documented proof, and those who had to go. The color tagging of citizens regarding their status of eligibility raised concerns. Critical articles have documented the complaints and fears of those who due to a lack of housing and shelter had come to the area expecting some relative stability and were now forced to leave again (Ehrenreich 2009; Martinez/Conway 2008; Kelly 2008b). Although few citations were issued, no arrests were made and bus tickets provided (Kelly 2008b), these reports stress the intimidation exerted by state officials, which proved sufficient for many campers to leave the area to undisclosed destinations (cf. Gutglueck 2016).

Normalizing the camp: role of protest, legal advocacy and non-profit service providers

At the same time, city staff began to create what was called the Temporary Homeless Service Area (THSA) for those who were allowed to stay. Formalizing the hitherto informal safe zone, the designated function was still nothing more than to provide a place “where folks could congregate and receive reprieve from enforcement”, as Larry Haynes – director of service provider Mercy House – states, whose non-profit organization was tasked to provide services to the homeless in the THSA (Kelly 2008b). After evicting all homeless campers from 24th March 2008, city staff began to construct a camp in one corner of the empty field: informative signs were erected to inform the public, a fence was put up and a private security company was contracted to secure the perimeter 24/7, standard tents were provided and strict rules imposed. These include curfew hours, no visitors being allowed even near the fence, a ban on pets and the prohibition of any additional furniture such as tarps or belongings with which the residents could improve their shelter, thus making it home (Magar 2008). Thus, within less than a year, Ontario officials shifted their strategies to manage the homeless

population along the full spectrum of grey space: from producing a grey space of informal toleration to the destructive intervention that rescinds the right to stay put for non-locals (blackening) to the creation of a formal safe zone (whitening).



Fig. 7: Outside Ontario's THSA; Source: author, 2011.

Despite the hardship inflicted, protest was sparse. Journalist Bennett describes the telling story of a homeless protest march to the county seat to demand a place for the excluded to stay legally. Organized by a homeless activist based in Venice, LA (Interview Bush), only eight persons participated (Bennett 2008). Where critical journalists sought to scandalize both the forced containment and the exclusion, in Ontario this activist wondered "Where's the outcry?" (Bennett 2008). Within the scattered and temporary crowd of campers, attempts at collective organizing were limited. Moreover, while some community ties were created to organize matters of daily life (conversation with car campers), this did not result in the articulation of a shared critique against the very restrictive conditions of the camp. Instead, as journalist Ben Ehrenreich concisely describes, homeless residents generally "shrugged off" these constraints (Ehrenreich 2009). Although the banning of pets, the prohibition of personal furniture such as storage boxes and any form of appropriation or improvement (e.g. additional tarps for providing shade) was criticized, and while the rules were considered infantilizing, this rest area was considered by most the best alternative available. Some residents expressed

satisfaction, describing the camp as a gated community that provides safety and daily meals, and where they are largely left alone (ibid). This resonates with the comments that I received when speaking to residents outside the THSA on the visitor bench: the woman and man with whom I spoke explained the strict security measures in contrast to the threat of drug- and gang-related criminal activities. What was criticized by these residents was less the living conditions in the camp and more the lack of employment opportunities. The woman showed me scrap computer items that she collects, disassembles and sells to recycling companies. Even legal advocates of the American Civil Liberties Union (ACLU) who visited the site repeatedly and documented the eviction found any reason to object (Magar 2008). Adhering to the current legal situation, their focus was on ensuring that during the clean-up no personal property was destroyed or anyone was arrested for being homeless.

Obviously, the city's clean-up efforts remained within the boundaries of the current legal situation protecting homeless rights (Gutglueck 2016). Furthermore, moral critique on the city's dual strategy of cleaning the encampments while providing a regulated camp area also had little effect in triggering a legitimation crisis. For instance, journalist Bransford deftly characterizes the THSA as "a symbol of injustice, a cynical and inauthentic gesture of compassion" (Bransford 2009). However, rather than such challenges, what prevailed were claims that lend credibility and legitimation to the city's policy. Many media articles took up the city's promise and framed the THSA as a "social experiment" that testifies a "compassionate attempt by city officials to help the homeless" (Roberts 2008). LA Times journalist Kelly stresses that unlike other cities, Ontario does not hide or deny its homeless problem, but rather "opens its arms to the homeless" through providing water access and portable toilets, ensuring safety and contracted social workers to assist the residents in finding shelter and housing and receiving help with drug or alcohol problems (cf. Kelly 2008a). Larry Haynes – director of non-profit service provider Mercy House, which operates the THSA – also stresses the adequacy of this form of shelter provision: "I have done this kind of work for 20 years and have never encountered a city that has made the investment that Ontario has" (Kelly 2008a). Within the city, across city council, mayor and city staff there was unanimous support for taking this form of responsibility, which restores order by creating a regulated camping area while expelling non-local homeless. Summarizing the prevailing political sentiment that frames the THSA as an adequate expression of how the city "opens its arms to the needy", Larry Haines explains: "This isn't Berkeley or Santa Monica. It's a moderately conservative area, not a bunch of wild-eyed liberals" (cf. Kelly 2008a).

Expanding care and closure of the camp

Both the initial designation of a safe zone where city “support” was limited to the non-enforcement of policing and the subsequent regulation of the large encampment into a smaller, manageable THSA have been justified by city officials as a compassionate and determined act by the city. Throughout the years of operation, they were keen to stress that they would not let the – i.e. their local – homeless down and that the new THSA would remain open for as long as necessary. The city’s housing manager Brent Schultz – the key responsible for the THSA – is quoted as stating: "We said, 'You don't have to go, but we have created a place where you can go'". However, while he underlines that "We are reaching out to people", he also makes clear that the THSA is "not a permanent solution. We are trying to keep a lid on it, but we are not putting our head in the sand" (Kelly 2008).

As this quote indicates, the city was committed to helping but also intended to close the THSA. In contrast to other cases, the decision to close the THSA is neither caused by NIMBY protest nor by concerns over the manageability and visibility of the camp nor a response to protests by homeless or their advocates. While the latter was absent as previously discussed, the former was minimized by the clearly-demarcated and strictly-policed area of the THSA, which – located in a peripheral area and invisible from any major street – received few neighborly complaints. Rather than public hostility or discomfort, the decision had more to do with local government seeking to shed this specific and contested form of responsibility for the unsheltered homeless. Therefore, county and city officials did not simply pride themselves in having already done “a great job of reducing tent city’s population” (Ehrenreich 2009), but additional efforts were made to find a different long-term solution to the remaining homeless problem. Trying to prevent the THSA from becoming a permanent responsibility, a hitherto unprecedented cross-sector cooperation between various city and county departments and service providers was initiated to build from scratch a local landscape of homeless services and housing that lives up to the state of the art of homeless assistance. Therefore, the THSA functioned as a catalyst for the roll-out of more comprehensive local homeless services.

The justification for this was delivered by the larger national debate over homeless assistance where for years emergency services had been criticized as band-aids and HUD’s funding had shifted to prioritize transitional services and more recently permanent supportive housing (cf. chapter II). Although the city established a local Continuum of Care in 2005, this had little effect: by 2008, there were still literally no homeless services to coordinate. Devoid of any

private charitable service providers to rely on, local government eventually stepped up to initiate and finance more comprehensive homeless services. These efforts culminated in the opening of a new transitional housing facility, the launch of a homeless prevention program and the creation of new permanent supportive housing units for the homeless. In 2013, the previously service-barren city of Ontario won the 2013 Helen Putnam Award for Excellence in the Housing Programs and Innovations category (Western City 2014). Nonetheless, the website heralding this achievement also enlists the THSA as the first entry in the list of local homeless services. This is no accident, as in 2014 the THSA still remained the historically first and – in terms of sheltering capacity – by far the most significant element in Ontario's "full-service continuum of care" (Western City 2014).

De facto an unconventional emergency shelter, the THSA is officially described more vaguely as "an area to temporarily serve Ontario's chronically homeless" that provides "bathrooms, showers, food distribution, tents and 24/7 security" as well as services including "case management, assistance in securing entitlement benefits and searching for permanent housing" with additional "mental health services" provided by the San Bernardino County Department of Behavioral Health (Western City 2014). Again, this kind of basic homeless assistance seems sufficient to fulfil the hegemonic promise for homeless assistance. While there are no additional claims for better care or autonomy neither by homeless nor legal advocates or service providers, the mayor still seeks to justify the creation of this basic emergency shelter in tents by pointing to "the limited resources that were available" (ibid.).

In my interviews with city officials and residents as well as in the media, it was stressed that most THSA residents eventually were transferred into housing (Marquez 2012, Interview Schultz). However, some questions remain concerning the degree to which this was actually true and – more importantly – what quality and stability this housing provided. For instance, where interview partners from the city highlighted the use of the Federal Economic Stimulus Funding to finance a rapid rehousing program, it is unclear what happened when these funds ran out after 12 months. Similarly, the different numbers used in media articles and official reports to quantify the variously specified forms of publicly-funded housing for specific populations prompt easy confusion. A closer look reveals that of the 62 permanent affordable housing units only twelve units were reserved for formerly-chronic homeless – the category applied to most of the THSA residents – whereas the remaining were targeted at tenants from extremely low-income to low- and moderate-income households (Institute for Local Government 2015). Finally, irrespective of the exact number of the newly-created housing

opportunities, my interview partners confirmed that finding housing for the residents of the THSA actually proved far from easy. The fact that the closure of the THSA – which was first decided in a special city council meeting in 2011 – was postponed several times speaks to a still-unresolved problem of housing crisis (City of Ontario 2011).

However, this council decision underlines that the intention to actually house the homeless was mediated by an equally strong intention to close the THSA regardless of how the homeless were housed. Ehrenreich states that “neither city nor county officials, though, knew if any of those who have left Tent City have found a better source of shelter than a tent” (Ehrenreich 2009). The cumulative restrictions of serving only locals and maintaining very basic and restrictive conditions in the THSA that serve to deter many homeless indicate the sustained fear of city officials that their service provision to the homeless would serve as a magnet attracting even more homeless. In this context, the prolonged debate in city council over building a new emergency shelter is illustrative. Already in 2005, the need for such an emergency shelter was officially stated (City of Ontario 2010: h-33). However, in 2011 the city decided to build a new intake center providing day services and referrals, albeit without the planned fifteen emergency beds (Marquez 2010, 2011). Even city officials were skeptical and one city councilor wondered whether without sufficient emergency shelter beds the closure of the THSA the homeless residents would entail pushing the homeless back on the streets (Marquez 2011). Brent Schultz responded that even the fifteen emergency beds would not meet the needs of the 75 currently homeless, including 38 in the THSA (ibid.).

It is in the context of such debates over emergency services versus housing as adequate welfare response that we can fully appreciate the meaning of the city officials’ emphatic emphasis on the collaborative work, where for the first time all stakeholders worked together (cf. Interview Schultz). This effort towards “good local government” is repeatedly highlighted. A 2015 Californian mayors forum on “When there is a will there is a way: local governments working together to address today’s vexing challenges” embraces the Ontario example (Institute for Local Government 2015). Ontario’s mayor explained once again that “Ontario has created a compassionate homeless program that works” and acknowledged that this “hasn’t been easy, but the city council has remained committed to providing a way out of homelessness for our most vulnerable people” (ibid.). He also acknowledged the limits of this experiment, where locally the closing of the THSA was questioned given that neither sufficient housing nor emergency shelter capacities were available. As a result of this unresolved question, the closure of the THSA was once again postponed, yet the direction of

local policy discourse was reinforced: the city council, mayor and service providers were keen on focusing resources on developing housing rather than investing in contested emergency services.

Ontario's experiment in homeless care was closely examined by other cities across the nation and particularly the neighboring cities. A 2008 newspaper article reveals that other mayors had no intention to replicate such a solution. The reasons they gave were the lack of suitable land and the lack of political will: "This is just not going to happen, not with the council we've got now" (Rancho Cucamonga Mayor Don Kurth in Leung 2008). These mayors also refer to the costs associated with such a regulated camp. In this context, the mayor of La Verne stated that "the Ontario example shows that good intentions can turn into a political nightmare" (Leung 2008). The costs of emergency services were obviously a factor in the closure of the THSA. Mayor Paul Leon complained publicly that "to spend \$300,000 on 38 people is a freaky figure to me" (Marquez 2011). The main expense factor for the THSA was private security, but next to infrastructure maintenance and service workers, costs also accrued with the regulation of volunteer services. The THSA illustrates tensions where the city is dependent on and asked charities and volunteers for support but also seeks to control this support. The local pastor – who for years has organized faith support to the homeless – told me that local faith communities actually welcomed the THSA, which allowed them to deliver support without having to have the homeless close to their neighborhoods: a sentiment that probably explains much of the massive volunteer support that the rest area received (Interview Aviles). However, such help for the unsheltered is contested by many as "enabling" of homelessness. Moreover, while Ontario has not yet banned public feedings as undertaken elsewhere, particularly in suburban areas (Mitchell/Heynen 2009), the THSA strictly regulated access of volunteers to the area. City officials highlighted how to ensure that all donated food complies with health and sanitation standards they installed a professional, air-conditioned and costly food distribution container to ensure this, standing in shining white next to the army tents exposed to the hot Californian sun. For health reasons there is thus no direct contact between residents and donors.

The ostensible success in having reduced the visible homeless population to a manageable mass and the various concerns over limited resources accumulated in a strong feeling among city elites that "we have proven that we care about the homeless", as city councilor Sheila Mautz explains (Marquez 2011). Brent Schultz states with the THSA they are on "moral high ground" as they responded to immediate needs (Interview Schultz).

At the same time the city attorney confirmed that since the establishment of the THSA fears of a return of illegal encampments have diminished permanently. Due to the demonstrated shelter capacity and the newly-created housing units, he reasoned that the city is likely to be protected against possible legal threats by homeless people. Such a legal challenge was brought upon the city of Los Angeles, which enacted a more restrictive anti-camping policy to deter unsheltered homeless people. In September 2012, a law suit pushed by homeless people upheld the claim of eight homeless people who sued the city for having illegally destroyed their personal belongings. This *Lavan vs. Los Angeles* lawsuit once again limited policing strategies, arguing that under the 4th and 5th amendments the city cannot remove and destroy unattended property. The city challenged the ruling, but the US Supreme Court rejected reviewing the ruling (Gutglueck 2016). In contrast to Los Angeles where police had to tolerate street encampments after these legal challenges, city officials of Ontario felt confident that their newly-provided housing facilities would avoid such constraints, but legitimate an even harsher enforcement of anti-camping ordinances against any newly-emerging encampments.

Whether they were successfully housed or simply moved on, by the end of 2013 no residents were left in the THSA and the facility finally closed (Venturi 2013). While homelessness has not ended and official figures still count more than 100 homeless persons, the THSA is no longer deemed necessary. Mission accomplished, as mayor Leon explains: "We have been ramping it down for years. We now have a very sophisticated homeless support program that has replaced it" (Venturi 2013). Local media considers it "a success story about care of the homeless" (Marquez 2011) and Brent Schultz also declared it "one of Ontario's greatest success stories" (Interview Schultz; cf. Bransford 2009), which is now concluded.

3. The case of Fresno: non-profit organized camps

The case of Fresno features non-profit managed camps that I describe as overflow outdoor shelters to highlight their central organizational and spatial characteristic: while there are differences between Village of Hope and Community of Hope in terms of how they emerged, both are managed by the local service provider Poverello House and are located on its land. With a more pronounced role of non-profit service providers, Fresno's two regulated camps are situated somewhere in the middle between the top-down governed and the self-governed camp, exhibiting a mix of paternalist and neoliberal homeless management.

After introducing the local settings of sustained and concentrated poverty, the second section shows how the option of legal camping emerged as an experiment pushed by homeless and a local non-profit service provider. Expressing a critique to the existing welfare and penal approaches, the first camp is both more accommodative and neoliberal in its operation: it offers safe and stable shelter with some levels of autonomy; operated and sustained privately, it has been accepted as alternative niche but not further endorsed by local government. In the third section, I show how in the following years this experiment has been replicated by local government as an official strategy to provide shelter. The second camp highlights how the option of legalizing camps resurged as a viable policy in the local context of resurgent anti-homeless policing, a growing and more compressed landscape of unhoused people camping, as well as protesting and launching legal attacks. Similar in its operation to the first camp, the second camp is shaped by contested policy debates including proposals for a large, top-down governed camp. Discussing the role of homeless activists, the ambiguous success of legal advocacy and the shifting position of the central non-profit service provider, I show why grassroots claims and plans for additional camps have not been fruitful, while the government is content to continue sanctioning the two legal camps.

Local settings: city of sustained poverty and malign neglect

With roughly 500,000 inhabitants, Fresno is the largest city of California's inland empire. Historically, it served as a central location of the region's agro-industrial development and prospered until the 1960s. However, with the fundamental structural change in the agricultural industry, Fresno has since emerged among the top ten of the nation's poorest cities, ranking high in unemployment and poverty (Chiles 2014). A report by the Century Foundation shows Fresno as a deeply-segregated city with a clear north-south divide along markers of race and class: while affluent suburbs with white home ownership sprawl ever further north, the southern neighborhoods are primarily inhabited by tenants where black, Latino and white poor live in ethnically-segregated but growing pockets of poverty (Jargowsky 2015). Reports by the Federal Reserve Bank and the local newspaper Fresno Bee similarly document the city's ongoing architectural and social decline (Cytron 2009; Castillo 2016).

In terms of urban development, the city features a classical donut pattern with an expanding ring of suburban growth and a center of a crumbling inner city exhibiting urban blight with once grand but now closed shopping centers and movie theatres. Aside from employees and

customers of the various buildings of public administration including bail bond offices, downtown is populated by visibly poor people.

Substandard housing, visible poverty, homelessness and encampments are regular features of Fresno’s urban landscape since the 1960s. The most visible concentration of poverty is

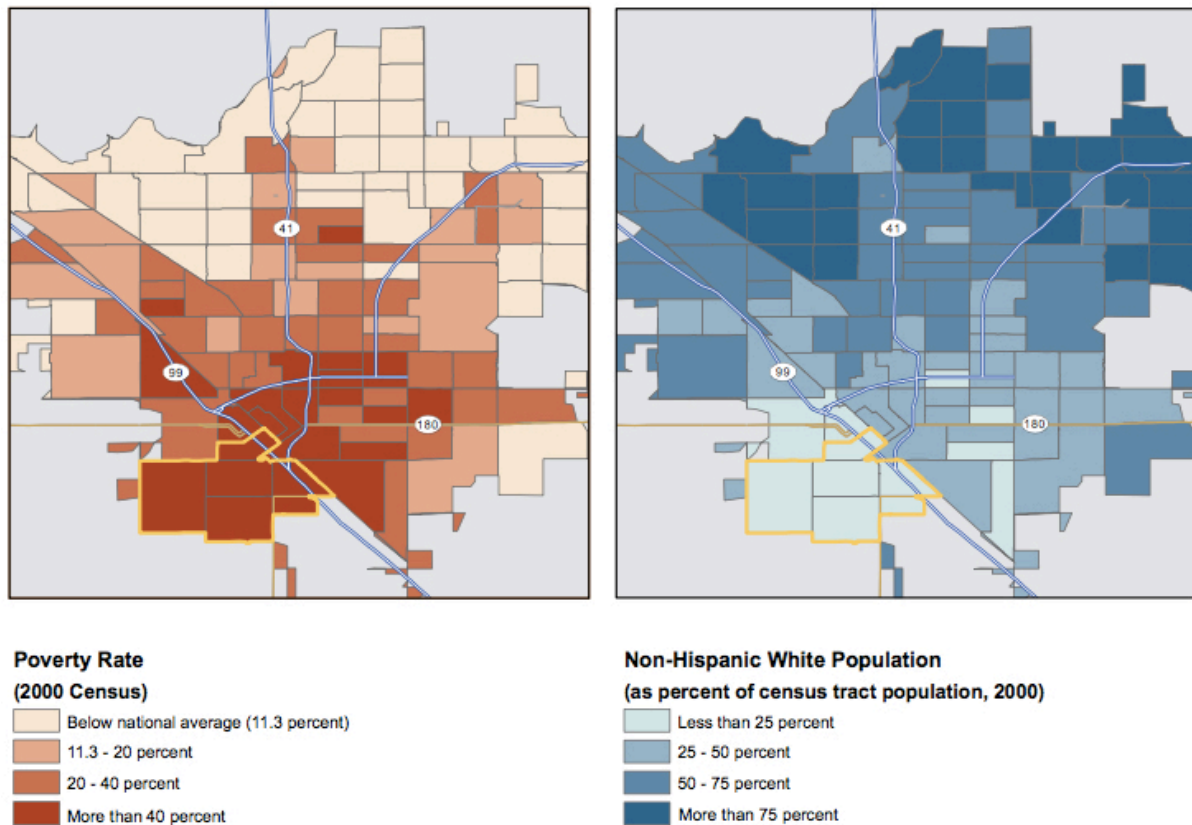


Fig. 8: Poverty and segregation in Fresno; Source: Cytron 2009: 8.

located in areas adjacent west and south of the declining downtown, which until today awaits its revitalization (Castillo 2016). Historically the site of a Chinatown, this area has long been home to poor and substandard housing, suffering from lack of income, abandonment by local government, racial segregation and slumlording (Castillo 2016). The autobiography of Mike McGarvin – the founder of the non-profit service agency Poverello House – paints an intimate but distressing image of persistent poverty and a lack of affordable housing, which has not changed much since the 1970s (McGarvin 1993). Where possible, the underhoused poor create shelter in the continuously-diminished cheap housing stock and otherwise outside under motorway overpasses and on the properties of former manufacturing and light industries. Other spatial concentrations of unsheltered homeless are reported along the highways, where many homeless seek shelter under the Oleander bushes on the medians, in public parks and particularly Roedinger Park, where a small camping community established

(Interview Williams), as well as the Tower District, a neighborhood several kilometers north of downtown that has minted as a new location of urban culture featuring hip bars, galleries and shops. However, it is on the vacated lands south of Ventura Street where large numbers of encampments have been continuously reported for decades.

The spatial concentration of homelessness due south-west of downtown is facilitated by several advantages such as the walking distance to downtown and the two largest homeless service facilities of Fresno. Overall, Fresno's landscape of homeless services is barren in comparison to other similar-sized cities, receiving substantially less investment by philanthropic foundations and public donors (Cytron 2009: 16)⁴¹. The two largest local organizations – Poverello House, which provides food, showers, medical support and some shelter beds for women; and the evangelical Fresno Rescue Mission, which also offers food, showers and emergency shelter – are located here less than 150 meters apart, south of Ventura Street. Together, they are the most substantial and reliant source of services to the poor and homeless. Around their premises there is constant movement of homeless and poor people who either come to the area for services or live there in semi-permanent encampments.

The homeless presence in this “service dependent ghetto” (Wolch/Dear 1993, see also Fresno County Grand Jury 2008: 3) has been regularly problematized by local media but, overall it has been mostly tolerated by local police. However, an increase in problematization can be noted around 2004 when plans for downtown revitalization were put forward. The mayor launched a campaign called "I believe in downtown Fresno" (Fallows 2015). A key role is played by the project by Cleveland-based developer Forest City Enterprises, which envisions redeveloping the Chukchansi Park Stadion, a city-owned minor league baseball venue, as an anchor for commercial development and to build 700 new mixed-use residential units on 85 acres. For various reasons, this project was never completed and was officially cancelled by the city council in 2009 when the investor retreated (Haagenson 2009). Despite being halted, once it commenced, the urban redevelopment agenda has had tangible effects on homeless management, triggering a series of revamped policing interventions. The aim of new patrols citing homeless people for jay-walking, the use of shopping carts and camping is to reduce the visibility of the homeless and banish them from the streets of downtown (Rhodes 2009). This penal crackdown on the city's poorest has been accompanied by protest from local homeless

⁴¹ Although there has been an increase of philanthropic activity since the mid-1990s, the region of Fresno received just over \$17 per capita in grant dollars in 2002, compared with \$47 statewide (Cytron 2009:16).

advocacy groups. Ever since, the spatial presence of Fresno's unsheltered homeless – particularly their encampments, which have been tolerated for long time – has advanced as a recurring topic of urban contestation. However, despite increased media coverage and city council debates, what remains is the basic necessity of homeless camping given the chronic lack of emergency shelters and housing opportunities. Calling on the city's obligation, homeless advocate and journalist Mike Rhodes refers to data from the city of Fresno's "Consolidated Plan" revealing that in 2006 there were 8,824 homeless: a number that sharply contrasts the 120-150 beds (for men only) offered by Fresno Rescue Mission and Poverello House's 22 beds in Noemi House (for women only) and the 22 tool sheds that each sleep two people (Rhodes 2006).

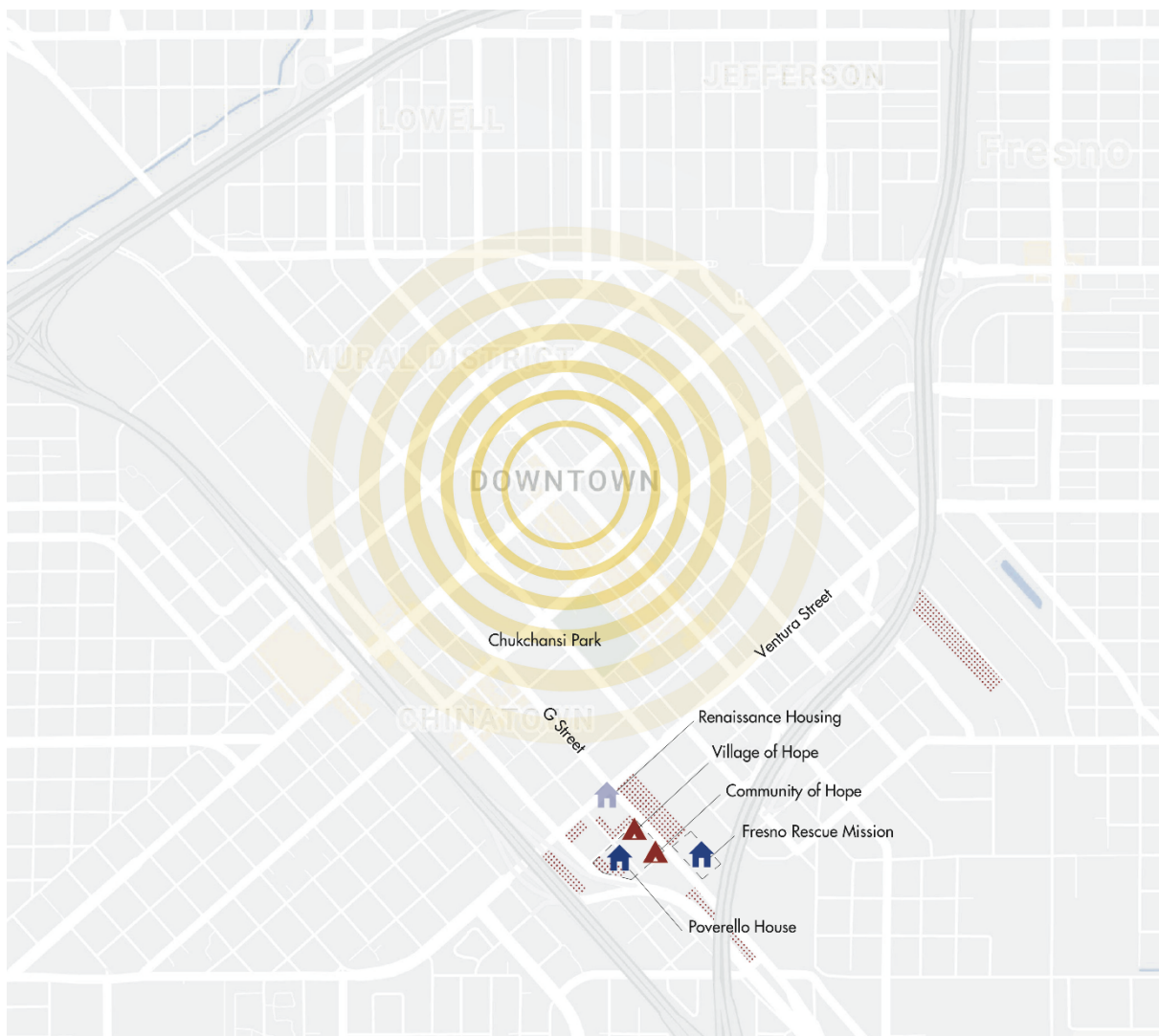


Fig. 9: Location of Fresno's camps in urban context 2010-11; Source: author.

Milestones in Fresno’s camping struggles

Tab. 2: Milestones in local camping struggle: Fresno; Source: author.

2001	Fresno/Madera County Continuum of Care established.
2002-2004	New anti-homeless policing in downtown; increased concentration of homeless encampments south of Ventura Street.
2004	Village of Hope opened by Poverello House as shelter alternative (ca. 50 beds).
2006	Legal advocates sue city for destroying encampments (Kincaid vs. City of Fresno); court issues preliminary injunction to halt encampment sweeps.
2007 (Apr.)	Mayor acknowledges homelessness a local crisis and promises to improve survival for the 1,500 unsheltered homeless; city council debates provision of toilets and dumpsters.
2007 (May)	City-convened task force recommends a safe zone camp for unsheltered homeless & a new anti-camping ordinance.
2007 (Aug.)	Court of the Eastern District of California accepts Kincaid vs. Fresno as class action suit as it concerns all homeless affected by the city’s encampment clean up policy.
2007 (Oct.)	Community of Hope, a smaller legal camp managed by Poverello House, is opened by the mayor (ca. 50 beds); plans for large safe zone camp abandoned.
2008 (June)	Kincaid vs. City of Fresno settled before court ruling: city agrees to pay \$1,400,000 to the homeless, and \$850,000 to attorneys, and promises more considerate encampment clean-up policies.
2008 (Aug.)	Fresno and Madera County publish “Fresno First Steps Home” – the Ten-Year Plan to End Homelessness”.
2010	Homeless activists and advocates propose a self-governed Eco Village for the homeless; temporary pilot built on university campus.
2011	City participates in the federal “100,000 homes” campaign; efforts to criminalize homelessness intensify; several encampments are cleared despite protest.
2011-2014	Legal advocates sue city for illegal destruction of property during encampment clean-ups; case settled in 2014 (United States District Court 2012).
2012	“Renaissance center” opened offering 70 housing first beds.
2015	Mayor declares success: local homelessness down to 1,270 homeless.

Regulating camps between bottom-up experiment of alternative homeless care and top-down strategy to control the homeless

The dense settlement of encampments in the area south of Ventura Street that media outlets from The Guardian and the New York Times to Gentlemen’s Quarterly “discovered” as compelling faces of the recession (see the reportage on “New Jack City” and “Taco Flats” in Burkeman 2009; McKinley 2009; Saunders 2009; Bransford 2009) have been durable phenomena since the early-2000s, when stricter anti-homeless policing was implemented in downtown. This policy response pushed the homeless out of downtown, but within the area

south of Ventura Street it remained limited to sporadic policing interventions enabling a precariously stable persistence of encampments. Sweeps by the police never cleared but rather merely shuffled them around the area. The number of shelter beds was not increased and with

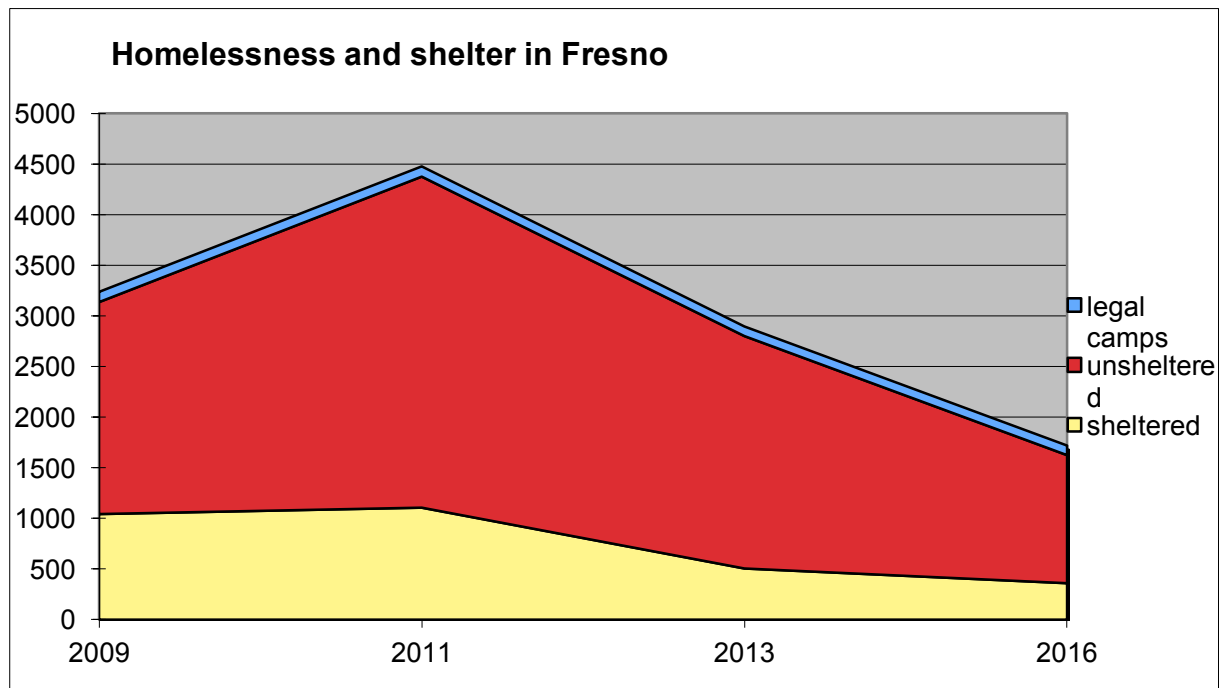


Fig. 10: Homelessness and shelter in Fresno 2009-2016; Source: author based on Fresno County Grand Jury 2014; Fresno First Steps Home 2016

support from local charities and volunteers providing food, toiletries, etc., the homeless campers struggled to create semi-permanent informal homes in the midst of poverty, combating crime, drugs and the permanent threat of eviction. Occasionally problematized by local politicians, homeless advocates and service providers and housed residents, this visible presence of those without housing, their deplorable living conditions and the unrestricted police harassment that they experience have overall received little public and political attention.

The legalized camp Village of Hope as an alternative shelter

This managed persistence of illegal homeless encampments witnessed a first instance of “whitening” in 2004 when the homeless service provider Poverello House established a legal campground. The Poverello House is an established non-profit institution that has expanded since the 1970s when "Papa Mike" McGarvin – a catholic worker – distributed peanut butter sandwiches to the poor, subsequently becoming a multi-building complex offering meals, showers, lockers, medical services and a small building providing transitional housing for women. Located south of Ventura Street, the services of Poverello House have been crucial

for the encampment residents, although the persistence of homeless people sleeping with or without tents around its facilities has also been recurrently problematized by its staff who feared that their clients and donors would be deterred and thus repeatedly called for more policing to restore order.

Acknowledging the limits of policing efforts where at one point in 2004 even Fresno's Police Captain denied clearing more encampments before additional shelter and housing options are available (Rhodes 2006), Poverello House lends support to a social experiment initiated by Robert Levine – professor of psychology at the local state university – and a group of homeless individuals (Levine/Glassel 2004). They adopted the idea of a safe ground to allow a community of homeless-regulated camping. While Poverello House has hitherto provided only a small number of shelter beds reserved for women (Mary House), with the camp it expands its services, whereby I describe this camp as an overflow shelter. Conceived as a pilot project to enhance collective self-empowerment of the homeless, the newly-founded Village of Hope is based on a recognition of the community-building efforts of the homeless campers.

Initially started as tent city, within months the Village of Hope transformed into a more durable camp: indicative of the popular support for this simple, collective self-help project that has been recognized as viable community response to the miseries of illegal encampments, by winter 2004, 44 prefabricated tool sheds were donated by civil philanthropic individuals and organizations. Located on the property of Poverello House, this pilot project has been in operation since 2004, sheltering a rotating population of formerly-homeless people. On average, residents stay for several months in the village. Together with a group of homeless people, a set of rules for conduct and operation was developed, including intake procedures, democratic governance and the use of social services (Levine/Glassel 2004). The Poverello House website summarizes the three basic rules: "take care of yourself, take care of others, and take care of this place" (Poverello House 2018). The declared aim that led to the name Michael McGarvin Jr. Village of Hope is to counter "hopelessness", which they identify as the main problem of homelessness through creating a "mutually supportive community within Fresno's homeless population" (Levine/Glassel 2004). The village is self-policed and self-governed, whereby newcomers are accepted by the majority vote of residents. However, the fact that the village is closed during the day hints at the limits of self-governance and underlines the institutionalized character of this community managed by Poverello House as a special kind of low-threshold shelter.



Fig. 11: Village of Hope with Fresno's downtown in the back; Source: author 2011.

Local government recognized this pilot as an extension of Poverello House and has accepted it as part of Poverello's outreach and service mission since its inception, although for the first years the village operated without official sanction. As Gregory Barfield explained, at that point the city was not paying much attention: "It was like ok they're doing that, it's good, it's out of our way, we don't really have to worry about that" (Interview Barfield). The Village of Hope offers hope for its residents who benefit from having a safe and stable shelter but given its size it had little impact on the larger situation where hundreds of homeless were still camping illegally in its vicinity. However, it also gained little attention within policy debates: neither did Poverello House propagate its experiment for further replication nor did homeless activists endorse the camp as a political demand. After its establishment, the Village of Hope was no longer mentioned in local media and it seems that it was seen by all political stakeholders simply as a marginal extension of Poverello House's charitable services.

The crisis of criminalization as a trigger for the deliberation of more legal camps

In terms of penal homelessness policy, in 2004 local government has decided to intensify its policy of exclusionary policing, diminishing the hopes of homeless campers for any improvement of their lot. Aiming to secure the ongoing investment in redeveloping downtown, interventions aimed at homeless campers became tougher: Fresno is listed as one

of the "meanest cities" in terms of making it illegal to be homeless (National Coalition for the Homeless 2004) and the city repeatedly makes headlines for exhibiting a very aggressive policing praxis of sweeping homeless camps. While the police sought to deal with the protracted situation of unsheltered homeless, the increased exclusion from downtown merely aggravated the concentration of illegal camping in the area south of Ventura Street and prompted more desperate as well as powerful resistance by the displaced. The forced evictions of encampments where the city used bulldozers to clear encampments increased feelings of indignation over blatant and vicious injustice. Spontaneous protest erupted, media reports scandalized the inhumane treatment and when the local government remained unresponsive, homeless activists together with legal advocates brought their protest to court (cf. Fresno Grand Jury 2008:24).

In November 2006, the class action lawsuit *Kincaid vs. Fresno* was accepted by the federal district court. Homeless claimants argued that the confiscation and destruction of homeless property violates the 4th, 5th and 8th amendment (Rhodes 2008b)⁴². Significantly, already within a month the court issued a preliminary injunction against the city to halt any further encampment sweeps until the trial: "People cannot be punished because of their circumstances", Judge Wanger said (Rhodes 2006). Homeless advocates have cheered this quick confirmation of their claim, which forced police to stop harassing them. The immediate result of this court-ordered suspension of policing capacities was a further consolidation and growth of encampments. Hard data is not available (compared to data produced in 2013 by the new police task force of Sgt. Dewey), but estimates describe that by 2007 several hundred had been camping in the land south of Ventura for years: a visible concentration not seen before with at least three large settlements, which prompted the city to find alternative responses.

This distinct crisis of policing disrupted the long-sustained denial and repression of homeless survival and prompted a new perception of political crisis in Fresno's government. With their policing hands temporarily tied – plausibly permanently if the court asserts the rights of the

⁴² The more detailed justification for the lawsuit is explained by Rhodes: "Homeless people in Fresno, during the sweeps conducted between 2004 - 2006 lost bicycles, tents, clothing, their ID, and everything of value they had in the world. One person lost an urn that contained her grand-daughters ashes. Al Williams, who is homeless, suffered the effects of the raids on three occasions. In addition to losing clothes and food, his wife's wheelchair was destroyed and her medicines confiscated by Fresno police officers. 'I felt like everything was taken away from me, but this settlement gives me hope for the future for myself and all the other people who suffered,' said Williams." (Rhodes 2008).

homeless – city officials came to recognize the lack of shelter alternatives as a main cause for the deplorable conditions of illegal encampments. Given similar legal struggles and court rulings elsewhere (cf. *Lavan vs Los Angeles*), government officials were prompted to reconsider the city’s sheltering capacities if they wanted to retain and re-enact its exclusionary anti-homeless ordinances. While the court ruling was pending, only several months later in 2008 the absolute failure of Fresno’s shelter response system was confirmed by the Fresno Civil Grand Jury. This judicial body is formed by local citizens who are nominated for 12 months by the superior court and functions as a government watch dog, assessing whether government and public agencies adhere to the law. In 2008, the Fresno Grand Jury investigated government responses to homelessness and stated bluntly: “the various efforts currently in place to provide housing for the homeless have not been effective solutions to Fresno’s homelessness problem” (Grand Jury 2008: 38).

It is in this context of a looming legitimation and even legal crisis that in April 2007 the mayor of Fresno stepped up to acknowledge a local crisis of unsheltered homelessness and promised action to improve the conditions. Greg Barfield – who in December 2008 was nominated the city’s first Homeless Prevention and Policy Manager, locally dubbed “Fresno’s homeless tsar” – underlines that by early 2007 the sense that “we need to create something” to address the situation of encampments gained both popular attention and political urgency (interview Barfield). The ensuing debate over how to improve the condition – in which the voices of homeless activists, service providers, advocates, civil society organizations, police and local politicians across the board were involved – is characterized by two overlapping but distinct forms of problem definition and preferred responses: a concern for improving the situation of homeless survival and a concern for restoring public order. At stake was how to address the evident problems of public health, environment and safety, how to treat the homeless and where to relegate them: in other words, how to reconcile the city’s interest for making order with homeless interests in more dignified shelter.

These tensions were unveiled when for several months between 2006 and 2007 city council debated most controversially about the proposal to provide some basic infrastructure in the form of portable toilets and dumpsters to address the acute health and hygiene problems in encampments. Against opposing claims that toilets would be abused for criminal and immoral purposes (i.e. drug use, sleeping and prostitution), the city council finally decided to – as a city councilor argued – provide the homeless this “little dignity and respect” that simultaneously helps to “clean up the neighborhood” (Rhodes 2007c). Nonetheless, fearing

that such services recognize illegal land uses and would serve as a “magnet” attracting even more homeless, the city manager and the mayor refused to execute the council decision (Rhodes 2007b). Testament to the strength of the paternalist-punitive position, the final compromise was a pilot phase with merely two portable toilets installed at the encampment area. Usage of the toilets is secured by private security paid by the city (Rhodes 2007b, interview Barfield).



Fig. 12: Problematizing relief for homeless campers in Fresno; Source: Rhodes 2007b.

In this contested and protracted debate, unexpected to many the mayor declared to establish a "homeless center in the downtown area" within 45 days, declaring that there “the homeless would be able to set up their tents on this property, where they can live with dignity and respect” (Rhodes 2007d). During a press conference located at the encampments in April 2007, he explained this decision as taking moral responsibility for homeless survival and as a demonstration of government competency and determination. It is unacceptable – the mayor argued – to abandon these people and leave them to die. Appropriating a phrase popularized by avowed socialist Michael Harrington (1928-89) in his book "The Other America" (1962), the Republican mayor declared: "The strength of a city, in many ways, is measured by how you treat the weakest in your community" (Mylinh 2007). Furthermore, the provision of a basic infrastructure – in his words – is not merely intended to stabilize the status quo but demonstrates that the local community is committed to enhancing the remaining hopes and aspirations of these people, helping them to recover and once again become productive and self-reliant members of society (Rhodes 2007a).

The contested debate over the proposal for "South Campus": a large legalized camp

Thus, three years after the implementation of a first regulated camp, the promise to offer care and hope for the unsheltered homeless through a camp returned, albeit this time as a central political strategy by the mayor and in a scaled-up version. In contrast to the first camp – Village of Hope – which was safely couched and proved rather non-controversial, the proposal for the second camp triggered a heated and controversial public debate.

The mayor sought to secure and gain political support for his political push forward and in May 2007 he convened a task force comprising city officials and service providers to deliberate the implementation of the new camp (City of Fresno 2007). A month later, the task force published its report recommending the establishment of the so-called “South Campus”, a city-regulated camp that should be sufficiently large to host all those currently illegally camping in the area (City of Fresno 2007: 8). Interestingly, although the director of Poverello House was a member of this task force, the report does not refer to the existing model of the Village of Hope. In contrast to the mayor’s compassionate promise to provide shelter and hope for the homeless, the task force’s deliberations exhibit that within this task force of governmental and non-profit "experts" on managing homelessness a strong conviction perseveres to condition the provision of support for unsheltered homeless. Considering the explicit recommendations on how to condition the South Campus – e.g. for using only soft, i.e. canvas materials, for accommodations rather than more durable, comfortable shelter, for hiring a professional security service, and the complete absence of mentioning any form of self-governance or participation of residents (ibid.) – it is fair to argue that the recommended camp was conceived to become not only larger but also decidedly more restrictive than the Village of Hope.

