



Evan McKenzie

# R I V A T O P I

Homeowner Associations and the Rise  
of Residential Private Government





# PRIVATOPIA

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Residential Private Government

Evan McKenzie

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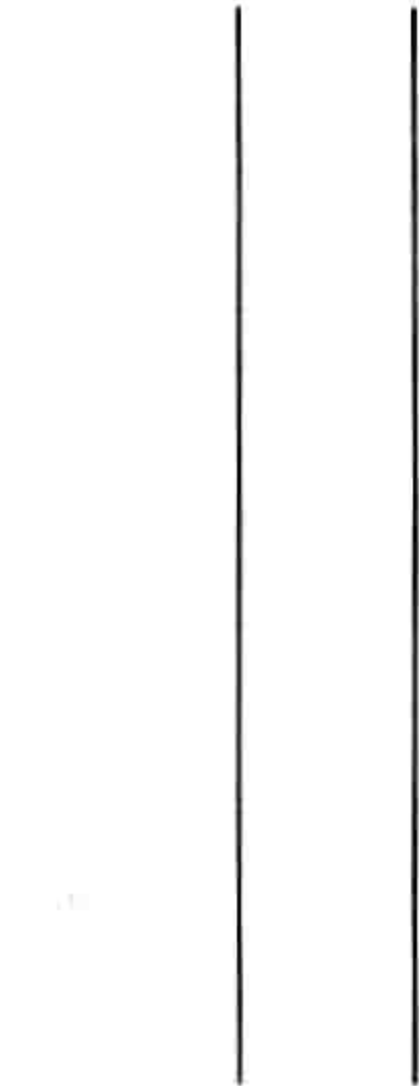
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xiii  
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CONTENTS

Acknowledgments  
xi

1  
From Garden City  
to Privatopia  
1

2  
Restrictive Covenants  
and the Rise of  
Common-Interest Housing  
29

3
From Exclusivity to Exclusion: Homeowner Associations in the Suburban Housing Boom
56

4
The Expansion of Privatopia: Land Economics and the Legacy of Ebenezer Howard
79

5
The Community Associations Institute: The Care and Feeding of Residential Private Governments
106

6
Homeowner Associations as Private Governments
122

7
CID Private Governments and the Law in California
150



8
Conclusion:
Reflections on
Privatopia and the
City
175

Notes
199

Index
231

# 1

## From Garden City to Privatopia

What is the teaching of history, but that great national transformations, while ages in unnoticed preparation, when once inaugurated, are accomplished with a rapidity and resistless momentum proportioned to their magnitude, not limited by it?

—Edward Bellamy, *Looking Backward: 2000–1887*

In 1898 a forty-eight-year-old English court stenographer named Ebenezer Howard borrowed from a friend a copy of Edward Bellamy's utopian novel *Looking Backward*. "This I read," Howard said, "at a sitting, not at all critically, and was fairly carried away by the eloquence and evidently strong convictions of the author."<sup>1</sup> Howard became a convert to Bellamy's belief that a perfect society was within humankind's immediate reach.



The novel is the narrative of Julian West, a Bostonian who in 1887 seeks relief from insomnia at the hands of a hypnotist, only to awaken in the year 2000. He discovers that society has undergone a peaceful but radical metamorphosis and now operates in a humane, rational way. Monopoly capitalism has given way to benevolent state ownership of industry, advanced science and technology have made life easier for all, and social and political conflicts have disappeared.<sup>2</sup>

West's experience turns out to be a dream, but Bellamy's faith in the possibility of a utopian future was genuine. As he wrote in his postscript to the novel, "*Looking Backward* was written in the belief that the Golden Age lies before us and not behind us, and is not far away. Our children will surely see it, and we, too, who are already men and women, if we deserve it by our faith and by our works."<sup>3</sup>

Howard was profoundly inspired by the novel, especially by the idea of rapidly transforming a nation through rational planning. "This book pictured the whole American nation organised on cooperative principles—this mighty change coming about with marvellous celerity." He saw the "splendid possibilities of a new civilisation based on service to the community and not on self-interest, at present the dominant motive. Then I determined to take such part as I could, however small it might be, in helping to bring a new civilisation into being."<sup>4</sup>

