SPI 594W: RACE, PLACE, AND THE LAW
Draft Syllabus: Subject to Change

Spring 2023 (First Half)
Tuesdays 6:30-9:30 PM, Robertson 029
Professor: Brian Highsmith, bh9459@princeton.edu

Course Description:
This seminar explores the institutional stakes of geography for economic opportunity and democratic representation, focusing on racial separation and subjugation in the United States. The first part of the course considers how law and policy help determine where people reside; the remainder explores how and why “place” matters. Many of our readings—which draw from public policy reports, historical context, legal scholarship, and contemporary social science—will focus on the case study of mass punishment, covering such issues as prison gerrymandering and local governments’ reliance on regressive fines and fees that are generated through overpolicing. The primary goals of this course will be to first understand the hidden stakes of geography, as shaped by racialized processes of exclusion and dispossession, and then to apply the resulting insights to contemporary policy problems.

Assignments:
The primary academic expectation for this seminar will be to engage with its central questions through critical reading of the assigned texts and participation in our group discussions (about those readings). I have tried to select excerpts from longer works and to intersperse denser academic texts with short videos, podcasts, news coverage, and policy reports. But due to the nature of these topics, as well as the expanse of material to cover in just six weeks, I want to acknowledge that our reading load is heavy—generally around 150 pages per week.

Three writing assignments (structured in one of two ways)
Over the duration of this half-term, every student in this course will write approximately 4,500 words, distributed across one opinion essay, brief reflections about our readings, and a longer final research project. To accommodate students’ different goals and time commitments, you will select from two options for submitted written work: one where the bulk of the writing will be done as the final research project, and a second option that distributes (essentially) the same writing over extended weekly reflection memos. The expectations for both tracks are laid out below; please let me know by Thursday, February 2, which option you would like to select. The weight of several assignments will vary across the two writing options, depending on your selection, roughly corresponding to the assignment length:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Option 1</th>
<th>Option 2</th>
<th>Grading</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading reflections</td>
<td>Three ~300-word reflections</td>
<td>Four ~800-word reflections</td>
<td>15% (5% each)</td>
</tr>
<tr>
<td>Final project</td>
<td>One ~3,000-word original research project</td>
<td>One ~500-word supplement to a previous reflection</td>
<td>45%</td>
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<tr>
<td>Opinion essay</td>
<td>One 780-to-920-word opinion essay</td>
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<td>15%</td>
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<tr>
<td>Class participation</td>
<td>Constructively engage during class discussion and with guest speakers</td>
<td></td>
<td>20%</td>
</tr>
<tr>
<td>Reading summary</td>
<td>Read one designated “skim” assignment closely, and summarize during class</td>
<td></td>
<td>5%</td>
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With respect to the reflections and reading responses, word counts listed throughout are approximate, listed here only as general guidelines for length. The opinion essay, by contrast, is designed to be an opportunity to model contemporary publishing practices; your submission should be between 780 and 920 words.

Final research project and reading reflections (general guidance for all students)
All writing reflections will be due at 9am on the morning of our class meeting. The reflections might compare the positions of different authors or texts, incorporate new information (including from outside readings or your own experiences), or draw attention to particular strengths and oversights in the texts. They should draw from multiple (or all) of the readings to develop an original argument or perspective, going beyond summarization to draw out connections between the readings and raising additional points to consider. That having been said: you are encouraged to develop a few points, even if certain readings are not relevant to those arguments, rather than “check off” all the readings in a cursory or superficial manner. Feel free to reference relevant outside material, beyond what we have been assigned—for example, by linking to a study that you’ve come across in some other context that provides empirical evidence of a relationship that is gestured at in the readings, or bringing in some theoretical concept that helps explain a historical anecdote. But the primary focus should be the readings.

Please conclude your responses with one or two short questions for the class to discuss; these questions are included in the word count expectation, as described below, but need not be related to the observations or arguments you make in the reflection. This general guidance for the reading responses applies to all students, whether or not they have selected Option 1 or Option 2; the primary difference is that students selecting Option 2 will have additional opportunity to “go deep” on a few points, or even a single argument, in a way that begins to resemble the sort of writing one might generally expect to practice in a research project.