The distinct disciplinary intentions in providing a safe zone are most vehemently articulated by Larry Arce – director of the Rescue Mission – who repeatedly argued in city council that “the homeless need to have their shelters destroyed—that the tough love would bring them into the programs they needed to get off the streets” (Rhodes 2012). This disciplinary logic of “tough love” resonates well with the already-practiced policing logic to restore order by clearing the illegal encampments. The intended function of the “South Campus” is underlined in the light of the task force’s second recommendation: the introduction of an anti-camping ordinance. The new safe zone thus depicts a carrot providing a place where survival is not criminalized while the anti-camping ordinance depicts a new stick to ensure the containment

of all unsheltered homeless into one designated area. While the report makes no mention of cost-efficiency, it is plausible that the provision of a legal camp is expected to save costs of police enforcement. For years, public officials and reports complained how “providing police services to the unsheltered population... exacts high costs” (Fresno County Grand Jury 2008) 24). Regarding the cost-savings of such outdoor facilities, note how the same report describes that Fresno police already cooperates with the Rescue Mission, which provides a so-called “drunk tank”, a confined tent area on the mission’s premise where police officers drop off homeless people who were found inebriated in public to let them sleep it off. This partnership reduces incarceration costs and has saved the police force 300,000 dollars annually (ibid.).

This simultaneity where the new camp was debated together with the introduction of an anti-camping ban propelled a strong homeless critique against the camp for making little concessions to homeless claims for privacy, autonomy and decency. Governmental claims that they would rely on voluntary moves to the camp sounded more than hollow in the face of City Manager Rudd describing new planned encampment evictions, leaving the homeless with no other place to go. Journalist and homeless advocate Mike Rhodes quotes one encampment resident: “as hard as life is on the street, Cynthia said she would not go to what she describes as a ‘concentration camp’ being set up by the City of Fresno” (Rhodes 2007d). While homeless activists and advocates were first open and welcomed the promise of a safe zone, their support quickly waned. The mistrust in the city’s plans in combination with a sense of increased strength where activists expected that the pending law suit against the city would result in court-granted recognition of homeless rights to camp without harassment and oversight resulted in a harsh critique of homeless against the camp.

Although the plan for a large camp was endorsed by a multi-stakeholder task force, support further waned when local businesses and neighbors articulated NIMBY protest against the designated safe zone. The final blow to this proposal was delivered by city’s planning department when it listed the costs of the necessary site improvements to bring such a camp to legal standards and necessary infrastructure, which includes a new pavement, bathrooms and access to public transport (Interview Barfield). While the city administration had already identified a site, the city council rejected allocating the anticipated costs of around 3 million dollars (Fresno County Grand Jury 2008: 26).

Implementing and replicating regulated camps as stable exceptions

The idea of a safe zone as a comprehensive strategy to deal with the encampment situation was thus already dropped in the planning phase. However, intending to realize his promise to help the unsheltered homeless, by October 2007 the mayor pushed to produce a smaller version of the safe zone. Factoring in the political critiques and fiscal and legal constraints, the new camp – called *Community of Hope (CoH)* – essentially copies the organizational form and physical layout of the existing Village of Hope. Mobilizing once again the support of Poverello House, which offered its property – the new Community of Hope is adjacent to the existing Village of Hope but separated by a storage barn – the costs are considerably lower and estimated at 250,000 dollars, which is still half of the discretionary municipal budget for homeless housing and services (Grand Jury 2008: 26). Once again overriding the city council, the mayor declared to finance the new camp through the city's General Purpose Fund and available Community Development Bloc grants that can be spent at the local government's discretion: "I have the power and the city manager has the power to look at other funding to make it happen and not bring it to the council" (Mylinh 2007).

The construction of the Community of Hope is a compromise on many fronts. While far from being a coherent and substantial response, the opening of the second camp as a municipal shelter alternative highlights that the city government felt pressured and motivated to do something to address the policy failure that courts and local institutions highlighted so unequivocally. Responding to the image of malign city, the mayor hailed this second camp as a compassionate measure to address the situation of unsheltered homelessness. In contrast to the Village of Hope, which emerged as grassroots claim of the homeless supported by Poverello House who together established it as space of hope for self-empowering, the Community of Hope is more driven by the government, hence exhibiting a top-down hope for acquiescing a political legitimation crisis.



Fig. 13: Community of Hope in Fresno; Source: author 2011.

Having stated this difference in the driving forces, it should be noted that from the perspective of homeless survival the two camps similarly offer a basic shelter alternative. Both camps function as form of transitional housing that imposes little mandatory services for rehabilitation (Poverello House 2018). Both camps are hosted and operated by Poverello House, which proved to be the only non-profit organization willing to run a camp.

The city's financial involvement in the Community of Hope, however, makes for some difference between the two legal camps. In contrast to the earlier Village of Hope, this time the city invested in the site preparation and ongoing operation, where Poverello House receives 10,000 dollars monthly. Funded by the city, the Community of Hope is a non-discriminatory shelter that serves people on a first-come basis; additionally, drug use is allowed in the Community of Hope, provided that no harm is inflicted on anyone (National Coalition for the Homeless 2010). Contrary to the earlier envisaged restrictive paternalist control, the new Community of Hope also enables some elements of grassroots democracy where residents vote on newcomers and issues of everyday life camp operation, although management issues are decided by Poverello House. Yet, all observers acknowledge that the community aspects are less expressed in the Community of Hope compared with the Village of Hope mainly due to higher turnover rates (Poverello House 2018: 47). Indeed, the final

difference is that in line with the task force's recommendation, the Community of Hope comprises more tents than tool sheds and is more barren in terms of communal infrastructure and services (Ibid.).

The more paternalist character of the Community of Hope, however, is not only the repercussion of the failed plan for a much stricter "South Campus". It also reflects Poverello House's own reluctance to continue the initial experiment for self-governance: to control a fluctuating number of residents the emphasis on community self-governance was increasingly replaced by more top-down management by Poverello House's social workers in both camps. When I visited the Village of Hope self-governance was basically reduced to security and cleaning shifts, and the right to veto new residents. Nevertheless, both camps meet an unfulfilled need for safe shelter. Each providing beds for 44 people, the legal camps stand as islands of safe shelter in camps surrounded by illegal encampments that encroach their fenced perimeters. Both camps are used at capacity although operators note a decrease in occupancy during the summer. This lower occupancy occurs in legal camps as well as in emergency shelters like the Rescue Mission (Fresno County Grand Jury 2008) but for different reasons. In the case of the legal camps this probably has more to do with the high temperature – which makes sleeping in a tool shed tough – than with restrictive codes of conduct for shelter use which the Rescue Mission is criticized for.

Given the officially-counted 1,512 unsheltered homeless (cf. City & County of Fresno 2008: 13), the establishment of the second legal campground depicts only a very limited resolve for the overall lack of shelter. There are still hundreds of people camping illegally in Fresno. With a new peak of 3,271 unsheltered homeless counted in Fresno in January 2011 (City of Fresno/ Madera County 2011), particularly the area south of Ventura Street is reported to see a visible increase in homeless campers up to 500 in the first years after the financial crisis (Green 2009). Still, I argue that from a perspective of homeless management this limited compromise proves sufficient to re-stabilize the challenged local government's position. In short, despite only being a small drop in the ocean, the establishment of these two legal zones demonstrated the government's intention to provide care, which allowed countering the moral and legal challenge where the city is accused of strategically neglecting homeless needs for shelter.



Fig. 14: Unauthorized homeless camp 500m south of Poverello House; Source: author 2011.

This challenge was tangible as the *Kincaid v. Fresno* lawsuit was still pending and the city feared that it could be held legally liable for neglecting homeless people's claim to shelter. However, this fear was dispelled by the final settlement in 2008 negotiated by the city and the six homeless plaintiffs (*ACLU of Northern CA 2008*). Homeless advocates hailed this settlement as a victory for homeless rights because it obliged the city to pay \$1,400,000 directly to the homeless plaintiffs and \$850,000 to the attorneys defending the case of the homeless. Without doubt, the fact that after years of protracted litigation the homeless persevered against the city's attempts to overpower their resistance and emerged as victorious is significant. As the ACLU attorneys argued, this successful insistence on their rights and demands for dignity "should send a strong message to other cities throughout California that if they violate the rights of their most vulnerable residents, they will be held accountable" (Rhodes 2014). However, upon closer consideration this victory proves more ambiguous. In essence, while the court endorsed the homeless claim that the destruction of homeless property during encampment clean-ups is illegal as it violates equal treatment and due process, it did not rule the city's policy of encampment clean-ups as such to be illegal.

Like other courts before, this court upheld that the US provides no fundamental right to housing (cf. *Lindsey v. Normet (1972)*), whereby cities cannot be held liable for not providing

housing or shelter. According to the court, the landmark ruling of *Pottinger vs. Miami* is also not applicable (see similar rejections of *Pottinger* in other law suits, e.g. *Seattle 1994* and *Santa Ana 1995*; *Dietrick/Martinez 2013*; *United States District Court 2012*). As the court in *Fresno* argued, city ordinances and policies against camping in public space may indeed negatively affect the capabilities of homeless to stay in a city, i.e. deterring them from places they cannot afford, but this does not deprive them from their still-protected constitutional right to travel freely. In the case of *Fresno*, the court thus concluded that the plaintiffs' property was unlawfully destroyed but denied the claim that such destruction is done strategically. Only if it can be proven that the city has a "compelling governmental interest" that manifests in deliberate and systematic denial of "necessities of life" to homeless people would this violate the principle of "due process", which protects the right to be free from cruel and unnecessary punishment. In other words, in *Fresno* – which by that point has had no official anti-camping ordinance and furthermore had established at least a small legal camp – the deprivation of shelter is evident but not sufficiently systematic to hold the city liable for cruel and unusual punishment under the 8th amendment of the US constitution.

The city interpreted this ruling in its interest by claiming that the clearance of encampments is not illegal *per se* but falls into the municipality's right and duty to ensure public health and order, if done properly. While the city had to submit to the court ruling and grudgingly paid the fine for having destroyed homeless property, city officials sought to reverse the blame. They argued that the millions of dollars could have been better used for funding housing and services for the whole homeless population instead of giving thousands to a few homeless individuals and their irresponsible, politically-motivated lawyers. The legal advocates for the homeless defended their cause, arguing that the lawyers worked *pro-bono* and that several homeless beneficiaries used their compensation to invest in a newly-founded self-organized homeless center named after the lead plaintiff Pamela Kincaid, who died shortly after the settlement (Pflueger 2009). However, more importantly, it can be noted that the hopes of advocates and activists in the long-term effects of this legal settlement were disappointed shortly after. The clear mandate of the settlement was that any city efforts to clean the streets have to respect the constitutional rights of homeless people and should ensure their health, safety and dignity. Thus, as part of the settlement the city agreed to improve its protocol of clearing encampments, i.e. giving due notice prior to eviction, tagging confiscated property and storing it for retrieval.

Nonetheless, during the clean-up of a large encampment in 2011, once again homeless property was treated like trash and destroyed (United States District Court 2012). Several homeless people once again sued the city for destroying their property and exposing them to the cold winter without any shelter. Again, after years of litigation, in 2014 the court upheld the plaintiffs' claim and the city agreed once again in a settlement to compensate the homeless, although this time the amount of the settlement was not disclosed (Rhodes 2014). After this second ruling, an attorney from the Central California Legal Services who represented the homeless pro-bono expressed again his hope: "I would hope that city officials have this time actually learned a lesson and will pursue a proactive approach to addressing homelessness. Such an approach would cost the city a lot less both financially and morally" (ibid).

These legal struggles underline the unresolved and protracted situation whereby over the last decade homeless protest and lawsuits resulted in only the partial suspension of law enforcement. Various reports and conference proceedings by Californian mayors, the Fresno police and the Grand Jury reveal that these legal struggles are considered a major blockage for a more efficient and thorough policing approach to encampments (Fresno County Grand Jury 2014; Dietrick/Martinez 2013). Encampment clean-ups continue, but in response to legal challenges they are increasingly carefully conducted, where next to police and sanitation workers, social workers, homeless advocates and legal observers participate. Nevertheless, they amount to no less brutal interventions for those evicted. In terms of safe and stable shelter, the gains of legal struggle and protest in Fresno thus remain precarious: partially successful, the struggle against criminalization of encampments did not translate into any form of sanctioned safe ground for legal camping or even housing. The establishment of both legal camps was used as justification for continued encampment clean-ups – Assistant City Manager Bruce Rudd explained that “the plan is, once this [large legal camp] goes into place, we will start looking at the Monterrey street bridge and G street encampment” (Rhodes 2007a: 8, author's addition). And ever since, homeless evicted from illegal encampments have been repeatedly referred to the existing legal camps (Pflueger 2009). Yet, the option of more legal camps to expand the spaces of compensation and relegation has not been replicated since 2007.

Homeless activists and advocates seek to re-claim camps as political demand

While Poverello House stepped up twice to host a legal camp and continues to operate them, it is no longer an active proponent of legal camping. Poverello House makes it clear that it has no intentions of entering further into the sheltering business. If anything, the experience with the camps fostered the director's belief in seeing the camps as exceptions and to rather focus on expanding its services of providing food, health and medical services (Interview Stack). Poverello House's mission is to provide services such as food, day care and counselling to the extremely poor households of Western and Southern Fresno. Serving hundreds of poor people, Poverello House staff voices concern about the presence of too many homeless people on its premises, which may deter the poorly housed away from its services. Fearing for orderly operation of its core services and operating with limited funding on a site already used at capacity, Poverello House proves reluctant to offer any prospect for sanctioning more camp sites.

The waning institutional support from Poverello House, the hostility from the Rescue Mission as second largest service provider and the re-gained indifference of public authorities make for a hostile terrain to find political support for further experimenting with legalizing camping as a more compassionate alternative to policing (Rhodes 2006). Throughout the years, several groups of homeless and supporters have again put forward such claims. However, the following years underlined that this kind of support is not claimable but rather is considered by city government as an exception. In terms of policy debate and development, in retrospect it is clear that the Community of Hope emerged as part of ongoing regulatory experimentation but did not advance as a policy template.

Nonetheless, it is remarkable to see how homeless actors made a U-turn here from rejecting legal campsites to promoting them as a viable and dignified alternative. Throughout the early-2000s, the legal camps have been perceived by many homeless activists and advocates as extensions of a paternalistic and discriminatory policy approach to homelessness where public and policy discourse frames the unsheltered homeless overwhelmingly as chronic homeless who need to be disciplined (Fresno County Grand Jury 2008). As the legal camps do not break this diagnosis, many homeless activists rejected them. Bolstered by the legal victory of 2007, the homeless advocates were more than skeptical towards the mayor's proposal for a homeless camp that they considered anything but a step back from a more radical and

encompassing strategy to address homelessness. The most articulate homeless advocate Mike Rhodes demanded openly:

“What would end homelessness in Fresno? Let’s start with a plan to provide affordable housing, job training, drug and alcohol rehabilitation services for those who need it, adequate mental health services, and jobs that pay a living wage. We have the resources to address this important issue. \$360.000 for 44 tool sheds? We can do better than that!” (Rhodes 2007a:9).

It is equally important that the strength of homeless activism and advocacy in Fresno lies in the defense of the right to be free from police harassment and the right to stay put rather than in organizing camp communities or forming a homeless movement. From the start, activists and advocates have emphasized the effective informal self-sheltering practices in the illegal encampments where campers create informal communities, through which they "improve their lot" and produce a better kind of shelter that does not cost the city anything (Rhodes 2012). Targeting the criminalization of such informal self-help, the thrust of activism comprises spontaneous demonstrations against sweeps and generally aims at de-regulation instead of re-regulation of encampments. Essentially, the shared demand of these mostly scattered individuals is to trust in self-help and let these informal efforts for self-sheltering develop unconstrained. Throughout the years, this position has remained strong and was bolstered by the expectation to win in court this basic right to stay put and camp autonomously

Normalized legal camps as spaces of exception

The claim for legal campgrounds largely continued to be used as a passionate cry and demand put forward by homeless activists and advocates to scandalize the ongoing crisis of unsheltered homelessness. Just to give one example, in a TV show on the subject, a hospital director stated: “there are more than 3,000 homeless people on the streets of Fresno and (...) while it is nice that city efforts have found housing for some of them, you can’t ignore the reality that people need a safe place to sleep at night“ (Rhodes 2012). However, even when publicly challenged to support the concept of a safe Eco Village, local homeless tsar Gregory Barfield – who coordinates the city’s homelessness policy – “refused to express support for safe and legal places for the homeless to live” (ibid.). With support from the director of Fresno’s Housing Authority Preston Prince, he argues that official strategy wants “to provide housing for the homeless and not encourage temporary encampments” (ibid.).

Typical for the following years of debate, this example shows how the claim for legal campgrounds has been put forward by civil society actors since 2007 mainly as a demand on local government to rethink the existing responses to homelessness and acknowledge the fact that hundreds of people still live in encampments receiving no support other than policing. A 2010 special volume of the local community newspaper "Community Alliance" lists different approaches on how to end homelessness in Fresno. The city's plan of First Steps Home that Greg Barfield advocates is contrasted to more radical options proposed and practiced by local grassroots organizations: Food not Bombs' local chapter presents its regular homeless picnic, where volunteers share food, local architect Art Dyson proposes the EcoVillage with durable small houses for the homeless, and anarchist groups advocate for squatting as a solution and call for the building of a movement (Barfield 2010; Phillips 2010). Those various proposals how the community may engage show that its compassion and perceived responsibility for the homeless are strong. Where the mayor's recent campaign asks the local community to trust in the city's efforts to end homelessness and launched a campaign where all citizens should donate one dollar per month to raise the necessary funds, the grassroots groups advocate a more direct encounter with the homeless, rely on self-organizing and mutual aid or argue for tackling the central housing contradiction by taking back vacant housing.

These debates take place against the background of a continued persistence of illegal encampments where the concentration of homeless people and the inevitable health and safety problems prompt moral panic and continued policing. Even within the national media, Fresno continues to be singled out for its repressive homeless policies (Phillips 2010), with a negative highlight being the forced eviction of three large encampments in 2013 (Siegler 2013). Evictions destroy what little stability and safety people can create and force the unsheltered homeless to even more precarious mobile persistence. Mike Rhodes highlights the still-unresolved central question: "The question the homeless would like to know is 'where can we go?' Without a safe and legal place to live (preferably one that provides basic public services like drinking water, trash pickup and a toilet), this pattern of abuse and destruction will likely continue" (Rhodes 2013). However, improving survival and living conditions in encampments that are for many homeless the last and – for lack of alternative – best option is no priority for public officials, who are "cold to the idea of a permanent legalized campground" (Siegler 2013).

4. The case of Seattle: self-governed camps and church hosts

The case of Seattle features a unique actor constellation where the claim for legalized camps is articulated bottom-up by very committed and sustained homeless organizations and finds support within other civil society organizations, in particular churches. The case highlights how the roles of advocacy, activism and service provision intersect: churches act as both advocates for the homeless and service providers, while the homeless institutionalize their community and become a non-profit agency capable of cooperating with local government and other partners. This section first introduces the specific local setting and proceeds to detail how the grassroots claim for legalized camps becomes accepted by local government, albeit not without friction, as homeless claims continue to challenge the confines of what the government considers as governable. In the following, I trace the evolution of Seattle's tent cities between 1990 to 2013 from the short-lived Tent City 1 and Tent City 2 to the still-existing Tent City 3 and Tent City 4 up to the emergence and closure of the informally-tolerated camp of Nickelsville.

Local settings: the Janus-face of Seattle

Contemporary homeless camps in Seattle are a direct result of post-Fordist urban restructuring: based on resource extraction and arms industries, the pre- and post-war urban growth entered into crisis in the 1970s. With unemployment rising, in 1971 city leaders envisioned a Detroit future (Boswell/McConaghy 1996), but Seattle experienced a remarkable boom since the late 1980s, when it was re-positioned as a location of the new economies and a place with a high quality of life, attractive for locals and tourists. Following a typical pattern of development, the centerpiece of this renaissance was the revitalization of downtown from skid row to prime space. This was realized at the expense of poor tenants who were displaced and increasingly rendered homeless. This visible homelessness had been identified as a pressing local problem early onwards and since the 1980s there have been contested debates on how to secure the spectacular city with either accommodating or repressive strategies (Gibson 2004).

Widely recognized as a liberal and progressive city, in Seattle there is considerable approval for redistributive measures to exercise social responsibility for the city's poorest, as well as to curb free market dynamics to some degree. A key example is the housing levy, a local tax on property owners to finance the preservation and expansion of affordable housing, which was introduced in 1981 and has been renewed in local elections ever since (Blau 1992: 127;

Seattle Office of Housing 2016). In addition, charitable commitment is very strong in Seattle and local charities like United Way mark the top ranks of donation amounts among all US cities (Interview Matulionis). With these government and private funds, Seattle has developed an elaborate system of homeless assistance. In 2017, the city budget for homeless assistance was \$50 million, which is allocated to a wide range of non-profit and faith-based service providers offering diverse programs of emergency shelter, transitional housing, services and housing to the homeless (Seattle Human Services 2017). Seattle is characterized as not only exceptionally caring but also a progressive city when it comes to homeless assistance. Already in the 1990s, welfare and housing scholar Joel Blau praised the city for its innovative and highly-engaged homeless management: as one of the first cities, Seattle initiated a central point to coordinate the various homeless services in the city (Blau 1992). Today local programs are promoted as national models such as Eastlake 1811, a supportive housing program in downtown Seattle that was one of the very first so-called wet programs to offer low-threshold access to homeless addicted to alcohol and drugs (DESC n.d.).

City leaders are proud to stress the local success in helping the homeless, which exceeds other similar cities including direct rival Portland, OR: "The amount of supportive housing we have been able to create to date is the envy of other jurisdictions" (King County Committee to End Homelessness 2011: 7; interview Block). However, these local efforts for homeless assistance are not only good deeds but also direct investments to enhance the special location of Seattle. According to economic geographer Matthew Sparke, Seattle seeks to position itself as the "world center of global health philanthropy and other private-sector treatments for the mismatch between global markets and global justice" (Sparke 2011: 49). Powerful players like the local Melinda and Bill Gates Foundation use local social programs as test fields for new logics and tools for giving to reduce poverty: they want to demonstrate that philanthropy and business can be reconciled (Lane 2012). Clearly, programs for homeless assistance and housing are supported by the city to stabilize Seattle's economic position and distinctiveness as they ensure safe enjoyment of the city for investors, tourists, and inhabitants. Nonetheless, the effects of such local measures remain limited. Although Seattle invests more in affordable housing than other cities, these measures lag behind the structural changes of the local real estate market.

Faced with rising costs of housing, the city actively promotes an urban vision of a creative and lively city where teachers and baristas can also afford to live: "Seattle's future growth depends on our ability to create more affordable housing for our workforce" (Seattle office of

Housing 2008:8). The availability of affordable housing constantly decreases, not only due to national trends like sinking incomes and eroded federal funds for public housing, but also due to home-made issues. The unfettered gentrification of Seattle has been actively promoted by local government. According to the Seattle Displacement Coalition, between 1980 and 1990 at least 1,500 units of low-income housing were destroyed or converted annually (Seattle Displacement Coalition 2004). Despite the warnings by housing activists and tenant organizations, this development was actively facilitated by local government, which in 1987 abolished existing restrictions on the demolition of housing (ibid.). Today, although Seattle has one of the highest minimum wages, this is still not sufficient to buy affordable housing.

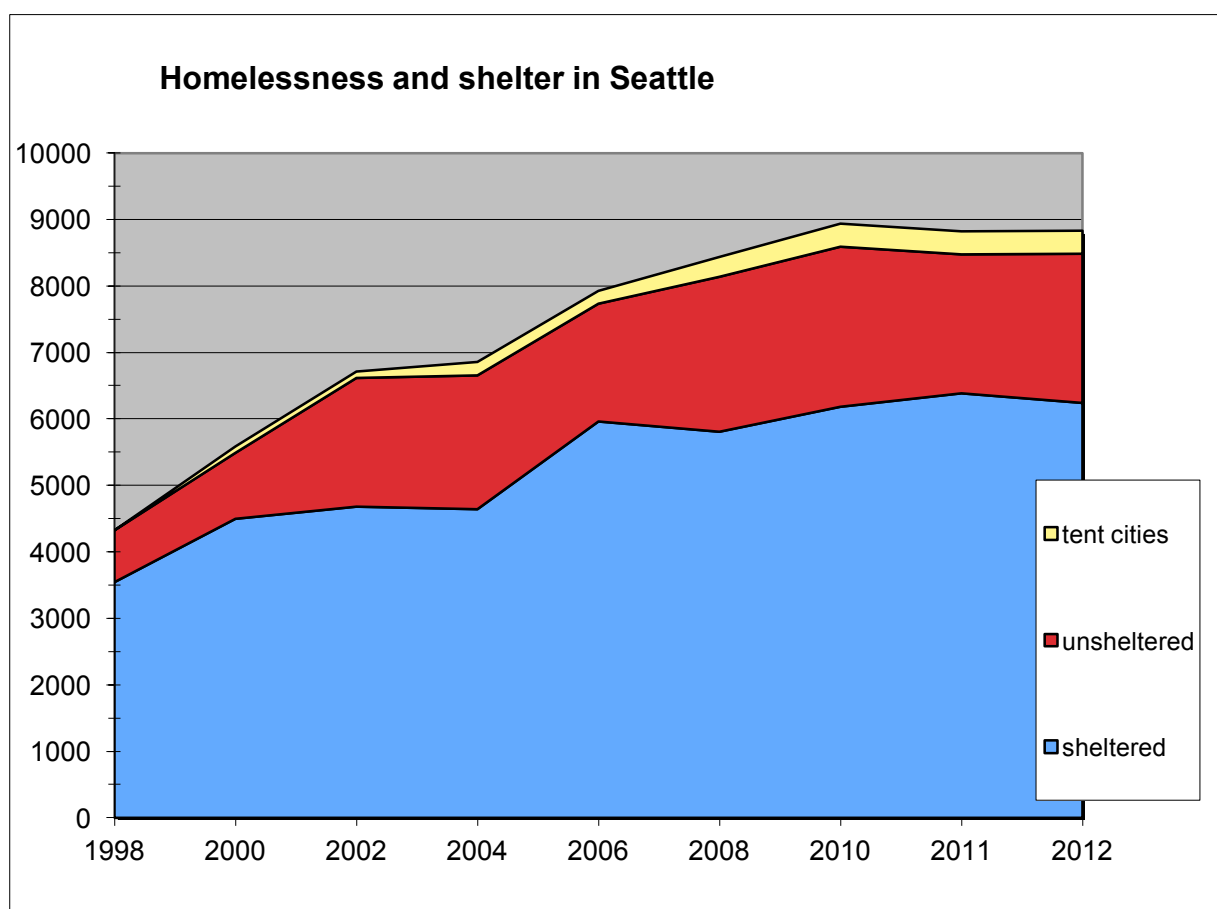


Fig. 15: Homelessness and shelter in Seattle; Source: author based on Seattle/King County Annual Point-in-Time Counts⁴³.

The contrast between expanded investment in social policy and a stagnant if not rising population of homeless has triggered claims for a more penal response to homelessness. One

⁴³ The graphic is based on data provided by Seattle/King County Coalition on Homelessness (SKCCH) http://www.homelessinfo.org/what_we_do/one_night_count/. Note: since 2008 the count also includes new suburban areas which distorts comparison to previous years.

central theme is the concentration of homeless services in Seattle and particularly in the downtown area: local leaders repeatedly call for a fairer regional share of the burden, but until today the suburban cities offer few services. Particularly in the 1990s recession, fears of urban decline and blight were articulated, which identified both the generous local services and the uncivil homeless as threats to the urban boom. Highlighting its other face, Seattle became a pioneer in developing new models of anti-homeless laws. In 1993, Seattle's City Attorney Mark Sidran invented the so-called "civility laws" (Mitchell 2011), which draw on the broken-windows concept to define homeless survival in public space as a criminal act. These civility laws have been taken up by critical scholars and urban managers alike because they establish a new quality of social control with a new kind of justification: establishing civil behavior as the foundation of public life, these laws place the normative expectation of reciprocity over individual rights, and essentially prioritize the right (of the propertied) to be free from fear over the right (of the poor) to be free from want (Berg 1994). In other words – as several courts have since confirmed – it is constitutional to demand the homeless to act self-responsibly and not disturb the regularly-housed citizens, given that all citizens have the right to use public space without fear (ibid.; National Law Center on Homelessness & Poverty/National Coalition for the Homeless 2009: 111f). These law and order policies from Seattle redefine understandings of citizenship and have significantly contributed to the consecutive wave of "quality of life ordinances" that municipalities across the US have adopted and continue to further develop (National Law Center on Homelessness & Poverty 2016; Boden 2011).

The case of Seattle is thus particularly interesting as it shows equally strongly the accommodating, caring and the penal, exclusionary elements of homeless management: as both feed on fears and beliefs, they are developed and negotiated in close relation. The frontlines are shifting and blur easy distinctions between liberals and conservatives: "There are a lot of good Seattle liberals who say at parties that he [Mark Sidran, Seattle City Attorney] is a horrible person, but then vote for him because they agree with what he is doing," says Timothy Harris, executive director of the homeless community's newspaper Real Change (Mcomber 1999; author's addition). This ambiguity is important to note to understand the relative political strength of Seattle's strong civil society: several activist groups across the register of radical to reformist agendas and many community organizations articulate critique through actions of protest and land occupation, as well as through petitions and lobbying to co-shape political decision-making. Nonetheless, despite or because of this opposition, Seattle continues its dual strategy. The latest innovation in socio-spatial control

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Milestones in Seattle's camping struggles

Tab. 3: Milestones in local camping struggle: Seattle; Source: author.

1990	Tent City 1: protest camp in public park; City offers temporary indoor location.
1998	Tent City 2: protest camp on vacant land; evicted.
2000	Tent City 3: protest camp against closure of the city's winter emergency shelter. After eviction hosted by private property owners.
2002	City's denial of use permits to private property owners ruled illegal by court. Consent Decree regulates temporary use permits for camps.
2004	Tent City 4 established on church ground in King County.
2004-09	King County cities deny legal permits for camps: 16 lawsuits pending.
2004	King County declares homelessness crisis and recognizes self-governed camps as necessary shelter alternative.
2005	King County issues moratorium for camps on public land.
2005	King County/City of Seattle publish Ten-Year Plan to End Homelessness.
2008	Nickelsville: large protest camp; evicted by Mayor Nickels.
2010	Mayor McGinn offers Nickelsville temporary shelter in old fire station.
2010	Washington State Legislature gives legal permit for all churches to host camps.
2010	Mayor McGinn proposes a city-sanctioned "Transitional Encampment for Homeless Adults - Transitioning from Tents to Self-Sufficiency".
2011	Ten-Year Plan's mid-review report documents limited progress.
2011 (May)	Nickelsville occupies public land to create a large self-governed camp; city suspends evictions and tolerates it informally.
2011 (Oct.)	City council votes for new ordinance to amend land use code to allow "transitional encampments" on church property.
2013	City council decides to evict Nickelsville.
2013 (Sept.)	Nickelsville splits into three communities hosted temporarily by religious and non-profit groups on different sites across the city.
2015	Mayor Murray declares homelessness local state of emergency; to increase shelter capacity 3 additional camps are legalized on church and public land. City council allocates \$200,000 funding. New Plan to End Homelessness published

From protest to niche: accommodating and regulating homeless self-help communities

In Seattle, homeless encampments are at the heart of a sustained struggle for affordable housing, adequate homeless services and ultimately a right of the poorest to stay in the city. The central role of self-organized homeless camps as tools of protest can be dated back to 1990 when a group of homeless organized to protest against the restructuring of the inner city, resulting in a lack of shelter and affordable housing. The tendencies to push out the homeless

poor from the city center became intensified when Seattle hosted the Goodwill Games in 1990. Homeless people started a campaign to protest and pitched a tent city on a central square, which became a highly-visible symbol for this threat of displacement but also proved directly tangible as the 166 homeless whom it sheltered used it to counter the many stereotypes to demonstrate their capability to self-create a shelter (Lilly 1990). Out of this protest, SHARE (the Seattle Housing and Resource Effort) was developed as a "self-organized, democratic, grassroots organizations of homeless and formally homeless individuals" (SHARE/WHEEL 2018). SHARE – which was complemented in 1993 by WHEEL (the Women's Housing, Equality and Enhancement League) – understands itself as a self-help group and not a social service provider. Officially registered as a 501c(3) non-profit organization, it is based on the self-management, grassroots democracy and active participation of its members, seeking to "acknowledge and promote the innate dignity of each person" (ibid.). The explicit mandate of SHARE/WHEEL is to empower homeless people, educate the community and engage in the struggle to eradicate homelessness (ibid.). Since the first tent city in 1990, tent cities have been central to its work, which is about providing real and direct shelter opportunities and at the same time seeking to articulate a political voice educating society and pressuring government for policy change.

SHARE/WHEEL is the self-declared "national leader in breaking down attitudinal & unconstitutional legal barriers to self-governed Tent Cities" (ibid.). Their argument is simple and consistent until today: tent cities provide a safe space in communities, which is necessary as long as there is not sufficient shelter and housing for all. The first tent city already proved successful in drawing attention and support from civil society and authorities. The media emphasized how this "bold experiment in self-governance" shifted the negative stereotype, how through their engaged work to self-govern they actually earned respect and then donations from the public: "People then turn around and say, 'I'll help you now'", a city staffer is quoted (Brooks 1990). The claim that these homeless "wanted to manage the place themselves without supervision by social workers, church officials or other outsiders, to be free of the curfews and sermons that are part of many conventional shelters" found support not only from city government but also neighbors, who expected that – unlike the traditional shelter – such a shelter would have a self-interest to deter disruptive, violent people (ibid.). Reckoning with the strategic symbolic siting of the tent city, this reporter summarizes: "It was there, on the site of one of the nation's largest Depression-era shantytowns, that the raggedy band won the respect of the city and its residents for managing a peaceable, organized, sober community" (ibid.).

The media and city reports highlight SHARE's role as a "reasonable, well-intentioned pressure group" that fits well into Seattle's ideal of a consensus-oriented political culture (ibid.). For instance, the National Alliance to End Homelessness praised Seattle's cross-community efforts to address homelessness, where "cooperation, not confrontation, is the norm" (ibid). Seattle's first tent city thus confirms the thesis by homelessness scholars Snow and Cress, who compare disruptive and non-disruptive forms of activism in homeless mobilizations. They found that in cities that are already sympathetic and responsive to homeless issues, non-disruptive strategies are more effective for homeless mobilizations to gain representation, resources and rights (Cress/Snow 2000: 1085). Nonetheless, the case of Seattle highlights that the effects of disruptive and confrontative action should not be discarded. For one, the creation of protest camps emerged in the context of radical practices of re-appropriation: throughout the 1990s, local activists, homeless and tenants squatted vacant and unlawfully evicted low-income housing. Notable in this radical struggle for a right to housing and against gentrification is Operation Homestead, which between 1988 and 1995 squatted various tenant buildings and SRO hotels targeted for demolition, e.g. in 1991 the squatting of Arion Court Apartments, which were later converted into homeless housing (Tangly Cottage 2013), until it was clamped down by massive police force (Gould 1992; Stevens 2014). This history of direct action resistance against a produced housing crisis underlines a radical pool of protest in Seattle, where people are "not afraid to speak up" (Axel-Lute 2001). The battle of Pacific Hotel – a single-room-occupancy hotel – illustrates the militant potential in Seattle's activist circles, which reached its peak during the alter-globalization protest against the World Trade Organization summit in November 1999 (Gould 1992). When radical housing activism ebbed, the tent city struggle for shelter became the most visible subject of struggle; indeed, driven by sustained and committed homeless organizing, it continues until today. The positive embrace of the self-governed homeless camp by politicians is thus to be seen in the context of contestations over a local housing and homelessness crisis where civil society and government were willing to pursue alternatives for sheltering the homeless poor, but it also needs to be contextualized in the pressure that this more radical housing activism exerted on local governments.

However, the positive feedback to Tent City 1 does not mean that authorities were willing to tolerate the tent city; instead, following a response pattern to be continued in the next years, city government sought to disband the growing encampment by offering indoor shelter alternatives. In response to Tent City 1, the city offered a vacant bus depot as a new emergency shelter. The bus depot was closed a year later, but SHARE – together with non-

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profit organizations and the Church Council of Seattle – founded a non-profit called Low Income Housing Institute (LIHI)⁴⁴, which purchased the vacant Aloha Motel and despite considerable NIMBY protest converted it into the nation’s first homeless self-governed transitional housing (Blau 1992: 127; Axel-Lute 2001; Poole/Muench 2001). Capitalizing on their self-organizing capacities, the newly-gained respect from local government and the (financial) support of charities and non-profit organizations, SHARE/WHEEL’s first tent city became the catalyst for the development of a series of self-governed homeless shelters. The idea of self-governed homeless shelters had already been developed in quite similar ways in the 1980s by the Community for Creative Non-Violence in Washington D.C., and while it is still considered one of the major fields of promising homeless organizing (Interview Picture the Homeless) it is most substantially materialized in Seattle⁴⁵. Since the early 1990s, SHARE/WHEEL expanded its shelter capacities and operates today not only self-governed tent cities but also fifteen indoor shelters. With capacity to shelter 300 people in male-only, female-only and co-ed shelters, it is by now the largest provider of emergency shelter in Seattle and King County. Its shelters are in general very basic often using church basements and the so-called bunk house, which uses beds in day and night shifts. Focused on self-organized shelter, no case management and other services are provided or made mandatory, but users are required to participate in managing the shelter and contributing to the community work. This makes SHARE/WHEEL the cheapest shelter beds. Nonetheless, despite operating on a shoe-string budget, SHARE/WHEEL looks back on a long line of annual conflicts with the city and county to gain some funding. I will return to this contentious role of SHARE/WHEEL as an indispensable but also uneasy partner to the city: while it grew into becoming the single largest shelter provider in Seattle, it is not afraid of resorting to disruptive action to pressure local government.

Focusing on the struggle for self-governed homeless encampments, in 1998 SHARE/WHEEL set up a second camp, Tent City 2, this time to provide safe shelter to the homeless who were

⁴⁴ Today LIHI is a major housing developer with over 1.500 units of low-income housing but it keeps committed to activist principles. Explaining her support for home squatters the director explains: “Some people say that when you’re more established you should be more averse to risk (...) My feeling is the opposite. Because now we have assets, we’re formidable. We’ve shown we’re going to be around here for a long time, so it’s even more important for us to speak up.” (Axel-Lute 2001).

⁴⁵ In 1981 the CCNV with set up a protest tent city called "Reaganville" in front of the White House, Washington D.C.. They eventually vacated the camp when they got access to a federally owned building where they created the first federally hosted self-governed homeless shelter with over 1.300 beds (Times 1981; CCNV 2016).

evicted by police from the "jungle", a large area adjacent to downtown that had long been used by homeless campers. SHARE's proposal was first debated at a Housing Summit convened by the mayor, but once again the city tried to persuade SHARE/WHEEL to give up its self-governed camp. In order to appease the public's concern over a lack of shelter, the city offered a temporary expansion of its indoor emergency shelters. When Tent City was set up as a measure of direct self-help relief, the mayor initially informally tolerated the camp. However, after Tent City 2 grew in size and following heated neighborhood meetings where NIMBY arguments and concerns over safety overruled supporters, the camp was evicted two months later (Poole/Muench 2001). Committed to their cause, already only months later in March 2000 SHARE/WHEEL started negotiating again with the city over creating a third tent city as compensation for the continuous lack of emergency shelter. Traditionally, by 1st April the city closes its regularly-added emergency shelters, the so-called temporary winter/bad weather shelters often located in the basement of administrative buildings and convention centers, which makes more than 160 homeless unsheltered again. After a protest rally entitled "A Roof Over Every Bed" where activists demanded shelter for all in need, an increase in affordable housing and services with dignity (Poole/Muench 2001), SHARE/WHEEL set up Tent City 3 with around 100 residents without any official sanction. Tolerated temporarily by the private land owner who appreciated the orderly use of the land, Tent City 3 followed the invitation by community center El Centro de la Raza, which applied to the city for a temporary use permit to host Tent City 3 for six months.

From protest to temporary use permit: the Consent Decree

After a four-month review period, the city's Department of Construction and Land Use denied this temporary use permit because it does not comply with the "spirit of the Land Use Code (Poole 2001). City attorney Sidran refused to negotiate and issued a fine of \$14,000 to the community center for violating the building and planning code (Cameron 2001). When Tent City 3 moved on to Trinity Church – which also received a note of violation – they protested publicly, over 300 citizens wrote in favor of Tent City 3 and El Centro appealed to court. In September 2001, the King County Superior Court decreed that the city's denial of permit is invalid and all fines are annulled. The ruling proved seminal to legitimate and legalize the camp. Judge Mahar explained that tent cities have been used for years by various communities including boy scouts, as well as for emergency purposes. While unconventional, he argued that such land use can be regulated. Therefore, use permits cannot be outright denied. This ruling had a significant effect as it torpedoed the city's strategy of neutralizing

the cry and demand for safe shelter through the technicalities of legal land use. Through the right to gain a temporal use permit, SHARE/WHEEL and its claim for tent city could no longer be simply ignored or compensated partially and temporarily indoors.

The ruling significantly changed political power relations: after several years of protest, negotiations and limited compromises, it was through this legal recognition that the city was forced to acknowledge the homeless claim to land for tent city and enter negotiations. On 13th March 2002, SHARE/WHEEL and the Seattle City Attorney's Office signed a settlement agreement. This so-called consent decree establishes that the city no longer prosecutes private and faith-based hosts of Tent City 3 and defines the conditions under which encampments will be managed and issued a permit (City of Seattle 2001). These conditions include a maximum number of 100 residents, a duration not to exceed 90 days, the invitation of a private land owner and compliance with a code of conduct for all tent city residents. The code of conduct is set up by SHARE/WHEEL: through it, all tent city residents promise to adhere to the prohibition of drug use, weapons and any violence on the premises, as well as following the collective duties and rules for cohabitation (Greater Seattle Cares 2018b; City of Seattle 2018). The tent city also agrees to conduct screens regarding sex offenders and warrant checks for new residents. The code of conduct is crucial to ensure more harmonious community internally as SHARE/WHEEL declares, but also provides a measure of controllability to the hosts and neighboring community. Overall, the consent decree has had lasting effects: it paved the way for Tent City 3, which from 2002 onwards has moved as semi-permanent encampments between different hosts across Seattle – mostly church congregations but also universities and non-profit organizations – and guides operations for all other tent cities that claimed recognition and were legalized since.

However, back in the early 2000s, this trajectory was difficult to envisage: in 2004, SHARE/WHEEL sought to expand its mission beyond Seattle to address needs of the unsheltered in the surrounding municipalities of King County. Generally being more conservative, these suburban cities provide little shelter and housing services. When SHARE/WHEEL organized Tent City 4 to be hosted by a local church, they met resistance by local governments that refused to issue the applied-for temporary use permits. Despite hostility from local governments and threats of fines, Tent City 4 began to move to other churches in the neighboring municipalities. The churches were not only supportive by hosting the camp for three months each, but they also acted as legal advocates for the homeless. They challenged the municipal decisions in court and between 2004 and 2009 over sixteen law suits

were initiated against several municipalities in King County. The hosting churches claimed that hosting Tent City 4 is part of their religious service, whereby the denial of a temporary use permit infringes on the constitutional right to free exercise of religion. Various county courts and the supreme court of Washington State upheld this claim to ensure the 1st amendment of US constitution and Art. 1, section 11, of Washington State Constitution, which protect the free religious exercise. Finally, in 2009, the ruling of the City of Woodinville v. Northshore United Church of Christ (2009) clarified that if a church chooses to host an encampment, this cannot be denied by a municipality. While a city may impose conditions to ensure its planning interests, such conditions may not be excessive.

Due to the various law suits and local conflicts, the issue of tent cities is by now a well-detailed topic of local governance in Washington State. As tent cities have become "an often-used mechanism for providing shelter for homeless individuals", municipalities provide information to educate their citizens on tent, i.e. what rights the homeless have and how potentially-negative effects of such land use are controlled (City of Woodinville 2004; Municipal Research Service Center 2018)⁴⁶. One after the other, the different municipalities of King County have developed special local ordinances to define and regulate tent cities (see Tab. 4 below). These ordinances are largely similar to the consent decree that regulates Seattle's Tent City 3. However, they are more detailed in specifying restrictive measures, e.g. the distance to schools and the visual barriers deemed necessary to hide the tent city. The main difference is that the suburban ordinances are exclusively catered to religious host entities, whereas the Seattle consent decree includes a wider definition of possible hosts "whether a religious community, school, private entity or public entity" (City of Seattle 2001).

