

## Sneaking in Through the Back Poor Door: Why Mixed-Income Housing Merely Manages Discrimination

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Audrey G. McFarlane, [\*The Properties of Integration: Mixed-Income Housing as Discrimination Management\*](#), 66 **UCLA L. Rev.** 1140 (2019).

“Cities are difference engines, and one of the qualities they assign is the place of class in space.”<sup>1</sup> Professor Audrey G. McFarlane uses this quote to open her 2019 article, *The Properties of Integration: Mixed-Income Housing as Discrimination Management*. In this article, she argues that mixed-income housing policy operates within an inherent tension between our political and policy desires to integrate and our “enduring expectations and practices for race and class separation and exclusion.” (Pp. 1146-47.)

McFarlane argues that, rather than seeking to eradicate class- and race-based discrimination, mixed income housing policy instead seeks merely to “manage” such discrimination. Unfortunately, “Managing discrimination requires taking on the mindset of those who would discriminate.” (P. 1212.)

Given the racialized nature of class in the United States, the result of such “management” is that the concerns of those who benefit from discrimination – a group that is overwhelmingly wealthy and white – are placed at the forefront of mixed-income housing policy. In short, “we are choosing to build housing based on market preferences [for classist and racist exclusivity], while also aspiring to economically integrate in a society shaped by racial segregation and discrimination.” (P. 1144.)

McFarlane uses the “poor door” controversy to help illustrate this tension. “Poor doors” are separate entrances for the lower-income residents who inhabit the affordable units of mixed-income buildings. Unlike the main building entrances used by the wealthier market-rate residents, these entrances are not just separate—they are unequal.

Under mixed-income housing policy, affordable units are integrated into newly constructed buildings or communities in an effort to provide to lower income people integrated housing and access to the amenities of the city—such as better transportation, schools and employment opportunities.

The market-rate entrances, which are located on the buildings’ front façades, have luxury amenities, like doormen and valets, while the entrance set aside for the lower-income residents are merely functional and usually hidden on the side of the building, away from the main entrance. Some buildings even preclude access to community amenities, like gyms and courtyards to preserve exclusivity by keeping the poorer residents from mixing with their economic “betters.”

The public reaction to poor doors has been mixed, with some commentators exhibiting moral outrage at yet another humiliation foisted upon lower income people, and others, noting our historic preference for exclusivity, finding the use of poor doors to be a reasonable outcome that is reflective of class distinctions typically made in services and accommodations.

No commentators, however, reached the brilliant insight of McFarlane’s conclusion: “[M]ixed-income housing is a poor door strategy itself.” (P. 1145.)

Like the actual physical poor doors, the metaphorical poor door of mixed-income policy gives to racial minorities and lower income people entree to spaces from which they are typically excluded, while also avoiding the usual “NIMBY”

objections to affordable housing developments by, in effect, hiding the poor and people of color from view.

Given the tacit acceptance of discrimination inherent in mixed-income housing policy, McFarlane argues that its embrace of discrimination management calls for a critical analysis of both the purported benefits of integration and the costs of tolerating discrimination. The fruits of such an analysis, she contends, should be used to decide if and how we should seek to manage discrimination going forward.

Despite the race-neutral nature of mixed-income housing policy's focus on economic integration, the intersection of race and class provides an ever-present backdrop. However, the racially neutral approach of mixed-income housing policy serves to obscure the problem of racial discrimination and hyper-segregation that the Fair Housing Act (FHA) was meant to combat.

McFarlane contends that, "In the context of the United States' protracted history of racial segregation, the quest for racial integration undeniably undergirds inclusionary housing's mixed income, racially neutral, class-based strategy." (P. 1158.) And she continues by explaining that "Racial integration as a policy goal lingers in the background, undefined, undiscussed, and unfulfilled." (P. 1158.)

Thus, "[w]hile the FHA appears to address a fundamental deprivation of a right based on one's skin color and African heritage, it imperfectly addressed that the right can also be denied by income which is structured by race." (P. 1183.)

McFarlane charts the ideological history of mixing as a "utopian social ideal," noting that upper classes have always controlled the means and degree of mixing, keeping the lower classes close in proximity when they were needed as servants, and pushing them away as technology and transportation improvements have mitigated the need for residential proximity.

McFarlane's premise, therefore, is that mixed-income housing policy legitimizes the racist and classist impetuses and the ongoing quest for white supremacist social dominance behind the United States' exclusionary housing history. McFarlane's thesis is rooted in social dominance theory, which posits that society is organized into dominant and subordinate groups and that the dominant group maintains its status through the use of "legitimizing myths" that justify its systemic advantages.

Thus, mixed-income housing policy does not see concentration of affluence as a problem, only the concentration of poverty. In fact, mixed-income housing policy works to legitimize notions of both Blackness and poverty as deviant and, thus, in need of being physically cordoned-off from affluence in order to preserve the middle- and upper-class statuses of certain spaces. Hence, the need to "sneak" the poor in through mixed-income housing's physical and metaphorical poor doors.

McFarlane questions why we accept status preservation as legitimate, thus giving credence to social domination. She notes that mixed-income housing policy is promoted as "domination ameliorating,"<sup>2</sup> but is, in fact, "domination enhancing"<sup>3</sup> because it is centered on the preferences and concerns of the socially dominant class – those who are affluent and racialized as white.

For this reason, McFarlane concludes that housing policy should be examined to identify domination enhancing versus domination ameliorating features and ensure that features that are initially identified as domination ameliorating are in fact so. As she notes, what at first glance appears to be both beneficial and beneficent—mixed-income housing policy—may actually be a perpetuation of old systems of disadvantage and subordination.

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1. Michael Sorkin, [What's Behind the "Poor Door"?](#), *The Nation* (April 2, 2014).

2. See Jim Sindanius & Felicia Pratto, *Social Dominance: An Intergroup Theory Of Social Hierarchy And Oppression* (1999). (P. 38-39.) McFarlane sites the work of Sindanius and Pratto who use the terms

“hierarchy-enhancing” and “hierarchy-attenuating” to make this same argument regarding perpetuation of amelioration of systems of social dominance.

3. *See id.*

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