Option 1 (research project)
Students selecting this option will be responsible for writing a final research project of approximately 3,000 words, to be submitted to me by May 12. This project should involve original research about a topic related to the themes of our class, but it can take different forms: it could be, for example, an academic research project (such as a review of literature relevant to an empirical project that you wish to pursue), or a persuasive essay for a public audience, or a policy memorandum reviewing different reform options. I hope that this project will contribute to your academic and professional goals; I would be happy to discuss or brainstorm with you about the various options (regarding both topic selection and final form). Students selecting this option will also be responsible for writing short (approximately 300 word) responses to our readings for any three of the five weeks after our initial class meeting; this means there will be short writing assignments due on the morning before three of the five class meetings after Week 1, in addition to the opinion essay.

Option 2 (extended weekly reflections)
In lieu of a final research project, students selecting this option will write longer reading response memos for four weeks after the initial class meeting. These will be due at 9am on the morning of our class meeting. For students selecting this option, the bulk of your work will be done by the end of the semester, but there will still be a final assignment: you will take any one of the previous reading response memos, and roughly double the length (extending it from 800 to approximately 1,300 words). This can be done by supplementing your points with additional citations, or by reorganizing and adding structure to your argument. But the idea is that you won’t be starting from scratch—extending, rather than creating anew.

Opinion essay:
By the final day of class (March 7), you will be responsible for drafting one standard-length opinion essay (between 780 and 920 words) that extends the substantive arguments that you have developed in any of the
writing assignments, including both the final research project as well as the weekly reflections. Public-facing persuasive writing is a valuable skill that this assignment will give you an opportunity to practice; it also, importantly, represents a different type of writing than the academic writing that is the general expectation for our other assignments. Note that this is a different assignment than the others, and given a separate grade—but the idea is that this essay will develop one or more of the same arguments that you have made in other course assignments. You are allowed (and even encouraged, to some extent) to pull some language directly from those assignments, but the goal here is make your arguments compelling and immediately accessible to a general audience that does not have the same background as your classmates; that task very likely will require some substantial reworking of your reflections or research draft. We will discuss strategies for this sort of writing during class. Note also that this assignment is due by the final day of class, even if you are adopting an argument that will be extended in a final research project submitted at the end of the semester. For this assignment (only), please list the word count at the bottom of your submission.

Class participation:
This is a seminar course, and the success of the course requires full participation by all of us. The most important requirement of the course is to consider the assigned readings for each week carefully and critically, and to come prepared to discuss the larger issues that they point us toward.

Required Texts:
Readings will be available on the course’s Canvas site.

Reading Summary Assignment (and note on the assignment designations):
The readings are the focus of our weekly discussions; they provide us, as a group, with common terms of reference upon which productive discussions will depend. I have tried to balance the readings between “classic texts,” which you may already have encountered, and works with which you may be less familiar. In the case that you already have read one of the assigned readings, please feel to either read it closely a second time (engaging with it in fresh perspective) or alternatively to skim it this time and engage closely with one of the recommended readings instead.

I have attempted to excerpt from nearly all of the extended texts, such that we can give each a fairly close read—but I also am hoping that you will learn to skim well, paying particular attention to key arguments, methods, and findings. With that goal in mind, I have designated several of the assigned readings in most units as “skim-able.” These readings are assigned (as distinct from the others that I have listed here as supplementary, which are intended for your future reference), and you should be prepared to discuss them in class—but in the interest of trimming the reading load, I ask only that you read closely enough to get the key ideas and arguments, rather than all of the details and presented evidence.

Instead, I will ask each of you to sign up to read—at some point in the semester—one designated “skim” reading in closer detail and then present its main idea and supporting evidence to the class. You are encouraged also to identify any substantive connections to the readings that were assigned (as “close reads”) to the full group. These reading summaries are intended to be informal; you are welcome to use a handful of slides if those would be helpful, but also are free to summarize the readings verbally. These presentations should take about 3 to 5 minutes.
**Course Assignments**

**Week 1 (January 31): Introduction to the Law and Study of Race and Place**
This course meeting is designed to introduce the themes of our seminar, through a close examination of how race and the law have shaped the economic and political geography of Alabama—as well as the ongoing human impact of these legacy institutional arrangements. We will be joined via Zoom by several guest experts, including journalists and local researchers whose work we will read and impacted people whose stories are featured.

