



“Stone walls do not a prison make, nor iron bars a cage”: The institutional and communitarian possibilities of “gated communities”



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ABSTRACT

This paper examines the nature of the “community” in “gated communities” as a globalizing form of housing development; discusses factors for the enmity this form attracts; argues that the global trend in gating need not be socially destructive, as warned by critics; and suggests principles for shaping the governance of these communities with subsidiarity and solidarity in mind. It uses four case studies to demonstrate the applicability of these principles or otherwise.

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Although the economic exclusionary nature of such communities may restrict access, the varied housing designs and diverse architectural styles (Pow, 2009) offer visual compensation. Further, if key stakeholders – including residents and builders – are to have a say in the shaping of places, then the formation of gated communities represents one vision of a (potentially) sustainable community. (Rogerson et al., 2010: p. 516; Emphasis author's)

1. Introduction: the global trend in gating

The world has become increasingly “gated,”¹ a reality that has been predominantly explained in terms of safety and criticized for an anti-social mentality of exclusion that fosters insecurity. Applied to a form of private housing called in planning parlance a “gated community,” gating generally implies the presence of *physical* barriers and other security devices, such as digitized access controls, which prevent trespassing. The aim of this paper is modest – tackling what has happened – the proliferation of a form of private development throughout the world that excludes the general public from “coming close to knock at the door”.

A typical “gated community” is one with three distinct, but related, dimensions. First, it physically consists of a number of housing units, each of which has its own private access, but shares some space and facilities, including gated access, with other units within a walled or ring-fenced real estate development on the ground level or on a podium deck.

Second, institutionally, all unit proprietors agree to observe rules, enforceable in a court of law, which govern the use of private and common areas and facilities.

Third, spatially, a gated community typically has a name that stands for the community that is not a street number, but rather of a “place”. “Place branding” (Kerr and Oliver, 2015) and the naming and trademark protection of this name have a value added function (Lai et al., 2014) and are part of the due diligence of the property development project or marketing manager. The built heritage history of a site should be a sign resource, of which the developer and residents can take advantage.

The gated community is not only replicated, but also impacts local government.² In the U.S., its neighbourhood or public housing bodies tend to follow the governance of a gated community to form community associations (Nelson, 2006) but, as Moroni (2014) pointed out, only 15% of all residential associations in U.S.

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¹ The countryside of the Czech Republic seems to be an exception. See Temelová et al. (2014).

² In Hong Kong, the government, by default, perpetuates this by requiring developers to provide adequate local open spaces inside their developments and imposes lease conditions to ensure that residential and non-residential uses cannot share common spaces. This entails gating partly as a means to indicate exclusivity.

are gated. This form of real estate product is often contested as an issue of consumer “sovereignty” in a quest for public goods (including security) in partnership or rivalry with the state (Glasze et al., 2004) or simply PR and marketing booble babble—as are most uses of the word ‘community’ from a cynical perspective that defines experience. The case of Hong Kong, with local open space well-provided by the state, but often underutilized, may reveal an ugly reality of the tie-in-sale, if not forced consumption, by developers of new condominiums that retain ownership of various club facilities as excuses for keeping high property management levies (Lai, 2014a,b). Stransky (2000) illustrated the possibilities of the incorporation of a gated community in USA as a Hobbesian Leviathan: “a pamphlet prepared by the Nevada Department of Business and Industry, Real Estate Division, Rules for Homeowner’s Associations, includes the following statement: it is important for prospective borrowers to understand the benefits and possible risks of belonging to a homeowner’s association. This type of ownership and lifestyle may not be for everyone.” (2000: p. 29) (Point 2, Reviewer 1) The issue is no longer simply a matter of the degree and modes of access restriction under communal or private property rights but governance and civil liberty. Some corporations risk becoming local “stationary bandits,” a term used by Mancur Olson (Yu et al., 2007).

For this form of development, a number of questions pertinent to planning theory and policy are pertinent. First, is this a real community? Second, why does it attract so much contentious discussion in which authors apparently do not share the same starting point? Third, how can such a community be institutionally designed to avoid the criticisms made against it? The next section deals with the first question.

2. A gated community is a “keyword,” a community in actual face-to-face contact

It is true that a certain degree of conflation of concepts is apparent in the planning literature when the authors have recalled that gated settlements have existed throughout history.³ Some examples cited are fortified towns, walled monasteries, and so forth (Wu, 2005; Hogan et al., 2012). However, while towns can be gated, gating in itself does not create a town. Similarly, a community can be gated, but gating in itself does not produce a community in the true sense of the word.