⁴⁶ Municipalities provide lists of Questions and Answers which typically include the following themes: "What is Tent City 4? Has there been an increase in crime associated with Tent City 4? Can the City prohibit Tent City 4 from locating in Mercer Island? What can the City do to protect the residents? Was there be an opportunity for the public to comment? What conditions does the City impose on the homeless encampment? How does Tent City 4 handle garbage and sanitation? Are open fires allowed? How can I get more information?"(City of Mercer Island 2008a).

Tab. 4: Overview on land use requirements for legal camps in King County; Source: City of Mercer Island 2008b.



Mercer Island's Tent City Temporary Use Agreement

On June 16, 2008 the City of Mercer Island entered into an agreement with the Seattle Housing and Resource Effort (SHARE), the Women's Housing and Resource Effort Enhancement League (WHEEL) and the Mercer Island United Methodist Church. The agreement was developed through research into conditions that have been applied by other Eastside cities. Following is a comparison of those conditions. To view Mercer Island's Temporary Use Agreement, please visit the City website: www.mercergov.org/tentcity.

	Mercer Island	Bellevue	Bothell	Issaquah	Kirkland	Redmond	Woodinville
Length of Stay.	Cannot exceed 93 days. Temp. Use Agreement Sec. 2.	Cannot exceed 60 days. LUC 20.30U.125.	90 days. Agreement Sec. III.B.1.	90 days. Special Event/Use Permit SPE07-00032.	Cannot exceed 92 days. KZC 127.30.	Cannot exceed 110 days. Temp. Use Permit Sec. II.1.	40 days with possible increase to 100 days. Temp Use Agreement Sec. 2 and 3.
Encampment Setback from Abutting Properties.	20 feet or more, Agreement Sec. 3(i).	20 feet or more, LUC 20.30U.125.	20 feet or more. Agreement Sec. III.B.5.	No setback requirement in Permit.	20 feet or more. KZC 127.25.	No setback requirement in Permit.	No setback requirement in Agreement.
Sight Obscuring Fence or Screening Required?	Yes. Agreement Sec. 3(ii).	Yes. LUC 20.30U.125.	Yes. Agreement Sec. III. B. 5.	Yes, Use Permit # SPE07-00032.	Yes, KZC 127.25.	Yes. In Permit decision criteria, found to be met by City.	No.
Lighting Regulation.	Lighting must be directed inward toward camp. Agreement Sec. 3(iii).	Glare and reflections must be contained within Camp. LUC 20.30U.125.	No.	None in Permit.	Lighting must be directed downward and containing within camp. KZC 127.25.	None specified.	No.
Maximum Number of Residents at Encampment.	100 persons. Agreement Sec. 3(iv).	100 persons. LUC 20.30U.125.	100 persons, Agreement Sec. II.B.3.	100 persons. Use Permit # SPE07-00032.	100 persons. KZC 127.25.	100 persons. Temp. Use Permit Sec. II.1.	100 persons. Agreement Sec. C.
Parking Requirements at Site?	Yes. Agreement Sec. 3(v).	Yes. LUC 20.30U.125.	Yes. Agreement Sec. III. B.6.	Yes. Use Permit Condition 5.	Yes. KZC 127.25.	Yes. Temp Use Permit Sec. II.2.	None in Agreement.
Proximity to transit Required?	Yes. Shall be within walking distance of transit service (a stop is immediately across the street from Church). Agreement Sec. (vi)	Yes. Within ½ mile of a transit stop. LUC 20.30U.125.	No requirement in Agreement.	No requirement in Permit # SPE07-00032.	Yes, Within ½ mile of a transit stop. KZC 127.25.	No requirement in Temp Use Permit.	No requirement in Agreement.

Normalized tent cities: bottom-up challenges and top-down amendments to the church model of self-governed camps

What started as contested claim that the government sought to neutralize by relegating it into the existing as well as new indoor shelters has become a temporary but durable and visible outdoor phenomenon located primarily on church parking lots across the city. Having gained a legal right to be regulated, where the city of Seattle and the surrounding municipalities were forced to allow private landlords to host tent cities, made it possible for SHARE/WHEEL to co-shape the conditions of their stay, i.e. they can co-determine what camp conditions municipalities consider necessary to protect public health and safety. Following the consent decree's temporary use model, Tent City 3 and 4 move every three months from one church to another across the entire city and county. Equally importantly, the legal right to remain allowed SHARE/WHEEL to elaborate and demonstrate the viability of self-governed homeless camps. Since 2002 and 2004, respectively, Tent City 3 and 4 have proven to be a well-working operation providing safe shelter to up to 200 homeless people (Tent City 4 tends to have a smaller population of around 60).



Fig. 17: Tent City 4 hosted by Calvin Presbyterian Church, City of Shoreline; Source: author 2011.

The practice of the two semi-permanent camps has created little controversy and local officials in Seattle and King County communities describe it as "successful" (Poole/Muench 2001; City of Woodinville City Manager 2004). As these reports summarize, tent cities not only manage their internal organization well but also practice a sophisticated model of community relations where prior to each new hosting the respective neighborhood is notified and community meetings are held where neighbors are informed and questions answered. This model proved to work well in dispelling fears and stereotypes. Although King County municipalities sought to restrict the establishment of tent cities by withholding legal use permits or imposing high permit fees and insurances, the daily praxis of Tent City 4 follows the same model of community relations as Seattle's Tent City 3 and has subsequently worked smoothly: the self-governed camps argue that due to their presence and eyes on the streets, crime and vandalism decrease rather than increase. Even police officers attend such community meetings to confirm that the tent city does not led to increased crime and disorder (City of Woodinville 2004). Media reports further underline that rather than being a burden, the campers try to ensure that their stay makes "a positive addition to their host neighborhoods": "Tent City 3 is a clean and quiet community that provides its own 24-hour security, and picks up litter throughout the host neighborhoods and ensures civil conduct" (Poole/Muench 2001).

Political recognition and opposition of camps as necessary

The working model established locally was eventually confirmed in 2004 by political decision-makers at the county level. Addressing the rapid increase in homelessness where over 3,400 persons are unsheltered, the “King County Citizens’ Advisory Commission on Homeless Encampments” (CACHE) was established and asked to make policy recommendations concerning how to deal with organized encampments (King County 2004). Explicitly responding to the ongoing local disputes, the commission was asked to clarify whether such camps are necessary, and – if so – how they should be regulated and whether private or public land should be allocated for such use. The recommendations are unequivocal: “Homeless encampments are needed at present because King County and its communities have failed to provide adequate responses to homelessness” (King County 2004: 6). Admitting an acute crisis and limited state resources where homelessness cannot be solved overnight and considering that many people have no place to go to tonight, the report states that these unsheltered people benefit from tent cities that provide safety, stability and community. Recognizing the broad support that tent cities receive from civil society, King County officials admit that such emergency measures are a legitimate, necessary and valuable contribution (CACHE 2004: 22). Explicitly, the successful work of SHARE/WHEEL is emphasized as essential: together with various partners, they have organized such shelter across the county. Therefore, the report documents how political society catches up to explain an already court-sanctioned practice of legal camping. This final CACHE report of 2004 was the first time that officials had recognized a crisis of homelessness, admitting their failure to provide shelter and in turn recognizing the necessity of organized encampments that provide immediate relief. This congruence of recognition where the problem is framed as one of insufficient shelter and regulated camps are recognized as one necessary solution to address the problem has been re-articulated in the following years by grassroots organizations, churches and government officials to justify support for tent cities, although it has also been contested ever since.

By 2011, the political discourse on rejecting and de-legitimizing tent cities reached a profound level (Sparks 2012). Reading closely, these attempts to de-legitimize the necessity of regulated encampments, clamp down on their existence and redefine them as a temporary emergency response that is no longer necessary can already be seen in debates of the early-2000s. In order to illustrate the claims put forward against tent cities, it is instructive to look

into the dissenting report published by several members of the commission in opposition to the CACHE report of 2004.

The dissenting report criticizes that the CACHE final report has been shaped one-sidedly by special interest groups and county staff rather than the citizens for whom it was formed to represent (Tent City Solutions 2004). Whereas the CACHE report provides a compassionate and sensible perspective that seeks to render the interests for shelter and safety of the homeless compatible with the concerns of housed populations and questions of local government, community autonomy, public safety, quality of life and real estate (CACHE 2004: 10), the dissenting report exhibits more polemic but also more pointed arguments on whether such a weighing of interests is desirable. The dissenting report allows more clearly identifying than the bland official reports the partial interests behind specific claims for the proper role of the state and the desirable common good. To start with, tent cities are rejected in typical NIMBY fashion as an "eye sore" that negatively affects real estate values (Tent City Solutions 2004: 9). However, beyond concerns over propriety order, these fears are articulated as claims about the uncontrollable effects on public coffers. Evoking a scenario of a Pandora's box, the provision of public land is condemned: people are homesteading there“ (Tent City Solutions 2004: 14). Acknowledging the magnitude of homelessness, the latent legitimacy of homeless claims is seen as a threat: “What would stop other groups from demanding access to county property? If we give the homeless legal access to county property are we obligated to offer access to all? If not, how do we draw the line” (ibid.:10). At the same time, denying the legitimacy of the necessity claim highlighted by the commission, the provision of public land is rejected as incompatible and essentially unfair: “we don't have business access to public lands and neither should SHARE/WHEEL or any sponsoring organization” (ibid.). Furthermore, the dissenting report raises concerns over costly liability, suggesting that once a camp takes place on public land the city will be held liable for what happens in a tent city and all possible effects that it may have. Although the attached written statement of the King County Attorney makes no mention of liability issues but considers the use of public land consistent with the constitution and land use laws (ibid.:15), questions over liability continue to linger as a major barrier against public support of tent cities in Seattle and other cities. Hinting at the relevance of such concerns, the commission decided by majority vote that residents and visitors of tent cities should sign a disclaimer to discharge the county from any possible liabilities (CACHE 2004: 29). Finally, to resolve the anticipated fears, the dissenting report demands adherence to what resembles the historical principle of less eligibility: “in summary, it should not be easy to live in a tent city” (ibid.:14). Driven by the

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ideological construct of the pathologic homeless and the fear that "our excellent services and compassion" will be abused, strict rules and restrictions on tent city residents and their supporters are demanded (ibid.)

Together, the CACHE and the dissenting report illustrate the range of claims put forward for and against tent cities. Although the counter arguments of the dissenting report represent an outvoted minority in the citizens commission, they shape the consecutive implementation of policy. For instance, the CACHE report recommends the use of public land and in 2004 this specific form of government responsibility was affirmed when Tent City 4 was hosted on county property. Nonetheless, in response to the critiques discussed above, in 2005 King County issued a moratorium to prohibit any future use of public land for tent city: a decision that until today reduces the government's responsibility for providing land to the unsheltered.

Challenging resurgent urban revanchism: grassroots claims for more camps prompt a shift in the political agenda

The unresolved tensions over how to deal with encampments re-surfaced most viciously in 2008 when a new large camp emerged. In order to comprehend this development, we need to observe that the recognition and normalization of organized encampments coincides with a continued problematization of unregulated encampments. By 2008, policing efforts against homelessness had become decisively more punitive and aggressive in Seattle. Under Mayor Nickels, an unprecedented zero-tolerance anti-encampment strategy was unleashed: the disclosure of emails from city hall confirmed activists' suspicions and revealed that the hitherto-exercised practice of selective, complaint-based evictions was replaced with a systematic strategy to evict all encampments (cf. Interview Harris; Harris 2010; National Law Center on Homelessness & Poverty/National Coalition for the Homeless 2009: 80f). The background for this rearmed eviction policy is the massive reinvestment into real estate, where since 2004 a condominium boom led to an influx of new middle-class citizens: facilitated by new tax breaks on property owners, the affordable housing crunch intensified once again as over 12,000 low-cost rental units were destroyed or converted (Schilperoort 2007). The displacement of all homeless encampments was justified by city officials as the protection of new public and private investments and to restore the urban quality of life. The derogatory representation of homeless camps as sites of crime, hazard and filth are not new to Seattle. For instance, in 1994 city officials complained about human feces and garbage and the high costs of \$200,000 for cleansing homeless camps to restore public parks (Keene

1994). Such discourse demonizing homeless camps was reinforced in the mid-2000s. The Homeless Media Coverage Group with scholars of the University of Washington documents systematically how media reports strategically endorse and disseminate the city's campaign through representing the homeless and their encampments in the language of dirt, danger and drugs (Bawarshi et al. 2008). Drastic images of city staff in white biohazard suits removing heaps of waste and excrements dominated the local media coverage.

However, the advance of such revanchist displacement policy was challenged and eventually halted in 2008. The trigger for this shift in public perception and then policy was the emergence of Nickelsville, a large organized homeless encampment. Named after Mayor Nickels, the camp is a powerful protest against the harsh clean-up policy. Set up on 22nd September 2008 in a cloak-and-dagger operation on vacant public land in Seattle's harbor district, the new camp followed the established collective praxis of Tent City 3 and 4 and presented itself as a well-organized community. Nonetheless, with its explicit reference to the Great Depression's Hoovervilles, Nickelsville mobilized not only local support but also turned media coverage upside down. The image of well-ordered rows of pink tents proved powerful and local, but also national media were quick to interpret Nickelsville as victims of the rapidly-unfolding economic crisis: "Tent city becomes home in tough times" (Oppmann 2009; Iwasaki 2008). The media scandalized Nickels' repressive policing and demanded more compassionate and sensible responses to this manifestation of self-help shelter, which many observers described in sympathetic ways as a living, breathing protest against what they see as the failed policies of the administration to help the city's homeless find permanent housing (KING 5 News 2009).

Nickelsville challenged the *simulacra of a compassionate city*. However, Mayor Nickels made few concessions to the rogue camp and denied it any legitimation. Despite strong community support where various churches and community organizations offered to host Nickelsville and at one point even Christine Gregoire – governor of Washington State – intervened to allow Nickelsville to stay temporarily on state land, he forced the camp to leave the site. A year-long odyssey began: Nickelsville moved to various sites across Seattle, often with toleration by landowners like the Duwamish Tribe but was repeatedly ordered to leave. Activists who peacefully resisted the evictions were arrested (Gillis 2009a). The 150 residents of Nickelsville – self-labelled as Nickelodeons – remained committed to their quest for a permanent place. While they expose the lack of alternatives as all public shelters are



Fig. 18: Nickelsville: Protest camp for Survival; Source: Mondon 2015

overcrowded, the mayor labels them as political activists who just use the homeless for an ideological cause. Nonetheless, his refusal to acknowledge the homeless claim became increasingly criticized. Testament to his loss of popular support, in November 2009 when Mayor Greg Nickels tried to become re-elected for a third time, he was already defeated in the primaries.

The mayoral election is characterized by local observers as "sea change in the power structure of Seattle" (Lamm/Wilhelm 2010). The new mayor Mike McGinn – a former community organizer and attorney – successfully challenged the local pro-business elites that aligned behind a controversial plan for replacing the inner-city Alaskan Highway viaduct with a deep-bore tunnel to further the waterfront development. By contrast, mobilizing hitherto-unrepresented groups such as “environmentalists, biking advocates, musicians, advocates for the poor, nightclub owners, and younger voters”, political outsider McGinn won the election with his vision for a more social, green and open city (ibid.). His campaign advocated for more public transport, keeping libraries open, public safety and more services to address the homelessness problem. With the election of Mike McGinn, local political discourse on homeless management significantly changed. Rather than denying homelessness and pursuing a policy of policing the crisis out of sight, McGinn appealed successfully to the "liberal values" of Seattle. In contrast to Mayor Nickels' law and order policy, McGinn seeks popular consent by promoting more caring and considerate approaches to address homelessness.

This shift in the city's political agenda was first demonstrated when in April 2010 – shortly after his election – the mayor vetoed an already-decided anti-panhandling ordinance (Heffter 2010a). Following the zeitgeist (cf. National Law Center on Homelessness & Poverty/National Coalition for the Homeless 2009; National Law Center on Homelessness & Poverty 2016), this ordinance criminalizes so-called "aggressive panhandling" with a \$50 fine. Interview partners stressed that since the early 1990s similarly restrictive ordinances responding to a popular sense of insecurity have always been passed by city council (Interview Harris; interview Day; interview Herbold). But in 2009 the mayor vetoed and city council could not find a majority to overrule it. The second indicator for a mounting critique against the criminalization of homelessness is that McGinn re-enforced and enhanced the encampment eviction protocols that were suspended under Mayor Nickels.⁴⁷ This more tolerant approach to visible homelessness that seeks to balance concerns for health and safety of all people (Licata 2010), however, does not mean a full stop to encampment evictions. To promote public safety and order also the new mayor supports a new founded Center City Initiative and allocates \$200,000 additional funding for new outreach and engagement teams comprising police officers, social workers and formerly homeless, to deal with the "hard to reach homeless" (McGinn 2010). Although homeless advocates criticize this as the same sad old story, i.e. the continuation of policing the homeless, many interview partners acknowledged that overall since 2009 the encampment policy of Seattle Police Department has turned more lenient and tolerant. Refraining from full sweeps, this has prompted an increase of visibly persisting encampments across the city, especially along the inner-city highways and the green belt. In order to underline this, Seattle's planning director pointed to several tents visible from her office window (Interview Sugimura; cf. interview Harris; interview Day).

Self-governed camps work: expanding existing niche arrangements

With the emergence of Nickelsville, the political problem of unsheltered homelessness was placed back on the political agenda. With its demand for a permanent self-governed camp where up to 1,000 homeless can self-shelter themselves and create small dwellings (so-called "small, sturdy shacks"), Nickelsville makes a deliberate and strategic break with the confines

⁴⁷ Under these protocols evictions require a 72h notice, due respect for homeless property which is "tagged and bagged" for retrieval, outreach to social services outreach. Al Poole, City Human Services Department, further stresses that no eviction takes place unless a safe and secure place for the homeless is found (Interview Poole).

of the existing church model (Interview Harris; interview Morrow; interview DePape). While neither politicians nor any civil society organization ever fully endorsed this radical idea of a large camp, many acknowledged that the current situation renders urgency and legitimation to their claim: with more than 2,000 unsheltered homeless, unmet need clearly exceeds the capacities of all existing approaches to provide shelter and housing (SKCCH 2012). The Nickelsville claim thus highlighted the crisis of local homeless management and prompted the re-questioning of the existing homeless management including the established niche of church-hosted encampments. Moreover, Mayor McGinn proved to be very open to heed to this specific demand.

Shortly after his election in August 2010, the new mayor convened the so-called Citizen Review Panel on Housing and Services for Seattle's Unsheltered Homeless Population to formulate recommendations for policy-makers (Citizen Review Panel 2010). The panel comprising representatives from the major local non-profit and faith-based homeless service providers and homeless advocacy organizations – I interviewed eight of the ten members⁴⁸ – was asked to examine which services are most relevant for the unsheltered homeless and how to enhance and complement them. Explicitly, it was asked to evaluate the possibilities of expanding "low-cost housing options (such as single-room occupancy units)" and to determine whether an "encampment should be established on a piece of city property for some determined period of time, should a third party be contracted to manage the encampment; and what specific criteria should be met around use of the space and services provided?" (Citizen Review Panel 2010)⁴⁹.

⁴⁸ Committee members: Alison Eisinger, Seattle-King County Coalition on Homelessness, executive director; Tim Harris, Real Change, executive director; Bill Hobson, Downtown Emergency Service Center, executive director; Vince Matulionis, United Way of King County; Paul Carlson, U.S. Interagency Council on Homelessness, regional coordinator; Michael Ramos, Church Council, executive director, Bill Hallerman, Catholic Community Services, director; Amy Hagopian, University of Washington; Sheila Sebron, Committee to End Homelessness, veteran; Tom Tierney, Seattle Housing Authority, executive director.

⁴⁹ The questions to the Citizen Review Panel are:

1. Should an encampment be established on a piece of city property for some determined period of time? Such an outcome would require a third party to be contracted to manage the encampment and meet specific criteria around use of the space and services provided, as established by the city. Potential criteria include neighborhood notification, background checks, co-location of or referral to services with the goal of moving people permanently out of homelessness, and the collection of demographic and other data demonstrating progress towards that outcome.
2. Can the current funding, policy, and regulatory environment support a suitable range of low-cost housing options (such as single room occupancy units) for the unsheltered population? If not, how could it change to do so?
3. What existing services are most relevant to the population in question? What can be done to support or expand those services?

The panel's final report starts out by assessing the situation of homelessness in Seattle and delivers an explicit critique on the existing services and policies. Despite the efforts made to end homelessness, the report states there remains a massive lack of immediate shelter: although there are 1,209 shelter beds, the 2010 One Night Count found 1,986 people sleeping outside (Licata/Herbold 2010). While this formal recognition of Seattle's homelessness crisis echoes the 2004 CACHE report, the Citizen Review Panel is significant for formulating the first explicit policy recommendations for legalizing homeless encampments. City councilor Nick Licata – a strong advocate for regulating encampments – summarizes the Review Panel's recommendations. The unmet needs of this "Population of Unsheltered Seattle Homeless" – succinctly abbreviated by Licata as PUSH (Licata/Herbold 2010) – demand additional efforts: "we recommend the City of Seattle sanction and offer available property to a self-governed encampment to help meet the immediate survival and safety needs of individuals in our community who have no access to safe shelter" (Citizen Review Panel 2010).

Considering that homeless advocacy organizations that in the past have supported the establishment of self-governed encampments are well if not over-represented (similar to the composition of the CACHE report 2004), the panel's recommendations are not surprising: they effectively repeat the lessons learned from Tent City 3 and 4 throughout recent years. However, the function of this panel was to once again bundle the local knowledge of central civil society stakeholders, counter the remaining concerns against regulated and self-governed encampments and provide a political justification for expanding the existing model with public support. Reiterating and updating the recommendations of the CACHE report from 2004, the panel summarizes:

"While not a permanent solution, an encampment can provide safety, privacy, community, 24-hour access, the ability to accommodate couples and pets, and other benefits of self-governance. Self-management encampments also shelter many more people using fewer funds than other shelter models, while unfortunately providing less in the way of client services like case-management" (Licata/Herbold 2010).

4. Are there other models that could complement existing services and serve the unsheltered population? (cf. Citizen Review Panel 2010).

The panel's report is significant as it focuses policy attention on the unresolved and largely unaddressed problem of immediate shelter need. It not only confirms that as Vince Matulionis – director of United Way and member of the panel – said "encampments do work", but also recommends the use of public land and financial support for regulated self-governed encampments (Interview Matulionis). Acknowledging the time and capacity limits of the existing church-sanctioned camp model (90 days, max 100 people) that are a burden for the homeless trying to find jobs and housing, the panel explicitly calls for stronger city support to overcome these limits and provide a more long-term solution for regulated encampments. Highlighting that the city already utilizes public property – including the basement of city hall – for emergency shelter during the winter, the panel argues that the current emergency condition of 1,800 persons lacking shelter necessitates the extension of this municipal effort. Next to the recommendation for a city-sanctioned camp on city land, the panel also recommends establishing safe parking zones for car campers and recommends expanding emergency shelters in city-owned buildings year long. Specifically, the panel calls for equal treatment of all outdoor sleepers and demands an end of police harassment: "as long as unsheltered people are not disturbing the peace or interfering with the rights of others, they should be allowed to remain where they have chosen to be" (Licata/Herbold 2010). Rather than policing, the city should seek to address public discomfort and fears for impaired business activity through education programs.

Planned to fail: the mayor's proposal for an authorized encampment on city land

The recommendations of the Citizens Review Panel encouraged mayor McGinn, who publicly endorsed regulated encampments even before his election: "We're going to have to find a better way to accommodate [the homeless] in our city...I do support having longer-term tent encampments than we have, a more stable place to stay, because for many people just having a stable place to stay is critical to them connecting to other opportunities" (Gillis 2009b). In November 2010, having been elected as mayor McGinn explained to the public and city council that following consultation with advocates, providers, homeless individuals, elected leaders and neighbors about the need for a new alternative to sleeping on the streets, he decided to establish a city-sanctioned camp on public land for 150 homeless (Heffter 2010b). While such an encampment is never a solution to end homelessness, he argues that this social experiment represents "a step worth exploring" to address the unresolved and aggravating problem of unsheltered homelessness (ibid.). Aiming to respond to the claim of Nickelsville for a permanent site, the mayor's proposal sought to integrate the proven lessons of the

existing encampment model but also aimed to address the various concerns over its limits. At the same time, as this proposal accepted the hitherto-rejected use of municipal resources and responsibility, the mayor was aware of resuming contested debates (see 2004 county moratorium against use of county land) and sought to resolve the resistance against such an active city role. In short, while McGinn aimed for this project to become a model for city-sanctioned encampments and the Seattle Times embraced it as a "doable plan" (Seattle Times Staff 2010), due to its integration of a panoply of expectations and concerns, the proposal proved to be well-intended but essentially overdetermined.

Developed by staff of the city's human service department, the project plan for the "Transitional Encampment for Homeless Adults - Transitioning from Tents to Self-Sufficiency" contains various provisions that distinguish it from the existing encampment regulations. The request for investment with which the department invites service providers to apply for this program illuminates that the planned camp may be described as a successor of the existing self-governed camps but has to adhere foremost to the requirements for a conventional performance-oriented homeless service facility: "the primary purpose of the program is to provide services designed to build independent living skills, increase participant income, and help people move on a path to self-sufficiency and stable housing" (City of Seattle Human Services Department 2010:1). These requirements address the main critique put forward against the self-governed encampments and meet the expectation that homeless services should actively assist homeless people to end their homelessness. However, in contrast to the Citizens Review Panel that recommended offering services to encampment residents as an additional feature, the mayor's proposal makes such services mandatory. So-called self-sufficiency advocates are to assist the residents in developing individual self-sufficiency plans that entail "specific, measurable goals to obtain stable housing and increase income" (City of Seattle Human Services Department 2010:9). This may include application for mainstream services such as Medicaid, Food Stamps, etc., but also includes improving "life skills". The advocates further assist residents in achieving their benchmarks but also document all steps through the HMIS system. The project is defined as successful when after two years the goal of 60 residents are exited into stable housing (City of Seattle Human Services Department 2010:9). The mayor and city staff were clearly determined to demonstrate that regulated encampments can provide more than just "enabling survival" but contribute in measurable ways to the goal of "ending homelessness". Nonetheless, the differences from the self-governed encampments are evident: while they focus on unmet shelter need and rely on the collective self-help, this project proposal emphasizes case

management, thereby implying that the main problem to address is not the lack of shelter but the deficient capabilities of homeless people.

Critiquing these provisions, residents and organizers of Nickelsville rejected the project as it not only provides for little integration of Nickelodeons but further undermines key qualities and achievements of their existing community model. Nickelodeons objected in particular to the ban on children, the time limits on residency and the mandatory participation in treatment programs that are monitored by the Homeless Management Information System (HMIS) (Gillis 2011; Sparks 2009; Sparks 2012), cf. Sparks 2008, 2011 discussing Tent City 3's rejection of HMIS participation). Not rejecting homeless services and case management per se, SHARE/WHEEL and Nickelsville argue that until there are sufficient housing options all benchmarks and limits to service/shelter use are arbitrary: they impose unnecessary pressures on the homeless and only serve to conceal the fact that people stay in encampments permanently not because they want to but rather because there is a lack of affordable housing (cf. the evaluation of Portland's Dignity Village's service performance came to a similar conclusion (Kristina Smock Consulting 2010). Local service providers and homeless advocates joined the critique of the project, arguing that it does not comply with the recommendations of the Citizens Review Panel. Their report clearly endorses the self-governed model of encampments with "reasonable access to services" as an adequate, low-cost emergency response whereby they questioned the proposed upgrading into a transitional housing facility (Licata/Herbold 2010; Citizen Review Panel 2010:2; interview Harris; interview Herbold). Why – they wondered – invest so much money and impose such high performance goals for a temporary service that is then even rejected by those who claimed it in the first place?

The high requirements of intensive case management deemed necessary for the encampment to deliver much more than "only" a safe, self-governed alternative to the streets illustrate how logics of self-governed camps conflict with logics of homeless management. The table below contrasts the costs and characteristics of the mayor's plan to the camps recommended by the Citizen Review Panel (see Tab. 5). While the mayor, several councilors and service providers were willing to respond to Nickelsville's claim, they also sought to maintain sovereign power in order to avoid any notion that the city is blackmailed by a group of political homeless activists. The requirements effectively dispel any such a notion that the new city-sanctioned encampment is dictated by these disruptive homeless activists, who are eventually rewarded for their relentless demanding claim for a self-governed space. This political objection to

Nickelsville’s politics of claiming rather than asking, which many political actors in Seattle considered an overly-demanding attitude, is explained by the representative of United Way Seattle: “If you do that people will continue to come and demand similar until when everyone is housed. And I think it is viewed as an all-or-nothing proposition. And people in communities get angry” (Interview Matulionis). Accordingly, although the Review Panel recommended to "take advantage of the expertise available" by working with the non-profit organization Veterans for Peace – which currently acts as the legal sponsor of self-governed Nickelsville, the mayor decided to opt for the formal route. According to the official request for investments, the city seeks to contract a professional service provider with a track record in homeless services that can guarantee the smooth operation of the program including its

Tab. 5: Comparison of proposed city regulated camp and self-governed camps; Source: City of Seattle City Council 2011.

Comparison of Mayor’s Encampment Proposal and Citizen Review Panel Recommendations

	Mayor’s Proposal	Citizen Review Panel Proposal
Location	Sunny Jim Site	Three sites identified; two industrial, one commercial. Goal was to locate sites that are accessible to key services and transportation.
Size of Encampment / # of Individuals Served	Maximum of 100	100 – 150
Duration	Two year pilot phase that would expire on August 31, 2013.	Not specified
Operator	Conduct a Request for Information (RFI) process to select a qualified provider.	Work with Veterans for Peace – Chapter 92
Facilities	Trailers with showers, laundry facilities, cooking facilities, office for life-coaching staff.	Hygiene facilities, food preparation facilities. Electricity and running water strongly recommended along with a sewer hook-up to reduce costs.
Social Services	Staff would be provided to assist each resident in developing a plan for moving to housing or other suitable shelter.	Residents to be given information on how to access support services that would aid them in obtaining jobs, housing, and health care. Space should be provided at encampment to allow service providers to offer services on-site.
Measurable Outcomes	Thirty households per year will move into stable housing.	Not included
One-time costs:	\$970,386	Not included
Ongoing costs:	\$273,282 per year	\$36,000 (excluding staff costs and bus tickets) - \$57,600 (including staff costs and bus tickets) per year. Estimates based on Nicklesville and Tent City costs.

termination after two years when the pilot project expires. While these expectations explicitly exclude SHARE/WHEEL and Veterans for Peace – the registered non-profit 501 (c)(3) that serves as the official recipient of donations for Nickelsville, it remains entirely unclear whether such an appropriate organization capable and willing to do this job actually exists in Seattle: interview partners conceded that they knew of no suitable candidate (interview Matulionis; interview Ramos).

The critiques both from homeless organizations and service providers on the one hand, but also from NIMBY protest by local businesses and neighbors that commenced after the mayor decided on a concrete site to realize the model camp increased pressure on local government. Determined to produce a successful pilot project, deputy mayor Daryl Smith states: “this has to work. We certainly can’t make short-term decisions that would lead to the possibility of failure” (Gillis 2010). However, the final blow for the proposal was less about the program’s philosophy or the camp’s location, but rather its costs. The budget for the two-year pilot including site preparation, temporary "soft" structures i.e. tents⁵⁰, sanitary and kitchen facilities, amounts to \$920,366, with an additional \$273,282 per year in personnel costs (City of Seattle 2010). Speculation remains concerning the degree to which members of city departments and the staff of city council who opposed the encampments pushed the costs up in order to impede implementation⁵¹. Nonetheless, obviously the prospect of investing more than 1 million dollars to house 150 homeless for two years in tents was met with strong skepticism, not only by conservative city councilors who rejected the proposal from the start, but also from progressive councilors including Nick Licata, who advocated for expanding the model of self-governed encampments. According to the Review Panel, these camps operate on a much smaller budget of \$36,000- 57,000 annually (City of Seattle City Council 2011: 13)⁵².

⁵⁰ The director of the Seattle Planning Department explained that the designated temporary use of the site precludes more solid and permanent buildings (interview Sugimura).

⁵¹ In an interview with homeless advocates and a city councilor from the City of Merced in California, a similar strategy was revealed: There, the city council decided on establishing a regulated encampment to address unsheltered homelessness which was soon medialized as „million dollar camp“. Interview partners therefore described the high costs as strategic policy on behalf of the local mayor and his administration to block the implementation (interview Davenport, Carlisle, Rodrigues).

⁵² For comparison: the annual budget for Dignity Village in Portland is ca. \$44.000Dollar (Kristina Smock Consulting 2010: 23).

Nonetheless, the mayor justifies his decision once again and seeks approval: "The plan for the transitional encampment provides a more positive, creative, and flexible approach, one we believe can make real differences in the lives of our neighbors as we continue working on lasting solutions to end homelessness" (McGinn 2011). However, by mid-2011 the proposal for the model camp was considered politically "burnt" (interview Herbold). City council rejected supporting what they considered a costly, monolateral and ill-planned push forward by a greenhorn mayor. Despite strong rejections, the city had decided on a suitable public property (the former Sunny Jim Peanut Butter Factory). The scheduled opening in October 2011 was consecutively postponed. However, the official explanation for the suspended implementation does not acknowledge the rejection of costs but refers to open questions over the project's compliance with city planning laws and a pending study of the project's environmental impact assessment (Grygiel 2011).

Selective legalization to solidify the church model of self-governed camps

The political urgency to respond to the issue of camps but also the undecidedness concerning whether to authorize new encampments are highlighted by the city council decision from 2nd May 2011: in direct response to the challenge posed by Nickelsville, which squatted a vacant site again at Marginal Day the day before (see next section), the city council voted for considering additional "services for homeless people who may not currently be served by the existing shelter system" (City of Seattle Legislative Service 2011). Interview partners highlighted that the otherwise always-divided city council passed this resolution unanimously, which highlights the shared political will to find new ways to address homelessness. Nonetheless, the different alternatives for more effectively "helping homeless people to obtain temporary and ultimately permanent housing" (ibid.) do not include the self-help shelter of the Nickelodeons. Instead, the city council decided to review five options: (1) renovating the old fire house to provide emergency shelter or housing; (2) more support for faith-based-organizations to organize (basement) emergency shelters, tent cities or safe parking programs on their premises; (3) the acquisition of a former motel to create transitional or permanent housing; (4) additional provision of vouchers and rental assistance; and (5) the implementation of the mayor's plan for a city-sanctioned encampment (ibid).

From these five options, the least controversial to implement were the more conventional ones: additional funding of \$435,000 was allocated in the city budget of 2012 for rental support vouchers to families, and the fire house was first used temporarily by non-profit

service provider Catholic Charities as a winter emergency shelter – at no cost to the city as the mayor stressed (McGinn 2011b) – and later converted into permanent supportive housing. However, the options for encampments proved more contested. Paving the way for the failure of the mayor’s camp proposal, this option is ranked low by city staffers: the high costs are highlighted and council members are reminded that such city-governed encampments have not been tried before and are likely to create “significant management issues” (City of Seattle City Council 2011).

The definitions and calculations of this report point to a significant shift in how the option of regulating homeless camps has been deliberated in Seattle since 2011. In fact, while political debates have raged on from 2011 onwards, the city of Seattle has passed several legal amendments that effectively re-institutionalize the church model of hosting encampments. Essentially confronted with the mayor’s plan for a more structured but also a more permanent and city-financed camp and Nickelsville’s claim for a much larger, self-governed and permanent camp, the existing church model appears to be the least controversial option. For this, it is noteworthy that the discussed report highlights the practice of “self-managed’ encampments hosted by faith communities” as preferable given that it comes at no cost to the city (ibid.). Although the city has repeatedly stressed its insistence on providing housing not shelter because irrespective of the higher costs only housing ends homelessness, in direct comparison to the mayor’s proposed camp the cost-efficiency of church-hosted camps is explicitly mentioned: “In contrast, a managed transitional encampment is a lower cost alternative to more permanent and costly housing options” (Ibid.). Furthermore, the report stresses that in contrast to the permanent and self-governed camp demanded by Nickelsville, the church-hosted camps are easier to manage: they offer “the added benefit of providing a form of oversight of behavior and management. If the encampment creates internal or external troubles, it will be unable to find its next host. It is much more difficult for a government to close or stop hosting an encampment” (Ibid.).

These explanations formulated by city staff illustrate well the reasons explaining why after a considerably short time on 3rd October 2011 the city passed council bill No. 117288 to amend zoning and land use plans permitting “transitional encampments for homeless individuals as a use accessory to religious facilities in all zones” (City of Seattle Department of Planning 2011a). This new bill echoes the recognition of necessity and adequacy formulated by earlier documents (cf. King County 2004):

“Encampments provide a means for meeting the immediate needs of individuals who have no access to permanent shelter. At a time when there are so many homeless individuals on the streets, encampments can provide a viable temporary living option. Existing encampments in Seattle have demonstrated that they can provide 24-hour access, accommodate couples as well as families and pets, and offer various other benefits of self-governance including safety and a sense of privacy and community” (City of Seattle Department of Planning 2011a).

In contrast to the contract-based consent decree, the new bill establishes such camps as generally applicable rather than exceptionally permissible. It defines transitional encampments as a new land use category recognized by the Seattle Land Use Code, i.e. when the defined conditions are fulfilled, such camps need to be permitted. These conditions are considerably easy to fulfil: transitional encampments are simply allowed when they meet “basic public health and safety standards” and have a maximum number of 100 residents (ibid.). In sharp contrast to the previous consent decree, this means that many restrictions that have thus far limited the operation of church-hosted camps are now rescinded, e.g. the limits on six-month stays and the limit on maximum two camps in the city. The city government considers the new bill as a success that is very forthcoming to the hosts of legalized camps (Interview Sugimura; interview Fathi; interview Elliott). Council member Licata’s assistant Lisa Herbold describes it as a regulatory “carte blanche” as it offers residents and hosts of self-governed camps more liberties with little requirements or barriers (Interview Herbold).

Nonetheless, in recognizing transitional encampments as legitimate land use, the new bill also cements the exceptional role of religious facilities. While the old consent decree explicitly mentioned private hosts, these are not mentioned in the new bill. The homeless advocates like SHARE/WHEEL, Real Change and Nickelsville thus were far from happy with the new bill and protested against it: they argue that excluding private hosts other than churches unnecessarily limits their scope of possible hosts (Lloyd 2011). In the interview, the planning director clarified that indeed the new bill creates a general right to permit the hosting of encampments (Interview Sugimura). However, in contrast to churches, private institutions would need to apply for a temporary use permit of six months, which is costly (\$1,500-2,500) and requires public notice and community consultation. Given that encampments are still contested land uses, the advocates fear that this makes it more difficult to find willing private hosts. They also criticize that the issuing of use permits is not an entitlement but rather falls into the discretionary power of the planning director and is thus subject to political power play (Lloyd 2011).



Fig. 19: Nickelsville hosted by University Congregational Church, Seattle; Source: author 2010.

Although the bill privileges churches, church representatives were not thrilled about the new opportunities to host camps. For one, many churches hosting tent cities appreciate the limit on six-month stays as it is a time span during which their communities and the neighbors are willing to muster the extra efforts. With the new bill, they have to define the duration of the tent city themselves: in other words, explaining their limits of care (Interview Ramos; interview DePape; interview Fenn). Moreover, the director of Social Justice for the Church Council of Greater Seattle explains that churches do not need a new local bill to host camps as this right has already been established by state law (Interview Ramos). Seattle's embrace of legal camps hosted by churches is exceptional but also reflects the changed legal landscape in Washington State. Responding to the sustained legal struggle against Tent Camp 4, the Washington Legislature passed a new bill in 2010 to clarify the contested legal situation (Washington State Legislature 2010). With this bill, the local experiment becomes a state-wide rule: since 2010, any church in WA is allowed to host encampments and municipalities are mandated to enable appropriate regulation to ensure the hosting of encampments. Together, Seattle's new bill and this state law establish a privileged legal nexus of homelessness, tent cities and churches that re-articulates the traditional fit of churches and welfare: appealing to churches as the primary actor to realize this socio-spatial praxis of homeless sheltering. However, thus far only few other cities and churches have made use of

this legal right. Although several cities have amended their local land use code to integrate the special rights of churches, as a socio-spatial praxis the church model is still most elaborate and sustained in Seattle, where there are established relations with SHARE/WHEEL as a reliable partner to church communities.

Returning to the case of Seattle, it is finally noteworthy to recognize that, although SHARE/WHEEL paved the way for this new legal recognition of regulated camps, the specific elements of self-governed camps are not recognized in the new bill. This is partially due to the differences between contracts and legal bills amending planning laws: for instance, codes of conduct cannot be mandated by planning (Interview Sugimura)⁵³. The selective recognition of self-governed encampments is further confirmed by the similarly unanimously-decided change of Seattle's Comprehensive Plan in April 2012. The comprehensive plan lays out the guidelines for future urban development committed to four core goals: strengthening community, protecting the environment, supporting local economy and increasing social equity (Seattle Office of Planning & Community Development n.d.). According to this amendment, sustainable development now includes "the operation of safe and healthy transitional encampments to allow temporary shelter for those who are homeless" (City of Seattle Legislative Information Service 2012). While the comprehensive plan recognizes transitional encampments as a legitimate measure to address unsheltered homeless, it needs to be underlined that this recognition comes without an explicit focus on the role of churches. While councilor Burgess intervened before the council vote and appealed to limit the city's official recognition to churches to prevent sending a wrong message, his objection gained no support (Feit 2012). However, it needs to be clarified that although the comprehensive plan now recognizes transitional encampments as part of the city's social policy approach, it does not recognize encampments as universally-legitimate land use.

The unanimous and clear official recognition of encampments in legal documents is based on sufficiently vague definitions that justify more public support for transitional encampments hosted by faith-based organizations as a special part of social policy efforts but they offer few binding provisions that could be used by grassroots organizations like Nickelsville, which seeks to claim a legal right to land. Although council member Licata has put forward various

⁵³ Thus, the new bill no longer demands mandatory codes of conduct but merely recommends that religious facilities „enter into hosting agreements with encampment operators that will address encampment rules for the purpose of promoting good neighbor relations“ (Legislative Department Seattle City Council Memorandum 2013).

proposals for land use plan amendments that directly meet the demands of Nickelsville, these were rejected by the council majority⁵⁴.

Managed toleration and closure of Nickelsville

Therefore, while the city deliberated on plans, the situation of Nickelsville remained precarious. Still lacking a permanent site from 2008 onwards, they continued to move between different hosts including local churches and Seattle University. In 2010, with cold weather approaching, the mayor offered an immediate albeit temporary solution: between December 2010 and May 2011, Nickelsville was allowed to stay in a vacant fire station in Northern Seattle. During this six-month reprieve, the camp grew in size up to over 200: in my field research, I saw how the Nickelsville residents slept cramped together in the large indoor garages with some additional tents and shacks set up on the outside perimeter. However, when it became obvious that the city's plans for creating a new permanent encampment were neither meeting their interests nor going anywhere soon, Nickelsville decided to take matters to their own hands once again. Insisting on their claim that "Nickelsville isn't an indoor shelter for 99 people; it's an eco-village for up to 1,000!", Nickelodeons were set to no longer await flawed political interim solutions (Nickelsville 2011). Coming full circle, in an unanticipated move in May 2011 the more than 100 homeless campers transported their tents and shacks across town to squat once again on the vacant field at Marginal Way, where their struggle had started three years earlier in 2008.

Testament to the changed political climate, this time their appropriation was met with considerable tolerance. Without police interference, the campers established the site with tents and community infrastructure. The mayor announced that he would not evict Nickelsville and the city council did not vote to force the mayor to enforce the law. This toleration is a clear indicator of unresolved tension within the local state and city council in particular: where a local shelter crisis is increasingly acknowledged, no convincing solution was at hand to address it. The toleration thus underlines the political impasse that is well illustrated by a

⁵⁴ For instance, Licata proposed the inclusion of non-residential and industrial zones as eligible locations for an encampment which would allow legalizing Nickelsville on its current location at Marginal Way, a site that is publicly owned and zoned as industrial land. The proposal has been rejected on basis of the argument that Seattle needs to preserve its remaining zones for industrial use (City Seattle Department of Planning 2011b: 12f). Only on this background the nuance is noteworthy that encampments are recognized without discrimination in the Comprehensive Plan's section on Human Development but not mentioned in the section on Land Use Development.

community meeting held in October 2011, where the deputy mayor and city councilors responded to questions of neighbors. The local Highland Park Action Committee formed as a citizens' response to observe and respond to Nickelsville reports the legal and governing state of limbo: after six months, it had become "clear that the city does not currently intend to either evict the encampment or provide services (water/sewer/power hookups) that would make the site more habitable" (West Seattle Blog 2011).