*Assigned readings*
- “Pulled Over/Pulled Under” (17-minute video), [link](#)
- Brian Highsmith, *The Structural Violence of Municipal Hoarding*, American Prospect (July 2020), [link](#)
- Connor Sheets, *Alabama sheriffs pocket tens of thousands of taxpayer dollars allocated to feed inmates*, Birmingham Real-Time News (Feb. 2018), [link](#)

*Skim*

**Week 2 (February 7): Why do people live where they live?**
This unit examines why people live where they do; the remainder of the class meetings consider why these geographic arrangements of people matter. We begin by considering how people have come to be distributed across regions, focusing on settlement of the western territories during the 19th century and the Great Migration of Black families who fled the terror of Jim Crow South for industrial cities in the northern and western United States. We also will explore the relation between historical processes of commodifying land and the creation of mechanisms for dispossessing and displacing the people who inhabit it. We then examine the factors that shape how people are distributed within regions, through residential segregation. We will learn about the laws and other mechanisms used to exclude Black families from white neighborhoods, as well as the flight of white families from urban centers into constructed suburbia.

**NOTE:** This week covers a lot of substantive ground—providing important background for the remaining units—and is, for that reason, particularly reading intensive (somewhat more than the others). I hope the podcast can be listened to while you are doing other tasks throughout the week. It’s also possible that some of this content will be familiar to you from other coursework or your own reading. If you need guidance prioritizing among the readings, please focus on the substance here that is least familiar to you.
**Assigned readings**

  Part One: In the Land of the Forefathers (Pages 1-15; 36-46); Part 3: Exodus (Pages 223-237)
  Chapter 1: The Second Ghetto and the Dynamics of Neighborhood Change
  Chapter 7: Class, Status, and Residence: The Changing Geography of Black Detroit
The Dig podcast, “New Deal Ruins w/ Edward Goetz” (December 2022), [link](#)
  Chapter 2: White Space, Black Hood: Opportunity Hoarding and Segregation in the Age of Inequality

**Skim**

Jessica Trounstine, “Segregation by Design: Local Politics and Inequality in American Cities” (2018) —
  Chapter 4: Engineering Enclaves: How Local Governments Produce Segregation

**Recommended supplementary readings (not assigned)**

**Historical perspectives on regional migration and property regimes**
Paul Frymer, “Building an American Empire: The Era of Territorial and Political Expansion” (2017) —
  Chapter 1: Introduction; Chapter 2. Boundaries and Movement; Chapter 4. Homesteading and Manufacturing Whiteness

**Housing discrimination, neighborhood segregation, and intergenerational wealth**
The Tyranny Of The Map: Rethinking Redlining
Robert Gioielli, *Housing, Race, Redlining, Segregation, Suburbanization*, The Metropole Blog (2022), [link](#)
Ta-Nehisi Coates, *The Case for Reparations*, The Atlantic (2013), [link](#)
Week 3 (February 14): How does geographic space assume political meaning?
The next section of the course, beginning with this unit, is about how people—distributed across geographic space through the processes we will have just discussed—come to be organized into distinct political communities. Who should get to decide the scope of political boundaries, and how should they be decided? We will study the state laws that determine the extent to which contested local jurisdictional boundaries may overlap onto (and thus reinforce) patterns of racial and economic segregation. We will begin this study with a discussion of the doctrine of municipal incorporation, examining how local governments are formed and why their boundaries matter for political and economic life. We then look at how those legal boundaries are contested over time, including to enforce racial exclusion and protect accumulated wealth in segregated enclaves. We will be joined this week (virtually, for a portion of class) by guest Michelle Wilde Anderson.

