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## Cultivating "Civity": Enhancing City Resilience with Bridging Relationships and Increased Trust

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# CULTIVATING "CIVITY": ENHANCING CITY RESILIENCE WITH BRIDGING RELATIONSHIPS AND INCREASED TRUST

#### PALMA JOY STRAND\*

"Above all, we must free ourselves from our tendency to see cities as their buildings, and remember that the real city is made of flesh, not concrete."

Edward Glaeser<sup>1</sup>

"We are the city."
Geoffrey West<sup>2</sup>

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<sup>1.</sup> EDWARD GLAESER, TRIUMPH OF THE CITY: HOW OUR GREATEST INVENTION MAKES US RICHER, SMARTER, GREENER, HEALTHIER, AND HAPPIER 15 (2011).

<sup>2.</sup> TED, Geoffrey West: The Surprising Math of Cities and Corporations, YOUTUBE (July 26, 2011), http://www.youtube.com/watch?v=XyCY6mjWOPc [hereinafter TED Talk].

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The very title of this Symposium—"Resilient Cities: Environment, Economy, Equity"—poses intriguing questions. What do we mean by "cities"? How shall we define "resilient"? Are there distinct dimensions of city resilience? If so, how do they relate to each other?

These questions arise at the juncture of two separate trends. The first is urbanization, a phenomenon that is occurring both globally and domestically. On a global scale, city admirer and economist Edward Glaeser observes, "Five million more people every month live in the cities of the developing world, and in 2011, more than half the world's population [was] urban." In the United States, over the course of the twentieth century the share of the population living in the largest one hundred metropolitan areas rose from 44% in 1900 to 66% in 2009. In the years between 2000 and 2009 alone, these areas grew 10.5%, in comparison to 5.8% growth in the rest of the nation. And urban areas now extend far beyond the top one hundred metropolises: The U.S. Census Bureau identifies 486 urbanized areas in the United States with populations greater than 50,000 and 3,087 urban clusters with populations between 2,500 and 50,000. Overall, the Census Bureau now classifies 80.7% of the U.S. population as urban.

The second trend, related to the first, results from the devastating effects on large numbers of people when cities experience environmental and/or social shocks. Within the last decade alone, environmental disasters have affected millions of people in urban areas. Hurricane Katrina decimated the City of New Orleans in 2005,8 Superstorm Sandy pummeled cities along the northeastern coast in 2012,9 and Typhoon Haiyan wreaked havoc on the small (population 222,000) coastal city of

<sup>3.</sup> GLAESER, supra note 1, at 1.

<sup>4.</sup> Brookings Inst. Metro. Policy Program, State of Metropolitan America: On the Front Lines of Demographic Transformation, The Brookings Inst. 1, 16–17 (2010), http://www.brookings.edu/~/media/research/files/reports/2010/5/09%20metro%20america/met ro\_america\_report.pdf.

<sup>5.</sup> *Id.* at 24.

<sup>6.</sup> U.S. Census Bureau, 2010 Census Urban & Rural Classification & Urban Area Criteria (2010); see also U.S. Census Bureau, 2010 Census Urban Area Facts (2010).

<sup>7. 2010</sup> CENSUS URBAN AREA FACTS, supra note 6.

<sup>8.</sup> Kimberly Amadeo, How Much Did Hurricane Katrina Damage the U.S. Economy?, ABOUT.COM (Oct. 31, 2012), http://useconomy.about.com/od/grossdomesticproduct/f/katrina\_damage.htm economic losses as a result of Katrina-caused flooding in New Orleans).

<sup>9.</sup> Kimberly Amadeo, *What Are the Facts About Sandy's Damage and Economic Impact?*, ABOUT.COM (Nov. 2, 2012), http://useconomy.about.com/od/Disasters/f/Hurricane-Sandy-Economic-Impact.htm (describing effects on New York City and environs).

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Tacloban in the Philippines in late 2013. <sup>10</sup> The 2010 Haitian earthquake literally toppled the lives of millions of Port-au-Prince residents, <sup>11</sup> and a 2011 tornado hit hard in Joplin, Missouri. <sup>12</sup> The drought in east Africa had extensive repercussions in cities in Ethiopia and other countries because of higher food prices. <sup>13</sup>

A 2011 earthquake-caused tsunami, along with the tsunami-caused meltdown of a nuclear power plant near Fukushima, Japan, caused massive dislocation in that city. Hukushima provided a sobering reminder that devastation can be caused or compounded by human action or inaction. Just as the effects of the earthquake and tsunami in Fukushima were magnified by the malfunction of the nuclear power plant, the effects of Katrina were magnified by the failure of the levees in New Orleans. And earlier catastrophes—such as Chernobyl, which turned the nearby city of Pripet in Ukraine into a ghost town; and the gas leak from an insecticide plant, which killed hundreds and injured thousands in the nearby city of Bhopal in India, Thou that human activity alone can send shock waves through city populations.