Howard, at once an idealist and a pragmatist, grew obsessed with putting Bellamy's ideas into practice immediately, but on the less ambitious scale of a small city. As a Londoner, he saw around him the social consequences of the Industrial Revolution. Cities offered opportunities for culture and social interaction, but they were overcrowded, dirty, and cut off from the salutary effects of contact with nature. High housing costs ensured squalor for many and opulence for a few. Workers toiled for long hours at tedious jobs, yet they continued to stream in from the depopulated and impoverished countryside in search of factory work because wages were higher in the city. Howard's idea was to plan and build a new kind of town that would combine the best features of city and country—a "garden city."

Howard soon wrote his own book detailing the concept, *Tomorrow: A Peaceful Path to Real Reform*. When he was unable to find a publisher, his American friend George Dickman, managing director of Kodak Company, lent him fifty pounds, and with that subsidy the work was published.<sup>5</sup> It was reissued in 1902 under the title *Garden Cities of Tomorrow*.<sup>6</sup>

The book is a manual for the financing, building, and operation of a



new kind of planned community, or what came to be known as a “new town.” Howard lectured widely and soon had a following. His Garden City Association built two cities in England during his lifetime—Welwyn and Letchworth—and his following turned into a movement that heavily influenced the modern planning profession in many countries.<sup>7</sup>

Howard’s admirers and critics alike concede the tremendous influence of his book. One of his early followers was Lewis Mumford, who wrote that “*Garden Cities of Tomorrow* has done more than any other single book to guide the modern town planning movement and to alter its objectives.” One of his most vocal critics is Jane Jacobs, who noted that “virtually all modern city planning has been adapted from, and embroidered on, this silly substance.” Whether silly or profound, there is no denying the enduring power of Howard’s idea.<sup>8</sup>

## THE GARDEN CITY IDEA

Howard readily acknowledged that his garden city plan was to some extent a synthesis of several proposals by other writers who had addressed more limited issues, such as an organized migration of population for colonization, a nationalization of land ownership, and a model industrial town.<sup>9</sup> Howard’s particular genius was the way he combined these and other elements into a plan capable of being realized in the present. Mumford has noted that “Howard’s prime contribution was to outline the nature of a balanced community and to show what steps were necessary, in an ill-organized and disoriented society, to bring it into existence.”<sup>10</sup>

The garden city idea as Howard conceived it had two elements meant to work in tandem: the comprehensive physical planning and political and economic organization of the model community. Both have been enormously influential.

### The Physical Plan

The garden city’s physical plan was to be based on Howard’s conceptual diagrams, but in practice, he said, it would be meticulously designed by a team of engineers, architects, surveyors, and other professionals to make the city self-sufficient. It was of “incalculable” importance, Howard



said, "that the town is definitely planned, so that the whole question of municipal administration may be dealt with by one far-reaching scheme. . . . It is essential, as we have said, that there should be unity of design and purpose—that the town should be planned as a whole, and not left to grow up in a chaotic manner as has been the case with all English towns, and more or less so with the towns of all countries."<sup>11</sup>

Howard envisioned building from scratch on an undeveloped six-thousand-acre plot of land. At the center would be a city one thousand acres in area and about one-and-one-half miles in diameter that would house up to thirty thousand people.<sup>12</sup> The city is depicted as circular and crossed from center to circumference by six wide boulevards. At the center would be a five-and-one-half-acre Central Park surrounded by such public buildings as the town hall. Around this park would run a circular Crystal Palace, a glass arcade not unlike the modern shopping mall. Outside this arcade a series of circular streets lined with trees, houses, schools, and gardens would encircle the center. At the edge of the circular city would be the industries—the factories, warehouses, and coal and timber yards—all of which would face outward onto a circular railway encompassing the town and delivering goods to and from the city and its businesses.