What, then, is a community? Christian theologians and social thinkers have considered the triune God as a community of persons. (Bracken, 1974, 2002; Naughton, 2006) Most definitions for things here on earth include spatial proximity, territory, common interest⁴ and common action. For instance, an old definition quoted in Queen (1923) reads, “a community consists of a group or company of people living fairly close together in a more or less compact, contiguous territory, who are coming to act together in the chief concerns of life” (p. 375). Likewise, a more recent definition by MacQueen et al. (2001) reads, “A group of people with diverse characteristics who are united by social ties, share common perspectives, and engage in joint action in geographical locations or settings” (p. 1929). The additional elements in this definition are shared values and dispositions. Other definitions are more “liberal”. One only requires a common identity: “a body of individuals who have a sense of common identity” (Slack, 1998: p. 361). The definition of Park (1925) is interestingly modern, as it stresses institutions: “a community is not only a collection of people, but it is a collection of institutions” (p. 674). Park’s (1925) definition would cover the gated development in Sofia, which Smigiel (2014)

rejected as communitarian on the grounds that “residents do not consider themselves members of a community” and “many residents are even not interested in having closer social relations with their neighbors as the large number of conflicts and disputes among neighbors have shown it” (p. 191). Smucker’s (1960) study on the definitions of the meaning of a community is highly interesting for he singled out the role of communities, among other roles, as “focal points of providing services” (p. 274), which can be conveniently be used by those who stress the gated communities as providers of local shared goods.

The above sample of definitions accommodate a continuum of communities (which may or may not be shared accommodation space) ranging from a disorganized body of individuals, families, or groups on one extreme to a hierarchical association of individuals, families,⁵ or groups (as in the case of a monastery or a student hostel) on the other. The commonality is that members of a community “live close together”—not necessarily in a geographical sense, but on social terms that not only convey a sense of belonging and shared/joint ownership, but also include sufficiently regular communication and even the sharing of life and basic values. Communication, formal or informal is a salient feature of any community. This 20th Century German (Jürgen Habermas) communicative dimension of a community *transcends* the 19th Century German (Ferdinand Tönnies) *Gemeinschaft/Gesellschaft* distinction between what is usually translated as “community” (i.e., a natural, kin, work, and place-based fellowship that includes personal social interactions and the roles, values, and beliefs based on such interactions) and “association” (i.e., a relationship defined and constrained by law alone in the form of indirect interactions, impersonal roles, formal values, and beliefs based on such interactions). In other words, such relationships require no “natural/communal” bonds to sustain them, without which there could be no multinationals!

Fundamental to communication, informed by Raymond Williams’ Keywords (1976), is the social phenomenon that the term, “gated community,” IS a “keyword”. Yet; it is one that is seldom; if ever; used as the name for a development! The expression has “signification” (Williams, 1976: p. 21). It is always used by outsiders; either scholars or commentators; be they friends or foes; and from a third party point of view. It is rarely used by residents living inside the gated complex. As succinctly put by Williams; keywords have significant binding and indicative value: “binding words in certain activities” and “indicative words in certain forms of thought” (1976: p. 15).

Furthermore, as Williams (1976: p. 76) and Harris (1989: p. 12) pointed out, the keyword, “community,” “seems never to be used unfavorably.” Indeed, Wark (1999), as quoted in Dudgeon et al. (2002), compared this term to “motherhood” and argued that (p. 269) “Community is something of a ‘motherhood’ term in Australian political culture, conjuring up images of a small town life where everybody knows everybody and there is always someone special to lend a helping hand.” Williams’ keywords are also singular terms, but “gated community” is a compound one. The representation of a “gated development” as a “gated community,” rather than a “gated association” (which is more descriptive of the development when it was newly-occupied), has its own sign (hope?) values, which this paper hopes to develop further below.

While a gated development does not necessarily produce a community, a gated community, as characterized in the introduction, is a community because its residents have, beyond their private dwellings, a specific well-insulated and delineated *common place*

³ For a good discussion, see Chiodelli and Baglione (2014).

⁴ In the U.S., the gated community is classified as a kind of “common interest housing” (McKenzie, 2003).

⁵ Some hold that communities are not families, as membership in the former join them voluntarily. See for instance Beauchamp (1989), Brown (2007), Burt (1991), and Galston (2007).

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