Fig. 20: Nickelsville on tolerated site at Marginal Way, Seattle; Source: author 2011.

Although the mayor sought to end the protracted stalemate asking the city council to decide how to improve or respond to the situation, and although in 2012 and 2013 more legal proposals were submitted by councilor Licata aiming to translate the vague official recognition into regulations that could be used to legalize Nickelsville and justify the provision of public support (Legislative Department Seattle City Council Memorandum 2013), the city did nothing to actually improve the conditions of the camp. Deputy mayor Smith explains that the administration is constrained and cannot intervene to improve the camp: "There is no legal pathway for them to be on (that site) right now. Land use would have to be changed. We would have to create a new terminology in the Land Use Code for that to be a legal place for them to be." While the council is determined to change the land use code in the near future, until then they cannot issue a permit for the encampment, because it's

not a “legal use (West Seattle Blog 2011). On the other hand, the city is determined not to enforce the law and refuses to "do its job" as frustrated neighbors complained. Pointing to the lack of shelter, officials argue that they would not be able to house all residents of Nickelsville when they evicted them. Overall, this stalemate with an ongoing informal toleration of Nickelsville suggests that the site on Marginal Way is considered sufficiently non-controversial to maintain a lesser evil, compared to eviction or legalization.

However, it is noteworthy that the public debate has become much more tolerant and accepting towards self-help communities. Exemplary is the community meeting hosted by the Highland Park Neighborhood Committee in 2011 (West Seattle Blog 2011): While several attendants voiced sharp critique arguing for “tough love” to discipline these homeless who did not want to comply with the rules and threaten real estate values, the dominant sentiment was to deliberate on the issue with respect and due consideration of both the homeless and the housed neighbors. Obviously, Nickelsville was able to sufficiently demonstrate the benefits and the viability of its self-organized community model. The dark side of this toleration is that the precarious conditions of the camp remained largely unchanged. Despite the growing acceptance by individual council members,⁵⁵ the city council did not reach a vote and thus remained indifferent. A major reason is the fear that any city investment would mean the official sanction of an illegal land use (interview Herbold; interview Harris). Thus, lacking any public support, Nickelsville continues to operate at the most basic level: drinking water in canisters is supplied every day by volunteers, a generator produces electricity twice a day to charge cell phones, etc., sewage is discharged into the street sewer and four portable toilets paid by donations are rented for the campers. In order to improve the site, volunteers donated wooden pallets to elevate the tents above ground and several tons of mulch and gravel were spread to create dry footpaths.

This legal state of limbo ended in a legislative showdown in the summer of 2013. By early 2013, the public and political debate over Nickelsville had taken a considerable turn. The media reported about unbearable health situations in Nickelsville: after serious flooding in winter 2012/13, the camp’s conditions further deteriorated with a rat infestation (Thompson

⁵⁵ For instance, in July 2011 initiated by council member Licata three skeptical council members visit Nickelsville. Thereafter council member Tom Rasmussen is little impressed but Sally Bagshaw and Sally Clarke change their mind. Impressed by the collective work and shamed by the poor conditions Nickelodeons have to live in, they pledge for financial support. The necessary costs of \$39.000 for toilets and water hook-up she considers mere „budget dust“ (Bagshaw 2011).

2013). Moreover, the neighborhood of adjacent West Seattle stated that its openness and capacities to support Nickelsville reached limits (Steiner 2013). In response, increasingly city council debates on the pros and cons of expanding legal opportunities to camps are overshadowed by concerns over health and safety, as well as costs for the improvement of sites. Turning against the mayor's policy, the majority of city council members published a public letter with demands on the mayor: "we should not create an environment that facilitates or invites substandard living or increased and more permanent camping in Seattle" (Driscoll 2013). Only city council member Nick Licata remains opposed, but clearly political arguments for the continued toleration or even improvement of camps find less support. Brushing away all prior discussions on the nuanced recognition of encampments' merits, the city council now equates Nickelsville to a "public safety and health emergency" that cannot be abated but should be ended: "I think we make it really clear that the encampments are not the best option," one of the signing council members is quoted (Driscoll 2013). In light of this increased opposition, the mayor decided to put an end to the protracted deliberations on alternative policy approaches:

"For some time we have delayed enforcement of the law against encampments on industrial lands while the City Council examined these proposals to provide more opportunities for legal encampments in the City of Seattle. In light of the City Council's clear statement of intent that they will not expand encampments further, and that they expect Nickelsville to clear the property by September 1, motivated in part by the desire to sell this property to Food Lifeline, I have no further basis to not enforce the law" (McGinn in (Driscoll 2013) 2013).

In order to circumvent the threat of another public relations debacle with the media running pictures of the city destroying the very self-help shelter that it has tolerated for three years, city council decided to provide housing for the 150 Nickelsville residents. For this task, a lump sum of \$500,000 was allocated to a non-profit service provider. Nickelsville protested against the eviction. They also challenged the seemingly compassionate provision of extra funding to house them by arguing that this deflects from the real extent of need. Nickelsville is only one small part of the emergency and many more are affected by a lack of safe shelter: "Without shelter, people die. That's a fact" (Barnett 2013b). Tim Harris – director of homeless street paper "Real Change" – similarly comments: "I don't really see this doing much to solve the overall problem of the shelter shortage, but I do think that it allows the city to close down Nickelsville in a way that appears responsible" (Driscoll 2013).

The decision to close Nickelsville thus marks a preliminary end point in the debate over supporting self-governed camps. The cumulative critique of the ways in which Nickelsville operated and grew in size, where not only manageability but also visibility was questioned, led to the growing dominance of political claims that called for limits to such experiments in providing care. Councilor Richard Conlin summarizes this shift: “Of course these people deserve services – they’re human beings, but the fact is that there’s only so much that Seattle can do by itself” (Barnett 2013a). Shifting focus from recognizing the homelessness crisis to addressing the role of the local state, councilor Rasmussen also asks: “Is there a limit to the number of people that we can help? If there are 2,000 people on the street every night, are we responsible (for all of them)?” (West Seattle Blog 2013b). Clearly, within city government many felt growing discontent with the relentless claim of Nickelsville, which – despite all of the efforts to deliberate upon shelter alternatives, weighing the costs and impacts – continued to push the state with what a commentator called “a baffling sense of entitlement”: the homeless continue to demand water, electricity and police protection without being tax paying law abiding citizens and if Seattle accepts that it will become “the homeless Mecca” (West Seattle Blog 2013a). With the decision to close Nickelsville, the city council majority thus not only ends the visible emergency camp but also demonstrates that there are limits on how generously the city meets homeless claims for shelter and support. In September 2013, Nickelsville was evicted and city trucks and bulldozers cleaned the area and fenced it in to prevent new encampments from forming.

The final closure of Nickelsville at Marginal Way suggests an end to the struggle over regulating camps, i.e. it shows that the political majority considered the existing model of temporary camps hosted by churches as sufficient: given the additional efforts to expand shelter capacity and the renewed focus of all resources on providing adequate and decent housing for the homeless, no additional privileges of giving space are necessary to meet the demand for legal homeless camping. However, the continued necessity of such self-governed shelter in tents was underlined at the same time: despite the extra efforts to house Nickelsville residents for which city council rolled out an extra \$500,000, on the scheduled date of eviction there were still up to 100 residents. Advocates like Harris thus consider this extra funding as a political tool to reduce the potential of negative press and deflect blame for making Nickelodeons homeless again (cf. Driscoll 2013).

Clearly, despite all of the government attempts to increase shelter and housing capacity, there remains a persistent lack of adequate shelter. While the city council tried to deny or downplay

this real existing local extent of homelessness crisis, the failure of government became evident soon after. In order to realize the promised shelter city, once again they had to turn to the support of non-profit and faith-based organizations that managed to provide non-conventional shelter space for the Nickelodeons. Like the many-headed hydra, rather than resolving the issue of the large contested Nickelsville encampment, its closure prompted the expansion and dispersal of sanctioned encampments: the camp split up into three smaller groups of campers that were hosted by two churches and the Low Income Housing Institute. Thus, after 2013 the number of sanctioned and self-governed encampments did in fact not decrease but rather multiplied. In addition to Tent City 3 and 4, the fragmentation of Nickelsville into three splinter camps resulted in a total of five sanctioned encampments, and their number would further increase to seven by 2015...but that's another story. While Nickelsville may not have succeeded in achieving its claim for a large, permanent self-governed encampment, it significantly contributed to the expansion of the existing regulatory framework, shaping support for and content of regulatory amendments, and mobilizing new actors for giving self-governed camps a legal right to land.

Chapter VI: Comparative analysis: managing camps to govern the local hegemony of homeless management

1. Introduction to three themes of comparative discussion

Building on the empirical cases, this chapter proceeds to analyze the tendencies of critical and paradigmatic case status for each case study. I will highlight what the cases reveal about how the mix between care and coercion is reworked and what role grey-spacing plays for homeless management. Discussing the three models of camp regulation, I identify how they address the need for decent and autonomous shelter and the quest for more efficient and caring homeless management, i.e. how each succeeds in stabilizing local hegemony. The comparative discussion of three local struggles shows how new niches of survival are crafted on the ground as partial solutions to crises of governing homelessness. Heeding to the research question of what the cases tell us about why and how legalized homeless camps transform neoliberal-paternalist homeless management, the case studies show that legal camps are indeed used to repair and compensate for the substandard level and failure of existing welfare offers, they are also used to compensate and extend the penal strategy of criminalizing homelessness and they highlight how civil and faith-based urge to care is institutionalized in new ways. Moreover, the comparison illustrates how homeless organizing and claim-making politics have different impacts in co-shaping the emergence and maintenance of these new state spaces of local welfare.

My argument here is that all three cases underline the notion that the struggle over camps is part and parcel of a similarly crisis-ridden process of local crisis management, i.e. both the pathways and the results of these *local* struggles can only be fully comprehended as attempts to deal with the crises of the *national* hegemonic project of neoliberal-paternalist homeless management. As the described local struggles predate and outlast the national crisis of 2008-11 we need to move from recession explanations to this crisis of homeless management which increasingly fails to neutralize the claims for recognizing unmet shelter needs. All three cases highlight that local policies of legalizing homeless camping are a direct result and extension of the no longer fully hegemonic strategies of punishing and sheltering the homeless resulting in the making of such new grey spaces of homeless management.

The detailed stories of local struggle make clear that such new welfare spaces are far from strategic or comprehensive, nor is their implementation smooth or uncontested. Stressing the

perspective of policy-making as a hegemonic struggle, this chapter aims to specify the quality of political struggle over camps to achieve (a) a more adequate explanation of neoliberal regulatory experimentation where new policy for homeless management is contested, claimed and compromised: as the negotiation of different claims and strategies by various actors in the integral local state. It links the empirical chronological account of the three local processes of camps struggle to the three previously-identified modes of governing urban marginality to show how the mix between *care* and *coercion* is reworked and what role Yiftachel's *grey-spacing* plays. The chapter produces (b) a snapshot of how the hegemony of neutralizing homelessness is currently de- and re-stabilized locally, which allows specifying the scope of small territorial gains that can be achieved by homeless claims for *safe, decent* and *self-determined* shelter.

In order to flesh out these two arguments in terms of understanding the contingent process of struggle in the integral local state (specifying which actors and factors determine contingency) and the outcome – namely the local quality of hegemony (specifying through which claims hegemonic homeless management is challenged and re-stabilized) – this chapter focuses on three significant themes that can be identified in all three cases:

- (1) why and how informal strategies become decisive to re-calibrate the existing mix of penal welfare and strategies of homeless management;
- (2) why and how legal camps are articulated as necessary and adequate local means to renew the failed national hegemonic promise for homeless assistance; and
- (3) why and how the legal camps are more or less durable, which points to their different degrees of usefulness for re-stabilizing local hegemony.

Focusing on these three themes of stabilizing local hegemony and governing urban informality via a re-articulated local promise for care in tents and the institutionalization of new niches for homeless sheltering, this comparison of cases will verify my hypothesis that all three cases are critical cases, showing how homeless management is in crisis and renewed locally along the axes of penal, care and informal. The third section explains the case of Seattle as not only a critical but also a paradigmatic case.

2. The use of informal toleration in local homeless management

Addressing the emerging debate on urban informality as a tool of governing (cf. chapter II), my cases demonstrate that the persistence of informal spaces of survival is a regular feature in US cities. Arguing that criminalization works hand in hand with the toleration of informality, I will show that the managed persistence of informal self-sheltering in grey spaces of abeyance needs to be acknowledged as a significant strategy of local homeless management.

Considering the larger penal thesis determining homeless management, my cases confirm the nationwide trend towards the harsher punishment of homelessness where informal survival outside shelters is criminalized. They exemplify aggregate data on city-wide bans of camping that have increased by 69% in recent years, while bans on camping in particular places have increased by 48% (National Law Center on Homelessness & Poverty 2016:10): each city has increased the criminalization of informal survival and passed new ordinances against homeless camping. Ontario officials sought to banish the homeless from their hidden places in the peripheral ravines and from downtown, Fresno officials banished the homeless from downtown, and Seattle officials repeatedly sought to clear the "jungles" and other sites of rough sleeping close to downtown. Therefore, all three cases are critical cases that reflect the previously-summarized patterns (see Chapter II) of structural change and policy interventions that diminish the spaces of homeless survival. Given that the overall picture is bleak and worsening, I do not want to render this trend relative but rather add that my case study research suggests that these new legal tools against the homeless do not tell the whole story.

Challenging the punitive argument about a general curtailing of the geographies of survival (Mitchell 2011; Mitchell/Heynen 2009), the cases reveal that the strategy of criminalization of homeless survival is not singular but rather complemented by a distinct strategy of informalization resulting in a differentiated landscape of state-managed persistence of informal camps. Next to the repeated destruction and forced removals of homeless encampments, we can also see a clear pattern of local authorities tolerating specific sites of survival that are managed to persist and even become normalized. Seattle and Fresno show that despite recurring episodes of harsh clean-up interventions, certain areas in the both central and peripheral (inner city) areas continue to be used for homeless survival over time. Even in Ontario – which has cracked down most comprehensively on homeless camping – the latest evidence suggests that after a hiatus of several years homeless camping has returned in the hidden urban interstices, in both peripheral ravines and central back-alleys. The passing of new anti-homeless laws clearly does not automatically translate into their full or coherent

implementation; instead, my research underlines that traditional spaces of homeless survival are rarely fully abolished. Without doubt, punitive measures add hardship to homeless survival, but however hard they try they are incapable of erasing this from existence of the non-propertyed.

Therefore, my cases stress that research on managing urban marginality needs to move beyond the singular focus on illegalization and eviction that dominates both public-policy discourse and urban studies research, towards more closely examining the multiple uses of informality. To date, research and advocacy efforts have focused on punitive strategies aiming to banish and exclude the homeless, although – as my case studies underline – the geography of survival is only inadequately assessed if we do not consider how governing strategies also include the toleration of certain practices in certain places at certain times.

Necessary top-down grey-spacing

Acknowledging the shared multiple crises of homeless management in all cases, it can be concluded that the government's use of informal toleration as a tool of homeless management has become without alternative. In all three cases, local governments are not only confronted with an increase in underhoused people – in each city we can document an intensification of the housing squeeze⁵⁶ – but they also find themselves constrained in more comprehensively rolling out the two major existing strategies of homeless management: expanding homeless relief and intensifying criminalization. Whereas the option of more policing is impeded by growing critiques of its adequacy, legality and efficiency in displacing homeless people, I will discuss the locally-manifest rejection against shelter below (see next section).

The persistence of informal camping can be explained to some extent as state failure to enforce law and order. Nonetheless, can we explain the persistence of such grey spaces as a strategic state default where the non-enforcement of rule and order reflects and entrenches the politics of malign neglect that are currently revived by the imperatives of austerity?

Admittedly, the line between active and passive state action is not easy to draw. In order to answer the question of the purpose for which such governing through informality is enacted

⁵⁶ While Seattle leads in respect to rising rents, also less dynamic local housing markets like Fresno's are marked by a significant reduction of housing stock that is affordable to the poor. This increased but unmet demand for cheap housing is aggravated by a hardly existent (Ontario), stagnating (Fresno), or insufficient increase (Seattle) of homeless relief. In each city the number of shelters, transitional and permanent housing for the homeless pales against the need for shelter.

and – more importantly – how such top-down grey-spacing is reproduced and secured politically in the local state, it is necessary to account for and simultaneously move beyond structural explanations of persistent and managed informality.

While my research does not delve deeper into the micro-level of policing homelessness where street-level enforcement agents enact selective toleration of informal camping (cf.

Beckett/Herbert 2010; Stuart 2014; for a detailed account on Sacramento see MacCannell 2005: 170f), it highlights a clear pattern where large encampments are tolerated by local government. My cases show a distinct shift from the kind of street-level policing that Stuart described as "rabble management", where the homeless are shuffled from various spaces and forced into more or less perpetual mobility (Stuart et al. 2015; Stuart 2014), to the designation of large areas where homeless immobility or camping is tolerated informally.

In contrast to street-level policing where individual enforcement agents may enact such informal toleration, the case studies reveal a more concerted toleration policy that is supported – if not authorized – by local government. The clearest example of such a deliberate use of informality is Ontario's government, which assigns a zone for urban camping. While this was later formalized by establishing rules, initially it was an informal designation where the government ordered police not to enforce the law there, which lasted for eight months. The second clear piece of evidence is the case of Seattle, where the informal camp of Nickelsville has been tolerated for three years by local government, which explicitly refrained from evicting the camp. By contrast, the sustained acceptance of the large encampment zone south of F-Street in Fresno depicts a more ambivalent case where the active role of the state in managing the persistence of informal camping appears less strategic but more as a default. Thus, where there might still be some skepticism among researchers about how much local governments can and are willing to bend the law, the cases of Ontario and Fresno demonstrate a distinct practice of state-managed persistence of informality (cf. Smart 2001). The active maintenance of these informal spaces by local governments refutes the argument of so-called "ungovernable spaces" (Aguilera 2012).

It is characteristic of this state-managed persistence of large camps that local governments are well aware of illegal camping, given that they have publicly recognized this practice as a problem and attempted to address it through penal strategies. In every case, such toleration is preceded by repeated failed attempts to remove and banish the homeless: this is reported from Ontario, where law enforcement personnel lament a stalemate in their attempts to criminalize

homeless camping, in Fresno the intensified policing of downtown has only increased the number of homeless camping south of F-Street, while Seattle also looks back on a decade of trying to remove the homeless, including repeated attempts to move large camp communities indoors. In face of their failure to restore order, rather than denying the encampments, local governments do not reject state responsibility but reframe it, acknowledging the frustrating failure of policing efforts in face of limited public resources, the stubborn resilience of homeless campers and the wider problem of housing shortage.

The three cases are similar in that during the 2006-2014 period local governments in these most different cities tolerated large informal camping areas. In contrast to isolated historical precursors like the Sheriff Baca camp in Los Angeles (see chapter II), the observation is a critical indicator for a shared set of problems, which prompts a shared logic of possible response by local government. The political designation of informal safe zones is directly related to the specific discourses about the crises, failures and shortcomings of penal and welfare strategies that have intensified since the early-2000s and made it possible to negotiate informal governing in new ways. All three cases reached similar points of crisis and in each city the extended use of informal toleration was considered necessary and possible: essentially, local governments come to sanction/endorse an informal safe zone in response to legal and political threats to state sovereignty. The legal irresolution of homeless rights vs. the criminalization of homelessness that triggered the first emergence of so-called safe zones in the 1980s (cf. Chapter II) obviously still troubles local governments.

Rationalizing informal toleration as problem-oriented policing

Where one could assume that local governments would fear if not the legal then the political costs of being held accountable for tolerating illegal settlements, my cases indicate such a risk is not decisive for local governments. By contrast, local officials have explained the informal safe zones as not only a pragmatic but also a considerate and benign policy that ameliorates homeless vulnerability. The willingness of local politicians to acknowledge the persistence of illegal camping – not only regarding the scores of individual rough sleepers but also concerning large durable encampments – has been a striking feature in my empirical research. Although homeless encampments are regularly problematized by the public, local state actors appear rather resilient if not immune to the challenges of state legitimation (even if in Fresno the government tried to blame legal advocates for binding the hands of local enforcement). Therefore, the novel feature is a distinct qualitative difference in how informal homeless

management is secured politically at the local scale. Rather than rejecting state responsibility or relegating the problem to street-level police enforcement, the designation of informal safe zones is used by local governments to actively govern at a time when hands are tied and limited resources prohibit a better resolve.

In order to illustrate the new language and the underlying logics for managing camps used by local actors to reframe failed policing in more effective policing, it is useful to refer to a recent report of the Center for Problem-Oriented Policing (Chomard 2010). Designed as a problem guide, this report addresses the "Problem of Homeless Encampments" from the perspective of local enforcement. Based on the approach of Problem-Oriented Policing the report summarizes local (best practice) experiences – including the cases of Seattle, Ontario and Fresno – and explicitly aims at inter-local exchange and policy learning. It thus depicts the most comprehensive document examining the logics of grey-spacing in local homeless management showing how the problem of homeless camps is rendered legible and manageable for policy debates in new ways. Surveying existing options of local policing and assessing their constraints, the report presents several policy options that are compared and recommended along a grading list. The report essentially acknowledges that mere policing is insufficient, mean, likely to trigger public complaints and protest, costly and ultimately of limited effect. The recommended options underline the relevance for pragmatic, considerate responses, which means including the participation of all stakeholders, gaining consent even from the homeless. In this context, compromises are recommended including the managed persistence of informal spaces. Interestingly, weighing the pros and cons, this policy guide finds that the option of "safe zones" (ibid.: 35) – which simply suspend enforcement but offer nothing more – is *less viable* than "regulating structured camping facilities" (ibid.: 25), which include the active participation of residents and civil society. Nonetheless, while the report acknowledges that such "tent cities" can work if run properly, it is suggested that they function well primarily as a transitional stage to garner homeless acceptance for eventually relocating them to indoor facilities or permanent housing (ibid.: 24-25). I will continue to discuss their assessment by comparing the actual viability of differently-regulated camps in my three case studies further below.

Although the report by the Center for Problem-Oriented Policing suggests that such new strategies of managing the homeless are viable policy options and even good governance, overall, the recommended strategies for local governments reveal territorial compromises that are extremely one-sided: local officials from the street level up to local government more or

less actively try to delineate and control the boundaries of a safe zone while precluding official sanction and legal recognition. As top-down grey-spacing, the compromises are geared at minimizing the threat of legal litigation and increasing acceptance, but the recommended guidelines and protocols for selective enforcement do not mean that tangible rights are granted to the homeless. The problem-oriented policing neither sets out to address the structural problem of homelessness nor the political constraints of austerity or the legal constraints imposed by constitutional law. Essentially these grey spaces are used to manage the problem population without engaging in a formal policy change that would signal the full recognition of the homeless claim for camping as legitimate.

Bottom-up grey-spacing

Acknowledging this one-sided, relatively durable but precarious stability of state-managed zones for informal homeless camping, I argue that we still need to account for the limited yet tangible benefits that such managed toleration offers to the homeless to fully explain the social reproduction of such state-managed persistent informal camping zones. Ultimately, all strategies for top-down grey-spacing are prompted by practices of bottom-up grey-spacing. My case studies and the Center for Problem-Oriented Policing report acknowledge the agency of the homeless, advocates and service providers, which are attributed sufficient power to impede and challenge both formal strategies of criminalization and the form and quality of top-down grey-spacing. Only this agency explains why such informal spaces are not simply enforced top down and silently accepted but include various concessions and compromises.

While local governments deploy the selective toleration/persistence of illegality as a means to co-opt, silence and circumvent protest and critique against existing strategies – hence simultaneously adapting and extending the basic tenets of criminalization and shelterization – we also need to account for how toleration is claimed bottom up. Informality is the vector on which homeless people can first ascertain tangible gains in securing more safe, stable and decent shelter. The government's framing of informal safe zones as pragmatic, considerate, almost adequate, verging on legitimate and caring policy selectively draws on homeless claims and their legal rights as courts confirm. The case studies show that claiming a right to staying put in "designated areas" where "homeless people may safely and lawfully camp, store belongings" (National Law Center on Homelessness & Poverty 2016):15) is the first concession and recognition that the homeless can gain from local government.

Comparing my cases, two pathways are discernable concerning how such claims for bottom-up grey-spacing are articulated. In the first pathway, the homeless and their advocates articulate a strong critique of criminalization. Scandalizing the eviction and destruction of self-sheltering, their first claim is a basic human right to stay put without harassment. Such claims gain strength when they are pushed forward in court, where they are re-framed through the US constitution's register of liberal rights of citizenship. Most visible in Fresno, the success of these claims in court proves decisive for shaping the shift in local debate (liberal rights to personal property obviously resonate with the wider US public) and leads to policies of non-enforcement being perceived and articulated as more legal and just.

The second pathway of articulating bottom-up claims for the managed persistence of informality is not simply about staying put – the legal recognition of which is often granted indirectly, e.g. when courts rule as illegal the destruction of homeless property – but it also articulates an explicit claim for respecting and supporting the efforts of specific homeless communities who have succeeded in self-organizing collective shelter. This has been most successful in Seattle, where SHARE/WHEEL demanded a stop of evictions and simultaneously respect for their organizing of a better shelter alternative. For instance, officials in Seattle have come forward to explain the toleration of homeless camps at certain places as a means to maintain the relative safety that camps offer in contrast to more exposed, visible and dangerous places like highway roadsides.

While these two pathways clearly intersect, to some degree they exhibit a difference between rather defensive and aggressive homeless claims, which influences the process of local policy negotiation. In Fresno, the homeless and their advocates have been less effective in co-determining and improving the claimed grey space: while they could succeed in achieving temporary halts to encampment sweeps, they failed in claiming much more, e.g. the question of whether they "receive necessary sanitation and other public services" in these areas remains highly contested (National Law Center on Homelessness & Poverty 2016: 16). For instance, recall the protracted debate of Fresno city council over providing toilets to the encampment area. In addition, the informally-tolerated safe zones are selectively granted at certain places and for a duration determined by the police and government (e.g. for winter months or until the repairs of a highway bridge start), while the remaining homeless campers are again criminalized. In Ontario, the opportunity for such bottom-up grey-spacing was even less elaborate as the local government unilaterally defined how informal camping was established, justified and sustained.

The cases of Fresno and Ontario show how the hegemonic parameters for bottom-up grey-spacing are delineated: the homeless can re-claim via courts liberal rights to be free from government harassment and thus gain territorial concessions like a right to stay put. As these liberal laws are so closely associated with hegemonic beliefs in individual freedom, the sanctity of individual property and a popular skepticism against state intrusion, the homeless claims also find some peculiar entry into public discourse, which tempers the equally-strong hegemonic beliefs in public order. However, ultimately this re-negotiation of homeless management comes down to the right to survival with less harassment in a precarious safe zone and offers little leeway to demand public services and resources from the state that enable more dignity.

By contrast, the Seattle case highlights that offensive political claims for legalizing self-governed camps in the long run have been more effective for expanding and deepening the homeless claim: from the basic right to stay put without harassment by the police, to legal recognition and support from the public. Seattle's tent cities – particularly Nickelsville – underline that informal toleration as a tool of governing homelessness is also co-produced from below. The fact that the camp was tolerated again for two years on its occupied site after two years of forced relocations and the offer of a quite formalized interim refuge in the former fire station cannot be explained simply as a clever move of local government to avoid taking responsibility and still extending regulatory power; instead, this toleration underlines a point of political impasse where after almost two decades of tent city debates neither penal nor welfare policies for extending public resources could garner political majority. The suspended eviction of Nickelsville demonstrates that the effective self-governing of the camp earned informal recognition from the government or at least proved sufficient not to evict them. Garnering support from civil society, the informal toleration was used to establish and sustain the camp irrespective of formal permits: the social networks were widened, donations provided including sand to improve the pathways, and small sheds were built.

The temporality and spatiality of managed informality

Therefore, the point at which the tolerated informal grey space is terminated – i.e. when camps are evicted (blackened) or when camps are legalized (whitened) – cannot be pre-determined: the cases reveal no clear pattern concerning the direction in which the pendulum swings in this state of *hegemonic stalemate*. The durability of informally-tolerated camping zones differs: in Ontario, informal management was replaced by more formal management

within months, while in Seattle and Fresno this shift only took place after a longer period of struggle.

Spatial location is obviously decisive: in Fresno, Seattle and Ontario, we can see the managed persistence of informality being sustained in marginal space (which does not have to be peripheral), where there is little development pressure and few NIMBY complaints of residents or businesses. In such marginal space, the managed persistence of informal camping is only problematized when the numbers of campers multiply and threaten to spill over the informally-drawn boundaries. Ultimately, the persistence of such managed informal spaces is facilitated by a popular perception of common sense that "this is the place where this problem is contained", which contributes to normalize both homeless camping and its toleration. The case of Fresno's long-standing informally-tolerated camping zone starkly underlines the possible permanence of such top-down managed persistence in marginal spaces.

Although the dynamics of urban re-valorization offer an explanation for the emergence (likely in the remaining marginal spaces) and removal of homeless camps (likely in prime places), I argue that the political-economic analysis of urban growth regimes and their production of space prove limited to sufficiently explain why such spaces are actually sustained – i.e. managed to persist – or even formalized. While it is clear that urban managers and real estate developers have an interest in and often demand the cleansing of specific spaces from homeless presence, their imagined plan for profit-driven development determines the real-existing geography with the managed persistence of informal camping.

Comparing the local variation of state-managed grey spaces that are managed to persist in the cases, I find it more adequate to explain the informal toleration of large camps as uneven territorial compromise where the local government makes some concessions to the counter claims by homeless, advocates and service providers. All cases demonstrate that claims about informal camps being a viable and legitimate response of self-help sheltering prove difficult to entirely exclude from local policy discourse. The designation of informal camp zones where homeless survival is state managed to persist is thus both an indicator of a destabilization of the local hegemonic project of criminalization that loses its persuasiveness in the local state and simultaneously an attempt to maintain a minimum of regulatory power that can mobilize sufficient public consent. These discourses on the relative adequacy and legitimacy of informal toleration in contrast to mere policing are notable because they allow a relative stabilization of local hegemony.

Looking at the function and motives, the designation of informal camping areas can be understood as a strategic act of top-down grey-spacing that responds to the unresolved perpetual shuffling of the homeless population across urban space (Yiftachel 2009): Corraling the unsheltered homeless to a designated area promises more effective policing of otherwise dispersed homeless bodies and to control the visibility, i.e. to ban them to a demarcated area. Speaking in terms of abeyance, the informal designation of particular, large areas of homeless camping compensates for the increasing lack of other urban spaces to relegate the unsheltered homeless. Assuming some political-economic calculus to guide the selectivity of managed persistence of informality, it is fair to argue that since the early-2000s the concurrence of crises of welfare and enforcement has prompted a shift in the equation: tolerating informal self-sheltering is cheaper than expanding contested shelters, and the political costs for perpetuating toleration remain lower than the renewed legal threat of losing law suits against anti-homeless laws. In other words, the growing prevalence of informal strategies is directly related to the relative failure of welfare and penal strategies of homeless management. This managed persistence of informal homeless camps is becoming more prevalent in homeless management because it allows delaying and managing the crises of homelessness to prevent it from turning into a serious political crisis.

To conclude, informal camps manage but do not resolve the multiple crises of homeless management: they allow prolonging the inevitable conflict between demands for safe shelter and the lack of space for the non-propertyied; hence, state-managed informal camps contribute to further stretch the hegemonic project of neoliberal-paternalist homeless management by temporarily stalling the urgency of more comprehensive local policy change. The informal toleration allows maintaining a highly controversial and unresolved political situation where informal camping cannot be removed entirely but claims for a right to stay put gain legal and political credibility, although where at the same time neither a policy for rolling out welfare to support and legalize camping is fully articulated nor the existing strategies of penal repression or referral to indoor shelters are entirely abandoned. Instead, these hegemonic imperatives are upheld while simultaneously grey space is utilized to adapt and compromise them.

3. Who cares? Key actors shaping the new socio-spatial compromise

The second pattern documented in the previous chapter`s (chapter V) sections "from problem to solution" is a shift where grey spaces are whitened rather than blackened (cp. Yiftachel

2009). This underlines the inherent ambiguity and hence fragility of state-managed informal camps: where informal grey-spacing proves sufficiently useful to manage the crises of the penal dimension of neoliberal homeless management at least for some time, it offers only precarious relief and does not sufficiently deny or resolve the problem of no shelter.

This shift where local government no longer governs the homeless camps informally at arm's length (Fresno, Ontario) or tries to move them indoors (Seattle) but is forced to take accountability and intervene is triggered by an increase in claims that problematize the informally-managed persistence of camps. This can be traced in the course of local debates where different local actors expose the various shortcomings of informal grey-spacing: homeless advocates and service providers expose the lack of safety, they claim more decency and welfare state responsibility.

According to my conceptualization of the hegemonic project of homeless/ness management (cf. Ch. III), I therefore interpret the government decision to legalize camps as a local re-articulation of the hegemonic promise for care. The roll-out of a policy for legalizing camps is more than a pragmatic or spontaneous reaction where "something new" is tried: all three empirical cases show that local mayors and official documents explain the state intervention to regulate informal camping as a more caring and comprehensive policy that responds to human suffering of unsheltered homeless. Local state intervention is justified not only as a necessary step to restore public order but also as a step to expand the city's capacities of homeless relief. While both motives are clearly present, it needs to be noted how claims for extending control are interwoven with claims for rolling out care when the government response to the situation of informal camping is explained to the public. This local state recognition of human suffering is noteworthy and decisive for explaining the emergence of regulated homeless camps.

Articulating local failure of homeless care: the shelter crisis

A central finding of my comparison is the role of specific multiple crises of homeless management for explaining local policy change. I have already shown how the crisis of criminalization is critical to explain the proliferation of state-managed grey-spacing to extend the reach of governing informally (see previous section). In order to clarify what the promise for tents as a minimum of welfare and more care aims to resolve, I argue that it is decisive to account for how the crisis of homeless welfare becomes articulated as a problem locally.

Despite their differences in the variation of homeless services with Ontario offering no services, Fresno some relief and Seattle providing an elaborate system of homeless care (see local settings in chapter V), by the early-2000s all three cities encountered similar discursive crises of homeless relief, which explain the shared policy of legalizing camps.

In public debates, not only the homeless but especially the circles of service providers and policy-makers criticize and question first of all the institution of the homeless shelter. While emergency shelters are evidently the most visible and functional backbone of local homeless relief, their existence and even more so their future are strongly contested. This particular framing of the shelter as a problem is most relevant to explaining why camps emerge as a viable alternative. Synthesizing my interviews and document analysis, *the shelter crisis* comprises at least five different critiques that can be assigned to specific actors or interests.

(1) Shelters are not deterring enough: this critique is articulated by conservatives and politicians believing in the lean state, but is also shared by local business and neighborhood associations as the often-mentioned "magnet effect" where services are considered as overly-generous and welcoming, hence "attracting" homeless people and producing an additional burden to local business and communities.

(2) The notion that shelters are too costly is a prominent critique among local governments, where in times of urban austerity the expansion of this service provision exceeds public resources.

(3) Shelters are not retaining enough: this critique addresses the observation that the provision of shelter does not necessarily reduce the visibility of the homeless in public space. This critique together with the first nourishes the NIMBY protest of local communities, who fear for their quality of life and property values.

(4) Shelters are not helping or are not effective enough: this critique is voiced by service providers who observe that shelter has become a permanent rather than temporary refuge for many homeless.⁵⁷ The restrictive and insufficient conditions of shelters are blamed as primary cause for the evident lack of transitioning from shelter to transitional and permanent housing.

⁵⁷ According to data of HUD, between 2007 and 2014, a homeless person stayed at emergency shelters increased steadily from on average of 46 to 61 nights; meanwhile, in the transitional housing programs the average stay of homeless persons remained rather stable at 155 nights (U.S. Department of Housing and Urban Development 2015: 1-15).

In all cases – especially in Seattle – service providers also confirm the homeless and advocates' claim that access to shelter is not only limited per se but explicitly prohibited for specific groups. Due to the restrictive conditions, emergency shelters fail to serve the "3Ps": homeless persons with pets, partners and possessions have no access to most shelters (Interview Erlenbusch)

(5) Shelters are not humane enough: not only homeless advocates, but also service providers criticize that emergency shelters can be paternalistic and infantilize the homeless.

It is characteristic of all three cases that a new discourse has gained dominance primarily exposing the quantitative failure of existing shelters and services and partially exposing the qualitative failure. The set of critiques of the shelter listed above comprises a contrasting range of fiscal, moral and social work considerations, as well as varying degrees to which a quantitative lack (absorptive capacity) and qualitative shortcomings (decency, autonomy) of shelter are addressed. However, in the local discourse these critiques often come full circle and add to each other, whereby the shelter is consequently de-legitimized for most different reasons. Shelters are then de-legitimized for being not good enough by actors compassionate with the homeless plight and by actors who are indifferent or hostile to the needs of homeless people.

This is most evident in Ontario, where there has already been a strong rejection of homeless relief in general. Without any shelter available and very few supporters of shelter as a suitable response to homelessness, this discourse on delegitimizing the shelter has resulted in a search for an alternative form of providing homeless relief. Furthermore, in Fresno and Seattle it is also clear that the cumulation of arguments about shelters being too costly, too controversial and not helping those in need added up to fundamentally question the shelter as a suitable mode of crisis response. While there are shelters available in Seattle and Fresno, there was still little support for expanding this form of homeless relief to address the encampment crisis. Hence, in all three cases a hegemonic crisis is manifest in the lack of convincing strategies for providing homeless relief that can garner political and financial support from civil and political society. Therefore, a necessary pre-condition for the three local states to roll out similar unconventional policies of regulated homeless camping are the similar fiscal and political constraints to expanding existing emergency shelters.

Struggles over homeless care: camps are not good enough or too good

These controversies highlight that neither the government nor the public were ready to accept the policy of regulating camps as legitimate action that fulfils the state's obligation for homeless care. Theoretically, the articulation of legal camps as a local hegemonic promise requires a particular discursive claim that can present the homeless camps as a universally-acceptable and desirable solution for current problems of homeless management, or at least a discursive framing of camps as an adequate and coherent alternative to shelters and thus a suitable step towards a representation of local homeless management as more accommodating, humane and responsive to real and unresolved problems of shelter. In order to construct the camps as the equivalent or improvement to the conventional emergency shelters, it is necessary to expand existing discourses about "norms, values, views and perceptions through persuasive redescriptions of the world" (Torfing 1999: 302 quoted in Rosol 2013).

The cases illustrate that de-legitimizing hegemonic imperatives for managing the homeless in shelters is unevenly and selectively coupled with a legitimation of homeless self-help shelter as an alternative. Particularly the cases of Fresno and Seattle show that although the failure of shelters is acknowledged, the debate about regulating camps as a shelter alternative remains stuck and torn. Comparing the contested debates, the various arguments put up against regulated camps (from necessity to location and costs, to control and adequacy) can be summarized into one central recurring theme: regulated camps are objected for being "*too good or not good enough*". For me, it has been a most frustrating experience to see how the necessity, viability and legitimation of camps is debated so narrowly where too-good claims are articulated that (a) show almost no concern with the real and lived suffering of actual homeless people, but (b) exhibit salient prejudices and stereotypes about the homeless as pathologic individuals incapable of properly self-governing.

On the one hand, the not-good-enough arguments emphasize beliefs that the homeless should not be allowed to self-govern as they will subsequently learn a pathologic lifestyle and content themselves with living in precarity. Imbued in this argument is the suggestion that allowing the homeless to congregate in groups and to their own decision will produce dangerous conditions. While this argument regularly evokes dangers for the homeless themselves (homeless predatory on homeless and personal health), it also insinuates dangers to propertied communities (crime and trespass), often in the cloak of arguments about ecology

and public health. Therefore, the position that "camps are not good enough" combines an insidious combination of arguments: it claims established standards of decency and safety in shelter that are not met in camps. The suggestion that such standards are met in shelters and that such better conditions would be available, not only ignores the quantitative lack of shelter, but also the homeless critique of the quality of shelter service provision. Ultimately, both claims of "not good enough" and "too good" are used to deflect any government responsibility for the unmet shelter needs.

As frustrating as these protracted debates are with their plethora of not-good-enough and too-good arguments against the option of regulating camps, they are also telling: the simple fact that such debates are waged resulting in a stuck and torn discursive battle is a clear indicator of a hegemonic crisis where counter claims prove difficult to entirely deny. The local debates highlight that it is harder to achieve public consent for hitherto-hegemonic claims that the homeless require paternalist oversight and control even at the expense of basic shelter. This forces the various actors in the local state to re-articulate and justify key hegemonic claims, particularly the specific ways in which penal and welfare claims are chained together in the hegemonic project of neoliberal-paternalist homeless management. While homeless resistance by informal persistence and by protest and legal advocacy challenge the penal dimension of homeless management, these debates over camps being too good and not good enough also underline that the welfare dimension is deeply challenged. This opens the ground for local leaders to articulate a renewed hegemonic promise for homeless care in tents.

Claiming local leadership: three hegemonic promises for care in tents

The decision of governments to legalize camps is best understood as an attempt by local leadership to pierce through a torn and stuck debate over whose responsibility it is and how the homeless should be treated. Where the benefits and threats of regulating homeless camps have been debated controversially in each city, we can see that when local governments sanction homeless camps granting legal protection, they selectively accept and integrate critiques of the status quo to present camps as a better alternative to resolve local debates and establish a new common sense of local homeless care. In each case, the local promise for care in camps correlates directly with the ways in which the hegemonic care promise has been accomplished thus far and is challenged at the current conjuncture. Far from rescinding the neoliberal-paternalist project of homeless management, the three local promises show different degrees to which the quantitative and qualitative lack of existing shelters is

addressed and varying degrees to which disciplinary functions are lessened and homeless claims for self-help and autonomy are recognized.

Comprehensive paternalist care in tents

The case of Ontario proves to be more of an exceptional than a critical case. Only in Ontario the policy for regulating the camp is articulated by the local government as a promise for comprehensive care that addresses all local homeless in need. The large regulated camp stands in contrast to the usually smaller camps in other cities. Local government explains the rationale for this larger camp being superior to the piece-meal policy of scattered homeless services or just one or several smaller camps which in all other cities have proven incapable of providing sufficient shelter for all in need. In contrast, the large camp promises (a) to actually offers relief to all homeless and (b) to be more effective in retaining and controlling all homeless in one place. Stressing the urgency of acute need that calls for immediate shelter provision, the camp is not only considered as a quicker and cheaper response than building emergency shelters, but the option of building shelters is also rejected with claims that expose the shelter as an insufficient stop-gap measure. Therefore, the camp is described as a pragmatic measure and possibility to modernize local homeless management, rather than investing in the slow process of building new emergency shelters or transitional housing.

The paternalist emphasis on providing encompassing care with explicit control characterizes the hegemonic promise in Ontario. Articulated as a special but comprehensive space of welfare, the city uses the Temporary Homeless Service Area to successfully re-claim the hegemonic promise of homeless assistance with a clear focus on the quantitative lack of shelter. Despite its barren quality, this promise has proven sufficient to quell critiques and garnered widespread consent as a convincing promise to re-invent local homeless management and avert the looming legitimization crisis of being a city that denies and deters the problem of homelessness.

Framing the regulated camp as a special measure that is actually more caring than conventional approaches of shelter and services allows the local government to present itself as an innovator: with the camp, it leapfrogs the dominant policy path of US cities since the 1980s and it can even justify its historical policy decisions where Ontario provided no emergency shelters or other homeless services at all. The shifting forms of the camp from a top-down defined informal grey space to a whitened formal space of alternative emergency shelter reflect the evolution of the city's homeless management: initially relying on penal

exclusion, the provision of comprehensive spaces of abeyance – i.e. the camp – bring the city closer in accordance with the national hegemonic project of homeless relief.

Tents as experiments for additional outdoor spaces of homeless relief

While the legalization of Fresno's first camp – the Village of Hope – was not articulated as a hegemonic promise but granted as an experiment, the legalization of the second camp is explicitly declared by the mayor as a demonstration of the local state taking responsibility to address the quantitative lack of shelter. Responding to legal and political challenges exposing the city's insufficient and inhumane treatment of the homeless (cf. chapter V), this hegemonic promise draws selectively on the first camp's focus on enabling a more humane shelter alternative: while the mayor highlights both camps as a more decent alternative for the unsheltered homeless, the second camp entails only few provisions for autonomy and less decency (tents instead of sheds).

Therefore, the promise for the second camp marks a partially-failed attempt at local leadership: it is a compromise between the promise to create a large paternalist camp that – similar to Ontario's – would address foremost but comprehensively the quantitative lack of shelter, as well as the small neoliberal camp that addresses both the qualitative and quantitative lack of shelter. This shift in how public consent is appealed to reflects the torn local debate over improving local homelessness: while inadequacies of existing services are increasingly highlighted (the Poverello House blamed for enabling homelessness, the Rescue Mission criticized for patronizing the homeless, and both exposed for not offering enough shelter), no claim was articulated that would substantially de-legitimize either one of the existing institutionalized shelter providers.