The potential disruptive effect of human activity is not limited to external forces or discrete events. Riots within cities can cast long shadows: Witness the 1965 Watts Riots in Los Angeles, and the riots almost thirty years later following the not-guilty verdict of the defendants in

10. Kate Hodal, Typhoon Haiyan: Desperate Survivors and Destruction in Flattened City, The Guardian (Nov. 11, 2013, 1:02 PM), http://www.theguardian.com/world/2013/nov/10/typhoon-haiyan-dead-aid.

<sup>11.</sup> Haiti Earthquake Facts and Figures, DISASTERS EMERGENCY COMMITTEE, http://www.dec.org.uk/haiti-earthquake-facts-and-figures (last visited April 14, 2014) (3.5 million people were affected, including an estimated 220,000 dead and over 300,000 injured).

<sup>12. 2011</sup> Tornado Information, NAT'L OCEANIC & ATMOSPHERIC ADMIN., http://www.noaanews.noaa.gov/2011\_tornado\_information.html (last updated Mar. 20 2012, 12:00 PM) (Joplin tornado ranked as seventh deadliest in U.S. history and left 157 people dead).

<sup>13.</sup> See, e.g., Drought Hits Children in Ethiopia's Cities, PLAN ETHIOPIA (Aug. 3, 2011), https://plan-international.org/where-we-work/africa/ethiopia/about-plan/news/drought-hits-children-in-ethiopias-cities/.

<sup>14.</sup> The Faces of Fukushima's Fallout, ALJAZEERA AMERICA (Jan. 8, 2014), http://america.aljazeera.com/watch/shows/america-tonight/america-tonight-blog/2014/1/8/the-faces-of-thereturntofukushimaseries.html (highlighting "Genpatsu rikon"—"nuclear divorce" resulting from the disaster).

<sup>15.</sup> Michael Grunwald & Susan B. Glasser, Experts Say Faulty Levees Caused Much of Flooding, WASH. POST, Sept. 21, 2005, http://www.washingtonpost.com/wp-dyn/content/article/2005/09/20/AR2005092001894.html.

 $<sup>16. \</sup>quad \textit{Chernobyl: 25 Years After the Nuclear Disaster}, \ \ \text{HUFFINGTON POST (Sept. 19, 2011, 9:47 PM)}, \quad \ \text{http://www.huffingtonpost.com/2011/02/02/chernobyl-25-years-aftern_816902.html} \\ \#s233577.$ 

<sup>17.</sup> Sanjoy Hazarika, Gas Leak in India Kills at Least 410 in City of Bhopal, N.Y. Times, Dec. 4, 1984, http://www.nytimes.com/learning/general/onthisday/big/1203.html#article.

the Rodney King police brutality trial. <sup>18</sup> International trends reach deep into cities: Observe the effects of the globalization of the automobile industry on Detroit's economic viability. <sup>19</sup> Planet-wide climate change threatens "[p]orts, which constitute more than half the world's largest cities." <sup>20</sup> All of these phenomena, and more, demonstrate that the ability of cities to recover, to bounce back, is a high-stakes issue.

Part I of this article starts by proposing working definitions for "city" and "resilience." Both of these definitions rest on an understanding of cities as complex adaptive systems. Part I also connects this systems approach to social network analysis, which views cities not only as complex systems, but also as intricate social networks. Part I then articulates a specific systems- and networks-based view of resilience in the context of cities.

Part II examines city resilience and, in particular, describes a civic networks approach under which city resilience thrives on diversity and the textured range of knowledge that diversity nurtures and sustains. This approach offers the key insight that diversity's benefits can best be realized when bridging relationships of trust exist between disparate bonded groups. These bridges allow information to travel between groups, and a certain level of equality facilitates this function. Because cities are social networks, the health of those social networks underlies the health and resilience of the city overall.