Outside this perimeter would be a five-thousand-acre belt of agricultural land that would be home to an additional two thousand people engaged in farming. This greenbelt—which would be permanent—would provide food for the city, prevent its expansion beyond the planned optimum size, and isolate it from outside forces that could change it.<sup>13</sup>

Through this careful planning and the efficiency it would produce, Howard anticipated that the rent would be well within the reach of most citizens. Although the garden city's rent would be higher than typical rents in London, the Londoner was paying taxes for municipal services that would be included in rents paid in the garden city. Consequently, the price of living in a garden city would be "extremely moderate."<sup>14</sup>

### Political and Economic Organization

Howard's plan for the political and economic structure of his garden city included radical proposals for public land ownership, a novel form of government, and an economic system of publicly regulated monopolies.

The initial construction funds would be borrowed. All land occupied



by the city and the agricultural belt would be owned by the municipality. The residents would pay rent to the city, and that money would be used to pay off the construction loan, build public works projects, and provide old-age pensions and medical care.<sup>15</sup> Subsidies for the poor would not be required, as pensions and voluntary charitable work would make such costs unnecessary. There would be little need for police protection because the new citizens "for the most part, will be of the law-abiding class," and the plan would "prevent the creation of those surroundings which make the intervention of the police so frequently necessary."<sup>16</sup>

The government Howard proposed was a democratically controlled corporate technocracy. Renters would elect the heads of various practical departments grouped under general headings: Public Control, with departments on finance, law, assessment, and inspection; Engineering, composed of departments representing the various elements of the physical plant; and Social Purposes, with such departments as education, music, and recreation. The chairmen and vice-chairmen of these departments would constitute the Central Council, which would be the governing body of the city.<sup>17</sup>

The city's constitution would more closely resemble the charter of a business corporation than the governing document of any existing nation or city: "The constitution is modelled upon that of a large and well-appointed business, which is divided into various departments, each department being expected to justify its own continued existence—its officers being selected, not so much for their knowledge of the business generally as for their special fitness for the work of their department."<sup>18</sup>

This principle reflected Howard's belief that politics, in the sense of various interests competing for favor in the distribution of government services and wealth, would be essentially eliminated in his planned city. In place of politics and ideology would be rational management of practical matters by experts, each elected to a particular department because of his or her expertise in the area and views on "clear and distinct issues." "The candidates would not be expected to specify their views upon a hundred and one questions of municipal policy upon which they had no definite opinions, and which would probably not give rise within their term of office to the necessity for recording their votes, but would simply state their views as to some special question or group of questions, a sound opinion upon which would be of urgent importance to the electors, because immediately connected with the welfare of the town."<sup>19</sup>

In essence, electoral choice would be profoundly but voluntarily re-



stricted. Choice would consist of nothing more than voting for the best electrician, the smartest engineer, the best-trained librarian, and so forth, so that all these technicians might govern as a body. Howard simply assumes that voters would choose on the basis of expertise, thus preserving his democratic technocracy. He does not mention the possibility that they might cast their ballots on some other basis.

This governing group of technicians would possess more power over its renters than other local governments have over their citizens because the council would have all the powers of a landlord at common law: "In the council (or its nominees) are vested the rights and powers of the community as sole landlord of Garden City. . . . By stepping as a *quasi* public body into the rights of a private landlord, it becomes at once clothed with far larger powers for carrying out the will of the people than are possessed by other local bodies, and thus solves to a large extent the problem of local self-government"<sup>20</sup> (emphasis in original).

These greater powers would enable the garden city to operate a new kind of market that combines capitalist and socialist elements. Howard felt that "no line could be sharply drawn between municipal and individual enterprise," and he viewed markets as "semi-municipal enterprises." He therefore proposed that business be regulated by limiting the number of private retail traders and controlling the kind of trade to be conducted in each shop. A trader would ask for permission to rent a shop, and the council would then grant the trader a monopoly on that trade. But the monopoly could be broken and a competitor permitted to operate if the renters so decided by vote, based on the trader's methods, treatment of workers, and prices. This system, which Howard called "local option," would make the tradesmen "in a very real sense, municipal servants."<sup>21</sup>

Howard envisioned that the first garden city would colonize a second city like itself a few miles away, and those two a third, and so on. The cities would be connected by railways, and these clusters of "social cities" would be linked not only by their similar internal plans but by an overall regional plan. In this way the entire nation would eventually be transformed by Howard's garden city idea.<sup>22</sup> Howard felt that the utopian transformation of human society could come painlessly, through urban planning alone—without revolution, without authoritarian national government, and without conscious efforts to change the family, the educational system, the national political system, and other social institutions.