Hence, rather than re-inventing local care, the regulated camp is articulated as the local government's promise to respect the existing landscape of services (including the persistent penal regime) while heeding to those local actors who are aware of local problems and offer civil resources for incremental, experimental change. Therefore, the regulated camps are not articulated as the solution to local homeless management, but rather as one solution that offers a perspective for qualitatively different additions to the rudimentary local homeless services. Fresno's two camps underline how the local promise for improving homeless care in tents remains uneven and feeble: if the VoH's physical and organizing structures (tool sheds and self-governance) suggest that claims for coupling decency in sheltering with homeless

autonomy have gained persuasive power, the CoH signals how homeless care is again minimized to tents provided under more stringent control.

Tents as recognition of civil self-help sheltering

In contrast to Ontario and Fresno, the debate over local homelessness management in Seattle has become (a) more intense over time and (b) more explicit and diversified with various fractions of government and civil society competing over how to realize the local promise for care. Moreover, unlike in Ontario and Fresno, even before the camps debates Seattle local government had committed itself to addressing and improving the local crisis of homelessness rather than denying or ignoring it. Hence, the claim for legalizing camps emerges as a distinct challenge from grassroots organizations to a promised but failed local hegemonic promise. Despite being repeatedly rejected and marginalized, over the years the claim for legalizing camps has gained support from service providers, the media and even the local government, which recognized it as a legitimate marker of the insufficiency of local shelters and increasingly as a viable option: “tent cities work”. Therefore, in Seattle the local government claimed leadership by adopting civil society’s will and capacity to produce self-help alternatives of shelter.

In accepting this bottom-up promise for care in tents, the government’s role in determining this specific re-articulation of the hegemonic promise for local homeless care is less dominant than in the other cases. While local debate over the adequacy and decency of camps as a shelter alternative remained largely dominated by logics of control and care in the other two cases, where camps were debated in terms of quantity of shelter (or the lack thereof), in Seattle the dimension of autonomy and self-determination retained centrality in the debate. More precisely, the promise to regulate camps re-articulated the local hegemonic promise in the sense that more coherent but also more immediate care is necessary. Rather than following the abstract and protracted logics of balancing interests of control and care that effectively protract the delivery of sufficient shelter and housing needed now, the promise for care in tents embraces civil society’s claim for recognizing direct forms of direct relief for the homeless without shelter tonight.

Hence, in Seattle the recognition of homeless camps as a marker of crisis was associated with a stronger recognition of the value of homeless self-help. This meaning proves capable of garnering hegemonic consent as it integrates all of those actors who are either oppositional to or dissatisfied with the status quo of service provision, namely the homeless advocacies and

faith-based communities who claim government recognition and support for their provision of direct care. Within Seattle's diversified but overall still-insufficient landscape of homeless services, the self-governed camps serve as a viable addition adequate for the hard-to-serve homeless rather than a general critique of existing services. Given this support by professional service providers who also acknowledge this unconventional form of sheltering as a valuable addition to their services, the experiment of legalizing camps proves capable of re-articulating the local promise for homeless care: integrating critiques and mobilizing the civil urge to care into the local agenda of helping the homeless.

Pushing for policy change in the local integral state

Local governments articulate and provide the legal sanction to materialize the promise for care in tents, although this policy is prepared by and relies on civil society actors. In the current conjuncture, it is far from evident whether a crisis such as the many unsheltered homeless and their camps actually changes local governing, or whether this "crisis" remains "something of a taken-for-granted" permanent "condition of politics" (Blanco et al. 2014: 3137). Yet, in all cases, crisis narratives of criminalization dislodged embedded ways of working and prompted a shift from a crisis narrative of "political emergency" and "state of impasse" to a narrative of crisis as "turning point" where camps came into play "as potential opportunities for renewal of existing practices" (ibid.).

Based on my discussion of the conceptual contours of homeless management (chapter III), I operationalize the concept of the integral state and account for the significant role that political and civil society play for policy-making. The comparison reveals that particularly civil society organizations have the potential to alter the trajectory of policy-making. Looking closely, in the case of Fresno, crisis as a state of impasse remains most pronounced where the urgency of crisis as an emergency was repeatedly deflected. In Ontario, a crisis of impasse preceded a crisis of emergency but was superseded by a crisis as a turning point where the THSA was rolled out as a new comprehensive policy. In Seattle, the crisis of impasse was articulated by civil society and while the government remained reluctant, this triggered a shift to a crisis as turning point, ushering a new camp policy that proved more durable than in Ontario.

The comparison identifies four actors that hold particular relevance for this first phase of hegemonic struggle where the existing options of shelter and criminalization are weakened and camps are articulated as an alternative to the "wider 'public'" (Clarke 2010; cf. Newman

2014): grassroots homeless organizations, homeless advocacy organizations, service providers and local government.

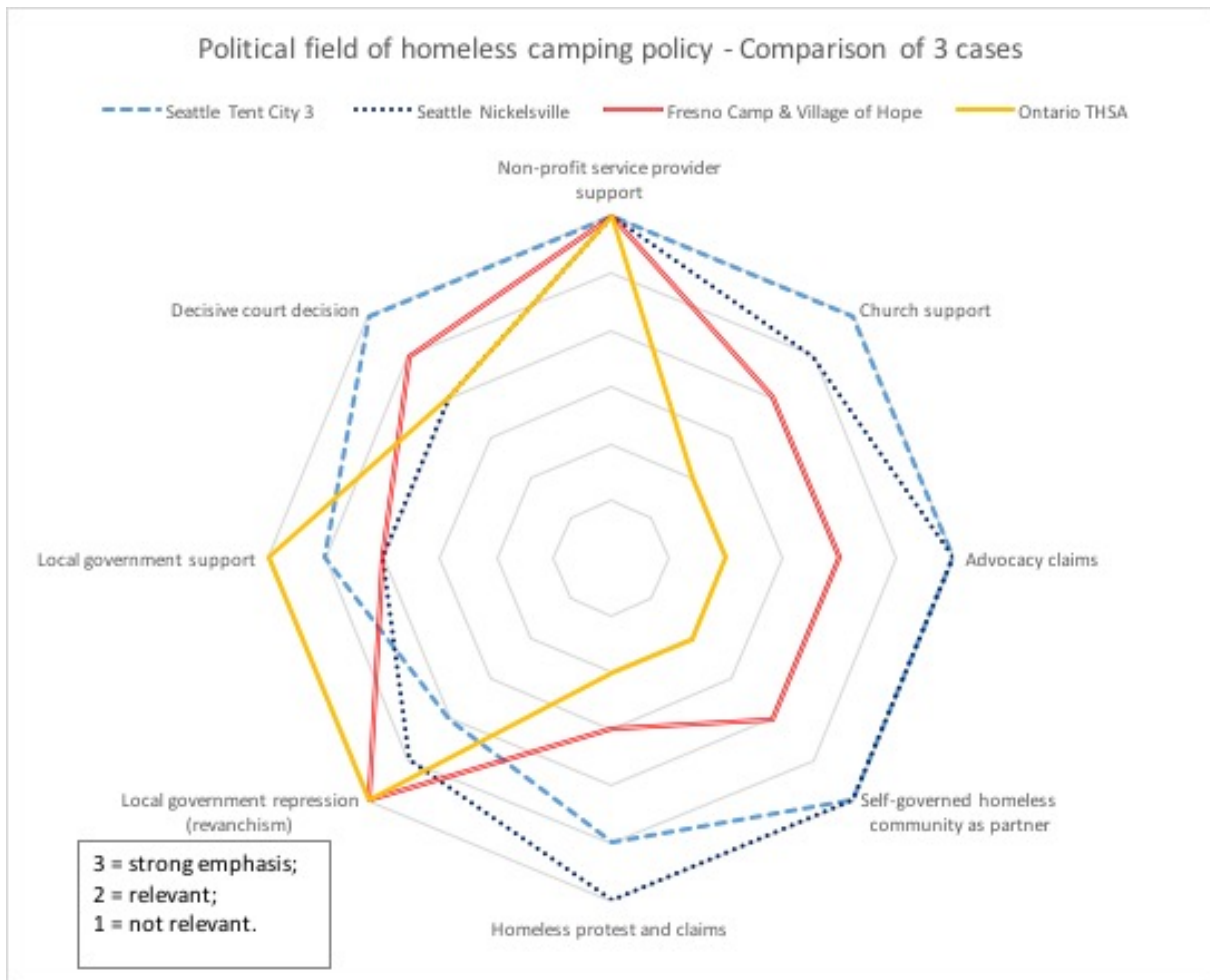


Fig. 21: The political field of homeless camping policy; Source: author.

The chart above (Fig. 21) shows the relevance these actors hold for explaining the differences between the three cases. This overview maps the political field of negotiating the policy of legalizing camps and charts multiple axes for realizing the shift towards a new promise for care: (1) compassion can be demanded by homeless activists and (2) advocates and/or these actors offer their support to enable a camp, (3) it can be offered by service providers and churches who step up as partner, (4) it can be provided or rejected by local government, and it can be court-ordered. The chart indicates that legal court rulings play a relevant role and I will address this catalyzing role regarding government and advocacy and grassroots organizations later. At this point I wish to focus on the four actors in the local integral state. Comparing the cases, I will discuss each actor to specify for each case whose critique becomes powerful to effectively problematize the status quo.

(1) Grassroots *homeless organizations* are a central driver for policy change in Fresno and Seattle. While the passive "resistance by persistence" of homeless individuals and collectives who stubbornly continue to survive in "wrong" places may trigger political problematization and accommodative response like in Ontario, these passive, inarticulate claims have no direct influence in determining the quality of local struggle. By contrast, the actively-articulated claims against policing and for shelter by local homeless organizations push the dynamic of struggle in Fresno and Seattle. Essentially, only this actor experiences suffering from a lack of shelter and thus can articulate legitimate claims for decency and autonomy of survival in the struggle over what shelter the non-proprietary should find in the local state. This is most relevant in Seattle where – organized as SHARE/WHEEL and Nickelsville – the homeless engaged in a wide spectrum of claim-making politics to pressure political change from protest camps to demonstrations and lobbying with support from a range of advocacy groups, including legal and faith-based advocacy. Due to SHARE/WHEEL's organic combination of adequacy and decency in the self-organized camp, the hegemonic promise for care in tents articulates the commitment of the local state to respond to both the lack of shelter and the inadequacy of existing shelters. In Fresno, the scope of homeless protest is less sustained and less intensive: protest is loosely organized and reacts more spontaneously to evictions. The grassroots claim for legalized camps is articulated strongly as the negative right to be free from police harassment.

The degree to which homeless communities organize and engage with other civil society organizations to propose constructive alternatives for shelter mirrors the expression of homeless protest. In Ontario, no homeless group became politically recognizable as a potential partner and in turn the homeless were treated as individuals, passive objects of care and control. In Fresno, the claim for a positive right to self-organize shelter is only articulated by small groups that initiated the first Village of Hope and later on developed the proposal of an Eco-Village for a self-governed community. In Seattle, this capacity to develop models of tent city communities is most developed and sustained. I will continue to discuss this relation between protest and the articulation, recognition and eventual integration of self-help communities as partners to the government and service providers below.

(2) Homeless *advocacy organizations* are political organizations that take up the homeless claims to articulate political claims that critique the status quo and push for policy change in different ways. The role of legal advocacy is directly significant for policy change: most explicit in Fresno, the pro-bono lawyers propelled the homeless cause by winning in court and

forcing the city to consider less punitive homeless policies. Similarly, in Seattle legal advocacy paved the way for the consent decree, but in Ontario it served merely as a watchdog not triggering policy change. The quality of local struggle is decisively enhanced by local homeless advocacies that become the voice of the homeless in public and policy debate: the self-declared progressive community newspapers Real Change (Seattle) and Community Alliance (Fresno) consistently medialize the struggle, expose policy failures and – in an explicitly partisan manner – articulate the legitimacy of homeless claims through the register of economic, social and racial justice. The outreach of Seattle’s Real Change is considerably larger than Fresno’s Community Alliance,⁵⁸ but in both cases individual authors play a crucial role: Tim Harris and Mike Rhodes not only cover the struggle but actively shape public debate – e.g. being key interview partners for local and national media outlets – and contribute to processes of political deliberation, e.g. Harris has been a nominated member of the mayor’s Citizen Task Force on Encampments (Interview Harris; interview Rhodes).

The case comparison underlines the role of homeless advocates – as well homeless service providers including churches (see below) – that function as "regulatory intermediaries" (Griggs/Sullivan 2014), i.e. they translate political claims and knowledge based on socio-spatial practice into policy. The relative power of advocacy organizations, however, is shaped by their constitution: Fresno’s advocacy organizations are smaller, driven by committed individuals, and less institutionalized than Seattle’s, where – for instance – next to Real Change the long-established Seattle/King County coalition on homelessness also plays a prominent role in supporting the tent city cause: they lobby for homeless issues at the local and state level and conduct the annual homeless count, which they use politically to expose crises. In Fresno and Ontario, these counts are conducted by volunteers but coordinated and published by the city or county which thus controls these data.

And advocacy organizations differ in their stance towards regulated camps. While Seattle’s advocacies explicitly embrace the tent city claim, in Fresno this is more selective: while all advocacies expose criminalization, only few activist-based advocacies take up the claim for the Eco-Village, which is only taken up selectively by advocates. Exceptional in this regard is Seattle’s SHARE/WHEEL, which plays the role of a committed advocacy organization and

⁵⁸ Real Change, Seattle’s award winning community newspaper, is sold on the street by over 300 vendors many of who are homeless. In addition to the online articles, the weekly issues have a paid circulation of ca. 12.000 copies. Fresno’s Community Alliance is published monthly reaching a paid circulation of 8.000 copies.

self-help service provider. Out of the three cases, Seattle's grassroots organization SHARE/WHEEL has been more successful in the art of mediating "national and local government programs of participation, molding them to meet particular aspirations or conditions, subverting and resisting them when adaptation proved unfeasible, and protecting citizen-led initiatives from incorporation" (Blanco et al. 2014: 3139).

(3) Non-profit and faith-based homeless service providers are the backbone of local homeless assistance. Service providers are important actors for providing resources including land and framing the option of camps as necessary and adequate: as experts in homeless assistance, they strongly influence the common sense on the state of homelessness and their expertise influences policy deliberation and decisively shapes public opinion. The degree to which they become political actors in support of a regulated camp strongly depends on their own mission as well as their relative dependence on both donors and local government. While Fresno's Poverello House understands the camp similarly to churches in Seattle as extension of its commitment to direct aid, while both actors are fairly independent from local government, churches feel constrained by keeping peace with their neighbors whereas Poverello House is constrained by its mission to provide social services to all poor rather than only providing shelter to the homeless. The emphasis on (radical) advocacy differs accordingly: in Seattle, many churches see this as fitting their belief in helping the poor and together with large faith-based organizations like the Church Council of Greater Seattle they also step up as advocacy organizations for social justice directly promoting the tent city claim. In Fresno, this advocacy role of faith-based organizations is less prominent, and it is weak in Ontario, where only individual pastors would speak for the homeless.

The role of service providers is crucial in making the camp acceptable when they provide resources directly: without Poverello House's material and political support in Fresno, neither the first nor the second camp would have been established. In Seattle, the churches and other non-profit organizations that are not professional service providers offer these resources. These faith-based organizations traditionally donate charity but through the tent city struggle a range of churches hosting the tent city have become actively involved as quasi service providers, and they insist on this kind of service provision. By contrast, in Ontario and Fresno church communities have neither material nor ideological capacity to provide more decent homeless relief. No church community is actively involved in Fresno's camps struggle. While churches in Ontario were skeptical about the strict security aspects of the THSA and objected to being treated as minor partners to the city, they accepted the city's camp as an

improvement of homeless survival (Interview Aviles). The only locally-active professional non-profit service provider Mercy House is a newcomer that only started its branch in Ontario. Having no investment or social tradition of care to defend, but a new client to win, Mercy House proved ready to support the city's promise for comprehensive care in tents: highlighting the exceptional commitment of local government, Mercy House also found the camp compatible with its own mission, which focuses on housing first rather than building new regular emergency shelters.

(4) The local government – including mayors, city council and local bureaucracy of social services and planning – is obviously a central determinant of policy-making: formally as legislature and practically as a distributor of resources and enforcer of law. The cases underline that this actor is far from homogenous or singular: aside from Ontario, where the city council and administration follow the mayor's commitment to establish the camp, in Fresno and Seattle friction between the mayor and city council is characteristic. In all cases, mayors prove rather responsive and, once convinced, are willing to roll out camps as new form of care to address the city's urgent social problem. City council members are more attuned to their constituencies and generally are more skeptical and restrained concerning the idea of either distinguishing themselves through positions of law and order or the prudent use of tax-payer money. While they can be convinced on both fronts, in Seattle, the city council features committed supporters of the homeless cause, such as council member Nick Licata who stands for a left-liberal position and has consistently prepared proposals for land-use amendments and budget re-allocations to support the claims for better homeless care, including authorized encampments.

In addition, the role of local government administration proves significant as the city staff can pave or block policy proposals. In Ontario, the strong cooperation is impersonated by a designated city coordinator for the camp, who spontaneously invited staff from departments of health and planning to our interview (Interview Schultz). In Fresno, the city administration's "homeless tsar" feels no longer responsible for the legalized camps, whereas in Seattle the city departments were reluctant to support tent cities. As interview partners explained, they maintain the status quo and await clear political direction before advancing new regulatory frameworks on their own (Interview Sugimura, interview Poole).

4. Establishing durable territorial compromises for stabilizing local hegemony

I have argued in the previous section that as a new form of state intervention, regulated homeless camps are used to re-articulate the hegemonic welfare promise for homeless care in ways that address local crises and allow re-stabilizing local hegemony temporarily.

Nonetheless, the question remains: how dependable are these promises? The discursive shift from treating camps as a problem to regulated camps as part of the solution signals a change in political reasoning where unmet shelter needs are recognized as local responsibility that can actually be addressed in more caring ways. While this shows how the idea to allow people without other places to go to shelter themselves advances from common sense to a politically recognized claim, the question remains: is this more than a different local mode of discursive crisis management: a spontaneous, crisis-induced and likely short-lived recognition that sinks into oblivion once crisis is normalized again? While we already know that the neoliberal and paternalist elements of homeless management are unsettled, making the way for such local experiments in care, *do any of these regulatory experiments have a transformative dimension revealing a paradigmatic case?* Alternatively, do these regulatory experiments merely recalibrate the existing imperatives and logics to re-invent and extend the workings of neutralizing homelessness?

The three cases show different qualities of territorial compromises regarding political viability (accepted, sustained policy) and regarding the recognition of immediate survival needs. Focusing on the issue of durability – which directly translates to the political viability of compromises – it is generally assumed that when the needs of the non-propertied confront the interests of the propertied and the state, control trumps matters of decency and autonomy. Therefore, it seems plausible to assume that camps that comply more coherently with dominant concerns of control – i.e. where homeless autonomy is subordinated – are more likely to persist. It is also plausible to assume that small camps that are unobtrusive are more likely to persist as a durable niche compared to large camps. However, if we assume that such uneven power relations determine the territorial compromises in the cases, how can we explain the fact that the authoritarian camp of Ontario – which features control most explicitly and was least contested locally – proved to be short-lived? Why then do the still top-down but smaller, non-profit managed camps of Fresno remain exceptions, while paradoxically the so contested self-governed camps of Seattle emerged as the most durable and continuously expanded form of territorial compromise?

In order to explain these counter-intuitive findings from the case studies that seem to contradict the penal thesis, it is necessary to specify the second phase of hegemony (Newman 2014, cp. chapter III), i.e. how the claiming and making of a new spatial niche corresponds to the re-making of discursive and institutional structures that secure the camp in propertied space and provide the basis for expanding and enhancing homeless care. Translating durability of compromises to the question of compatibility, this second analytical step centers on the political and financial costs for this new form of homeless care. In order to operationalize compatibility, this section compares three factors that are decisive for rendering camps durably compatible: (1) location, (2) socio-spatial praxis and (3) welfare standards/legal norms. Comparing the roles of local actors for increasing or reducing costs along these three factors, I analyze why camps remain temporary and exceptional in Fresno and Ontario but become a durable tool of local homeless management in Seattle.

The critical cases of Fresno and Ontario: temporary and exceptional compromises

Ontario and Fresno depict paternalist compromises where control trumps autonomy and homeless self-help that address each of these factors (location, socio-spatial praxis and welfare standards/legal norms) through a distinct top-down control approach; similarly, also Seattle's mayor's plan exhibits such a paternalist top-down logic. All three cases therefore show a pattern that when local governments come to recognize responsibility for the unsheltered – which may be court-ordered –, they rush to realize experiments in care with a decisive paternalist streak. The logic for controlling political and financial responsibility is evident, but – as the comparison shows – top-down governed compromises come with their own problems. In short, paternalistically governed camps prove insufficient to effectively control the extent of state responsibility, fiscally and politically (cp. Fig. 22).

By strategically locating paternalist camps in marginal spaces, the political and financial costs of the factor of *location* are minimized: complaints from concerned citizens or businesses did not play a relevant role in Ontario nor Fresno. While in Seattle the use of public land for camps is strongly contested, Ontario's government sought to minimize the political costs by declaring the camp a temporary and singular commitment, and it was willing to carry the rather small financial costs of providing a city-owned brownfield. Similarly, the spatial compatibility of Fresno's legal camps was never questioned even when they doubled, because the camps are located on the property of a private owner.

Exceptional and temporary integration of homeless camps:
the critical cases of Ontario and Fresno

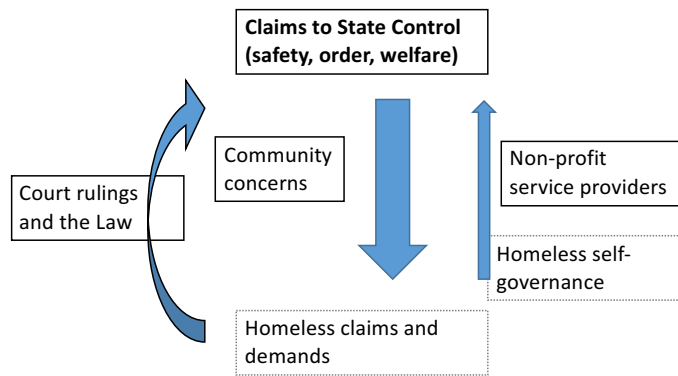


Fig. 22: *Exceptional and temporary integration of homeless camps: the critical cases of Fresno and Ontario; Source: author.*

In terms of the *social praxis*, the paternalist camps feature more restrictive shelter conditions than Seattle's self-governed camps, but where Ontario forced the homeless to enter the camps and tightly regulated behavior, Fresno's camps rely on voluntary access and working with the camp residents allows a greater scope for self-organizing community (cf. Bassett et al. 2012:50). Despite these differences in autonomy and decency, the initial protest by the homeless and advocates against inhumane conditions subsided in both cases: the operational praxis is not criticized by neither the homeless nor the media. While many homeless prefer decency and autonomy in shelter, their survival struggle leaves limited capacity to hold out on such political claims: when confronted with worse alternatives, even more paternalist camps are preferable as a relative improvement over unsafe streets (cf. Erlenbusch et al. 2001)⁵⁹. Similarly, while the cases show that more or less paternalist control does not generate public outcry, they also show that the praxis of these paternalist camps does not lead to increased

⁵⁹ There is only one survey conducted in Los Angeles where unsheltered homeless have been asked whether they would go into a city controlled safe zone (Erlenbusch et al. 2001). The majority answered that they would prefer such a camp over the streets but overall want real housing.

public acceptance or reduced financial costs. Initial philanthropic support – e.g. the donated tool sheds – ebbed significantly and beyond the charities and volunteers that visit the camp to offer e.g. food donations, the wider public is rather indifferent or ignorant to the camps.

The argument of reduction of financial costs for operating the camps is harnessed in Fresno where camp residents contribute to security and maintenance of the camp: items that were considerable cost factors in Ontario. These reduced financial costs for operating and maintaining the camps are crucial to explain why Fresno's camps are durable. Fresno's camps show a slow transformation, pushed by the city's political expectations as well as internal motives of Poverello House: over time, the initial focus on empowering the homeless to self-govern gave way to organizing stricter rules for security shifts and cleaning of the area. In daily praxis, both camps function as outdoor sites of controlled service provision and monitored self-government of the homeless.

In line with the disciplinary function of *welfare*, the paternalist camps show that a strong imperative for control determines the camps' struggle where local governments as well as service providers articulate various desires for increasing controllability. Whether driven by the fear of nurturing collective claim-making of the homeless or mistrust in the homeless' capacity to self-govern or concern over homeless well-being, the measures to establish a camp that satisfies paternalist control imperatives and complies with planning and minimum welfare standards result in considerable financial investment, which contradicts the initial aim of cheap care.

The case studies show how officials in Ontario and Fresno complained about the accumulating financial costs associated with establishing and maintaining even minimal standards for camp sites: similarly, Seattle's mayor was challenged to explain the high costs for setting up his proposed paternalist model camp on the Sunny Jim site. Therefore, the paternalist camps struggle to realize a good balance between effective control and cost-efficiency. Consequently, the paternalist camps become subject to similar critiques as the emergency shelter: intended as an alternative to the lack of shelter, they are criticized for not helping enough or not containing enough and they are criticized for being too costly. Critique on excessive financial costs relates to the initial promise for cheaper alternatives and the political implications of such camps. Obviously contrasting rationales exist for measuring which kind of homeless care is too expensive or simply necessary.

However, comparing the costs per bed for each of the camps to conventional shelter, it is clear

that they are cheaper (cf. Tab. 6 next section). This cost-efficiency appeals to governments and spurs the articulation of the promise for camps, although the phase of maintaining camps is decided more by the implicit political costs. The implicit threat of paving the way for claims of entitlement by the homeless and advocates and the unwillingness to justify such camps as adequate care together produce a political cost that governments reject. Ontario's camp highlights best a pattern that is evident in all cases: the establishment of a city-sanctioned camp is accompanied by the reluctance of policy-makers to invest too much in care and the search for an exit option to shed the full responsibility for taking care permanently of victims of the housing crisis. While officials describe Ontario's camp as a success that made a protracted problem manageable (Interview Schultz), this case illustrates most explicitly how various measures have been devised to limit the feared "magnet effect" and eventually shed this full responsibility: from sorting out the non-locals to the restrictive and barren conditions to the eventual closing down of the camp.

Nevertheless, Ontario shows also how this shedding of responsibility has failed: with local government taking the lead and supervising all regulations, full control was achieved but also full responsibility for its operation allocated. Unlike in Fresno where the government's political and fiscal responsibility for maintaining the camp is hidden – i.e. devolved to Poverello House, due to the strict regulations for the camp's operation, including detailed rules for charities and volunteers in Ontario, the camp is perceived by the public as a city program rather than a program by Mercy House. The fiscal and political costs of paternalist camps are highlighted by other cities when they explain why they do not aim to replicate Ontario's model (Leung 2008), and when similarly policy guides on the progressive policing of encampments do not mention the case of Ontario's THSA (Chomard 2010; Bassett et al. 2012). Ultimately, cloaking the rejected political responsibility, governments highlight financial costs to justify discontinuing (Ontario), expanding (Fresno) or realizing (Seattle) such top-down paternalistically-managed homeless camps.

To conclude, where camps' struggles – in all three cases – oscillate between two exploratory movements, namely social care and penal policy, the paternalist version of camping compromises may work well to satisfy the dominant fears of the pathologic homeless, i.e. community concerns over safety and order, while rolling out additional care for the unsheltered homeless at lower costs. Initially perceived by local government and civil society as being relatively better than the existing options of homeless emergency shelter, the paternalist camps, however, confront the dilemma of local governing, which is insufficiently

resolved by competing neoliberal and paternalist elements of homeless management: the increase in regulatory control (considered necessary to protect propertied order and govern the presumed pathologic homeless subjects) leads to an increase in political and fiscal responsibility for local governments.

The paradigmatic case of Seattle: durable and replicated compromises

Similar to Fresno, Seattle's camps also depict only niches where safe and legal shelter is granted to some but not all unsheltered homeless. Nonetheless, the case of Seattle shows a qualitative difference that makes it paradigmatic: looking at the same three factors, we can explain how the political and financial costs attached to legalizing camps are negotiated in a compromise that proves more compatible to persist durably in propertied space. This successful way of rendering the camp compatible to given socio-spatial order is clearly explained by Paul Carlson, the regional coordinator of HUD whom I interviewed in Seattle. Not directly involved in local politics, Carlson is an experienced veteran in homeless management who describes Seattle's approach for dealing with encampments as particularly considerate, progressive and ultimately viable:

"I personally think the consent degree agreement around SHARE/WHEEL, I promote that as a good temporary solution because we've compromised, we've prevented an eyesore but allowed homeless people to legally camp for periods of time within a city. In a way that the city's off the hook for liability and cost, charitable works through churches can allow them. So, I think it's a great compromise." (Interview Carlson)

The case study underlines that the "temporary solution" that Carlson highlights proves to be a permanent partial solution practiced for years, which – far from simply acquiescing the protest and concerns – propelled ensuing claims for more camps: here, the struggle produces an outcome of socio-spatial relations that enable the homeless a durable and claimable right to collectively self-govern a place for survival in propertied space.

Being durable overall, the temporary *location* where camps are hosted for three months each is characteristic of Seattle's compromise. This court-ordered and negotiated agreement significantly alters the typical patterns of managing the urban poor: rather than being relegated to marginal space, the tent cities are located in the hearts of middle-class neighborhoods. This claimed right to centrality is important for the homeless – who depend on proximity to services and jobs – and it proves crucial for maintaining the politicization of

the camps' struggle as well as gaining acceptance by civil society. Even when Nickelsville had to resort to a more typical marginal location where it was tolerated, the previously-claimed right of homeless camps to centrality has established a considerably stronger recognition in Seattle: civil society learned and accepted the centrality of locations as a necessary condition for viable camps, and even when the mayor proposes a site in industrial areas he ensures that this location provides access to public transport, proximity to services, urban life and workplaces.

When Carlson describes Seattle's camp arrangements as a "great compromise", he points to a relationship of reciprocity, which characterizes the operations of camps in Seattle's neighborhoods and significantly contributes to achieving a degree of compatibility of homeless claims with government interests and urban society in general. Seattle's regulated camps are not simply located in the neighborhoods but they establish relations of trust and reciprocity with their hosts and the neighborhood to garner acceptance. Instead of being closed sites, the self-governed communities welcome visitors and ensure safe and respectful co-living internally and even outside their parameters.

Therefore, the key requirement for regulated camps to emerge and persist durably is a *lived socio-spatial praxis of reciprocity* that demonstrates compatibility with the norms and expectations of propertied space, while in turn local communities get to learn about the camp. In sharp contrast to the other cases in Seattle, the regulated camps underwent a shift from the perception of burden to the appreciation as a contribution to community. Personal encounters during visits are the basis for countering stereotypes and generalized rejection and developing a recognition of both the necessity of such shelters and the capability for self-help, which abstract debates over camps do not convey. Since their start in the 1990s, SHARE/WHEEL have actively promoted such outreach and there are several examples showing how encounters with the lived praxis of self-governed camp communities result in respect even from sceptics concerned about substandard conditions (cf. the example of council members visiting Nickelsville).

Not simply receivers of charity, all three tent cities initiate collaboration with various civil society organizations including churches, as well as mobilizing new actors to engage in homeless care like Seattle University, which decided to host Tent City 3 to develop more outreach into local politics. The social network around churches and other partners is crucial for ensuring daily operation and outreach for new hosts, but also as a political advocate

supporting the cause of tent cities. Clearly, in Seattle, the proportion of citizens who are sympathetic to such a system view is higher than in the other cases. Particularly relevant is the call for social justice to which many faith- and non-denominational groups adhere. Several interviews confirm that tent cities are perceived as and supported as a way to enhance social justice by meeting the shelter needs of the homeless and offering respect and compassion in ways that also empower the homeless (Interview Carlson, interview Greater Seattle Cares, Interview DePape). Commentators often highlight the direct encounter with the homeless campers as touching and enlightening: "it was a great experience to host tent city", one church explains (City of Woodinville City Manager 2004). To some degree, it has even become a measure of good citizenship to host a tent city: hosting of the encampment is described as an act of community compassion where Seattle citizens respond to the plight of homelessness and actively engage in solidarity and provide care in their neighborhood. Consolidating a sense of community for three months, the hosting (church) community comes together, mobilizes its resources and practices a collective form of direct support, i.e. lived faith. Others may appreciate the committed community efforts but would subscribe to a view of the typical US bootstrap mentality that the ACLU Michigan describes: "They maintain themselves, and this is exactly the type of (community) we should be allowing to happen" (Jacobs 2010). Moreover, the tent city residents stress their compliance when they explain that "we are not political activists – we are doing community work" (Interview Tent City 3 resident).

This cooperation is insufficiently described as the anticipatory obedience and co-optation of poor people's self-help. SHARE/WHEEL actively steps up as a partner and not simply a receiver of charity to insist on meeting their own needs as much as those of the host and neighborhood. Due to their consistent community work and the extensive support networks, Seattle's tent cities receive a much more comprehensive, regular and attentive news coverage than any of the other regulated camps. Importantly, this socio-spatial praxis not only established smooth and conflict-free temporary stays at changing locations, but it also strengthens and re-enforces the political claim that the need for safe and legal physical shelter is inseparable from respect for homeless experiences and demands for autonomy and decency.

As a self-help community hosted by non-professional service providers, Seattle's regulated camps occupy a special position within Seattle's institutionalized *welfare landscape of homeless services*. With support of their hosts and various donors, the tent cities operate on a

small budget⁶⁰, reducing financial costs for the city government, which is less liable to fund follow-up costs and less liable to justify that camps are an official solution to homelessness. Their demand to the city for funding created political controversies not least because they do not comply with the disciplinary imperatives of regular shelters. Directly speaking to the quantitative and qualitative deficiencies of shelters, the tent city advocates and activists make the compelling argument that they deliver a form of shelter that the city aims at but cannot provide. The political costs of admitting local welfare failure are mitigated by a specific framing of tent cities as a special place for special homeless, the so-called "functional" homeless, namely those who service providers recognize can self-care and do not need additional services, i.e. treatment. This label facilitates compliance with shelter logics where tent cities are not perceived as a burden or threat, but eventually accepted as a valuable complementary shelter element that fills a gap in existing services.

Although the tent cities do not screen their residents for being functional – i.e. not pathologic or deviant (although they screen for criminal records) – SHARE/WHEEL confirms this official compatibility in as far as it fits their characteristic as a self-help community. Scott Morrow – one of the founders of SHARE/WHEEL and organizer of Nickelsville – stresses that the tent cities do not serve unmet shelter needs per se but rather are self-help communities (Interview Morrow). The tent cities are not containers for all of the city's unsheltered, but – as he explains – the demand for the self-organized tent cities is limited by whether people accept the sobriety and self-governing rules. Claiming this self-defined niche relieves the tent cities from expectations in terms of the camp being the solution to unsheltered homelessness per se. We have seen how such expectations were raised in Fresno and materialized in Ontario and – as these cases show – such demands for a comprehensive solution are closely connected to a surge in increased control demands, which constrict the autonomy and often the decency of the camps. In Seattle, critics like Bill Block – director of the Committee to End Homelessness King County – sought to de-legitimize the necessity for tent cities that only work for such functional homeless and offer no viable solution for the homeless who are less willing or capable of participating in such self-help communities (Interview Block). However, this objection proves relatively weak as it recognizes and confirms that camps function as adequate shelter for the homeless who use this option.

⁶⁰ According to Al Poole from Seattle human services department, the annual budget of tent city 3 is ca. \$60.000, largest cost items being port-a-potties and bus tickets (Poole 2003).

Based on this compatibility, the city could harness the cost-effectiveness of the self-governed camps. Although cost savings are rarely highlighted in official documents, they certainly play a role, as the first Ten-Year Plan to End Homelessness of 2005 admits, recognizing "that Interim Survival Mechanisms utilized valuable public assets – such as the volunteerism of the faith community – in a way that would otherwise go untapped" (Committee to End Homelessness King County 2014). Thus, it is accepted that the tent cities are considered eligible for city funding: each year, they apply for federal FEMA emergency shelter grants (\$10,000) and city support to buy bus tickets for the commute of tent residents (Poole 2003).

The law as a catalyst for contingent struggle

Highlighting the law as a catalyst for contingent struggle, in Seattle the legal decisions of courts have not only been a trigger for more accommodative policy change but also function as a catalyst pushing forward the relative strengths of local actors. This is not to underrate the specific actor constellations in Seattle where homeless organizations are stronger, better organized and more persistent than in Fresno or Ontario and where their claims found reception in a much more caring political landscape with homeless service providers, churches and advocacy organizations than any of the other cases features (cf. Fig. 23). Nonetheless, I argue that only through the legal catalyst have these significant capacities and efforts of Seattle's civil society succeeded to establish and secure a space in propertied order.

This is to stress that the paradigmatic case of Seattle is far from strategic or determined by any single actor: whether the strength of homeless movements and their self-governing, the generosity of churches, the progressive responsiveness of local government or the specific legal land-use arrangements. Instead, we need to account for the contingency of the process linking these actors together to understand how location, socio-spatial praxis and welfare standards/legal norms were negotiated. The significance of these interrelations and the role of law therein is illustrated in the chart below (cf. Fig. 23). This "formula" for the durable integration of regulated camps depending on various actors is highlighted by comparison to the other cases: only in Seattle did the dual claim for regulating camps as a safe and legal shelter and recognition for autonomy and decency enter and change local discourse while these claims simultaneously engendered a spatial praxis capable of changing socio-spatial relations.

The catalyst for Seattle's different trajectory is the specific legal component of the camps struggle where through the legal claims and judicial rulings the right to establish a camp has

become an issue of land-use law rather than politics. Comparing Seattle to the other cases, this proved to be a game changer: whether local government was willing or not to recognize regulated camps as a necessary intervention to address the crisis of unsheltered homelessness, since the court decision that declared them adequate land use the mayor and city council had to come to terms with this option being practiced. The question was no longer whether homeless camping should be allowed, but where and how to deal with it.

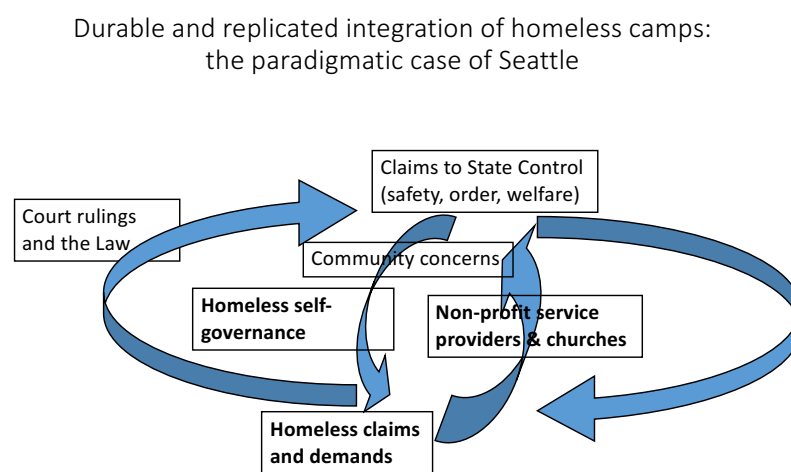


Fig. 23: Durable and replicated integration of homeless camps: the paradigmatic case of Seattle; Source: author.

Where the case of Fresno underlines the limits of court-granted homeless rights that guarantee some freedom from police harassment but no access to land, the case of Seattle shows that within the realm of multiple and competing rights for the nonpropertied it is crucial to claim land-use rights to secure a place in propertied space. The legal recognition of the land-use permit forced the city to enter into negotiation and integrate homeless claims. While the case of Seattle exemplifies the significance that scholars, advocates and policy consultants (cf. Chomard 2010) attribute to "interagency collaboration" – i.e. on "whom they collaborated with and how well the collaboration functioned" (Devuono-Powell 2013: 44) – it also stresses the relevance of establishing claimable recognition. While the temporary land-use permits demonstrate that camps can be regulated and while much of their content is not so different

from conditions for land use formulated elsewhere, the legally-granted right to land use for hosting camps makes a significant difference. The successful reference to the constitutional RLUIPA in Seattle has multiplied the range of contractual agreements: the scope and details of land-use amendments, consent decrees and zoning changes concerning homeless camps in Seattle and King County exceed any other city or region in the US (Bassett et al. 2012:52).

My exploration into other cases reveals that such a strategy of demonstrating compliance with land-use regulations does not succeed per se. Fresno's Eco-Village as well as Sacramento's Safe Ground struggled to gain political recognition for not being able to demonstrate such a material point of reference: to claim that tent cities work, they could only refer to plans and experiences from other cities like Seattle. Moreover, also in Seattle, while SHARE/WHEEL have argued since 1998 that safety, health and order are best achieved through their model of self-governed camp communities and not in paternalist safe zones that result in unhealthy and problematic conditions for homeless residents (Freeman 1998), they could only materialize their elaborate plans for self-governed cities after the legal permit. The legal use permit and the consecutive confirmation of the right to be hosted through RLUIPA⁶¹ thus proved to be a game changer elevating the homeless into a position of negotiation rather than pledging.

This legacy proves powerful for Seattle and underlines the relevance of small gains that may seem rhetoric at first but are the critical *foot in the door* as they establish reference points in heated debates: over the years, SHARE/WHEEL has repeatedly reclaimed the recognition that they gained in the Ten-Year Plan (Sparks 2016; Sparks 2012, Sparks 2011, Sparks 2009). In short, by pursuing the logics of land-use law, Seattle's SHARE/WHEEL directly addresses the popular fear of disorder and appeals to the regulations for fair land use. Unlike the claim for autonomy to stay put in tents that guides claims in Fresno ("I just want to be left alone to myself" is a claim I heard many times from homeless campers in Fresno), Seattle's model of the self-governed camp from the start explicitly considered the recognition of the community's and neighbors' interests (cf. Freeman 1998). The legal permits enabled SHARE/WHEEL to develop and elaborate its camp, which is the pre-condition to demonstrate its viability politically.

⁶¹ Considering the special role of using RLUIPA for establishing legal homeless camps, it needs to be added that this legal vector has not been tried or discussed in the other cases - likely due to the specific role of local churches which combine to lesser degree charity for the poor with citizen's rights and social justice.

Although technically the right is a right of churches to host tent cities, in Seattle the church communities accept and depend on SHARE/WHEEL as a partner, whereby SHARE/WHEEL has been shaping the consent decree. Unlike in Fresno or Ontario, where there are few or no official documents testifying government recognition, in Seattle the highly-volatile political recognition (see how majorities in city councils on camps issues are repeatedly shifting) is corroborated by a legacy of institutionalized recognition: over the years, the issue of tent cities entered local policy reports, led to several citizens committees and was eventually codified in legal amendments. Compelled to recognize the emergency needs of unsheltered homeless, the bureaucracy invented new terms such as "interim survival mechanisms" or "transitional encampments" to deal with the new phenomena of camps. Although the case study shows repeated episodes of denial and misrecognition, these official documents establish official claimable points of reference that the proponents of legalized camps have reclaimed ever since.

Importantly, these small gains provided entry points to further challenge the restrictions of propertied order. Exemplifying the argument that property does not simply rule but needs to be enacted (Brown 2007), Seattle's camps' struggle shows how the limits of the granted legal right to be hosted by churches have been challenged by claiming political rights to allow more and larger self-governed camps. The example of Nickelsville's informal toleration underlines that the strategic but self-defined compliance to key logics of the existing compromise is effective to expand the limits of location and socio-spatial praxis inscribed in the existing compromise: although no church was involved, Nickelsville complied with the same requirements regarding community outreach, self-policing, fire prevention, trash removal and visibility as the authorized encampments.

Responding to the extensive discussions about whether legal struggles can further the struggle for more urban social justice (Pierce/Martin 2017)⁶², my case studies veer between the accounts of critical geographers who deny any emancipatory potential of legal tools and those who support such struggle. When law is understood as a key vector of institutionalized coercion through which the local state defines but also seeks consent to reproduce its power, Seattle's camps' struggle shows how this can be claimed from the grassroots. While

⁶² While legal tools may protect from state interference and ensure equal rights, liberal law often is complicit with entrenching injustice: the limits of law are especially explicit in the US where law rarely entails redistribute elements.

SHARE/WHEEL's consent was not asked for, it became necessary for the consent decree to work. When the stabilization of local power relations entails shifting degrees of coercion and persuasion, the consecutive struggles where the mayor and city council negotiate some more rights for authorized encampments to be located within urban space thus underlines how the new attempts to craft consent are played out on a level of recognition that has been successfully claimed from below (cf. Davies 2014: 3226).



Fig. 24: Circular relations of challenging and stabilizing local hegemony: socio-spatial compromises in propertied space; Source: author.