Finally, Part III highlights legal interventions within cities to support city resilience. One set of legal approaches facilitates bridges between diverse groups—linkages between demographic communities, sectors, jurisdictions, and issue silos. A second set focuses on ways to nurture the trust that underlies the collaboration and problem-solving that constitutes resilience. The legal approaches in this Part reflect an understanding of law as encompassing not just its formal articulation, but also the civic communication that leads to formal law, the civic responses that follow formal law, and the civic grounding that is law's ultimate sustenance.

<sup>18.</sup> See generally JERRY COHEN & WILLIAM S. MURPHY, BURN, BABY, BURN! THE LOS ANGELES RACE RIOT, AUGUST 1965 (1966) (describing the riots and their underlying causes); Patrick Range McDonald, Then & Now: Images from the Same Spot as the L.A. Riots, 20 Years Later, L.A. WKLY., http://www.laweekly.com/microsites/la-riots/ (last visited April 14, 2014).

<sup>19.</sup> Patrice Hill, As Detroit Founders, Its Auto Industry Soars: Rapid Globalization Leaves City's Economy Behind, WASH. TIMES, Aug. 11, 2013, http://www.washingtontimes.com/news/2013/aug/11/as-detroit-founders-its-auto-industry-soars/?page=all; Melanie Hicken & Chris Isidore, Judge: Detroit Can Proceed with Bankruptcy, CNN (Dec. 3, 2013), http://money.cnn.com/2013/12/03/news/economy/detroit-bankruptcy-ruling/.

<sup>20.</sup> Eric Roston, *Top 20 Cities with Billions at Risk from Climate Change*, BLOOMBERG (July 5, 2012, 8:32 PM), http://www.bloomberg.com/slideshow/2012-07-06/top-20-cities-with-billions-at-risk-from-climate-change.html.

#### I. WORKING DEFINITION OF "RESILIENT CITY"

The Symposium's call for papers proposes a definition of a resilient city:

A resilient city is a sustainable network of physical systems and human communities. Physical systems are the constructed and natural environmental components of the city. They include its built roads, buildings, infrastructure, communications, and energy facilities, as well as its waterways, soils, topography, geology, and other natural systems. In sum, the physical systems act as the body of the city, its bones, arteries, and muscles. . . . Human communities are the social and institutional components of the city. They include the formal and informal, stable and ad hoch human associations that operate in an urban area: schools, neighborhoods, agencies, organizations, enterprises, task forces, and the like. In sum, the communities act as the brain of the city, directing its activities, responding to its needs, and learning from its experience.<sup>21</sup>

At the outset, I offer three observations about this definition. First, it places the physical attributes of a city first, and describes the human part of the socioenvironmental network as both subsequent and somewhat apart. In contrast, I see the essence of any city as the aggregation of humans who create it. Without humans, there is no city. Though creation of a city inevitably arises from and leads to changes in the physical environment, those changes and the city's resulting physical attributes are human-initiated. Acknowledging this, "the starting point in thinking about the Anthropocene [the current "Age of Humans" 22] is that we live in the world by altering it. This is a function of our basic adaptations enabling us to buffer uncertainty and instability by changing how the world is." 23

Second, the definition's analogy between cities and human bodies manifests a human nature dichotomy that is a familiar and deepseated—but erroneous—construct in western philosophy. In this con-

<sup>21.</sup> Idaho Law Review, 2014 Idaho Law Review Symposium: Resilient Cities, UNIV. OF IDAHO: LAW, http://www.uidaho.edu/law/law-review/symposium (last visited April 14, 2014) (quoting David R. Godschalk, Urban Hazard Mitigation: Creating Resilient Cities, 4 NAT. HAZARDS REV. 136, 137 (2003), available at http://ascelibrary.org/doi/pdf/10.1061/(ASCE)1527-6988(2003)4%3A3(136)).

<sup>22.</sup> W. John Kress, Living in the Anthropocene: Planet Earth in the Age of Humans, NAT'L MUSEUM OF THE AM. INDIAN, Winter 2013, 14, available at http://content.yudu.com/A2jp4j/2013/resources/16.htm.

<sup>23.</sup> Rick Potts, Being Human in the Age of Humans, NAT'L MUSEUM OF THE AM. INDIAN, Winter 2013, 30, available at http://content.yudu.com/A2jp4j/2013/resources/16.htm.

struct, the mind and the body are distinct.<sup>24</sup> Moreover, humans, who are the only living beings with minds and souls, are separate from and act on nature.<sup>25</sup> My view, in comparison, is that humans are an inseparable part of nature just as minds are an inextricable part of bodies. Humans don't (as the definition would have it) simply direct the activities, respond to the needs, and learn from the experience of the city. Our actions and interactions *are* the city's activities. Our needs *are* the city's needs. Our understanding of what has happened *becomes* the city's story.