## THE RISE OF PRIVATOPIA

From the adoption in America of Blackstone's commentaries to the simultaneous pursuit of privatization in the 1980s, Britain and the United States have enjoyed a "two-way transatlantic traffic" in land planning and urban policy concepts.<sup>23</sup> The garden city was no exception. American ideas and experience were a part of Howard's inspiration, and later his garden city notion was transplanted from England to the United States.

Yet his ideas did not lead in the benign and cooperative direction he anticipated when they started to become popular in the United States in the 1920s. Howard's ideas came to be absorbed into an important stage in the intellectual heritage of a form of private housing known as common-interest developments (CIDs), a category that includes planned-unit developments of single-family houses (PUDs), condominiums, and cooperative apartments. Some aspects of Howard's utopian vision were retained, others excised, and new elements added as a new kind of residential construction evolved throughout the twentieth century.

Although the government of Great Britain took on a substantial role in building towns inspired by Howard's garden city, the same was not true in the United States.<sup>24</sup> Private developers and businessmen, rather than government, have long been the dominant forces in American urban planning. In *The Private City*, a history of Philadelphia, Sam Bass Warner argues that "from about the mid-nineteenth century onward, the successes and failures of American cities have depended upon the unplanned outcomes of the private market," a market whose nature had "determined the shape and quality of America's big cities." According to Warner's definition of privatism, the purpose of the citizen is to seek wealth while the job of the city is to be "a community of private money makers."<sup>25</sup>

Dennis Judd argues that "American urban growth has always been dictated primarily by private institutions and not by public policy," because public policy "follows rather than precedes the activities of the entrepreneurs who have changed the urban landscape." Consequently, "in American cities, politics has tended to be the handmaiden of the economic system."<sup>26</sup>

The dominant ideology of privatism worked against important aspects of Howard's plan. Perhaps the most significant of these was his approach to land tenure. Because private institutions and private property drive urban development, Howard's proposal for community owner-



ship of all real property, with people renting their homes instead of owning them, has never found favor with America's private real estate developers. Instead, these entrepreneurs, aided by government, have consistently promoted private home ownership.<sup>27</sup>

Yet this same American privatism made fertile soil for Howard's idea of building entire communities. Economies of scale mean bigger profit, especially for private builders with the capital to construct and sell what amount to small cities. Since the 1920s large corporate builders have gradually risen to prominence in the housing construction business, making the single-family house a mass-produced consumer item, like the toaster or automobile.<sup>28</sup> These corporations began to build hundreds, then thousands, of houses at a time for short-term profit, not for long-term social transformation. So, although the corporations have planned and built on a grand scale, their communities have been premised on private home ownership and designed to safeguard property values. Howard's hope for "a new civilisation based on service to the community and not on self interest" has not been realized. Instead, American real estate development corporations, with government as a silent partner, have chosen to build a new kind of community that serves as a monument to privatism.

The complex interplay between Howard's ideas and the ambience of American privatism began long before Howard wrote his influential book. In 1871, at the age of twenty-one, he went to America with two friends to start a farm in Howard County, Nebraska. He proved to be a failure at farming, and within a few months he moved to Chicago and became a court reporter. In 1876 he returned to England, but his stay in America had affected him deeply. Through contact with Quakers and Christian Scientists, he acquired a humanist religious outlook emphasizing the power of the mind to translate ideas into reality. As one of Howard's biographers put it, "This tipping of the balance towards the ideal remained in Howard's mind all his life."<sup>29</sup> Although his idealism and bedrock optimism helped to make him an inspirational leader, it also colored his urban planning ideas, leaving him with "[a] tendency discernible in *Garden Cities of Tomorrow* to discount the existence of evil" and a relentless belief that humankind was capable of achieving perfection through the use of the mind.<sup>30</sup>

America influenced Howard in another sense as well: during his stay he witnessed cities being built from the ground up. As Lewis Mumford describes it, "No little stimulus came to him from his visit to America,