To conclude, we can explain the limited durability of paternalist legal camps in Fresno and Ontario to the degree that these compromises insufficiently addressed and integrated the full range of hegemonic struggle. In terms of compatibility with the hegemonic relations, the comparison of the cases reveals that these paternalistically-granted *islands of legal camping* remain exceptional niches because ultimately they were not promoted and pushed further by any local actor, not even the homeless advocates. While I showed that local governments aim at such paternalist compromises but reject carrying the political and financial costs, homeless advocates and activists refrain from endorsing paternalist camps because they are too limited to demonstrate what decency in tents can look like. The paternalist camp as a hegemonic compromise with a distinct penal streak worked in Ontario – albeit only for four years –, it was tried but never fully realized in Fresno and it was introduced in a most elaborated version but outright rejected in Seattle.

By contrast, I have shown why only in Seattle the legalized camps prevail as a controlled and hence acceptable compromise, as well as functioning as a reliable and claimable local mechanism to satisfy unmet shelter needs in the present and future, when this compromise is replicated to provide shelter for other still-unsheltered homeless.

However, the outcome of these struggles is limited: while Ontario's large camp addressed the needs of all unsheltered homeless for some time – which makes it an exceptional rather than acritical case –, in Fresno and Seattle the regulated camps are niches that offer shelter to a small group of each city's unsheltered homeless population. Therefore, we should not measure the significance of these struggles only in their outcome, but rather by the quality of the struggle. Where in Ontario and Fresno the discursive framing is ultimately paternalist and the spatial praxis is granted rather than negotiated, Seattle's paradigmatic case shows how the homeless claim for self-sheltering gained political recognition in the most sustained way. The evident limits of Seattle's compromise are the dependency on SHARE/WHEEL and the number of willing hosts. The emergence of Nickelsville is a direct result of this. Nonetheless, both limits have been surmounted to some degree since 2015: the city legalized three more camps that are hosted by secular not faith-based organizations and on public land, whereby two of these camps formed their own organizing structure independent from SHARE/WHEEL's structure but copying their principles of self-government.

5. Legal camps as neoliberal fix to address unresolved crises of local homeless management

This concluding discussion seeks to contextualize and generalize the comparative analysis of three local struggles where partial solutions to crises of governing and new niches of survival are crafted on the ground. Moving beyond the finding that legalized camps are located in peripheral niches – which is far from novel –, both the sustained practices of grey-spacing and the subsequent legalization of camps follow a long-established pattern of spatial management of marginality. Notwithstanding their differences and the resulting degrees of durability, these regulatory experiments are clearly not solutions to homelessness – neither locally nor nationally – but are best explained as attempts to stabilize the path-dependent terrain of local crisis management (or governing) shaped by multiple actors and factors. The contrasting logics of governing top-down to logics of bottom-up survival explain why these specific niches of more or less managed homeless survival emerge in the current context of housing and welfare crisis, as well as why they remain contested and disappear.

In order to demonstrate the context of this *unresolved convergence between logics of governing and logics of survival*, I provide four discussions that widen my case study focus to the national picture.

(1) First, I refer to other US cities that also consider legalizing camps as an option.

(2) Second, I identify nationwide reform debates that pave the way for legalizing camps as alternative form of homeless shelter.

(3) Third, I discuss how logics of austerity and commoning intersect in the camps' struggle. The camps highlight how the neoliberal fantasy of *co-opting poor people's self-help* to extend governing and normalize outdoor substandard shelter is actually harnessed. The paradigmatic case of Seattle reveals limits in the extent to which governing logics determine the fundamental relations of camps between autonomy and decency, control and necessity (cf. Hailey 2009). Where governing logics aim to "fix" the problem of homelessness, the self-governed camps produce different qualities of *commoning* that defy co-optation and continue to unsettle local relations.

(4) Fourth, I conclude with the argument that legalized camps may stabilize local hegemony but they need to be perceived as a political claim from below that poses an obstacle to the neutralization of homelessness. Self-managed camps exhibit systemic challenges to homeless/ness management by claiming the necessity of providing shelter first and by providing for *decency through autonomy*.

Local attempts to legalize camps across the US

My cases are exemplary for municipalities across the nation that were and are left to their own devices to experiment with – among other options – regulating encampments to address unsheltered homelessness. While the Obama administration has demonstrated responsiveness to homelessness (U.S. Interagency Council on Homelessness 2010) – paraphrasing Gandhi's statement that "as a society we will be judged by how we treat those who are most vulnerable" –, it is localities that actually respond to the resurgent moral imperatives for respecting human decency that demand providing shelter and not depriving the poorest of even the last resort that they hold on to (cf. Hopper 2003).

My comparison of the process of claiming, promising camps and establishing compromises in the three cases thus offers answers to (a) the unresolved academic puzzle about the neoliberalization of local governance, (b) the nationwide exploration where new responses at the local level are sought to address the issue of unsheltered homelessness, and (c) responding to the tangible interest of unsheltered homeless whose survival is shaped decisively by the very quality of these real-existing niches: how safe and decent are they, how much autonomy

do they offer and how stable or temporary are they, i.e. who determines the quality and access to such tent shelters?

Between 2000 and 2014, the option of urban campgrounds and safe grounds was put forward as an alternative to the policing and sheltering crises in a wide range of cities: from Portland, Springfield, and Ashland in Oregon, to Kansas City and St. Louis, to Santa Cruz (Alderson 2011; City of St. Louis Mayor Slay 2011; AP 2009; Falls/Adams 2013; Lillis 2016; Sacramento Homeless blog 2009). Similar to my cases, in these examples the option of legalized camps is put forward top down *and* bottom up: (1) by governments, mediated (2) by non-profit service providers, and claimed (3) by homeless communities.

(1) Local governments establish legal camps as a way to regulate the problem of unauthorized encampments. For instance, for years the state government of Hawaii discussed the establishment of safe zones for homeless camping to better address the growing population of unhoused living permanently at the beaches (Juscen 2010; State of Hawaii 2012)⁶³. Another well-known example is Venice, a district of Los Angeles, where in 2009 local councilor Rosendahl proposed the creation of a city-sanctioned RV parking place to regulate the growing number of car and RV dwellers in the streets. The background is not only a history of tolerance towards the urban poor and outcast that clashes with a perceived increase of unsheltered homeless in the rapidly-gentrifying neighborhood, the chronic lack of shelter and housing, but also a decisive court ruling that made it illegal to ban sleeping on sidewalks in Los Angeles. This has triggered an ongoing debate, although in 2011 two pilot sites for homeless parking were erected, temporarily pausing the local struggle (Interview Pina, interview Ewing, interview Ryavec, interview Westra, interview anonymous car camper).

⁶³ The testimonies of stakeholders to the proposed bill SB2594 reiterate the arguments for and against legalizing camps. The State of Hawaii Department of Human Services rejects it by arguing that such safe zones do not help the mentally ill to recover, and considers it unlikely that the homeless would be willing to abide by rules of conduct and pay fees: "two of the major reasons that unsheltered homeless choose not to utilize available emergency shelter resources" (State of Hawaii 2012). The testimony argues further that such safe zones are likely to incur NIMBY protest and points to the problem of taking full state responsibility: such safe zones "become major challenges to undo when funding or public support is no longer available". It concludes with a cost argument, and citing a feasibility study in Central Maui, that the estimated costs of \$10,000 per month to operate a safe zone are better spent for more permanent housing solutions. The endorsement is articulated by a homeless advocacy organization, the Hawai'i Appleseed Center for Law and Economic Justice, which argues that there will "always be a segment of the homeless population who do not reside in our current homeless shelter system because of lack of space, eligibility, or personal choice" (ibid.). Rather than criminalizing these people which accomplishes nothing but inflicts hardship on the poorest, a legal encampment is preferable: "Successful models do exist in cities on the mainland. Most have developed sensible restrictions, including the enforcement of strict rules against the use of drugs or alcohol and a prohibition against all forms violence" (ibid.).

While these examples illustrate a shared and persuasive logic of top-down governing, the case of Ontario is one of the few examples at present where such top-down camps have actually been realized.

(2) In other cities, the legalization is put forward by service providers seeking to expand their sheltering capacities. As the case of Fresno underlines, these attempts to create a legal camp as alternative shelter are permeated by a mix of paternalist and neoliberal logics, aiming at both more care and more control. They are likely to be tolerated by the government when political and financial costs are shouldered by the service provider. The largest example is Pinella's Hope in Florida, where a catholic charity established a large tent compound (Heben 2014), while a smaller legal camp is established by service providers in Ventura, CA (National Coalition for the Homeless 2010). Noteworthy, while there have been some examples where non-profit organizations step up to propose to local governments the establishment of camps as domestic form of crisis relief - e.g. the organization iCare America presented a plan to Sacramento's mayor to install the same basic shelters they have built in Haiti for the city's homeless - these proposals were never realized. Obviously, these proposals by outsider experts are not considered viable to produce locally acceptable compromises: only established local service providers have set up legalized camps.

(3) Finally, Seattle is exemplary for several cities where legalized camps are put forward (3) by homeless communities and their advocates. They demand such camps as an improvement for the homeless, but these demands are often denied by the local government. When local communities of homeless and advocates demand legal camps, they often refer to the case of Seattle. The legal or tolerated camps in Olympia, WA, Eugene, OR and Ann Arbor, MI are directly inspired by SHARE/WHEEL and follow similar logics of self-help organizing. However, the struggle for "safe ground" in Sacramento – which develops a quite similar vision of self-governed communities – struggles to gain recognition until today: in 2016 the city council – even after a delegation visited Seattle's legal camps – only started to deliberate again whether to legalize such a safe ground (National Coalition for the Homeless 2010; Lillis 2016). A major difference is the role of churches: while they play a central role as partners to homeless organizations in Seattle and Washington State in general, churches have not played any substantial role in the struggle for homeless camps elsewhere. For instance, Sacramento's Safe Ground sought in vain to mobilize local churches as hosts for camps.

Notwithstanding these differences, in every case the claim for legal camps responds to the

cumulated crisis of shelter and criminalization. Therefore, the camps debates mark a historical point where after three decades of neoliberal-paternalist homeless management the problem has not been improved but has rather worsened, to the point that camps are considered as a viable policy alternative. Together, these local attempts illustrate what the empty signifier (Laclau/Mouffe 2001) means in hegemonic struggle: if hegemonic consent is won by constructing an empty signifier that can be filled with meaning by various social fractions, the cases illustrate the inevitable impossibility of such an endeavor. The protracted debates over camps being not good enough or too good as well as the ensuing re-articulation of local care through camps show that the increasingly abstract promises of paternalist-neoliberal homeless care struggle to maintain sovereignty of interpretation in face of the concrete particularities of homeless camping. The existing hegemonic project of homeless management clearly proves limited to divert and de-legitimate its critics. Legalized camps are debated when no local actor can claim sovereignty of interpretation.

Homeless camps not only signify acute problems and failures of existing strategies but they also offer a plausible response that promises more efficient control and more extensive care, as well as speaking directly to common sense. Notions of common sense on self-help enabling survival resonate with perceptions of locally-available resources and they can relate to the drained hegemonic promise for homeless care. Regarding the current debates on governing urban marginality in the age of urban austerity (Peck 2012, cf. Chapter II.2.), the three cases stress that a focus on coercion alone is insufficient for understanding urban power (cf. Davies 2014). Instead, we also need to acknowledge how policy change in the local (still) comes – even in times of austerity – with appeals to public consent and the provision of relief to the destitute remains one mainstay of legitimating local government. In all three cases, these debates culminated in a strong claim for recognizing human suffering not only as a problem of disorder but as an obligation to assist (cf. Fuller/West 2017:2093). Therefore, answering my research question, the case comparison shows that out of the multiple crises of homeless management, the crisis of punitive strategies is the trigger for policy struggle, although to establish camps the crisis of homeless assistance needs to be articulated. But as the cases show such an articulation of political claims for criticizing the status quo and for legal camps as viable alternative depends on local actors.

While the cases show that local hegemonic discourse enhances the appeal of penal justice by adding social justice as an additional criterion for determining and justifying local policy to achieve more effective governing through camps, these cases of *legal camps are overall*

exceptional: according to the most comprehensive survey to date in the years since I conducted my empirical studies in 2011, only three further camps have been legalized (National Law Center on Homelessness & Poverty 2014a). Out of this limited number of legalized camps, my paradigmatic case of Seattle is confirmed as two of them – one in Amarillo, Texas (ibid. 110) and the other in Indian River County, Florida (ibid. 102) – are hosted by religious entities, whereas the third in Cambridge, Massachusetts tolerates camping in a public park (ibid. 105).

Where the claims of national homeless advocacy organizations and activists (National Law Center on Homelessness & Poverty 2014a; Heben 2014) who demand regulated camps to ensure safe shelter and to protect human rights (see (United Nations Human Rights Council 2010), converge with recommendations by policy guides for problem-oriented policing which consider “regulating structured camping facilities” as an “innovative” and “cutting edge” policy to local governments (Bassett et al. 2012:24, Chomard 2010), my analysis highlights the differences of actually realized camp models.

The political and financial constraints of paternalistically-governed camps explain well the gap between the convincing (or at least appealing) policy claim proposals and actually-realized new spaces of homeless care in tents. In terms of hegemonic promise, the paternalist camps thus address the claim for ensuring safety and order, but they fall short in addressing the wider range of claims for both order and care. What we see here is that while paternalist camps try to find a middle ground, these *top-down governed camps struggle to sustain political support*.

Admitting the failure of the existing strategies and recognizing the need for alternatives, the struggle over legalized camps remains torn between logics of finding more efficient and sophisticated governing and the recognition of homeless claims for more rights.

Reforms in homeless management: searching for alternatives to criminalization and paternalist care

The struggle over legalized camps is not simply an isolated local debate over local crisis management. In order to fully understand why these struggles emerge in such different cities even if they do not result in legal camps, it is necessary to consider the wider ongoing debate on reforming homeless management where two developments in policing and sheltering the homeless converge: (1) first, a shift towards *lowering barriers to care* in homeless services;

and (2) second, a shift towards *more balanced or problem-oriented policing*. Both developments of reforming the relations of care and coercion have emerged in reaction to the crises and limits of policing/sheltering that are perceived primarily locally, but also increasingly at supra-local levels.

(1) First, since the second phase of homeless assistance was rolled out in the 2000s on the national level, there have been debates on the need for reform where similar questions have been raised and similar answers have been given as in the local camps struggle. Many reports, meetings and conferences at the federal level document the growing realization of service providers, policy consultants and administrations that existing services fail to serve those in need. The need for deliberating e.g. new "strategies for reducing chronic street homelessness" (Burt et al. 2004) is justified by arguments recognizing failures of homeless services:

"The people on whom this project focuses are, by definition, those for whom these programs and services have not produced long-term solutions to homelessness. Their resistance to standard approaches has been a challenge to communities committed to ending chronic street homelessness." (ibid.: xx)

It is debatable whether concerns over the insufficient capacity and the deplorable conditions of emergency shelters or whether concerns about the limited efficiency of existing services to contain and relegate the homeless are the dominant drivers of the search for alternative homeless management strategies. The quote above highlights how these reforms focus on the chronic homeless, a framing used to describe the most difficult-to-reach homeless, who are considered to be most likely campers as they refute conventional indoor services. Although the realization of shelter rejection is correct, this framing reproduces the insidious mix of rendering the homeless both pathologic and deviant, who make the wrong "choice" rather than acknowledging their rational reasons. While such framing allows partially blaming the homeless for resisting services, such statements also underline that some general fault is identified in the existing services.

To address these shortcomings of services, policy reports at all levels increasingly discuss a range of alternative homeless service models including permanent supportive housing, "wet" shelters that lower the barriers of no drug and no alcohol requirements, low-threshold housing with services like the housing first models such as Pathways to Housing, as well as long-term residential treatment programs like the Triangle Residential Options for Substance Users (Pauly et al. 2011). The bottom line is that in the shadow of the dominant policy of

conditional homeless assistance (the ladder model, cf. Chapter II), such *alternative low-threshold homeless services gain momentum*, aiming to increase the pull factor of services by reducing the problematized deterring effects.

The degree to which such service alternatives focusing less on coercing the pathologic subject have impact on local homeless services remains unclear (cp. chapter II.2.): the cases reflect how local state actors remain reluctant to support such new low-threshold approaches, which remain marginal in all cities. However, where the uneven geographical manifestation of such experiments in care would suggest that Seattle is most likely to support camps as another form of low-threshold shelter, the comparison shows that also in Fresno such proposals unfold some political clout: leading to the first camp and to a lesser degree justifying the second camp.

(2) Second, the wider debates for reform of penal strategies of homeless management have an influence on local policy-making. Local governments partially recognize the ongoing debate at the intersection of public health and law enforcement where police treatment of populations such as the homeless who are labelled "vulnerable" has come under critique. Not only homeless activists and advocates but also scholars, policy experts, local governments and the police itself argue that social problems and particularly people suffering from mental illness cannot adequately be dealt with by police alone⁶⁴.

Confirming Murphy's finding that particularly cities with repressive homeless policies are likely to develop complementary less punishing policies, my cases show that although the performative power of penalty is persuasive to policy-makers, they are not ignorant of its limits, as they are reminded to these by local protest and the victories by legal advocates (Murphy 2009). The cases show that in contrast to the unevenly-accepted low-threshold services, this more problem-oriented policing rationale finds acceptance in all cases: as the limits of policing are directly experienced locally, the demand for developing alternatives to penal interventions (where jails become de-facto shelters) is a strong driving force explaining why regulated camps are debated in most different cities.

⁶⁴ Although this finding may not be surprising even the authors of the recently published Oxford Handbook of Police and Policing feel the need to stress again that until sufficient and adequate services are available "all community stakeholders must sit down at the table to develop a strategy to address this problem" rather than leaving the job to the police (Schaefer Morabito 2014: 209).

Both debates on necessary reform are addressed by *federal government* which thus acknowledges that homeless camps are both a symptom of and potentially solution for the penal and welfare crises of homeless management. Although President Obama never directly referred to the particular phenomena of homeless camps, there is at least one indicator of a paradigm shift on the federal level that breaks with mere punitive criminalization. In 2010, the federal US Interagency Council for Homelessness convened a summit entitled "Searching for balance: civic engagement in communities responding to homelessness" (USICH 2010). Inviting community stakeholders, this day-long meeting aimed to identify "policies and practices that treat those experiencing homelessness with dignity and respect under the law while simultaneously meeting the need of communities to maintain safety and civic order" (The White House President Barack Obama 2010). Two years later, this agency published a report called "Searching out Solutions - Constructive Alternatives to the Criminalization of Homelessness" (US Interagency Council on Homelessness 2012), which summarized the growing unease of federal policy-makers regarding the unconstrained surge of local anti-homeless laws. In clear voice, it states: "criminalization undermines real solutions" (ibid.: 7).

However, the acknowledgement of the limits of criminalizing survival – as a short-term solution that is inhumane, not sustainable and likely to produce costly liabilities for local states⁶⁵ – is not matched by a clear commitment to long-term solutions; rather, it is clear that the federal government does not take the lead to implement policy change. Instead, it sees its responsibility "to provide leadership, share best practices, and provide technical support to localities" (ibid.: 2)⁶⁶. The report's emphasis on dialogue and local solutions barely conceals the fact that *federal government acknowledges the crisis, but relegates responsibility to local and state levels* to find more balanced and effective ways of managing homelessness.

However, this federal report emphasizes specific criteria for how local states shall deliberate constructive solutions: not only human suffering and violation of rights are to be considered, but also cost-efficiency and liability issues. Nevertheless, this report is noteworthy for being the only federal report that makes mention of homeless camps: testament to the participating

⁶⁵ Combining human rights concerns with logics of austerity, the report argues that "in today's economic climate, it is important for state, county, and local entities to invest in programs that work rather than spend money on activities that are unlikely to achieve the desired result and which may, in some cases, open the jurisdiction to liability" (ibid.: 2).

⁶⁶ The report identifies three themes for constructive alternatives: Creation of Comprehensive and Seamless Systems of Care, Collaboration among Law Enforcement and Behavioral Health and Social Service Providers, Alternative Justice System Strategies (ibid.: 3).

homeless advocates, under the rubric of "housing with services", the report acknowledges that Seattle's model of regulated encampments is considered a local innovation to find a more balanced approach to the requested constructive solutions (ibid.: 45).

The indecisiveness of federal and local policy-makers is mirrored in the two existing policy guides for local authorities on how to deal with encampments (Chomard 2010; Bassett et al. 2012). Their main characteristic is that they remain deliberately vague on assigning fault to either penal or welfare policy, obviously trying to address both advocates of *care* and advocates of *punishment*. With their cautious recommendations for regulating camps, these policy reports illustrate the difficulties of synthesizing and generalizing the local compromises. For instance, while Bassett et al. list three possible strategies for dealing with camps – "humane displacement" (sic!) (Bassett et al. 2012: 17f), short-term accommodation (ibid.: 19f) and "long-term arrangements with homeless communities" that "are both controversial and on the cutting edge of practice" (ibid.: 24) – my cases show that none of these has been strategically chosen, instead each of these strategies has been tried and failed at some point.

Hence, when the report concludes "that effectively addressing this challenge [of encampments] is within reach of agencies - but it necessitates a multi-partner, collaborative approach that utilizes both incentives (carrots) and deterrents (sticks)", it confirms my finding that the integration of multiple actors in the local state is required to render legal camps acceptable and compatible with propertied order (ibid.: 37), although the report's authors underrate this political dimension of local compromises.⁶⁷

Camps as poor people's commons vs. austerity fix for governing housing insecurity

Legal camps are alternatives to existing solutions that utilize the self-help practice of camping to varying degrees. The cases show the wide range of how self-help is institutionalized in

⁶⁷ Where Bassett et al. (2012) suggest a process of rational and collaborative policy deliberation where the problem is assessed and strengths and weaknesses of either punitive or accommodating strategies are weighed to find a consensual solution, my cases highlight the contingency of such processes: legalization of camps is sometimes court-ordered, replete with trial and error, and always the result of intense struggle in the local state initiated by bottom-up claims. Revealing the paternalist impetus of governing logics, although the report considers necessary so-called "pull-side partners", e.g. services, advocates, housing agencies, and so-called "push-side partners", e.g. enforcement and judicial agencies (ibid.:32f), they do not mention the homeless. When the report considers the participation of the homeless the report this serves foremost to ensure sufficient dosage of consent to reduce political exposure of government, but the homeless do not appear as partners necessary to enable and maintain legal camps.

legal camps, ranging from enabling substandard shelter conditions top-down to the claiming of self-determined community living bottom-up. Acknowledging this spectrum, the cases stress the need for critical analysis to differentiate and scrutinize the neoliberal fantasy of co-opting self-help as austerity strategy to govern urban marginality at lower cost. However, what is considered as a success differs for local governments and the homeless.

Differentiating between the logics of *governing* and logics of *commoning*, I argue that we need to look closely at the purpose for which self-help is co-opted. Highlighting the qualities of commoning in the legalized camps of Seattle, I further argue that the legal camps are not simply a tool of governing but also a success of grassroots to establish a different self-determined quality of shelter.

The degree to which logics of governing prevail or whether homeless claims are respected can be assessed by looking at the three core principles for dealing with encampments that are formulated by national homeless advocacy organizations (cf. National Coalition for the Homeless 2010; National Law Center on Homelessness & Poverty 2017; National Law Center on Homelessness & Poverty 2014a):

(1) all people need a safe, legal place to be at night and day, including to store belongings;

(2) services must respect the dignity and subjective freedom rights (i.e. autonomy) of the homeless; and

(3) legalized camps have to be a part of a plan to ensure that camp residents get into adequate housing.

All legal camps fulfil the first principle: they provide a safe and legal space to be that makes a crucial difference compared to being criminalized for survival. However, where the second principle emphasizes the homeless demand for shelter that is less disciplinary, the case of Ontario shows that the legal camp functions exactly like a shelter replete with most of the disciplinary elements of conditioning relief, from restricting access and controlling living conditions to determining the time of stay. Fresno's legal camps function more like the low-threshold shelter. While the case study has shown that this is the result of the failed attempts for a large top-down controlled camp, as an outcome the two legal camps are additional alternative shelter spaces that are less disciplinary than the neighboring emergency shelter and provide more respect.

Although Ontario’s camp is temporary here and in Fresno the success of the legal camp is defined by harnessing the cost-efficiency of a shelter alternative while retaining different degrees of disciplinary control, despite the problematization of financial costs that justified the termination of Ontario’s and the limited status of Fresno’s camps, once established camps are cheaper than emergency shelter and housing (see Tab. 6).

Tab. 6: Costs of camps and shelter; Source: author based on National Coalition for the Homeless 2010; Khadduri et al. 2010: ES-4.

Homeless shelter and housing	Average Costs per Month / Bed
Seattle’s Tent City 3 & 4	\$ 50
Fresno’s Village & Community of Hope	\$ 100
Ontario’s THSA	\$ 357
Emergency Shelter	\$ 400 - 1.800
Transitional Housing	\$ 870 - 1.650
Permanent Supportive Housing	\$ 530 - 1.700
<i>Fair Market Rent for One-Bedroom Unit (2006)</i>	<i>\$ 550-650</i>

Therefore, the hypothesis that regulated tent cities depict an ideal candidate for a post-welfare austerity state policy is verified in the cases, although it materializes unevenly: except for Ontario, the cases show how the local state devolves political and fiscal responsibility to civil society and the poor to organize their own shelter. In Fresno and Seattle, the integration of self-help of the poor enables the cheaper operation of the shelter while it ensures in all cases – or demands, as in Ontario – their consent to the substandard conditions. The new substandard shelter with relatively more respect and dignity for the homeless proves sufficient to mobilize compassion and resources from churches and service providers. However, as previously discussed, this calculus of governing is compromised by the raised expectations for the state to ensure minimum standards of shelter and the perceived necessities for added control that add up as financial and political costs. The closure and exceptional toleration of these camps point to a limit in terms of the extent to which the co-optation of self-help resonates with logics of governing. Nevertheless, especially the legalization of camps in Fresno and Seattle show that after almost 30 years a new answer has been found to realize for homeless management the neoliberal dogma of doing more with less.

The same logics of governing to co-opt self-help enabling a cheap shelter alternative are also evident in Seattle. The paradigmatic case of Seattle highlights that furthermore, the mobilization of civil society, namely faith-based organizations, forges a durable repair mechanism to compensate the lack of state funded shelter. However, here the social logics of collective camping are less subsumed to political logics of governing (cf. Blanco et al. 2014). In order to highlight this qualitative difference of Seattle's tent cities in contrast to shelters, the concept of *commons* is helpful (cf. DeAngelis 2013; Harvey 2012; An Architektur 2010; Lutz 2015a). The phenomenon of poor people suffering from homelessness collectively organizing makeshift shelters to seek the benefits of community (for security, safety, and human exchange) is not new. Seattle's self-governed camps depict such poor people's commons where residents developed a *practice of commoning* that proves very sustainable and effective. Focusing on mutual respect and solidarity – "as expressed in the slogan 'all for one and one for all' [that] is the foundation of commoning" (Linebaugh 2010) – they are an intentional community, although their identity politics are less focused on ideological or cultural affinities but rather primarily based on the shared needs and the maintenance of their common shelter (Lutz 2015a).

Constituting and maintaining a community of individuals who initially share nothing more but distress and to organize a tent commons from loose, non-committal ties, spatially manifested in scattered tents is not an easy undertaking. However, Seattle's tent cities – similar to other communities⁶⁸ – managed to sustain and expand their commons for years or even decades. Based on basic rules and grassroots democracy, these communities have been able to constantly integrate fluctuating groups of newcomers, who in turn learn and reproduce the common rules: "commoning (...) depends on custom, memory, and oral transmission for the maintenance of its norms rather than law, police, and media" (ibid.) and while the camps have written rules, these need to be learned on a daily basis, reinforcing how to become a "good camper" (Sparks 2009). These makeshift communities keep their commons working as a place of last resort that is safer than the streets and provides direct advantages in contrast to the shelter.

Seattle's camps reject the focus on services and the expectation of camps being part of a plan

⁶⁸ Also Communities like Dignity Village in Portland, Safe Ground in Sacramento, or Camp Quixote in Olympia, each of which comprises between sixty and a hundred residents, have set up their own rules and codes of conduct to enable community.

to house the homeless not because they reject services per se or do not aim at adequate housing, but rather because they reject the notion that a self-help community is obliged to fulfil these expectations. The collective responsibility is for establishing and nurturing co-living in respect for each other to ensure as much dignity as possible, which allows them to fulfil the second principle to a greater extent than the other two cases. Rather than focusing on how to deal with individual pathologies where the success of the camp is measured by how many of their residents are in contact with services or how many have transitioned out into housing and imposing limits on the stay to enforce such goals, they claim their own self-determined rules for discipline. Accordingly, they shift the blame and responsibility of providing housing back to the local state. What SHARE/WHEEL claims and a city-commissioned survey of Nickelsville verifies is that additional services are not what they need to secure housing: many of them receive services and most of them are already on the waiting lists for public housing, but this has not yet ended their homelessness. This is to say that all camps function as waiting places that compensate for the lack of shelter and housing. Until housing opportunities are available, the legal camps are preferred and particularly self-governed camps are claimed as a right to self-determine the wait for better options.

Highlighting the paradigmatic shift and case of Seattle, my case study analysis shows that in Seattle homeless self-help is not simply co-opted as a resource but rather commoning has become the motor for political recognition and (legal) integration as viable shelter. In the light of decades of homeless protest, the churches and local government have come to recognize the self-help communities as partners with whom to negotiate. In Seattle, the contrast between logics of governing that seek to minimize care and maximize control versus logics of decent and autonomous survival has been overcome in a compromise that is shaped top down *and* bottom up. Acknowledging this partial solution, the paradigmatic case of Seattle shows that the partial co-optation of self-help is crucially important for the homeless but also becomes decisive to determine the process and outcome of camps struggle. This essential role of organized self-help exemplifies "the unfinished and differentiated, as well as the contextually specific ways in which processes of "neoliberalization" must always forge alliances on the ground" (cf. chapter III): to harness self-help fully and durably, a strong civil society network is necessary, which in Seattle only developed based on self-governed camps, providing for more *decency through autonomy*. By contrast, in Ontario the interests of homeless survival and minimum autonomy have been least recognized and the camp has remained least durable.

From a critical perspective, this compatibility of tent cities can be considered as co-optation:

the claim for self-governed camps to counter the deprivation of housing, the misery of welfare and the exclusions of propertied space, is reduced to a temporary, charitable niche that stretches but does not challenge propertied space. In comparison with Ontario and Fresno – as well as the other regulated camps that I visited such as Sacramento’s Safe Ground – SHARE/WHEEL manages best to navigate this slippery ground of limiting or even excluding inclusion due to their double strategy of pressuring and partnering: while they consciously serve the expectations and demands of the city government and civil society on providing shelter for the functional unsheltered homeless (recall how SHARE/WHEEL highlights its cost-efficiency providing the largest number of shelter beds in shelters and tent cities), they also insist on their agenda. Partially adhering to the role of a registered non-profit organization, they stick to the principles of self-management and commit to their people-based self-help community. Their self-help shelter is produced through a collective practice of commoning where autonomy of members to decide determines the decency of shelter. Prioritizing their members’ need, these commons conflict with shelter logics that are based on the understanding of the pathologic homeless who needs to be governed, and they resist being reduced to a simple shelter alternative that may be displaced by so-called better-quality shelter options. Moreover, they retain a strong oppositional political element: not only the tent cities protest until they become legal, but also SHARE/WHEEL’s indoor shelter populations (which are based on similar practice of commoning) become political, e.g. when they threatened to close all of their shelters if the city does not continue funding them.

Addressing ambiguities of survival: camps as obstacle to neutralizing homelessness

When neutralizing homelessness means to reproduce local deniability of the problem the camps struggle shows how the unmet needs of unsheltered homeless are no longer easily ignored. Given the limits of neutralizing homelessness, it needs to be highlighted that the legal camps provide land and resources to the poorest, which to varying degrees’ inserts recognition of the wider problems of poverty governance and housing crisis. In this sense, dominant discourses on the “pathology” of homelessness are eroding, whereby the selective penal and welfare strategies fail to reproduce local deniability of homelessness. More precisely, what we see eroding is the pathology of a homeless management system relying on paternalistically treating the homeless as pathological subjects to be disciplined. Therefore, local promises for care in tents indicate a (post-revanchist, post-punitive) shift from punishment and individualization/pathologization as primary modes of poverty governance towards societalization, albeit it is not housing but substandard shelter in tents provided to

those in need.

In order to renew the strategy of neutralizing with more accommodating strategies, this points to an erosion of paternalist imperatives that dominated not the structure but rather the modus operandi of homeless management. Although each camp emerges as a roll-out of care, their establishment and the quality of their conditions is severely influenced by paternalist logics of minimizing care and maximizing control. Without doubt, these camps do not challenge the neutralizing of structural underhousedness; rather, they can even be considered as a vector to stabilize local hegemony. Nonetheless, responding to my argument and the specter of advocates that legal camps would proliferate as new post-welfare space, where the right to housing is replaced by permanent substandard camps (cf. National Law Center on Homelessness & Poverty 2014a: 8), the conclusion of my case comparison is thus twofold.

First, the advocates' fear seems exaggerated when looking at the scale of homelessness. With the exception of Ontario, my analysis shows that camps only shelter a small number of the local unsheltered homeless population. Even in Seattle – which features the largest number of regulated camps – they only shelter about 10% of the unsheltered homeless. The majority of the unsheltered homeless are still forced to fend for survival outside, i.e. in unauthorized encampments, cars and on the streets with considerably less safety, stability and community.

Second, when looking at the durably-established camps in Fresno and Seattle, we need to accept the roll-out of regulated camps as a bottom-up claimed shift towards more care. They remain contested by the government but in some cities they are accepted as a repair mode. The fear of the state to institutionalize tents as permanent places of last resort only partially reflects the local struggles over such camps. Where governments need to be coerced and persuaded to promise and uphold such care in tents, it is the homeless activists and advocates who demand more permanent, durable terms of stay.

In order to understand this limited replication of legal camps, we need to look closely at what is at stake in the camps struggle of chronic crisis: what is the difference between managing poverty or homelessness vs. ending it? Even when focusing on an *ideal* – but unfulfilled promise – of housing first (see next chapter VII), the *reality* of housing insecurity and existential struggles demands acknowledging that in the present and likely future such legal camps are necessary and inevitable. In order to acknowledge this ambiguity but also to recognize qualitative differences of survival, we need to move beyond the structural macro-perspective: only the perspective of situated agency allows fully seeing that the durability of

such camps is clearly a matter of power struggle where incomparable values are pitted against each other, namely a perspective of what society should be, what government has to do and what governing logics instruct as proper and viable management, vs. a perspective of immediate and improved survival under conditions of chronic crisis. Here, hopes on the governability or even a solution to the protracted problem and experiences of homeless who are living in miserable conditions and have lost hope in the state are at stake. While the question of substandards of housing and shelter remains critical, ignorance of the latter is not an option.

Homeless advocates struggle to deal with this *ambiguity* and remain torn between respecting legal camps as *immediate self-help* and criticizing them for being *not a long-term solution* (cf. Bernard 2015). However, while leading homeless advocate Eric Tars declares that regulated camps should not be seen as a permanent solution but rather "as a local and national shame" (National Coalition for the Homeless 2010), his organization is also aware of the immanent realities. Acknowledging that such camps are often the best alternative for persons whose other options are worse and insufficient, the National Coalition for the Homeless (2014) recognizes the necessity and relative advantages of regulated camps, especially when they *respect dignity and autonomy*.

I do not want to romanticize tent cities: they are tough places where living conditions are basic. Nonetheless, as Sparks (2011) observed – along Linebaugh's line (2010) –, while tent city residents are not outside US society with its regimes and norms of propertied citizenship, they organize some core social relations differently: access to the tent commons is not determined by property or status, but rather by need and active participation. Their practice is banal but also turns the dominant principle of capitalist production of space upside down. In a society in which land is treated as commodity and where the non-propertied are governed in dehumanizing ways to neutralize homelessness the practices in the camps illustrate a twofold break in this logic.

The first systemic challenge of camps through which they pose an obstacle to neutralizing homelessness is that tent city residents are activists who continue to renegotiate and politicize their political-economic circumstances and their homelessness management system. When they demand political and legal recognition, it is not limited to a place for their own tent city but strategically extends to opening opportunities for the increased recognition of such tent commons. Particularly the self-governed camps exhibit this systemic challenge to neoliberal-

paternalist governing of the homeless. Where this denies or strictly controls the self-help of the homeless per definition, the co-optation of tent commons relies on the labor and capacity for self-help of the homeless (to varying degrees). This potential suspension of hierarchical relations makes tent commons less clear and predictable within a homelessness policy system that continues to govern in a top-down manner.

The second systemic challenge concerns the governing of homelessness as a way to govern the even greater problem of invisible substandard housing. Establishing tent commons as a better alternative to streets, shelter and jail, the homeless also produce an alternative option below the continuum of overpriced, substandard and precarious housing arrangements in which millions of poor Americans try to make ends meet. By creating a home-like quality that provides substandard but more dignified and self-determined shelter, they expose the ideological separation between seemingly proper housed and the pathologic homeless and that self-help alternatives can be claimed and realized. In this context, any state endorsement of tent cities would be counter-productive: tent cities – whether organized collectively as commons or managed by the state – are highly symbolic and visible manifestations of unresolved housing problems and insufficient welfare state responses.

Chapter VII: Hegemony restabilized: re-questioning the neoliberal policy fit of sanctioned camps in the era of “ending homelessness”

1. Introduction

I have argued that local struggles over legalizing camps highlight a situation of limbo where different strategies for homeless management compete but neither old nor new ones completely prevail (cf. chapter VI). Paraphrasing Gramsci’s famous remark, "The old world is dying, and the new world struggles to be born: now is the time of monsters", I argue that the legal camps express "monstrous" interim solutions borne out of hegemonic struggle. They are tools of governing to prolong the status quo on a new substandard level, but at the same time they entail transformative elements.

Nonetheless, these partial compromises are eclipsed as the *new hegemonic project of “ending homelessness”* solidifies and changes local processes of policy-making. In this final chapter I illustrate this shift by analyzing how it erodes the viability of legal camps as policy option. Identifying the paradigm of housing first, which promises to end homelessness, as a major shift in the current transformation of US homeless management, my argument circles around the major reference point in the controversy around substandard shelter, namely adequate housing. To clarify what is at stake, my discussion differentiates between an ideal (future) standard of decent housing as desired outcome and the present reality of immediate need, namely the necessity of substandard shelter in camps as an inevitable element of the process.

In order to elaborate my argument, this final chapter traces in five sections (2) the evolution of “ending homelessness” from progressive local experiments to federal policy to show how this hegemonic project is grounded locally in Ten-Year Plans. Explaining “ending homelessness” as a national hegemonic project, (3) I show why it is persuasive but confronts given idealism with its limits (i.e. selective profiling, inadequate funding, no legal implications, delay of ambitions). Arguing that in all cases the camps struggle becomes a *catalyst* for the full implementation of “ending homelessness”, I explain that despite its promise housing first presents a significant threat to the urgency of shelter needs, delegitimizing camping policies. Highlighting (4) the struggle for dual solution in the case of Seattle, I conclude by (5) discussing housing first as successful hegemonic strategy for neutralizing homelessness, pointing (6) to urban movements as agents for social change.

2. From managing to "ending homelessness": the new hegemonic project of homeless assistance

First developed by Sam Tsemberis in the early 1990s, the idea of housing first took shape in 2000 when the NAEH issued its report "A Plan, Not a Dream: How to End Homelessness in Ten-Years" (National Alliance to End Homelessness 2000). In 2001, the Bush administration endorsed housing first to be implemented in the 100 largest cities. The U.S Conference of Mayors adopted and enhanced housing first in 2003, recommending the establishment of so-called strategic Ten-Year Plans to End Homelessness (see below). Finally, in June 2010 President Obama presented "Opening Doors" to the US Congress: the nation's first comprehensive federal strategy to prevent and end homelessness. For the first time since the emergence of new mass homelessness in the 1980s, the federal government committed itself to not only address but actually end homelessness. In contrast to previous federal strategies focused on providing relief, this report stresses the aim of "ending homelessness" and sets forth ambitious goals with explicit, measurable time lines:

- "Prevent and end homelessness among Veterans in 2015
- Finish the job of ending chronic homelessness in 2017
- Prevent and end homelessness for families with children and youth in 2020
- Set a path to ending all types of homelessness." (USICH 2015: 6)

With such an agenda, President Obama calls for bipartisan support at the federal, state and local level to end homelessness (USICH 2015:4). He clarifies that achieving this bold aim requires substantial change: instead of investing in the status quo, only the most promising strategies that tackle the problem most cost-effectively can be pursued. The confidence that homelessness can be ended is based on a decisive re-framing of homelessness, which allowed identifying new effective strategies, namely housing first.

We cracked the code: the solution to end homelessness

Various scholars have been puzzled about the unprecedented ascent of housing first as a leading strategy of homeless management, because it depicts a radical departure from long-held beliefs and embraces claims that homeless advocates have long claimed: housing first gives the homeless a right to housing without the pathologizing taint of welfare (Willse 2010a; Willse 2010b; Baker/Evans 2016; Sparks 2012; Sparks 2017). When Sam Tsemberis drafted the founding principles along his homelessness program Pathways to Housing, his website states upfront that housing first is based on the belief that "housing is a human right":

the basic idea is to offer homeless people immediate access to permanent housing. Contrary to the dominant ladder model of the Continuum of Care – which requires homeless clients to accept services and go through treatment (making them "housing ready") – the guiding philosophy of housing first centers around the principles of harm reduction, participant choice and empowerment. However, empowerment, is defined here in medical terms as "the intervention intended to enhance the degree of control vulnerable individuals exercise over their lives", as well as with reference to values of self-determination, democratic participation and distributive justice (Tsemberis 2016).

Such a full embrace of housing as a solution to homelessness – which was previously articulated only by critical scholars and advocates – is now shared by policy reports, think tanks and federal publications, all of which acknowledge fundamental fault in the prevailing homeless management. One such example is Nan Roman – director of the National Alliance to End Homelessness, a key organization for disseminating the new knowledge – who denounced the traditional approach: "While homeless people certainly have service needs, it is the lack of housing that defines them as homeless" (Roman/Stand 2012).

The recognition of (lacking) housing as the cause and solution to homelessness goes hand in hand with a critique of homeless services being overly-focused on working the symptoms. It is reasoned that emergency shelters, transitional housing centers and soup kitchens have only managed and maintained homelessness. Essentially, in a much-recited argument, these homeless services perpetuate an ongoing cycle of homelessness.⁶⁹ Dennis Culhane – a leading scholar in homeless management who (often commissioned by HUD) paved the way for this policy change – considers housing first as a frontal attack against the "homelessness industry", forcing it to consider its paternalistic attitude (Culhane 2016). Instead of continuing to treat the homeless as second-class citizens, housing first should be realized as a "first class solution" (ibid.).

In order to understand how this paradigm shift from managing to “ending homelessness” through housing first could succeed as a widely-consented policy template, an analysis prepared for the 2007 National Symposium on Homelessness Research hosted by HUD is

⁶⁹ To quote a report from San Bernardino County (CA), certainly not a liberal stronghold, this "involves moving homeless people from food and meal programs to emergency shelters and back to food and meal programs day after day, week after week, month after month, and—for an increasing number of homeless persons—year after year." (SBCHP 2009:5).

instructive. The authors identify three major reasons that made this paradigm change possible: "(a) A finite group of homeless people on which to focus was identified, (b) An effective service approach was identified, (c) The solution was economically worthwhile" (Burt/Spellman 2007). This sober analysis pierces through the mist of empathetic proclamations and reveals that the victory of housing first cannot be understood via its recognition of human needs for dignity and rights: more important are the claims on it being feasible, evidence-based and cost-effective. The essential component for this formula is the invention of the so-called *chronically homeless*, a crucial category for current homeless management (Kuhn/Culhane 1998; Snow and Anderson 1993; O’Sullivan 2008:93).