Third and most important, the definition omits the quintessential human characteristic: our own malleability and our ability to change our beliefs, our actions, and ourselves.

Homo sapiens possesses, through its natural evolutionary heritage, an extraordinary capacity to modify landscapes; the distribution of food, water and other resources; and, most interesting, *ourselves*. We have an unprecedented proclivity to alter our ways of life, our systems of belief, and our transactions with one another and the world around us. This is responsible for the vast diversity of human behavior and our species' cultural diversity.<sup>26</sup>

This core human characteristic of flexibility means that the first place to look to determine a city's qualities, including resilience, is the sociocultural configuration of humans in that city. This sociocultural configuration will vary from city to city.

The importance of human flexibility cannot be overemphasized. Biologist Mary Clark carefully traces the connection between the environment in which humans evolved and the unique adaptation we developed.<sup>27</sup>

Our ancestors [evolved during] one of the most unstable periods in Earth's long climatic history. [They] were . . . honed by ongoing environmental instability . . . [S]ome of them managed, by luck and wit, to squeak through because they never did become "naturally (i.e. genetically) adapted" to any one environment . . . Humans have no specific niche of their own; wherever they are is "home." 28

26. Potts, *supra* note 23, at 29–30.

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<sup>24.</sup> See, e.g., Rene Descartes, STANFORD ENCYCLOPEDIA ON PHIL. (Jan. 16, 2014), http://plato.stanford.edu/entries/descartes/ (mind/body dualism; ensouled versus unensouled beings).

<sup>25.</sup> See id.

<sup>27.</sup> See generally MARY E. CLARK, IN SEARCH OF HUMAN NATURE (2002).

<sup>28.</sup> *Id.* at 99 (order of quotations has changed from the original, for clarity, but it does not alter the original meaning).

As a result, "[f]lexibility is the ultimate hominid adaptation." 29

Human flexibility as our evolutionary hallmark translates to cultural variation as the primary mode of human adaptation.<sup>30</sup> Humans adapt to different environments by modifying cultural practices to accommodate those environments.<sup>31</sup> This goes hand-in-hand with human selection for bonded groups, which resulted in an "ability to survive as reproductive units during highly stressful environmental periods."<sup>32</sup>

These cultural practices lead to different human actions vis-à-vis the surrounding environment, and they do so by providing worldviews or stories that make sense of and prompt those actions.<sup>33</sup> One advantage of cultural adaptation is that, because it can occur much more quickly than genetic adaptation, it can successfully respond to rapid changes in environment and thus encompass a broad range of environments.<sup>34</sup> A disadvantage of cultural adaptation is that because it centers on systems of meaning, conflicts between meaning systems can arise.<sup>35</sup>

A working definition of a "resilient city," then, should look first to the human. Such an approach does not denigrate the importance of the physical environment, both natural and built. This approach does acknowledge that a city without humans is like an anthill without ants: a shell.<sup>36</sup> It also recognizes that the way we build and live in our cities—and provide for their response to shocks or changes—depends predominantly on us.

Legally, U.S. cities are public corporations, chartered under the rules of the state in which they are located.<sup>37</sup> These charters generally specify a form of self-governance and geographical boundaries within which that self-governance applies.<sup>38</sup> The general purpose of these public corporations is to promote the welfare of the city's residents.<sup>39</sup> Though a few of our older cities have charters that predate the states<sup>40</sup> and though most major cities existed as settlements before they had the

<sup>29.</sup> Id.

<sup>30.</sup> See id. at 124-25.

<sup>31.</sup> See id. at 124.

<sup>32.</sup> Id. at 121-24 (quoted material appears on page 122); see also id. at 102-03.

<sup>33.</sup> See CLARK, supra note 27, at 158–59.

<sup>34.</sup> See, e.g., id. at 87–89.

<sup>35.</sup> *Id.* at 64.

<sup>36.</sup> Cf. Steven Johnson, Emergence: The Connected Lives of Ants, Brains, Cities, and Software 87-100 (2002) (discussing both anthills and cities as complex adaptive systems).