Assigned readings

*Why American Cities are so Weirdly Shaped: How Strange Municipal Boundaries Came About, and How They Hold Cities Back*, The Economist (2018), [link](#)


Michelle Wilde Anderson, “The Fight to Save the Town: Reimagining Discarded America” (2022) — Introduction

**Skim**
Margaret Newkirk, *The Wealthy Atlanta Suburb Fighting to Secede from Its City*, Bloomberg Businessweek (2018), [link](#)

**Recommended supplementary readings (not assigned)**
The formation and significance of local boundaries

**Municipal splintering: annexation and secession**
Thomas Korosec, *Sunnyvale: The Whitest Town in North Texas*, D Magazine (2012), [link](#)

**Week 4 (February 21): What are the consequences for economic distribution?**
Having studied why people live where they do and how communities organize themselves politically, the remainder of the course will examine the consequences of these geospatial arrangements and the legal and political institutions used to give them political meaning. In this unit, we will first (briefly) review some of the social science literature about why place matters for economic mobility and opportunity. We then will study the legal doctrines and institutional arrangements that help determine how local governments raise revenue and provide public goods. We will learn about how residents of wealthy white neighborhoods can, through government and individual actions, use self-drawn municipal boundaries to construct legal walls around their wealth—protecting their resources from public use and creating fiscal pressures in excluded communities. We finally will discuss how different levels of government work together to collect revenue and provide redistributive public goods. Increasingly, economic inequality and segregation work together to place a rising share of the country’s resources out of reach for excluded local jurisdictions. Partly as a result, we will learn, broad categories of public goods funded through local sources of wealth—from quality schools to clean water...
to public safety—are inaccessible to many poor families. We will be joined this week (virtually, for a portion of class) by guest Patrick Sharkey.

**Assigned readings**

ACTiVEST, “Newark, New Jersey — Fiscal Justice Analysis” (June 2022), [link](#)

**Skim**


**Recommended supplementary readings (not assigned)**

**Mobility and opportunity**


**Local tax structures and public goods**

Destin Jenkins, “The Bonds of Inequality: Debt and the Making of the American City” (2021)  

**Perspectives on fiscal federalism**

Paul Peterson, “City Limits” (1981) — Chapter 4: Toward a New Theory of Federalism
Week 5 (February 28): What are the consequences for democracy?
In this unit, we finally consider the consequences of these various forms of municipal hoarding and geographic sort for political representation, across all levels of government. We first consider the constraints on local democracy, including state preemption of local authority and representational challenges presented in local elections. Then we consider how geographic sort is changing political representation also through our national institutions, including by diluting the influence of Black votes through single-member congressional districts and the malapportioned Senate. Indeed, many of what scholars have identified as defects of our constitutional design can be thought of as distortions deriving from where people live today.

Assigned readings
Richard Briffault, *The Challenge of the New Preemption*, Stanford Law Review (2018) — Introduction; Sections I and III; and Conclusion [read all but Section II, which you may either skim or skip]
David Leffler & Savanna Strott, *A Texas county wants to punish polluters. The state won’t let it.*, Grist (2022), link

Recommended supplementary readings (not assigned)
Local representation, preemption, and the political dimensions of federalism
Daniel Vock *The End of Local Laws? War on Cities Intensifies in Texas*, Governing (2017), link
Richard Florida, *City vs. State: The Story So Far*, CityLab, link

National implications of local geographic sorting
Week 6 (March 7): Policing, Punishment, and Place

Finally, we will pull these insights together to apply this new framework to the case study of mass punishment. Our readings will discuss how policing is used to entrench segregation by enforcing spatial boundaries. We will discuss the practice of prison gerrymandering, through which political power accrues to the (mostly white and rural) communities that imprison the (disproportionately Black and city-residing) men who have contact with the criminal system. And we will read about how cash-strapped jurisdictions, responding to the fiscal pressures created in part by economic segregation, have turned to regressive funding schemes—namely through fines and fees generated by overpolicing—to fund critical services.

Assigned readings

East New York Land Trust, *Black Paper #1: Redistributing the land resources of the NYPD in ENY and across NYC* (2022), link

Skim

U.S. Department of Justice, Civil Rights Division, Investigation of the Ferguson Police Department (March 2015) — Part III: Ferguson Law Enforcement Efforts are Focused on Generating Revenue  
Walter Johnson, *Ferguson’s Fortune 500 Company*, The Atlantic (2015), link  