Exhibit 1. Cost Reductions Resulting from Permanent Supportive Housing

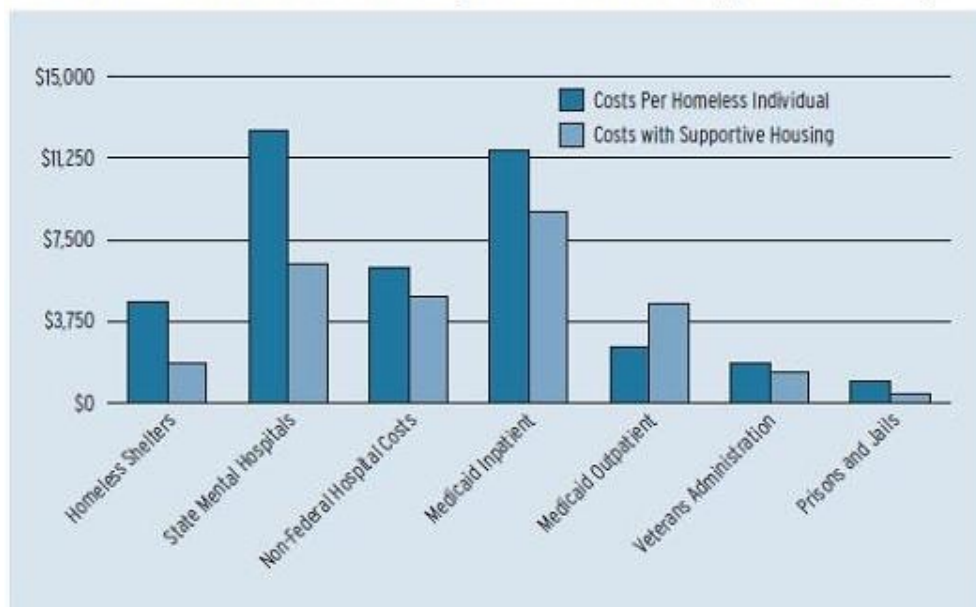


Fig. 25: Cost reductions from housing first; Source: <http://www.endhomelessness.org/library/entry/chronic-homelessness-policy-solutions>.

Differentiating the homeless population into *episodic* and *transitional* homeless – who are considered not in need of much services – those who are most policy-relevant to *housing first* are identified as *chronically homeless*: a small sub-population afflicted by multiple physical and mental illnesses who use services most intensively and durably (Kuhn and Culhane 1998: 228). The high costs of this specific group’s excessive use of services have subsequently been the subject of multiple publications (Khadduri et al. 2010; Gaetz et al. 2014; Latimer et al. 2017). Added are costs from the use of shelter, ambulance, police, jail, health care, emergency rooms, behavior health and other service costs (see Fig.). The comparison of these costs with a fair market rent for a two-bedroom unit culminates in a convincing conclusion: giving the chronically homeless housing first proves much more *cost-effective*.

The discourse on housing first highlights these costs and particularly the NAEH uses them to convince sceptics who still believe that the homeless need to be treated or deterred: “While seemingly counterintuitive, these examples clearly demonstrate that a housing-based approach to homelessness is not only more cost-effective than a shelter-based approach, but more effective in the long term. By focusing our resources on “ending homelessness”, we can make real progress toward eradicating the social problem while helping the country's most vulnerable residents” (National Alliance to End Homelessness 2015). Therefore, housing first is praised as the solution for massive savings when “ending homelessness”⁷⁰.

The discrepancies in this promise are easy to point out: this logic only works through selective profiling and the assumption of a finite number of (chronic) homeless rather than a focus on the permanent condition of housing insecurity. The more that housing first becomes a policy template, the more it leads to a narrow focus on the chronic homeless while other homeless are neglected. Although no policy paper would state this explicitly, the assumption prevails that the episodic and transitional homeless require no support or even attention (cf. Culhane et al. 2007: 31). It also neglects the evidence of structural housing crisis where the fair market rent for an apartment is out of reach for low-income households across all US cities (National Low Income Housing Coalition 2016). I return to the limits when confronting the ideal of housing first with present struggles in camp reality (see below).

From civil society initiative to local Ten-Year Plans to federal funding

As indicated, the notion of “ending homelessness” “has gone from politically unthinkable to politically mainstream” (Baker/Evans 2016: 1) while appealing to economic reason: “Can we save money by doing the right thing?” (Gaetz 2012:3). Not coincidentally, housing first has become the main demand of the major advocacy organizations. For instance, the regularly published No Place Home report scandalizes the ongoing criminalization of the homeless (National Law Center on Homelessness & Poverty 2014b), and even if these advocates acknowledge the limited reach of housing first they nevertheless endorse it as the best strategy for making change.

⁷⁰ For instance, a two minute video on YouTube provided by a Los Angeles NGO illustrates how homelessness is now calculated: the 50.000 homeless in the city cost us more than 800 million Dollar, but if we give a homeless permanent supportive housing these costs can be reduced by 40% and homelessness ended (Home for Good Los Angeles 2011).

Every hegemonic project requires a shared vision of the good and a dystopia against which it defines itself. The *other* of “ending homelessness” is the shelter industry, which is exposed and criticized as the main cause of a misled strategy of managing rather than “ending homelessness”. While the lack of affordable housing is recognized all over, this scapegoating results in a repeated curious twist that focuses attention and action away from housing policy to homeless services. This argument claims that the limited success of housing first is then primarily due to the persistence of the traditional "services-first" approach.

The rational cloak of housing first with its promised cost-effectiveness, its appeal as a coherent and systematic approach and the lure of data-based evidence to demonstrate politically-powerful progress has obviously convinced a growing range of stakeholders. At an unprecedented speed, an intense process of policy mobility was set off and by 2010 over 300 cities, counties and states had compiled *Ten-Year Plans to End Homelessness* (Richter/Milaney 2010; SBCHP 2009). The plans feature promising titles like "Bring L.A. Home" (Los Angeles 2005) or "Home Again" (Portland and Multnomah County 2004). To a large degree, these plans enlist the key elements prepared by the NAEH in 2000: "A coordinated approach, housing as the solution, and assistance for the most vulnerable" (National Alliance to End Homelessness n.d.).

The paradigm shift in the philosophy of homeless management is backed by changes in *federal funding*: shortly after his election on 20th May 2009, President Obama authorized the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act)⁷¹. The HEARTH Act restructures federal funding streams: all HUD programs for homeless assistance – which comprise 1.9 billion dollars (2011) – were to emphasize the new priorities of *homeless prevention*, *rapid re-housing* and the creation of *permanent supportive housing for chronically homeless*. As a clear indicator for the envisaged re-orientation, the existing Emergency Shelter Grants (ESG) program is renamed as Emergency Solutions Grants (ESG). New criteria for funding define goals and outcomes for programs: in order to successfully apply for federal funding, recipients need to establish plans for “ending homelessness”, restructure services for better performance and provide data in the Homeless Management

⁷¹ The HEARTH Act is the second re-authorization of the McKinney Vento program, which since its initial passing in 1987 has been changed only once in 1992 when the Continuum of Care was introduced.

Information System (HMIS)⁷² to demonstrate their achievements (National Alliance to End Homelessness 2008).

The aim of the HEARTH Act is to re-orient existing service programs towards the key strategies of "opening the back door" and its complementary "closing the front door" (cf. National Alliance to End Homelessness 2000). While the former means offering homeless housing first as quickly as possible by building more permanent supportive housing (PSH), the latter is less prominently highlighted in official reports but is clearly decisive as it means that incentives of the service system shall be reduced to give priority to homelessness prevention.

3. Persuasive powers and pitfalls of “ending homelessness”

The following analysis takes up the critique by critical geographers and anthropologists who explore "the ways in which housing first ideas are transforming the terrains of homeless governance" (Baker/Evans 2016; Jocoy 2013; Willse 2010a). In line with my conceptual focus on questions of *how* homelessness is managed, I am not the only scholar to argue that answering such a question requires accounting for both the *process* and *outcome* (Baker/Evans 2016: 30). Hence, I will add to the still-limited number of empirical studies providing empirical evidence of how housing first substantially transforms the local governing of homelessness.

Camps as a catalyst for new local alliances to end homelessness

The three cases show that the persuasive power of housing first ideas had a difficult start at the local level. In the early years, strong skepticism was voiced against the new policy requirements, which not only radical advocates like Paul Boden but also established local government actors perceived as just another bold or even grossly-inflated policy fad: "ending homelessness in Ten-Years? You guys are crazy, this is something ... we're still dreaming about" (Interview Barfield).

Exemplary of the national development, the cases show uneven local adaption of this paradigm shift. A first simple indicator is the Ten-Year Plans to End Homelessness: while

⁷² Mandated by HUD each city has to install a Homeless Management Information System (HMIS) which collects and stores client-level data on the individual characteristics and service needs of homeless persons (HUD 2018).

Seattle together with the surrounding King County was one of the first cities to establish such a plan (in 2005) called "A Roof Over Every Bed in King County: Our Community's Ten-Year Plan to End Homelessness" (Committee to End Homelessness in King County 2005⁷³), the "City and County of Fresno 10-Year Plan to End Chronic Homelessness" was issued in 2008 (Planning Council of the City and County of Fresno 2008)⁷⁴ and the "10-Year Strategy to End Homelessness in San Bernardino County" – which includes the city of Ontario – only in 2009 (SBCHP 2009).

Nonetheless, the newly-created Ten-Year Plans – or more precisely the local alliances that were formed to formulate these plans – have re-shaped the way in which homelessness is talked about locally. Mustering a strong language of the entire community coming together behind the newly-found solution, they explicitly name the homelessness crisis. All Ten-Year Plans seek to produce a consensus among local stakeholders that existing approaches towards homelessness have failed, e.g. "there are large gaps in the Continuum of Care in San Bernardino County"(SBCHP 2009: 4). Of course, these plans can be criticized for a selective focus, e.g. the official numbers underrating the true extent of homelessness. Nonetheless, for many activists and advocates this is the first time that the enduring problem was officially recognized. When presenting the Ten-Year Plan, Fresno mayor Autry – a former TV actor – went as far as accusing himself of political and moral failure in the face of the homeless issue, which he only subsequently realized and aims to put right (Rhodes 2008a). Such clear statements by high-ranking officials explain why even those local actors who are skeptical about the funding being sufficient welcome the fact that homelessness is on the political radar and share the overall thrust of the new joint political commitment to end homelessness (ibid.).

Similar to the contentious camps struggle, the challenge for establishing the end of US homelessness locally is to align the unresolved tensions of competing homeless management strategies. As the camps' struggles bring forward the competing claims highlighting the unresolved tensions in homeless management, they provide a sharp lens to explain the process towards this system change. The overlap of timing is noteworthy (cf. milestones in CH V): the process of developing and passing the Ten-Year Plans in Seattle in 2005, Fresno in 2008

⁷³ The original plan of Seattle/King County is no longer online, only revised versions are available: <http://allhomekc.org/wp-content/uploads/2015/09/All-Home-Strategic-Plan.pdf>

⁷⁴ The original plan of Fresno/San Bernardino County is no longer online, only revised versions available: https://www.fresno.gov/citymanager/wp-content/uploads/sites/7/2016/10/10yrPlanWhitepaper_v3b.pdf

and Ontario in 2009 coincides with decisive moments of the local camps struggles. In Seattle, from 2004 onwards struggle intensified as Tent City 4 claimed legalization through various courts, in Ontario the THSA was opened in 2008, and in Fresno in 2007 the second camp was legalized and in the same year the city was forced to pay over \$1 million dollars to homeless plaintiffs. Local efforts for “ending homelessness” thus directly respond to the camps struggle.

My central argument is that the camps’ struggle functions as a *catalyst* for *housing first*’s ascendance as a local hegemonic project precisely because it offers a desirable perspective for responding to unsheltered homelessness that all local actors can accept. At the same time, the coincidence of camps struggles and local efforts “to end homelessness” strongly indicates that the persuasive power of the Ten-Year Plan is not yet sufficient to supersede the search for alternative policies such as legalizing camping.

However, over time and particularly when the limits of legal camps continue to be discussed, the hegemonic claim of housing first proves to be more productive in binding and mobilizing local actors in all three cases. Instrumental for this new quality of practical cooperation are regular meetings of all stakeholders, coordinated by newly appointed and paid staff of the local Ten-Year Plan alliances, and where these new efforts are highlighted in regular press releases and conferences to the public, often with explicit endorsement by elected leaders. Service providers that have hitherto been frustrated and left alone with their work are now receiving laudable press.

Importantly, the commitment is coupled with new strategies to increase funding and – more importantly – a strong demand to change funding priorities, following the motto: we already spend so much and have achieved so little, so change is necessary. In terms of making the new solution not only persuasive but also attainable, the promise to gain better access to public and private funding is essential. Federal experts like Mangano – then-director of the USICH – attended the launching of Fresno’s Ten-Year Plan and proclaimed that realizing the solution will require all efforts but new funding is available (Rhodes 2008⁷⁵). In all three cases, the passing of the Ten-Year Plan allowed to apply more successfully for the competitive federal homeless assistance programs; in fact, the Fresno Grand Jury argues that

⁷⁵ Highlighting that the federal budget of 2009 has \$5 billion targeted to homeless people Mangano states: "That has been good for Fresno. More than \$25 million has come to Fresno over the last five years" (Rhodes 2008).

this was the only reason for preparing the plan (Fresno County Grand Jury 2014: 33).

However, it proved most difficult to verify for this research how much new funding actually went into the cities, not least due to the complexity of homeless funding programs.

What occurred under the aegis of “ending homelessness” is primarily a shift in local funding streams from city funds and private donations garnered by the various locally-established service providers towards a more centralized and coordinated allocation of federal and local monies. In Seattle, the major private funders such as United Way or the Bill and Melinda Gates Foundation created a partnership to avoid the previous problem of non-aligned parallel activities and to coordinate their investments. In Fresno, the First Steps Home Partnership creates new approaches to tap new funding sources: in 2010, a public campaign was launched where Mayor Swearingin asked all inhabitants to donate a dollar a month to end homelessness. As a clear indicator for the overall still-insufficient funding, the aim is to collect \$1 million each year, which would enable the city to muster the co-payment necessary for applying for federal stimulus funds (Barfield 2010).

Persistent homelessness: slow progress of “ending” or misled approach

All local Ten-Year Plans establish ambitious goals: Seattle plans to increase housing for homeless people by 9,500 units in ten years. Fresno sets the goal to "increase permanent supportive housing through the housing first model and the rapid rehousing of the chronically homeless", which in concrete numbers means to "place 941 chronically homeless persons in housing during the next Ten-Years" (Planning Council of the City and County of Fresno 2008: 30). The San Bernardino County Plan does not specify any numbers but recommends that "the number of beds of permanent supportive housing be increased", whereby the "number of additional units should be determined in the future by the 10-Year Planning Committee" (SBCHP 2009: 16).

While each Ten-Year Plan entails a range of goals along the “ending homelessness” formula of prevention, rapid re-housing and better coordination of services, the core element is housing, which – as Fresno’s plan elaborates in grand words – "is so much more than a roof over someone’s head; it provides dignity, opportunity, privacy and closes the revolving door that, too often, puts our homeless back on the street" (Planning Council of the City and

County of Fresno 2008: 9). However, the degree to which housing first actually abandons the pathologizing taint is far from clear⁷⁶.

Based on such "common ground", Fresno's plans explain a "common solution" that combines "both practicality and a humane outlook" (Planning Council of the City and County of Fresno 2008: 9). Although Fresno's plan remains limited to the sub-population of the chronic homeless, the plans of San Bernardino County and King County aim at more: "As the housing crisis deepened and news of foreclosures and families being pushed into homelessness increased, [we] felt that to limit its work to only the chronic population could create new gaps in the already challenged Continuum of Care" (SBCHP 2009: 3). Both Ontario and Seattle illustrate a more general pattern where local plans across the country interpret the federal government's focus on reducing chronic homelessness in a wider sense and prefer to include other vulnerable persons from the "episodic, and at-risk populations" (SBCHP 2009: 3) such as "families with dependent children" (Da Costa Nunez et al. 2011).

However, the effects proved difficult to assess not least due to these different definitions applied locally: despite the prominent talk of evidence-based programs, there has been only limited data available to examine the degree to which the plans have succeeded (cf. the "curious case" of housing first by Stanhope/Dunn 2011). Seattle only released its mid-plan review in autumn 2011. The report states progress where 1,449 units of PSH have been built, with another 1,411 units under construction (King County Committee to End Homelessness 2011). In Fresno, I had to rely on interviews that pointed to several projects of permanent housing including the Renaissance Center with around 300 units in the pipeline, although none of these had been completed by 2011 (Interview Barfield, interview Nguyen). 2016 data show that the number of PSH units increased from 223 in 2009 to 1,032 in 2016 (Fresno First Steps Home 2016:7).

For Ontario, data evaluation is most difficult given that the county's plan specifies no goals and no local/county evaluation has been published thus far. Interview partners pointed to several dozen permanent housing units that the city newly acquired (Interview Schultz). It

⁷⁶ There is an ongoing debate on how much supportive treatment housing first requires and whether it should be voluntary or mandatory. It is obvious that what housing first means in different places differs. Where there is concern that many programs distort the original Pathway to Housing principles (Pleace & Bretherton 2012), in my research I learned that housing first can include apartments, single-room-occupancy hotels but also temporary vouchers for hotels and motels that are used in Fresno to provide permanent housing (Interview Ngyen).

needs to be highlighted that Ontario’s local government made great strides in producing new transitional housing and permanent affordable housing.

Utilizing new funding from 2008’s Federal Economic Stimulus Act, the city purchased several foreclosed buildings and converted them into permanent housing for the homeless. City officials emphasized that – as one of the few cities – they actually harnessed the recession induced low real estate prices to purchase ten buildings and rehabilitate them into 62 permanent affordable housing units (Interview Schultz). According to officials, through these services the city was able to help more than 500 residents facing homelessness, preventing 339 individuals from becoming homeless while placing another 159 individuals into permanent housing (Marquez 2012).

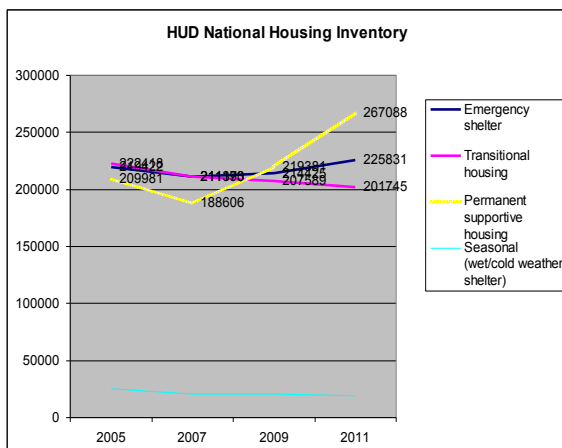


Fig. 26: Changes in homeless shelter and housing 2005-2011; Source: author based on HUD Housing Inventory 2005, 2007, 2009, 2011 <http://www.hudhre.info/index.cfm?do=actionHomelessrptsSearch>.

EXHIBIT 7.1: Inventory of Beds for Homeless and Formerly Homeless People 2007-2017

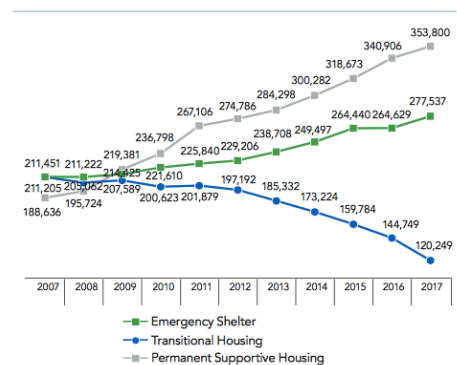


Fig. 27: Changes in homeless shelter and housing 2007-2017; Source: HUD 2017: 72.

In order to compare the track record of my cases to national developments, I examined HUD’s Housing Inventory. The first chart (Fig.) – which has been painstakingly created by the author extracting data from the irregularly-published federal data sets (2005, 2007, 2009, 2011) – provides an overview of how the “ending homelessness” paradigm has actually changed the landscape of homeless/housing across the nation. The second chart (Fig. 27) – published only most recently – confirms this development trend and shows how the number of PSH units has increased slowly but steadily. Where even before the paradigm shift roughly one-third of all beds for the homeless were in PSH, today they comprise about half of all beds. This increase comes primarily at the expense of transitional housing beds, which have decreased most significantly. However, despite the agenda to close the front door, the number

of emergency shelter beds has not changed much and has even slightly increased, mainly due to new emergency shelters for families. Importantly, this overview highlights that despite the explicit federal focus, homeless assistance continues to rely on at least two pillars: PSH *and* emergency shelters. The data indicates that it proves difficult to get rid of shelters altogether: whether this is due to resistance of the providers or because cities still feel the need to provide shelter will be discussed below.

Contrary to the popular fears that the new recession would produce an increase in homelessness, the number of homeless persons in the US has actually decreased since 2007 (see Fig. below). The cases of Seattle and Fresno are exemplary for a national trend evident since the advent of “ending homelessness” through housing first: while total numbers decrease, the number of those who live in places not meant for human habitation remains stable and even increases, particularly in larger cities.

EXHIBIT 1.1: PIT Estimates of People Experiencing Homelessness
 By Sheltered Status, 2007–2017

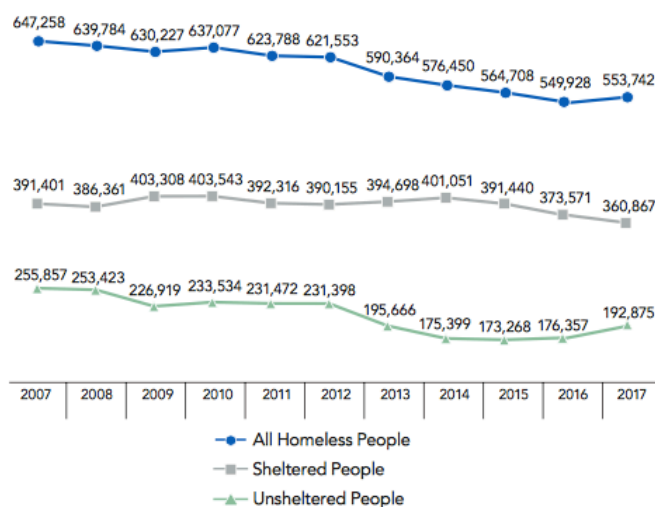


Fig. 28: Homelessness in the US 2007-2017; Source: HUD 2017:8.

This indicates that “ending homelessness” – especially when it was pushed by additional (but temporary) federal stimulus funding – has had some effect in stabilizing the number of homeless persons and contributed to an overall decrease since then. However, in 2011 the slight nationwide decrease from 547,000 homeless persons in 2007 to 523,000 did little to convince local actors that the problem would be ended any time soon. Particularly in Fresno,

the number of homeless persons exploded in 2011, while in Seattle the numbers remained high.

Hence, while the Ten-Year Plans proclaim success in reducing homelessness for targeted sub-populations, the number of those unsheltered is still considered intolerable for many local actors in Seattle and Fresno, who describe the plan as insufficient or even a failure. In their review, the independent Fresno Grand Jury considers the plan as flawed for its sole reliance on *housing first*, since there are insufficient numbers of housing units available (Fresno County Grand Jury 2014: 36). In Seattle, the mid-plan review does not admit failure but explains the limited progress by pointing to the impact of the great recession (King County Committee to End Homelessness 2011). For Ontario, no failure has been articulated. Since 2009, when Ontario's homeless population was estimated at 900, the numbers have considerably decreased, but in 2013 the official count found 136 homeless persons and this number remains stable until today (Ontario 2013: H-29). Although in Ontario even more homeless are counted as unsheltered (87) than sheltered (49) (*ibid.*), these numbers seem to be acceptable given the lack of any critique.

Structural limits of housing first

Having outlined how political will at the national scale came about and how housing first gains ground in my case study cities, I will now confront the *structural limits* that run counter to the promise of "ending homelessness". The structural limits of housing first imply above all (a) the selective profiling (focused on primarily chronic homeless) that comes close to a privilege instead of a right to housing for all homeless, (b) the economic rationale and limits of funding – which reveals an overall reluctance to regulate the housing market as a driving force of homelessness – and (c) new conflicts between idealized standard housing and the reality of unmet substandard shelter. While the final verdict on housing first is pending, the case studies reveal how policy imperatives of housing first become instrumental to neglect the urgency of immediate shelter needs.

Recalling the self-chosen federal deadlines to end homelessness for veterans in 2015, chronic homelessness in 2017 and families in 2020 (USICH 2015: 6), these goals remain ambitions: while there are small decreases and increases, overall homelessness has not been ended. In lieu of acknowledgement of policy failure, such time measures for the goals have been removed in the next federal report on homelessness (*cf.* HUD 2017). Looking closely at the numbers for the defined priority sub-populations (*cf.* Tab. 7), I estimate the *selective profiling*

of housing first to target only roughly half of the homeless population. The prioritized sub-populations show how the old pattern of selecting *deserving poor* (e.g. families, veterans, youth) is enhanced by an economically-determined category of *too-costly poor* (chronic), while single adults (among which 70% are single males) are left out⁷⁷.

Tab. 7: Homeless subpopulations; Source: HUD 2017: 1.

	All People	Individuals	Families with Children	Unaccompanied Homeless Youth	Veterans	Individuals with Chronic Patterns of Homelessness
2017 PIT Estimate:	553,742	369,081	184,661	40,799	40,056	86,962
Change from 2016	+1% ▲	+4% ▲	-5% ▼		+2% ▲	+12% ▲

Fresno’s focus on the chronic homeless is particularly noteworthy as here the rhetoric to re-focus assistance contrasts so bleakly with the number of homeless who are not badly served but rather not served at all. Data from 2007 shows that out of the total 4,247 homeless persons, only 22% (941 individuals) are defined as chronic homeless (Planning Council of the City and County of Fresno 2008: 14). This sub-population may have found housing in the 1,032 new PSH units that were built by 2016. However, for all of those homeless not defined as high priority, options are curtailed: compared to 2009, the number of beds in emergency shelters decreased from 678 to 260 and transitional housing beds were halved from 426 to 214 (Fresno First Steps Home 2016).

Homeless advocate Bob Erlenbusch explains the selective profiling as follows:

"The analysis is, you've got an increase in chronic homelessness, right? You've got all these people on the street, 25% of the people are using 75% of the resources (...) be that as it may, once we're done doing this, we'll put all these resources back into everybody else. Its bullshit, it didn't happen, right? The analysis was flawed from the start (...) The bottom line is that most communities focused on chronic homelessness (...) So if you only have limited resources, and you're putting it behind the chronic, what happened to family homelessness? It's gone up. It's gone up in almost every single community (...) I mean we did do what we said we were going to do, but nobody thought about what the consequence of that was" (Interview Erlenbusch).

⁷⁷ The different categories do not describe entirely distinct subpopulations: e.g. many homeless veterans are chronic homeless, too. Therefore, the different populations in the graph sum up to more than the total number of homeless on the left.

It can be argued that the obvious fault of “ending homelessness” is based on the lack of sufficient resources provided to the problem thus far. Indeed, local governments argue that they need more funding to produce housing first on such a scale that it actually leads to a decrease in unsheltered homeless. For instance, Fresno’s Greg Barfield admits that their budget of \$1.5 million would only pay for housing for one year for 100 homeless persons (Medhurst 2010). Nonetheless, while local states point to funding, the “ending homelessness” discourse focuses on other factors. The lagged progress is attributed here to inefficient local implementation, a "lack of cooperation" and a "pre-existing system structure or implementation model", i.e. the resistance of traditional emergency service providers to change their mode of operation (Da Costa Nunez et al. 2011: 16)⁷⁸.

A striking characteristic of all local Ten-Year Plans and particularly the follow-up reports is their decided emphasis on transforming the shelter system. "Although the problem of homelessness is multi-faceted, the inability of extremely low-income households to afford housing is an overriding concern" (SBCHP 2009:1) and high numbers of unsheltered people are acknowledged, it is recommended that "investment and creative partnerships may be more effective in creating opportunities for people to leave the street if focused on getting people out of existing shelter (thus freeing up beds) rather than creating new shelter beds" (King County Committee to End Homelessness 2011:31).

Considering the inadequate funding of housing first programs – which in some cities "drain[s] services from that other (and growing) 80–90% of the homeless" – I agree with Mitchell when he exposes housing first as simply the newest version of managing homelessness (Mitchell 2011:949). While he acknowledges the reasonable philosophy, he criticizes that it creates a division between a small segment of homelessness considered not acceptable and a large segment considered inevitable: concluding, housing first "does nothing to address the structural problem of homelessness in America" (ibid.)

Denying shelter needs: camps are not good enough, un-fundable and unproven

However, focusing on my conceptualization, the main question for critical policy analysis of local homeless management is not "whether homelessness will be 'solved' but *how*" (cf.

⁷⁸ My cases are no exception and confirm one of the very few comprehensive surveys on the implementation of 10 Year Plans across the US reveals (even though also this report highlights cooperation as major impediment even though interview partners consider funding the main problem)

chapter III). Accordingly, I now focus on the *dispute over housing vs. shelter* and discuss how a rearticulated *critique of the shelter* seeks to neutralize the discussed structural limits of housing first. This shelter critique that denies shelter needs manifests in a renewed rejection of legal camps as viable policy option.

Insisting on the motto of doing more with less, housing first directly targets the role of local emergency services. Shelters – so they claim – are the wrong approach, whereby continuing to invest in them takes dollars away from reaching the goal⁷⁹. The consequences for managing homelessness in the name of “ending homelessness” are rarely spelled out in the housing first debates, but they are experienced locally most particularly by the *non-priority homeless*. As a form of managing homelessness in a different way, we need to observe that it simply leaves an increasing number of unsheltered homeless out in the cold, condemning them to wait until sufficient housing is produced.

The larger population of the unsheltered – still one-third of all homeless (cf. Fig.) – is not only condemned to wait longer, but the conditions of their waiting are also worsened by the new policy paradigm. Representative for the camps struggle, my cases show that the logics of “ending homelessness” through housing first are not only failing to help those in need now but they even make it more difficult for them to claim recognition for a minimum decency and safety of shelter like in legal camps. When the previous chapter showed how locally the political *deniability* of unsheltered needs waned, making place for counter claims for alternative accommodative responses, we need to see how this denial of unmet shelter needs is renewed: what counts as political responsibility is re-calibrated.

The camps struggle provides a sharp lens to ascertain how the housing first discourse transforms the politics of local homeless management: prioritizing measureable policies it enhances and demands a political rejection of legal camps, i.e. turning a cold shoulder towards immediate shelter needs. This effect is not accidental or a case of local mis-interpretation but rather it is consequential to the logic of “ending homelessness”. Economists recognized this early on: “applying the metrics of business to homelessness may sound icily clinical, but ultimately this is the language of hope” (Fortune Magazine, March 31, 2006).

⁷⁹ Nan Roman, director of NAEH, describes this barrier to the aspired system change: „While housing people to end homelessness may seem self-evident, the services-first approach persisted, in good part because of the considerable public and private infrastructure that was built up around it.” (Roman 2012).

In all my cases – but particularly in Fresno and Seattle – claims for legal camps were rejected with reference to “ending homelessness”. Focusing on the ideal of housing vs. the reality of immediate substandard shelter, I identified three characteristic arguments articulated to reject legalizing camps that strengthen the objections that we learned in the previous chapter (cf. chapter VI), i.e. sub/standard decency, wrong investment, priority profiling. These three arguments against shelter in general and against legal camps in particular as being not good enough highlight both the persuasive and coercive elements of the new policy paradigm housing first:

1. Camps are unacceptable substandards (decency). The claim for legalizing tents is thwarted by the new promise for housing: i.e. that camps are not good enough. For instance, Seattle council member Richard Conlin – who represents a consistent voice against regulated camps – cloaks his rejection of camps, which he considers an embarrassment and threat to local order, when he criticizes the mayor’s plan for regulating Nickelsville: “I don’t think we should accept the idea that people are doomed to be homeless and live in tents. I don’t see why, in a society with as many resources as ours has, that that should be allowed” (Harris 2010). Where I showed that camps gain acceptance in reference to the deficiencies of the shelter, this claim falters in comparison to the promised housing.

The option of regulating camps obviously expands the kind of service landscape, which helps the homeless to survive but proved for incapable of resolving homelessness for more than 30 years. The perception that this approach addresses symptoms and maintains an undesirable status quo is shared by many: across the divide of those who blame it as enabling and those who criticize it as insufficient, the common denominator is a strong objection against a shelter industry that perpetuates an uncomfortably visible presence of human suffering. In fact, because emergency services are considered not only the wrong approach but also an obstacle to be removed, it becomes increasingly difficult to justify any expansion of emergency services as an adequate policy, all the more if it is considered substandard shelter in tents. Blaming the shelter industry has become a common discursive strategy that proves powerful as it allows mobilizing and merging popular tropes of often long-standing critique from both liberal and conservative sides: the conservative critiques against random and overly-generous welfare hand-outs to the poor as well as the liberal and progressive demands for more coherent and comprehensive welfare.

Rejection of shelters, however, comes with a twist: although proponents for legalizing camps and proponents for housing first share a critique of the shelter system, the latter consider camps not as an alternative to but rather primarily as an extension of the landscape of emergency shelters. Regardless of the existing critique of paternalist shelters that self-governed camps seek to overcome, the claim for legal camps is rejected as a panic-driven, perhaps well-intended but ultimately misled approach: "What is so romantic about tent cities?" (Interview Block). Pitting rationality against irrationality, such a question seeks to marginalize and disregard the various reasons that are the drivers for such camps: it ignores the evident lack of shelter (US Mayors 2011) and masks the insufficiencies of shelters (Gilderbloom et al 2013)⁸⁰.

2. Camps are not the right investment (funding). The thrust to abolish and certainly not extend shelters of any kind is enhanced by housing first's cost arguments. Focused on the perspective of financial costs to society rather than the homeless, both the necessity and adequacy of shelter is de-legitimated: the aim is to abolish shelters to end homelessness. Given the evident local hesitance to abolish shelters overall (see Fig. and Fig. 27 above), it is necessary to account for what I call *coercion through funding*: the discretionary power of municipalities to decide how to invest federal funding has been severely curtailed by the new HEARTH Act. As Erlenbusch explains, the new priority on permanent housing requires cities to make a "really critical decision: they have to decide to invest in *either* housing *or* in shelters" (Interview Erlenbusch). Only those homeless programs that provide housing and measure their performance in the Homeless Management Information System score high for federal funding allocation. As the legal camps provide neither housing nor data (see next argument), they are not fundable except by local discretionary funds.

Fresno's Gregory Barfield explains how this fiscal disciplining creates a new dilemma for providing minimum decency (i.e. shelter in camps): "I definitely don't see that happening for a couple of reasons. Not only because it's not necessarily our policy anymore, housing first is our policy, but we don't have the financial resources to do something like that" (Interview Barfield). Accounting for the mid- or even long-term financial implications where particularly

⁸⁰ The advance of "ending homelessness" does not strengthen the critique of the shelter in the US homelessness discourse which is overall surprisingly weak: still there are only few reliable studies that produce comparative data to document that many shelters have bad conditions where regulations to ensure health, safety, and quality of life for residents are not enforced (Gilderbloom et al 2013). This makes it easy to frame qualitative shelter critique as anecdotal evidence which the housing first discourse draws on but does not factor in as evidence to be considered.

city-funded camps require some minimum standard and site improvements, he concludes: "I'm sure we'd be asked to add more in" and because "we can't use federal money for that. Because, it's not housing. ... We need to do a better job of that" (Interview Barfield). These calculations where fiscal prudence clashes with the local recognition of an already-realized working model to provide a minimum of safety, stability and community are also evident when Seattle council member Sally Clarke explained after her visit to Nickelsville:

"I'm ambivalent about tent cities (...) I don't have a better answer for people who are sleeping outside tonight, and I think they should be in the safest possible site. But I really like the idea of keeping our dollars and keeping our work focused on moving people into permanent housing" (Clark as quoted in Heffter 2010c).

3. Camps are not measurable and effective (autonomy, priority profiling). The demise of legalizing camps illustrates the argument by Jocoy (2013), who argues that the "culture of quantification" prioritizes disproportionate attention to methods of counting and measuring, which "diverts attention from real data needs and effective interpretation of data". This not only "consumes resources better used elsewhere" but also "generates among well-meaning people, particularly count volunteers, a false sense that they are addressing a problem simply by quantifying it" (ibid.: 397). As my cases show, the *culture of quantification*, which mobilizes new ways of counting and measuring homeless is evident in all cities, e.g. in Fresno's adaption of the nationwide campaign of 100,000 homes, which sends volunteers into the encampments to identify the most vulnerable homeless, who are then prioritized for housing first, in a quite cynical experience⁸¹.

The legal camps function as a low-threshold shelter and none of them accord with the performance and eligibility criteria set up by housing first's policy template. By circular reasoning, the lack of performance data – which particularly Seattle's self-governed camps reject – makes camps ineligible for funding and serves to de-legitimize their viability. There

⁸¹ The prioritization of the most needy proves highly ambiguous in practice: during my participation in one of Fresno's outreach surveys I experienced the awkward feeling of us volunteers intruding into people's homes in shacks to gather detailed personal data without offering much prospect: only the most vulnerable, those soonest to die, are selected for housing first, while all others are likely to be evicted from their make-shift homes soon after. At the same time, local government rejects concrete proposals for improving the plight of encampments like the plan for an Eco Village or the proposal for a regulated camp by a local pastor. I met this pastor on a visit of a street encampments in Fresno where he served food. He explained to me his plan to create a regulated camping facility especially for the homeless sex offenders who after discharge from jail have no access to shelter or housing. Apparently, he already asked the city for permits but was left in the loop (Interview n.n.).

is no claimable right to housing first for those in need. While it pursues the right assumption that stable housing is a necessary and often sufficient pre-condition for all humans to restore well-being, even the mentally afflicted, this is focused exclusively on persons who are homeless *and* sick: those often referred to as the "most vulnerable" (Housing First Partners 2012). We need to account for that housing first, dispelling all rights talk, should not be distributed as housing for those in need in local praxis, but rather as special treatment for a special sub-population of the homeless: it is not a right but rather a privilege earned by individuals' demonstrated pathologies. In effect, housing first's keywords of providing stability and respecting "dignity" and "safety" (cf. Pauly et al. 2011) are restricted to the very needy as only for such people can measurable effects be produced.

In sum, the demise of the emergency shelter – which is no longer accepted as "the final safety net" (Poppe in Law 2007) but perceived as an obstacle to reaching the goal of "ending homelessness" in the promised cost-efficient way – makes it decisively more difficult for camps to gain political and legal recognition. In hindsight, Fresno's homeless tsar re-frames the mayor's promise to help the 'lost men' as a "knee-jerk decision" (Interview Barfield). "We didn't have a plan so the camp sounded like a good idea to assist some of the unsheltered homeless and at that point they [local authorities] were like 'let's try this out for 2 or 3 years, let's figure out how it goes', so the situation has changed" (ibid.). Believing in housing first, the newly-elected mayor Ashley Swearengin is thus "dead-set against 'safe and legal' campgrounds. Permanent housing, slow as it is to acquire, is the only proven answer" (quoted in Hofstetter 2012). "Besides", the new mayor is quoted as questioning, "how would such camps handle the dilemma at the root of the homeless challenge: How do you maintain public order among people who insist on their rights but ignore the rights of others" (ibid.).

4. Struggle for dual compromise of housing and shelter in Seattle

Only in Seattle is the rejection of legal camps as an obstacle to end homelessness challenged. In sharp contrast to all other cases, on the first page of Seattle's Ten-Year Plan it is explicitly stated that the focus on providing housing shall not come at the expense of the *right to shelter*: "Interim survival mechanisms – services focused on keeping people alive – that respect the rights of all community members and neighborhoods are necessary until such time that affordable permanent housing is available to all" (CEHKC 2005: i).

Where advocates and activists in Fresno also struggle to compete against the dictate of measuring what is necessary and adequate in terms of costs and performance, only in Seattle we see a strong and successful insistence on *local autonomy* to make use of local knowledge and common sense when implementing the Ten-Year Plan. This insistence is synthesized in Tim Harris' claim: "don't let perfect stand in the way of good" (Harris 2011)⁸². He calls on the city council: "They need to face reality and support the survival efforts of homeless people" (ibid.). Similarly, challenging the promise of "ending homelessness" and its neoliberal mantra of "cost-benefit analysis may be the new compassion" (Graves/ Sayfan 2007), the Seattle/King County Coalition on Homelessness argues: "do not succumb to the false dichotomy of shelter vs. housing" (SKCCH 2012). Calling for "a realistic look at the need", they argue that "shelter is a basic human need, whether it is found in a house, an apartment, a tent or a church basement", whereby "our community should offer a place inside for everyone who is outside" (ibid.).

The efforts of the Ten-Year Plan – which interprets all data to demonstrate progress – are thus countered by homeless advocates who capitalize on their sustained work. As the Seattle/King County Coalition on Homelessness conducts the annual homeless counts, they produce compelling counter evidence: the chart below demonstrates that for the last six years every night more than 2,000 persons have had to sleep outside (see Fig.). Moreover, according to Tim Harris – notwithstanding all different kinds of managing homelessness – this number has been a permanent condition since the early 1990s when he started his homeless advocacy work (Interview Harris). Under the aegis of "ending homelessness", Seattle's strong advocacy organizations continue their work. The documented failure of the Ten-Year Plan – under which homelessness did not decrease but rather increased – does not relinquish but rather propels their similarly long-standing claim for regulated camps as one necessary alternative to address the persisting unmet need for shelter.

⁸² Harris elaborates in a polemic but succinct way: "The establishment of a permanent Nickelsville site is evidence that finally, after years of denial, the city has come to grips with ugly reality. The deluge of homelessness has outpaced our ability to keep up, and in this time of universal deficit budgets, this is unlikely to change soon. In recognizing this, we have chosen to help instead of hurt those whom the system has failed. We have stopped letting ideals of excellence – the notion that 'tents are no solution and people need housing' – get in the way of good. Survival camping and an overwhelmed shelter system are the reality. Deal with it." (Harris 2010).

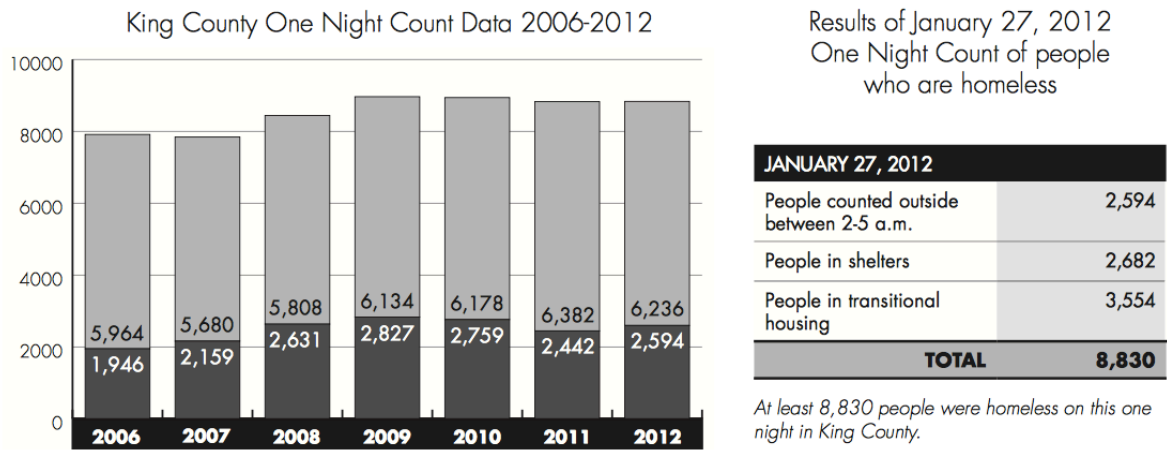


Fig. 29: Homelessness in King County/Seattle 2006-2012; Source: SKCCH 2012.

These advocacy claims are not ignored by local government. Addressing the quarrels over Nickelsville, deputy mayor Daryl Smith explains: “We have people in this city sleeping outside. That’s reality. So let’s create as many options as we can” (Thompson 2012). This political commitment is noteworthy in the discourse of “ending homelessness”, where the coercion through funding is also made noticeable in Seattle. City staff play an instrumental role in this. When the city council debated different options for responding to unsheltered homelessness in 2011, I reviewed several policy briefs prepared by city staff (cf. chapter V.5.). For all different options, staff assessed the expected costs, but it also evaluated whether or not the proposals aligned with the logic of the Ten-Year Plan, stating that while legal camps may work, they do not contribute to end homelessness. Where the political debate over the viability of this plan is raging – e.g. Councilor Licata highlights that the Ten-Year Plan neglects the immediate survival needs of homeless individuals – city staff clearly seek to assert the political course as they reminded councilors of the once-chosen policy decision of not investing in more shelters as this means taking away limited resources that can be used to end the homelessness of people on the street (cf. Interview Herbold)

“Ending homelessness” and the struggle for shelter decency through autonomy

Nonetheless, in the face of a lagging realization of the idealized promise for “ending homelessness”, Seattle’s mayor and council decide to pursue alternatives that have proven to work locally: the decision to tolerate autonomous self-help in Nickelsville and the decision to improve the existing legal opportunities for hosting camps beyond the churches are direct responses to a problem that the Ten-Year Plan fails to remedy. In 2012, the mayor justified the new ordinance for legalizing encampments hosted by churches: "Providing shelter and

services to those in our community who are most in need of it is a priority during any time" (Seattle Mayor Mike McGinn 2012a). Listening to a claim shared by most local experts, advocates, homeless and neighbors, he acknowledges that the self-governed camps work and provide necessary and adequate shelter for those who are left out (Interview Matulionis, interview Ramos, interview Harris, interview Hallerman, interview Block). Importantly, he explains his support for legal camps as part of the city's commitment to reach the goal of "ending homelessness".