<sup>37.</sup> Alex Marshall, *Cities and Corporations: One and the Same*, CITIWIRE.NET (Mar. 7, 2013), http://citiwire.net/columns/category/author/alex-marshall/.

<sup>38.</sup> See id.

<sup>39.</sup> See id.

<sup>40.</sup> *Id*.

legal status of a city,<sup>41</sup> the legal definition of a city has taken hold in our understanding.<sup>42</sup>

Functionally, however, legally defined cities often constitute only small parts of much larger city-systems.<sup>43</sup> Older, larger cities tend to constitute the urban nuclei of metropolitan regions or smaller microregions.<sup>44</sup> Newer, smaller cities clustered around those nuclei are suburbs with intricate connections to the urban core.<sup>45</sup> Formerly rural, exurban cities orbit at a greater distance but are also interdependent in many ways.<sup>46</sup>

The U.S. Census Bureau refers to these aggregations of legally defined cities (and some unincorporated areas) as "Core Based Statistical Areas" (CBSA), differentiating such areas into metropolitan or micropolitan depending on the size of the core urban area (50,000 or more for metro areas; 10,000 to and including 49,999 for micro areas).<sup>47</sup> Localist Neal Peirce, two decades ago, coined the term "citistate" both to denote the integration of center cities with their surrounding jurisdictions and to highlight the economic significance of these agglomerations.<sup>48</sup> In urban environmental and transportation planning and economic development, these areas often take on the term "regions."<sup>49</sup> The essence of all of these characterizations is the recognition of economic and social integration. In this article, I use the terms "city," "region," "CBSA," and "citistate" interchangeably.

I also use the term "city-system." Increasingly, the social organizations denoted as cities, CBSAs, citistates, or regions are understood as complex adaptive systems.<sup>50</sup> Complex adaptive systems consist of self-organizing groups of individual agents whose interactions result in pat-

<sup>41.</sup> See generally Urban Populations on the Rise, NAT'L GEOGRAPHIC, http://environment.nationalgeographic.com/environment/habitats/urban-profile/ (last visited April 14, 2014).

<sup>42.</sup> See Marshall, supra note 37.

<sup>43.</sup> See generally Encyclopedic Entry: Urban Area, NAT'L GEOGRAPHIC, http://education.nationalgeographic.com/education/encyclopedia/urban-area/?ar\_a=1 (last visited April 14, 2014) (explaining the networking and connections of the urban areas surrounding a city).

<sup>44.</sup> See id.

<sup>45.</sup> See id.

<sup>46.</sup> See id.

<sup>47.</sup> U.S. CENSUS BUREAU, METROPOLITAN AND MICROPOLITAN STATISTICAL AREAS MAIN (2013) ("Each metro or micro area consists of one or more counties and includes the counties containing the core urban area, as well as any adjacent counties that have a high degree of social and economic integration (as measured by commuting to work) with the urban core.").

<sup>48.</sup> See Neal R. Peirce, Citistates: How Urban America Can Prosper in a Competitive World, at ix—xi (1993).

<sup>49.</sup> See, e.g., William R. Barnes & Larry C. Ledebur, The New Regional Economies: The U.S. Common Market and the Global Economy 20–28 (1998).

<sup>50.</sup> See, e.g., MICHAEL BATTY, CITIES AND COMPLEXITY: UNDERSTANDING CITIES WITH CELLULAR AUTOMATA, AGENT-BASED MODELS, AND FRACTALS 1–8, 63–66 (2005). The seminal work on cities as complex systems, however, was written over half a century ago. See generally Jane Jacobs, The Death and Life of Great American Cities (1961).

terns emerging at the system level.<sup>51</sup> These patterns are non-linear: Because interactions are intrinsically interdependent and thus inherently characterized by a degree of unpredictability, their results can be influenced but not controlled.<sup>52</sup>

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Familiar complex adaptive systems are flocks of birds or schools of fish, systems that emerge when individual birds and fish fly or swim together. Tomputer models demonstrate that when individuals fly or swim in the same direction, at the same velocity, and at a set distance from their neighboring birds or fish, a flock or school emerges. These systems do not have a head bird or a head fish directing the whole. The flock or school arises from the interactions of the individuals with each other. These flocks and schools are highly adaptive in their manner of travel in that they can traverse air or water and seamlessly and *collectively* avoid obstacles such as buildings or underwater obstructions. The bird or fish at the edge of the group that perceives the obstacle moves to avoid it and a ripple of readjustment throughout the flock or school communicates that evasive movement.