Where in Fresno the recognition of camps as "a step up" remains brief – "Maybe that is the entry point and then you quickly are rehoused to something more permanent. I don't know" (Interview Barfield) – in Seattle the camps are considered compatible with housing first: "The plan for the transitional encampment provides a more positive, creative, and flexible approach, one we believe can make real differences in the lives of our neighbors as we continue working on lasting solutions to end homelessness" (Seattle Mayor Mike McGinn 2012b).

Precisely such a duality where legal camps are recognized as a first step to housing first is anathema to the policy template of housing first. The threat to the envisaged policy plan is perceived and reacted upon primarily at the federal level. Interestingly enough, federal actors intervene directly into local policy deliberations over legalizing camps. In 2011 the director of the federal USICH, Barbara Poppe, publicly opposed Seattle's plan for a city-funded semi-permanent encampment (Heffter 2011). She opposed the opening of tent cities again in 2016, this time as policy consultant hired by the newly-elected mayor Ed Murray to create a plan for finally realizing Seattle's plan to end homelessness:

"Encampments are a real distraction from investing in solutions (...) You can see it takes a lot of energy to get them running and they don't solve the problem. You still have people who are visibly homeless, living outdoors" (Beekman 2016).

Federal actors who have been touring the country since the early 2000s to disseminate the new solution also recommend a restrictive policy towards encampments in other cities. Jessie Speers describes how USICH officials met with Fresno Housing Authority officials to discuss the logistics of so-called "de-encampment processes", a euphemism for evictions that are officially described as necessary steps while proceeding towards the goal of "ending homelessness" (Speer 2016: 70).

The primary addressee for such federal interventions, however, is Seattle, because the city's knowledge about the viability of regulating camps as an alternative shelter space is most discussed among city governments and has even entered federal reports (cf. chapter VI). Seattle's dual compromise obviously clashes with federal logics and thus reveals the *hypocrisy of "ending homelessness" through housing first*: the appeals for building city-wide support and commitment do not aim at more inclusive policy-making per se. In fact, although these proponents recommend that each city has to adapt the plan to its needs, there is no acceptance for alternatives to the given template. Poppe's interventions underline this: she reminds Seattle's government unmistakably not to stray from the only one good path by supporting legal camps and other seemingly well-intended compassionate but ultimately flawed approaches. Insisting on feasibility, she demands local leadership to prioritize and align resources rationally. After all, she argues that the city should focus on results rather than deliberation and consensus. This vehement intervention to stay with housing first – even if unavailable – directly addresses a growing frustration among local actors in Seattle who dislike the uncompromising demands to invest effort and resources into changing focuses of existing service provision. Already in 2011, not only activists and advocates were frustrated to see how national policy objectives are elevated over local knowledge. But also service providers and powerful charities such United Way Seattle considered the language and focus of the Ten-Year Plan "outdated": rather than focusing only on optimizing the emergency shelters with ever-more sophisticated data tracking, it was argued that the problem of housing needs to be finally addressed (Interview Matulionis).

At present, the case of Seattle's camps is exceptional: the number of legalized camps has expanded significantly since 2015. In 2015 Mayor Murray declared homelessness a local state of emergency. His press release recognizes: "These folks are our neighbors, each with his or her own unfortunate path to homelessness" and explains "The dramatic erosion of state and federal investments to respond to their challenges have created a full-blown crisis. With current shelters at capacity, we must fund additional beds immediately" (City of Seattle Office of the Mayor 2015) which includes tent cities. As of 2018 there are eleven officially recognized and endorsed homeless camps and villages (for current locations see Greater Seattle Cares 2018): while all of them are self-governed some organized independently from SHARE/WHEEL. But they all follow similar rules for being hosted by churches and non-profit organizations which in at least three cases utilize city-owned land. Yet, where Seattle shows that the fight for immediate shelter is powerful to challenge local power relations and – if successful – produces immediate results, it is not replicated elsewhere. This is partly the

case because SHARE/WHEEL's organizing structure cannot be simply copied or emulated from scratch. But replication is foremost hampered by the previously-discussed de-legitimation as not good enough for "ending homelessness". For instance, when in 2016 a delegation of politicians from Sacramento visited Seattle's camps to learn whether this is something that they should try – as local activists of Safe Ground have demanded since 2010 –, the Sacramento news coverage re-questioned the viability of legalized camps: "Seattle tent cities: Solution for homelessness or unproven distraction?" (Lillis 2016)⁸³.

5. Hegemonic neutralizing renewed: the ideal of housing depoliticizes the struggle for survival

Compared to Fresno and Ontario, the case of Seattle underlines the scope of difference between local and national hegemony: all legal camps have been rendered compatible with hegemonic relations locally in the sense that local homeless management has been temporarily stabilized. This proves different under the new national hegemonic project of "ending homelessness". Where the cases showed how urban practices of autonomous self-help are addressed and transferred into new state spaces, the abstract hegemonic project of "ending homelessness" through housing first proves ignorant of the local context. While Seattle's dual pragmatism signals a paradigmatic shift, its perseverance over and against the national hegemonic project is also due to the fact that Seattle can afford such a socio-spatial niche. Unlike Fresno or Ontario, Seattle demonstrates that housing first – as the ideal *outcome* – must not stand in the way of a *process* that recognizes needs and reality of substandard shelter in legal camps.

Therefore, my conclusion for the new hegemonic project of "ending homelessness" through housing first confirms and renews Marcuse's (1988) argument about neutralizing poverty and homelessness, which is also reflected by recent scholarship (Elwood/Lawson 2017; Harris 2017; Sparks 2017; Giles 2017; Marcuse 2017). In line with Harris (2017) and Sparks (2017), I would highlight the role of Seattle's self-organized tent cities as a challenge to neutralizing techniques. Similar to resistance against bans on food-sharing (Giles 2017), the insistence on basic forms of survival is necessary to retain what neutralizing homelessness systematically

⁸³ In 2018, after (similar to Seattle) declaring homelessness a local state of emergency, the city of Sacramento, however, did return to considering the policy of legalizing camps (Clift 2018).

denies: a sense of self-worth and immediate response to basic needs. Through the lens of the regulated camps, it becomes clear what the fantasy of “ending homelessness” seeks – and succeeds – to marginalize: immediate responses to unmet shelter need. Particularly the self-governed camps reveal the latent threat that housing first seeks to neutralize: collective solutions to evident crisis driven by cooperation and a sense of entitlement, which trump the norms of propertied space.

Housing first proves powerful to mobilize established and new actors who are convinced by the rational idealism of this new approach. Where the former may see it as a better way to do the job, the latter are attracted because it pierces through decades of historical policy failure and promises a solution. The cases show how in almost textbook manner a new national hegemonic project is put in place to become effective locally. Looking at the three dimensions of hegemony relevant for homelessness –explaining (1) the failure of market, (2) the failure of the welfare state and (3) the commodification of the urban (cf. chapter III) – we can see how “ending homelessness” addresses each of them in new distinct ways and allows re-articulating the hegemonic promise of the state managing homelessness (sufficiently) well.

(1) First, regarding the failure of the market, we see that the strategies of neutralizing homelessness politically as analyzed by Marcuse are re-worked: homelessness and its structural causes are no longer denied, as the failure of the market to provide sufficient housing is acknowledged in all official documents. Nonetheless, such insight comes without consequences of state intervention to de-commodify housing. Instead of regulating the housing market, all attention is shifted to improving homeless management, where the strategy of *specialism* identified by Marcuse is re-articulated. The focus on the chronic homeless also proves compatible with the continued commodification of the urban: giving housing to those most in need and the most problematic (i.e. chronic) homeless recalls the *agenda of un/deserving poor*. It not only re-legitimizes the penal interventions of banishment and criminalization, extending the long-standing political agenda of business associations to invisibilize homelessness and cleanse the city from the undesirables, but also turns investments of homeless assistance into assets for urban renewal. The few newly-built housing first buildings have been heralded in all cases as a boost for neighborhood development that helps both the homeless and the community. To illustrate, Fresno’s largest project "Renaissance" was built in 2012 at the corner of Santa Clara and G-Street, where it blocks the view of passing car drivers on the still-existing unauthorized encampments surrounding the two toolshed camps.

(2) Second, regarding the failure of the welfare state, housing first proposes a massive shift towards the economization of welfare that goes hand in hand with the depoliticization of homelessness (Sparks 2017, Harris 2017). Rendering homelessness to a matter of economic calculation allows new ways of political legitimation for the shrinking welfare state. Greg Willse further claims that homelessness is subject to economic reasoning more than ever as the management of homelessness has become an industry in itself. He suggests that unlike welfare's function to partially de-commodify some resources such as housing, housing first's "neo-liberal social service provision operates as part of, rather than a challenge to, the very economic systems that reproduce and distribute housing insecurity and deprivation" (Willse 2010a: 158). In contrast to addressing housing problems of the majority, housing first for the chronically homeless can demonstrate quick effects at considerably lower costs (Klodawsky 2010:15).

This serves to strengthen to an unprecedented level another key strategy for neutralizing identified by Marcuse, namely the *assimilation of critics*. Even critical homeless advocacy organizations hesitate to criticize the evidently limited reach of housing first strategies because they still endorse it as the best strategy for pursuing political change. Indeed, compared with the criminalization of homelessness, housing first is clearly an improvement, although abolishing a process perspective on immediate shelter and exclusively focusing on an idealist outcome that is yet to come is rather ignorant, if not naïve. At present, at the national level housing first is not criticized from either left or right, because the liberal-left fear if they rejected housing first this would strengthen their opponents, leading to a degeneration of homeless services. Radical critique is limited to few advocacy organizations like WRAP, which found no reason to substantially change its report on "Band-aids and Illusions: The Consistent Failure of 25 Years of Homeless"(WRAP 2006). Merely updated in 2010 and 2017, WRAP's reports articulate a strong political-economic critique and expose the limits of homeless funding by comparing it to the reduced spending for public housing while simultaneously tax expenditure on home ownership and military were expanded (WRAP Western Regional Advocacy Project 2010; Western Regional Advocacy Project 2017). Their conclusion is simple: homelessness is the result of policy priorities not favoring the poorest - and this development of de-funding affordable housing is not changed in any substantial way by the new funding for housing first (WRAP 2010; cf. Fig. below). Alternatively, as Paul Boden – director of WRAP – put it: "How can they cut Section 8 but believe in Housing First as a concept? (...) It's not just ironic; it's hypocritical" (Paul Boden in Law 2007).

Chart 1: HUD Low/Moderate-Income Housing Budget Authority and McKinney/Homeless Assistance Outlays

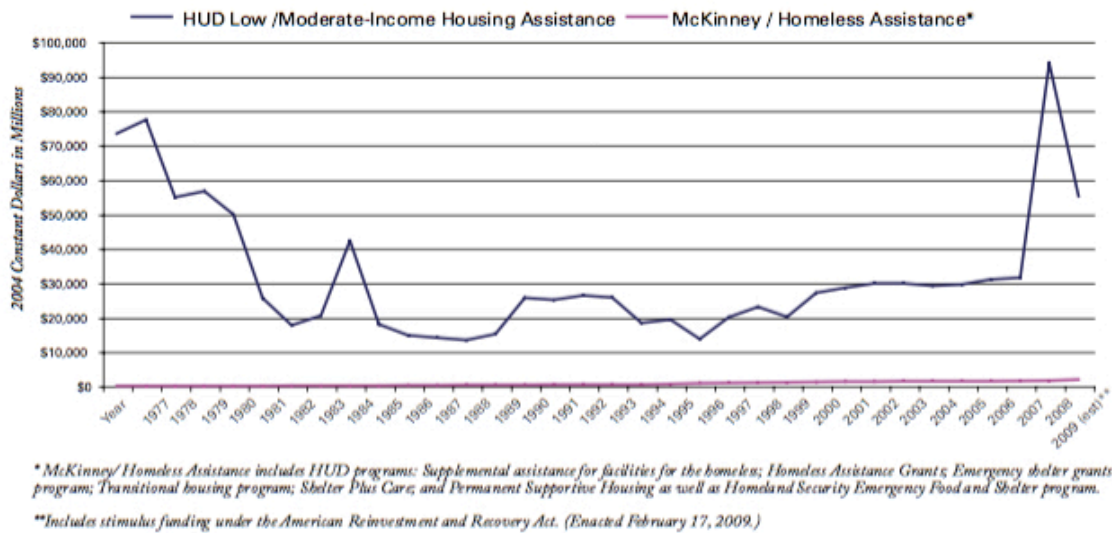


Fig. 30: Comparison HUD Expenditure for Low-Income Housing and Homeless Assistance 1977-2009; Source: Western Regional Advocacy Project 2010: 47.

To summarize, the paradigm shift towards “ending homelessness” can be adequately explained as a hegemonic project that re-articulates the hegemonic promise of homeless assistance, addresses the unresolved tensions, and transforms the existing neoliberal-paternalist project towards a more purely neoliberal homeless management. The main driver for the hegemonic project of “ending homelessness” is the economization of poverty (Willse 2010a and 2010b; cf. Speer 2014). Yet, with Howarth I argue that we need to account for the role of fantasies which are crucial for political practice as they allow "to conceal the radical contingency of social relations and to naturalize relations of domination" (Howarth 2010:310). Where Clarke cautions that critical research should not take the *fantasies* articulated in policy programs for real (Clarke 2012), I argue that the articulation of a *fantasy of housing first* which restores the ideal of housing for all is crucial to explain the success of this hegemonic project.

Housing first not only promises to end homelessness through a more cost-efficient management of the homeless, but it also addresses the housing continuum of increasingly

precarious housing as the poor and middle classes experience it. "Ending homelessness" illustrates this larger function of neutralizing homelessness as housing insecurity well: "the logic of fantasy operates by providing a fantasmatic narrative that promises a fullness-to-come once a named or implied obstacle is overcome" (Howarth 2010:322). The hegemonic project responds to the growing social realization that it is not about individual failure, but rather that something is wrong with the system. The leading advocate for housing first – Philip Mangano (former director of the US Interagency Council on Homelessness, who since the early-2000s has toured across the US to propagate the new plan) – addresses this directly when he speaks of a broken promise:

"For the first time in American history, you could be working a full-time job and not afford a place (...) The bottom rungs of the housing ladder are broken and we need to fix them."
(Mangano quoted in NPR 2002)

The promise of housing first thus aims to restore the American Dream as it meets the growing social anxieties triggered by the recent great recession and the alarming reports on increasing homelessness. However, the promised solution implies neither radical redistribution (i.e. de-commodification of housing or increase of wages) nor the reform of housing markets (e.g. regulation, rent caps, etc.), but focuses again on the symptoms: it suggests that fixing the homeless crisis with housing for a select group of homeless will end housing insecurity. The promise of housing first seeks to restore the belief that housing is in reach for all, close to a social right, although this is certainly not the case.

Rejecting legal camps as irrational and unproven diversion to realizing "ending homelessness", speaks not only to the new criteria for what counts as adequate and necessary homeless care, but it also shows how legal camps irritate and hamper a popular "will to (fantasmatic) closure" (Howarth 2010:329): where many Americans would like to believe in an end to the protracted problem of homelessness and/or appreciate the opportunity of being told why they should not respond directly to the needs of the homeless themselves. The legal camps on the other hand demand attention to the present rather than a desirable future. The *fantasy of "ending homelessness"* provides a means to bypass the common-sense moment where through encounters with homeless camping the necessity and legitimacy of such substandard self-help can be recognized. Rejecting the unmet need for shelter and housing it allows to avoid venturing into the disturbing questioning of existing rules and regulations: eclipsing the need to negotiate competing claims into messy, imperfect partial compromises.

From the perspective of camps struggles, I argue that this effect of *neutralizing housing insecurity*, is not only a corollary effect but may well be a key element of “ending homelessness”. As limited or far away as this promise may be, it is effective in determining political practice and the scope of local consensus. With housing first, the political parameters and partial compromises are effectively reduced. Where the camps struggle shows how homeless demands are at least partially recognized, “ending homelessness” turns the homeless into a category of economic calculation rather than political actors. The rejection of legal camps as a first step to housing first further underlines that the priority is neither the decency of shelter nor the cost efficiency of homeless services as such. Instead, this rejection primarily serves to de-politicize homelessness.

Whereas homeless camps figured centrally as reminders of the broken dream only years after the great recession, this has significantly changed. The popular shock that paved the way for legal experiments has largely been replaced: where the promise for housing first soothes compassion and the urge to help, instilling the realization that the homeless are receiving adequate care, the constant naming of the chronically homeless also reinserts the perception of the pathologic and deviant homeless who can and must be disciplined.

In the shadow of “ending homelessness” becoming a hegemonic project, the criminalization of homelessness continues. Since 2011 attempts to crack down on encampments have resurged in all three cases. What critical advocates and scholars feared early on has come true: particularly in Fresno, the eviction of illegal homeless encampments is repeatedly justified as part of the city’s “collaborative, community-wide effort focused on strategies to prevent and end homelessness. The City’s enforcement efforts will better allow existing service providers to care for Fresno’s most vulnerable individuals” (Press release City of Fresno, 2013 in Speers 2016: 71). The return of othering the homeless as deviant and pathological subjects (Sparks 2017) is facilitated by a cynical shift in public discourse that suggests the availability of standard housing, whereby substandard shelter belongs to history, which is simply not the case.

Legal advocacy for the right to survival: forcing local compromises

Urban movements (and advocacy support) have rebelled against the status quo of neoliberal-paternalist homeless management. The achievement of substandard shelter and legal camps that enable a minimum of decency would not have been possible without committed struggle and grassroots activism. Especially Seattle’s history of activism has paved the way for crucial

reform: for more decency *through* autonomy. Looking beyond Seattle, I seek to address how these specific claims for a right to minimum standards of survival are connected to larger movements in recent history and today.

When I started my work in 2010, the camps struggle had been closely intertwined with the *right to the city* and a movement to *Take back the Land* (Take Back The Land n.d.). The latter pursues radical action to occupy foreclosed homes to re-house homeless families. This certainly hit a nerve and throughout the first years of the recession this movement received alarmed as well as supportive media coverage: the notion of defending your home against the financial market appealed to common sense. Similarly, the *Occupy movement* not only reinvigorated social movements in the US, but established popular recognition of a right to space and place when occupying central places in the city with tents (Mayer 2016: 316-319). In both movements, homeless campers were a central part of the struggle: Take back the Land originated in Umoja Village, a camp of shacks and tents that activists erected in Miami to protest against their displacement and ensure more dignified survival collectively (Rameau 2008). Addressing the previously discussed ambiguity of poor people's commons between securing survival and maintaining or challenging the system of deprivation, Max Rameau – the key organizer – states: such poor people's camps are *the most and the least radical response to the systematic housing deprivation under capitalism, but they are the only path forward for the non-propertied poor* (ibid.: 7).

Both movements had a unique point when using *tents as a symbol for housing insecurity* and they managed to build up solidarity networks on a national – and even global – scale. Therefore, both movements highlighted the survival of the homeless when expressing existential struggle with a collective voice for the human right to housing. However, both movements also had their momentum, namely by 2012 both had ebbed decisively. When the *Occupy* camps were closed, many solidarity activists went home. In some cases, they would hold out and begin partnering with their homeless co-campers, realizing that they do not have a home to go back to. In fact, several local campaigns for legal camps started like this, e.g. in Madison (Wisconsin) or Eugene (Oregon). Take back the Land subsided, partly because their re-appropriations focused on re-housing individual poor homeowner families – assisted by activists –, which revealed difficulties in forming a collective movement of equals.

Today, we see another movement developing that aims at homeless rights or rather a *legal revolution* regarding homeless rights (cf. Rankin 2015). Responding to the failed promise to

end homelessness through interagency collaboration and economic calculation, a new movement to address homelessness has emerged: *the Homeless Bill of Rights* (National Coalition for the Homeless 2018). Rather than pleading for policy-makers' consideration and demonstrating the viability of legal camps as an improvement in the mutual interest of the homeless and the local state, the homeless activists and their advocates launched a campaign to force cities to respect and secure their right to survival.

Acknowledging that the constitutional rights of the homeless are repeatedly and systematically neglected, but also acknowledging that there is no claimable right to housing in the US, the Homeless Bill of Rights appeals directly to the US constitution. Highlighting the extreme vulnerability of homeless people – reminiscent to the 1930s when federal welfare was rolled out –, this bill of rights demands that added protection is needed to preserve the civil and human rights of people experiencing homelessness. Targeting local ordinances that outlaw loitering, vagrancy, sitting or lying on the sidewalk, begging, eating in public and other behaviors, the bill thus responds to several techniques that criminalize and hence neutralize homeless struggle.



Fig. 31: *Housing is a Human Right - Support a Homeless Bill of Rights*; Source: <http://wraphome.org/wraparchives/organizing/art-for-organizing/27-homeless-bill-of-rights-art-work/detail/288-house-keys-not-handcuffs-oscar?phocasideshow=1&tmpl=component>.

Developed by the radical advocacy group WRAP in San Francisco, this grassroots campaign seeks "to ensure that all people have the basic right to live where they choose without fear of harassment and criminalization at the hands of the police" (Western Regional Advocacy Project 2018). The bill of rights has found support among homeless advocacy groups and in civil and political society. It has since been proposed and discussed in several state congresses: according to the National Coalition for the Homeless – which supports the campaign – since 2012 four states have passed such a bill: Connecticut, Illinois, Rhode Island and Puerto Rico. It is repeatedly submitted, but still under consideration in California and Hawaii, as well as being deliberated in several cities (National Coalition for the Homeless 2018).

The bill is contested particularly in California, mainly because it curtails local state capacity to (re)move the homeless. While California's proposed bill grants a right to sleep in one's vehicle (cf. the car-camping programs), it does not explicitly grant a right to sleep in public space. Nonetheless, it is clear that precisely the right to sleep in public space is a key demand and a key element rejected by opponents. The proposed bill does not mention the issue of anti-camping bans directly; in fact, as part of the various legislative hearings the initial demands for a right to sleep, sit, lie down, stand, eat, solicit donations or share food in a public place or in a vehicle are erased and condensed to a right to the generic term "rest" (California Legislative Information 2013b). However, the thrust of the bill remains clear: under the law, the homeless are entitled to rights and services, meaning that they cannot be removed unless the city provides sufficient services and housing. In their endorsement, the East Bay Community Law Center clarifies:

"This bill would establish a new right for homeless people to rest in public spaces unless a local government provides specified levels of public benefits. In addition to the equal-treatment provision noted above, this bill would establish a more absolute right to rest in public places, notwithstanding that an ordinance or enforcement action may treat homeless and non-homeless persons the same. Under the bill, it appears that local governments could not prohibit sleeping in public parks by enforcing nighttime closing rules unless the county provides a specified level of human services" (California Legislative Information 2013a).

Directly addressing the major threat of this bill, city representatives and business associations reject the law "as it would create costly mandates, (...), and undermine the local decision making process" (ibid.). These opponents realize that the bill is not only curtailing the new

normal where the criminalization of survival forces homeless campers to a perpetual cat and mouse game; moreover, they are aware that the bill strategically blackmails cities to provide services and housing or allow legal camping if they cannot offer better alternatives. The bill of rights focuses on rights to force cities to open space for possibilities that homeless organizing can utilize. Hence, this legal revolution seeks to turn the negative rights to be free from harassment into positive *rights to space* with the *autonomy* to decide on what *decency* they accept (Rankin 2015).

While the bill of rights raises the question of "why the homeless need extra rights", this turning negative rights into leverage for positive rights opens new grounds for political debate to acknowledge the realities of homelessness, change stereotypes and thus to challenge the political denial, i.e. the neutralizing of homelessness. Of course, as Rankin (2015) remarks, even when legal rights are granted they need to be implemented and enacted. However, the necessary debate over how government actions are abiding or subverting the rights is likely to empower the homeless as they can re-claim legal recognition as social and political recognition (Rankin 2015).

The legal codification of homeless rights empowers advocates and activists to demand even more: as Paul Boden explained, this is considered not only as a more powerful campaign but it also allows circumventing the ambiguities of launching a campaign for legal tent cities as such. Although he and other radical advocates embrace the self-help organizing like in Seattle and Sacramento, they have been cautious about demanding tents instead of housing. With the bill of rights, the camps are not claimed as such but rather they enter as a logical consequence once rights to have a place are secured: as the "bill provides homeless people the right to decline public services", the bill directly forces governments to respect homeless people's experiences and demands. Consequently, this law makes it more likely that legal camps are granted that allow autonomy instead of the pathologizing taint of paternalist control. The bill thus increases pressure on cities to create shelter alternatives to the street that homeless accept and engenders a promising new round of regulatory experimentation for legal camps that again include the homeless as a partner to be negotiated with rather than a matter of political-economic calculus.

Conclusion

Moving beyond references to an omnipotent hegemony or amplifying the effects of legitimate resistance (cf. Hagemann 2017), I have shown why housing first has become so pervasive

despite its evident limits. My analysis of local policy struggle offers one concrete explanation for the wider question of critical theory: why do crisis-ridden social relations endure and persist without greater conflict?

The degree to which this hegemonic project of “ending homelessness” through housing first prevails is to be seen. It is currently unclear whether newly-elected President Trump will continue or even expand federal funding for housing first. Several media reports criticize that his planned cuts in HUDs resources will exacerbate homelessness (Gee 2017; NYT Editorial Board 2017). Neither his nor his contenders’ election campaigns felt the need to address the issue of homelessness which is indicative of how the existing homeless management manages to neutralize homelessness. Yet, diagnosing the success of any hegemonic project is a tricky undertaking as it requires conceptualizing different forms and phases of hegemonic stability and prowess to examine the variations in reach and sedimentation of hegemonic discourses.

At the local level, the struggle continues over how to respond to the presence and needs of unsheltered homeless people. The latest media news show distressing images of people trying to cope without a decent home: tent city is certainly still part of the American urban fabric. Here, new compromises are forged and it is up to further research to examine how the legal rights of the poor are improved or compromised. As my discussion shows, idealism of a future *outcome* (i.e. decent housing) needs to meet the reality of shelter to avoid being naïve or ignorant in this *process*. Regarding my premises of decency and autonomy in the homeless discourse, for the process of immediate shelter minimum decency is achieved through autonomy. Hence, where Don Mitchell rightly argues that tent cities have no place in the city of the desired future, they are certainly part of this world (Mitchell 2012). Moreover, not only do their inhabitants deserve respect and support, but their practices of commoning also offer lessons to learn for other struggles. For the poor and non-propertied, the struggle remains to achieve what Max Rameau (2008:7) describes as a twofold goal: to achieve immediate survival and a better life while at the same time politicizing existing conditions, aiming not only for a better but rather a good life.

APPENDIX

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List of Interviews

	Ontario		Fresno	
Homeless	Evelyn, Carmen, Bruce (residents of THSA)	June 23rd, 24th 2011	Mike, anonymous, anonymous couple, (residents of Village of Hope)	July 7th - 19th 2011
Activists	David Busch	June 19th 2011	Al Williams	July 16th 2011
Advocacy			Mike Rhodes (Community Alliance)	July 11th 2011
			Art Dyson (Architect, Co-Founder of Eco Village)	July 19th 2011
Service Providers & Churches	Pastor Agapito Aviles, First Lutheran Church	June 25th 2011	Paul Stack (Poverello House, Chief Operations Officer)	July 18th 2011
			Leticia Martinez (Poverello House, manager of Village of Hope)	July 14th 2011
			anonymous pastor ("Heart for the Homeless")	July 19th 2011
Government	Brent Schultz (City of Ontario, Housing and Neighborhood Revitalization Agency)	June 23rd 2011	Greg Barfield (City of Fresno, Homeless Prevention and Policy Manager)	July 13th 2011
	Julie Bjork (City of Ontario, Housing Director)	June 23rd 2011	Angelina Ngyen (City of Fresno, Housing Authority)	July 13th 2011
	Justin (Security Guard THSA)	June 24th 2011	Arnoldo Ramirez (City of Fresno, Department of Planning)	July 18th 2011

	Seattle		Olympia, Bremerton (Washington State)	
Homeless	Richard, anonymous, anonymous (residents of Nickelsville)	August 18th-31st 2011	anonymous (resident of Camp Quixote in Olympia, WA)	September 26th 2011
	Roger (resident of Tent City 3)	October 25th 2010		
Activists	Peggy Hotes	September 1st 2011		
	Scott Morrow (SHARE/WHEEL)	September 2nd 2011		
	Dennis DePape (architect for Nickelsville & priest at St. Brendan's)	September 15th 2011		
Advocates	Tim Harris (Real Change, director)	September 22nd 2011	Ginger Segel & Max Benson (Community Frameworks - Affordable Housing for the Northwest)	September 27th 2011
	Alison Eisinger (Seattle/King County Coalition on Homelessness)	September 1st 2011	Jill Severn (Panza - Camp Quixote in Olympia, WA, board member)	September 26th 2011
	Amy Hagopian (Professor for Global Health, University of Washington Seattle)	October 25th 2010		
Service Providers & Churches	Graham Pruss (Seattle Vehicular Residency Research Project)	October 1st 2011		
	Liz Fenn (Greater Seattle Cares)	September 28th 2011	Greg Fontenette (Salvation Army Bremerton, social services director – indoor camp in Bremerton)	September 27th 2011
	Bill Hallerman (Catholic Community Services, director)	September 29th 2011		
	Michael Ramos (Church Council of Greater Seattle, director of social justice)	September 22nd 2011		

Government	Vince Matulionis (United Way Seattle, director)	September 24th 2011		
	Eileen McComb (Noel House Programs)	September 30th 2011		
	Bill Block (King County/Seattle Committee to End Homelessness, director)	September 7th 2011	Paul Carlson (United States Interagency Council on Homelessness, regional director for the Pacific Northwest and Alaska)	September 29th 2011
	Lisa Herbold (Assistant to Seattle council member Nick Licata)	September 8th 2011	Leif Bentson (Kitsap County, Department of Human Services, coordinator safe homeless parking program in Kitsap County)	September 20th 2011
	Sahar Fathi (assistant to Seattle council member Mike O'Brien)	September 26th 2011		
	Bill Elliott (assistant to Seattle deputy mayor Daryl Smith)	September 26th 2011		
	Al Poole (City of Seattle, Human Services Department)	September 13th 2011		
	Diane Sugimura (City of Seattle, Department of Planning and Development, director)	September 20th 2011		
Homeless	Sacramento		Venice / Los Angeles	
	Tim (sanitation technician for Safe Ground), anonymous residents of Safe Ground,	July 27th-August 5th 2011	anonymous car homeless	June 20th 2011
Activists	John Krintz (Sacramento Safe Ground, president)	August 4th 2011		
	Tracy Rice-Bailey (Sacramento Safe Ground)	August 8th 2011		

Advocates	Bob Erlenbusch (Sacramento Hunger Coalition)	August 3rd 2011	Peggy Kennedy (Legal advocate for the homeless)	June 29th 2011
	Stephen Watters (Safe Ground Sacramento, Executive Director)	July 28th 2011	Lisa Green	June 20h 2011
	Costa Mantis (Filmmaker & homeless advocate)	July 30th 2011	Mark Ryavec (Venice Stakeholders Association, president)	June 29th 2011
	Ron Javor (Sacramento Safe Ground)	July 29th 2011	David Ewing (Venice Action)	June 21st 2011
Service Providers & Churches	Sister Libby (Loaves and Fishes, homeless service provider)	July 28th 2011	Jeremy Sidell (PATH Los Angeles, homeless service provider)	June 13th 2011
	Joan Burke (Loaves and Fishes, advocacy director, homeless service provider)	July 30th 2011	Kate Westra (St. Joseph's Center Venice, homeless service provider)	June 30th 2011
Government	Cassandra Jennings (City of Sacramento, Assistant City Manager)	August 2nd 2011	Arturo Pina (City of Los Angeles, Community Outreach Liaison)	June 20th 2011
	Tim Brown (Sacramento Steps Forward, director)		Peter Griffith (Los Angeles Homeless Services Authority)	July 6th 2011
	Portland		Ventura	
Homeless	Bradford Powell (resident and elder of Dignity Village)	October 3rd 2011	Jeff (resident manager of River Haven)	July 5th 2011
			Big Joe (homeless resident of River Haven)	July 5th 2011
Activists	Ibrahim Mubarak (co-founder of Dignity Village & Right 2 Dream Too)			
	Trillium (Right to Survive, organizer)	October 5th 2011		
Advocates				

Service Providers & Churches			Bruce Elbe (World Shelter, designer of Ventura's legal camp River Haven)	June 26th 2011
			Clyde Reynolds (Turning Point Foundation, executive director, manages River Haven)	June 30th 2011
Government			Peter Brown (City of Ventura, Department of Planning)	July 5th 2011
	Santa Barbara		Merced	
Homeless	Niek , anonymous couple (car homeless in the Safe Parking Program)	July 1st 2011		
Advocates			Renee Davenport (advocate for a legal homeless camp)	July 22nd 2011
			John Carlisle & Christopher Rodrigues (advocate for a legal homeless camp)	July 22nd 2011
Service Providers & Churches	Gary Linker (New Beginnings, director, manages Safe Parking Program)	July 1st 2011		
	Nancy Kapp (New Beginnings, coordinator of the Safe Parking Program)	July 1st 2011		
Scholars/Activists	Various cities in US and Canada		Detroit US Social Forum	
	Nicholas Blomley (Professor in Geography, Simon Fraser University Vancouver)	November 2nd 2010	Rob Robinson (Take Back the Land)	June 24th 2010
	Steve Herbert (Professor in Geography, University of Washington Seattle)	October 27th 2010	Mike Morales (Picture the Homeless)	June 24th 2010
	Leonard Feldman (Professor at the Department for Political Science, Hunter College New York)	June 10th 2011		

Tony Sparks (Assistant Professor in Urban Studies, San Francisco State University)	October 25th 2011
Jason MacCannell (Lecturer at the Department of Geography, University of California Davis)	July 22nd 2011
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Tab. 8: List of homeless camps surveyed in this research; Source: author.

Camp	City	Unsheltered homeless 2009	Camp Population	Since	Legal status	Organizing Model	Structures
THSA	Ontario, CA	980	70 7%	2007	legalized, temporary use permit	managed by city and non-profit service provider	tents
Tent City 3	Seattle, King County, WA	1800	100	2000	legalized, temporary use permit	self-governed, church hosted	tents
Tent city 4			100	2006	legalized, temporary use permit	self-governed, church hosted	tents
Nickelsville			55 9%	2008	informally tolerated 2011-2013	self-governed	tents, tiny houses
Village of Hope	Fresno, CA	2100	66/60 6%	2004	legalized, zoned as urban camp site	self-governed, managed by non-profit service provider	tiny houses
Community of Hope				2007	legalized, zoned as urban camp site	self-governed, managed by non-profit service provider	tiny houses
Encampments south of Ventura Street			150-200 9%	2002-2009	illegal	permanent	tents and sheds
Encampments at American River	Sacramento, CA	1200	150-200 12-16%	1930s-2009	Illegal	individuals, loose communities	tents
Safe Ground			60-100 8%	2010	illegal	self-governed	tents, tiny houses

Dignity Village	Portland, OR	1600	60 4%	2000	legalized, permanent use permit	self-governed, city owned land	tiny houses
River Haven	Ventura, CA	505	21 4%	2005	legalized	managed by city and non-profit service provider	U-Domes
Camp Quixote	Olympia, WA	365	25-30 8%	2007	legalized, temporary use permit	self-governed, church hosted	tents, tiny houses

Abstract & Kurzfassung

Abstract

Governing Poor Spaces.

Homeless encampments and the new management of housing insecurity in the US

The financial and urban crisis of 2008 highlighted once again the sustained problem of homelessness in the US. The iconic image of housing crisis and insufficient welfare provision are the growing homeless encampments or tent cities which pose a significant problem for local governance. Focusing on the local responses to homeless encampments this dissertation analyzes the transformation of homeless management in the neoliberal welfare state, and inquires how spatial practices of informal survival conflict but also resonate with new forms of managing the non-propertyed in propertyed space.

In contrast to the dominant strategies of criminalizing homeless survival, several cities in the US have legalized camps and established them as alternative shelter spaces. Such regulatory experiments are interpreted in ambiguous ways: where some identify this as pragmatic and humane policy to expand capacity of shelter at low cost, others interpret it as progressive policy that recognizes the informal self-help as valuable resource, some recognize these self-help communities as act of collective empowerment of the non-propertyed to claim a first step to the human right to housing, others fear the emergence of new substandard shelter that fit the neoliberal imperatives of austerity.

This dissertation responds to the call of critical geographers for more nuanced analysis of homeless management and the local state by analyzing *how* poverty is governed through space. It re-visits central debates on the governance of urban marginality, highlights explanatory strengths and weaknesses, and conceptualizes homeless management as specific project of poverty governance. Drawing on theories of hegemony, homeless management is understood as political strategy that is not limited to manage the homeless populations with more or less coercion or care, but aims to neutralize the nexus of homelessness and housing insecurity in order to stabilize the hegemony of propertyed citizenship.

The struggle over the legalization of homeless camps presents a sharp lens to examine the current re-calibration of state governance of urban marginality, i.e. the current mix of penal, welfare and informal strategies that are used to manage (and neutralize) homelessness. A

critical and relational policy analysis is applied to examine comparatively the process of policy-making in the local state: addressing the roles of homeless advocates and activists, charitable and non-profit service providers, and local government actors in co-shaping the process of regulatory experimentation. Highlighting path-dependent corridors of contingency the three empirical cases of Seattle, Fresno and Ontario show how the legalization of homeless camps emerges as result of multiple distinct crises of homeless management. The legalized camps depict new welfare state spaces with different socio-spatial compromises between state control and homeless claims for a right to shelter and self-determination. Specifying how the neoliberal and paternalist components of homeless management are re-worked and searching for a paradigmatic case, the comparison shows why self-governed camps are more likely to stabilize local hegemony than top-down governed camps.

To contextualize the case studies, the last chapter discusses why such solutions were viable in some cities but remain marginal. Re-questioning the neoliberal policy fit of legalized homeless camps as cheap and self-managed shelter extension of homeless relief, the case studies allow to trace the emergence of a new national hegemonic project to determine local policy-making: focused on “ending homelessness” through *housing first*. Despite its failures evidenced by growing numbers of unsheltered homeless, the promise for “ending homelessness” is successful in addressing the unresolved crises of homeless management in a new way. But in the name of an ideal to come, local compromises that respond to immediate shelter need are marginalized.

Analyzing local struggles for necessary and adequate shelter and housing in relation to the national policy developments this dissertation explains how in the current conjuncture homelessness is dealt with and structural housing insecurity is neutralized again. While the political terrain for local compromises contracts as claims for recognizing spaces of survival with more decency through autonomy are marginalized again, the work concludes by pointing to a new perspective developed by movements: they continue to challenge their neutralizing by claiming space through a legal right for survival.

Kurzfassung

Über das Regieren der Räume der Armen.

Zeltlager Wohnungsloser und das neue Management der Wohnungsnot in den USA.

Die 2008 einsetzende globale Finanzkrise hat ein Schlaglicht auf das anhaltende Problem der Wohnungsnot in den USA geworfen. Zum ikonischen Bild dieser Wohn- und Wohlfahrtskrise sind die Zeltlager oder Zeltstädte Wohnungsloser geworden, die ein signifikantes Problem für lokale Regierungen darstellen. Mit dem Fokus auf den lokalen Umgang mit diesen Zeltlagern analysiert diese Dissertation die Transformation des Wohnungslosenmanagements im neoliberalen Wohlfahrtsstaat und lotet aus, in welcher Weise informelle sozial-räumliche Praktiken des Überlebens in Konflikt geraten aber auch konstitutiv werden für neue Bearbeitungsweisen der Besitzlosen.

Im Unterschied zu den vorherrschenden Strategien der Kriminalisierung von Wohnungslosigkeit haben mehrere Städte begonnen, solche Zeltlager als alternative Formen der Wohnungslosenunterkünfte zu legalisieren. Diese regulatorischen Experimente rufen kontrastierende Deutungen hervor: wo die einen eine pragmatische humane Politik sehen, um kostengünstig mehr Unterkünfte zu ermöglichen, andere die gemeinsame Selbsthilfe als einen wichtigen Akt der Selbstermächtigung anerkennen, wo informelle Zeltlager ein erster Schritt zur Einforderung des Menschenrechts auf Wohnen sind, erkennen andere in dieser Institutionalisierung eines neuen Substandards vor allem eine dem Austeritätswang entsprechende neoliberale Deformation des Wohlfahrtsstaats.

Als Beitrag zur politischen Geographie folgt diese Dissertation der Aufforderung kritischer Geographen, Wohnungslosenmanagement und den lokalen Staat nuancierter zu analysieren indem sie untersucht, wie Armut durch Raum regiert wird. Die Arbeit greift zentrale Debatten über das Regieren der urbanen Marginalität auf, betont Stärken und Schwächen der jeweiligen Erklärungskraft, und konzeptionalisiert Wohnungslosenmanagement als spezifisches Projekt des Regierens der Armut. Mit Bezugnahme zu Theorien der Hegemonie wird Wohnungslosenmanagement als politische Strategie verstanden, die nicht nur wohnungslose Populationen mit mehr oder weniger Zwang und Fürsorge managt sondern bestrebt ist, den Zusammenhang von Wohnungslosigkeit und Wohnungsnot zu neutralisieren, um die Hegemonie des Besitzbürgertums zu stabilisieren.

Die Auseinandersetzungen über die Legalisierung von Wohnungslosenlagern bietet ein Brennglas zur Untersuchung der gegenwärtigen Rekalibrierung des Regierens der Armen als Mischung von strafenden, wohlfahrtsbasierten und informellen Strategien zur Bearbeitung der Wohnungslosigkeit. Durch eine kritische und relationale Politikanalyse wird der Prozess der Politikgestaltung im Lokalstaat vergleichend untersucht. Drei Fallstudien zeigen wie die Legalisierung von Wohnungslosenlagern in Reaktion auf multiple Krisen des Wohnungslosenmanagement entsteht. Die Analyse der regulatorischen Experimente berücksichtigt insbesondere die Rolle der Interessenverbände Wohnungsloser und Aktivisten, der wohltätigen Organisationen und Einrichtungen der Wohnungslosenhilfe, und der lokalen Regierungen und Verwaltungen. Die legalisierten Lager stellen neue Räume des Wohlfahrtsstaates dar mit unterschiedlichen Kompromissen zwischen staatlichen Kontrollansprüchen und den Forderungen der Wohnungslosen für ein Recht auf Unterkunft und Selbstbestimmung. Während die Dissertation zeigt, wie neoliberale und paternalistische Elemente des Wohnungslosenmanagements neu zusammengesetzt werden, wird weiter geprüft inwieweit die Fallstudien eine paradigmatische Neuerung lokalen Wohnungslosenmanagements aufzeigen: der Vergleich der drei empirischen Fallstudien von Seattle, Fresno und Ontario zeigt warum selbstverwaltete Lager eher zur Stabilisierung lokaler Hegemonie beitragen als top-down regulierte Lager.

Zur Kontextualisierung der Fallstudien greift das letzte Kapitel die Frage auf, warum diese lokalen Experimente Ausnahmen bleiben. Die Annahme hinterfragend, dass regulierte Wohnungslosenlager den neoliberalen Politikanforderungen entsprechen, da sie eine billige und selbst-verwaltete Ergänzung der Wohnungslosenhilfe darstellen, zeigen die Fallstudien wie lokale Politikgestaltung zunehmend durch ein neues nationales Hegemonieprojekt bestimmt wird: Wohnungslosigkeit soll durch *housing first* beendet werden. Gleichwohl die steigende Zahl der Wohnungslosen ohne Unterkunft das Scheitern dieses Versprechens verdeutlicht, zeigt es sich erfolgreich, da es die ungelösten Krisen des Wohnungslosenmanagements in einer neuen Weise anpackt. Im Namen dieses angestrebten Ideals werden lokale Kompromisse, die auf die unmittelbare Not Wohnungsloser eingehen, erneut marginalisiert.

Mit dieser Analyse der Auseinandersetzungen um notwendige und angemessene Unterkünfte und Wohnungen im Lokalstaat zeigt die Dissertation wie in den Jahren vor und nach der globalen Finanzkrise in den USA strukturelle Wohnungsnot bearbeitet und erneut politisch neutralisiert wird. Während sich im Kontext des neuen Hegemonieprojektes die politischen

Möglichkeitenfenster zur Aushandlung lokaler Kompromisse für besseres Überleben durch Autonomie der Wohnungslosen verengen, endet die Arbeit mit Blick auf aktuelle Bewegungskämpfe Wohnungsloser: die Besitzlosen stellen ihre Neutralisierung erneut in Frage, indem sie ihren Platz durch einen Rechtsanspruch auf Überleben einfordern.

Selbstständigkeitserklärung

Hiermit versichere ich, dass ich die vorliegende Dissertation selbstständig und nur unter Verwendung der angegebenen Literatur und Hilfsmittel angefertigt habe.

Berlin, 13.10.2020 Manuel Lutz