In a city-systems view in which cities are understood as complex adaptive systems, "[i]nteractions between different individuals rooted in time and space define the nature of [the] city."<sup>59</sup> Cities are comprised of dynamic flows of people, of material, and of information.<sup>60</sup> The conduits for these flows are networks—both physical and social.<sup>61</sup> Though the physical networks and configuration of any city will inevitably be affected by the social networks, and vice versa, my focus in this article is on the social networks—on the city's "flesh" rather than its "concrete."

In city-systems, as in other social organizations, individual humans interact with each other in cultural patterns according to social norms or "stories." These stories can be understood as the human equivalent of bird or fish triangulation. We coordinate our actions this way, living

<sup>51.</sup> For a general description of complex adaptive systems, see Palma Joy Strand, Law as Story: A Civic Concept of Law (with Constitutional Illustrations), 18 S. CAL. INTERDISC. L.J. 603, 606–07 (2009) [hereinafter Strand, Law as Story].

<sup>52.</sup> There is, for example, a burgeoning literature relating to complexity leadership of businesses, when businesses are understood as complex adaptive systems. See, e.g., Mary Uhl-Bien et al., Complexity Leadership Theory: Shifting Leadership from the Industrial Age to the Knowledge Era, 18 LEADERSHIP Q. 298 (2007), available at http://www.sciencedirect.com/science/article/pii/S1048984307000689.

<sup>53.</sup> See Strand, Law as Story, supra note 51, at 619–20.

<sup>54.</sup> See id. at 619.

<sup>55.</sup> See id.

<sup>56.</sup> See id. at 620.

<sup>57.</sup> See id. at 619-20.

<sup>58.</sup> See id

<sup>59.</sup> MICHAEL BATTY, THE NEW SCIENCE OF CITIES 30 (2013).

<sup>60.</sup> See id. at 30-36.

<sup>61.</sup> See id. at 79-80, 101-02.

<sup>62.</sup> See CLARK, supra note 27 and accompanying text.

with others in patterns that bring meaning to our lives, often grouping ourselves according to characteristics we have determined to be socially salient: race, <sup>63</sup> language, religion, economic status. We mold the physical environment to create different built environments: denser or more sprawling. We create transportation systems in which people interact more (public transit) or less (cars on public roads). We decide whether to invest collectively in environmental hygiene: sanitation and industrial pollution cleanup. These cultural stories take various forms, including the form of law. <sup>64</sup>

Human interactions, mapped over time, constitute immense and immensely complicated social networks. Urban planners Rolf Pendall, Kathryn Foster, and Margaret Cowell identify seven characteristics of complex adaptive systems. 65 City-system regions reflect all seven: 66

- 1. City-systems operate at multiple scales. 67
- 2. Internal connections along with
- 3. openness to external forces and
- 4. continual flows of energy, matter, and information lead to
- 5. sudden fluctuations and feedback loops that result in
- 6. non-linear processes.68
- 7. "Often these non-linearities are *irreversible*, leading to path dependence." <sup>69</sup>

All of these attributes lead to complex adaptive systems displaying "tendencies rather than inevitabilities." This last quality aligns with the observation above that complex systems are susceptible to influence but not control.

The work of physicist Geoffrey West and his colleagues on the scaling of urban systems takes the view of cities as complex adaptive systems a step further. 72 Searching for the underlying mathematical relationships of such systems, West and his colleagues have found that biological organisms, corporations, and cities all exhibit similar economies

<sup>63.</sup> On the social construction of "race," see for example, Ta-Nehisi Coates, *What We Mean When We Say Race Is a Social Construct*, ATLANTIC (May 15, 2013, 12:55 PM), http://www.theatlantic.com/national/archive/2013/05/what-we-mean-when-we-say-race-is-a-social-construct/275872/.

<sup>64.</sup> Strand, Law as Story, supra note 51, at 605, 608-11.

<sup>65.</sup> Rolf Pendall et al., Resilience and Regions: Building Understanding of the Metaphor, 3 CAMBRIDGE J. REGIONS, ECON. & SOC'Y 71, 77–78 (2010).

<sup>66.</sup> Id. at 78.

<sup>67.</sup> *Id.* 

<sup>68.</sup> *Id.* 

<sup>69.</sup> Id.

<sup>70.</sup> Id

<sup>71.</sup> See supra note 52 and accompanying text and example.

<sup>72.</sup> See generally John Brockman, Why Cities Keep Growing, Corporations and People Always Die, and Life Gets Faster: A Conversation with Geoffrey West, EDGE (May 23, 2011), www.edge.org/conversation/geoffrey-west [hereinafter EDGE]; TED Talk, supra note 2. For a more focused discussion, see Luís M. A. Bettencourt et al., Growth, Innovation, Scaling, and the Pace of Life in Cities, 104 Proc. Nat'l Acad. Sci. 7301, 7301–06 (Apr. 24, 2007), available at http://www.pnas.org/content/104/17/7301.full\_

of scale in terms of their physical characteristics.<sup>73</sup> For mammals, for example, the metabolic rates of mice, cats, dogs, women, men, and elephants all lie on the same logarithmic line.<sup>74</sup> For corporations, scalability transcends product.<sup>75</sup> For cities, physical characteristics such as the number of gas stations or other infrastructure, compared to overall population, scale independently of city location or national boundaries.<sup>76</sup>

In cities, qualities associated with human socioeconomic interactions also scale, but at a different rate—an accelerating rate as the city grows<sup>77</sup>:

[Socioeconomic] quantities ... have no analog in biology. These are quantities, phenomena that did not exist until about 10,000 years ago when men and women started talking to one another and working together and forming serious communities leading to what we now call cities, i.e. things like wages, the number of educational institutions, the number of patents produced, et cetera.<sup>78</sup>

#### West and his colleagues conclude:

[G]rowth driven by innovation implies, in principle, no limit to the size of a city, providing a quantitative argument against classical ideas in urban economics. The tension between economies of scale and wealth creation . . . represents a phenomenon where innovation occurs on time scales that are now shorter than individual life spans and are predicted to become even shorter as populations increase and become more connected, in contrast to biology where the innovation time scales of natural selection greatly exceed individual life spans. Our analysis suggests uniquely human social dynamics that transcend biology and redefine metaphors of urban "metabolism." Open-ended wealth and knowledge creation require the pace of life to increase with organization size and for individuals and institutions to adapt at a continually accelerating rate to avoid stagnation or potential crises.<sup>79</sup>

<sup>73.</sup> TED Talk, supra note 2.

<sup>74.</sup> *Id.* 

<sup>75.</sup> Id.

<sup>76.</sup> Id

<sup>77.</sup> These qualities grow "superlinearly" as compared to "sublinear[ly]," meaning that the slope of the logarithmic line is greater than one. Bettencourt et al., *supra* note 72, at 7303

<sup>78.</sup> EDGE, supra note 72.

<sup>79.</sup> Bettencourt et al., supra note 72, at 7306.

The dense socioeconomic networks that constitute cities lead to increasing "dimensionality"—to "extraordinary diversity." <sup>80</sup> Cities, in other words, are complex adaptive systems with a distinctive twist—a form of "organism" that is not self-limiting, at least in familiar ways. <sup>81</sup> Moreover, cities have, to date, adapted by ever-accelerating cycles of innovation. <sup>82</sup>

#### B. "Resilient" = "Adaptive" > "Sustainable"

"Resilience," as a general matter, implies an ability to bounce back from a shock or stress, from a forced deviation from the status quo.<sup>83</sup> As urban planners Pendall, Foster, and Cowell point out, resilience is susceptible of various understandings.<sup>84</sup> This multiplicity raises the question of the most applicable view of "resilience" for cities as complex adaptive systems.

Pendall, Foster, and Cowell first identify an engineering conceptualization of "resilience" as "a return to normalcy," which "concentrates on stability at a presumed steady-state, and stresses resistance to a disturbance and the speed of return to the equilibrium point." This view assumes "a single equilibrium" and is common in psychology, disaster, and ecosystem studies. School a single-equilibrium approach, which uses pre-shock criteria as the key measure, is common in exploring urban and regional resilience. This idea of the presence of a desired equilibrium and steady state also underlies the popular rallying cry of "sustainability."

Pendall, Foster, and Cowell next describe a second understanding of resilience, which recognizes the existence of multiple equilibria. People grow in response to adverse experiences (what doesn't kill you makes you stronger). "[N]ew normals" develop following periods of difficulty. This view may more accurately, in Pendall, Foster, and Cowell's words, be understood as a focus on "transform[ation]" of regions rather than "resilience." They view multiple equilibria as a step toward a

<sup>80.</sup> See EDGE, supra note 72.

<sup>81.</sup> Biological organisms, for example, grow to a maximum, mature size and eventually die. TED Talk, *supra* note 2. So, too, according to the analyses of West and his colleagues, do corporations. *Id.*; *see also infra* notes 90–96 and accompanying text.

<sup>82.</sup> TED Talk, supra note 2; see also infra notes 110–11 and accompanying text.

<sup>83.</sup> Pendall et al., supra note 65, at 72.

<sup>84.</sup> *Id*.

<sup>85.</sup> Id. (source of quotation omitted).

<sup>86.</sup> Id.

<sup>87.</sup> Id. at 73.

<sup>88.</sup> See Andrew Zolli, Op-Ed., Learning to Bounce Back, N.Y. TIMES, Nov. 2, 2012, http://www.nytimes.com/2012/11/03/opinion/forget-sustainability-its-about-resilience.html?pagewanted=all&\_r=0 ("Where sustainability aims to put the world back into balance, resilience looks for ways to manage in an imbalanced world.").

<sup>89.</sup> Pendall et al., supra note 65, at 73.

<sup>90.</sup> Id. at 74.

<sup>91.</sup> Id. at 76.

complex adaptive system understanding of resilience. 92 An important difference, however, is that because complex adaptive systems are open systems, they generally do not exist in equilibrium—even in multiple

Finally, Pendall, Foster, and Cowell offer a view of resilience that is grounded specifically in complex adaptive systems: "the ability to change or adapt in response to stresses and strains." This view makes no assumptions about equilibria, and it offers additional useful insights into city-system resilience. To begin with, resilience varies over time as a city-system passes through adaptive cycles. Over the course of these cycles, resilience waxes and wanes. The multiple scales within a city-system affect each other to destabilize and stabilize the overall region. 96

Pendall, Foster, and Cowell also differentiate between short-term "acute shocks," and longer-term "chronic slow burns." Resilience in the former context may look more like a return to a status quo ante, while resilience in the latter may center more on adaptation to a changed or changing environment. Different types of system stressors may also call for assessing resilience on different time horizons: several years for acute shocks versus multiple decades or longer for chronic slow burns. Overall, Pendall, Foster, and Cowell denote regional resilience as a "fuzzy" concept calling for more attention. 98

The scaling analysis of West and his colleagues suggests a provocative perspective on resilience for cities as complex adaptive systems. The work that West and his colleagues have performed on the scalability of mammals, corporations, and cities shows that, mathematically, mammals and corporations die, while cities continue to grow. 99 Though there are economies of scale for all of these categories of complex adaptive systems, mammals scale sublinearly, which means that the larger the organism the slower its metabolic rate. 100 Corporations also scale sublinearly, which leads to a slowing of growth as companies grow larger and maximize enterprise size. 101

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equilibria.93

93. James W. Begun et al., *Healthcare Organizations as Complex Adaptive Systems, in* ADVANCES IN HEALTH CARE ORGANIZATION THEORY 253, 255, 265 (Stephen S. Mick & Mindy E. Wyttenbach eds., 2003).

<sup>92.</sup> Id.

<sup>94.</sup> Pendall et al., *supra* note 65, at 76; *see also* Ryan Plummer & Derek Armitage, *A Resilience-Based Framework for Evaluating Adaptive Co-Management: Linking Ecology, Economics and Society in a Complex World*, 61 ECOLOGICAL ECON. 62, 65 (2007), *available at* http://www.fsnnetwork.org/sites/default/files/a\_resilience\_based\_framework.pdf.

<sup>95.</sup> Pendall et al., supra note 65, at 76-77.

<sup>96.</sup> Id. at 78-79.

<sup>97.</sup> Id. at 80-81.

<sup>98.</sup> Id. at 82-83.

<sup>99.</sup> TED Talk, supra note 2; Bettencourt et al., supra note 72, at 7304.

<sup>100.</sup> Bettencourt et al., supra note 72, at 7302-04.

<sup>101.</sup> TED Talk, supra note 2.

The socioeconomic aspects of cities, in contrast, scale superlinearly, which means that the returns to scaling up are greater than one. 102 These returns include both socioeconomic positives (wages and innovation) and socioeconomic negatives (crime and contagious disease). 103 West attributes this underlying pattern to the universal essence of cities:

What is it that's universal that transcends countries and culture?

Well obviously, it's what cities are really about, not these buildings and the roads and things, but the people. It's people. What we believe is that the scaling laws are a manifestation of social networks, of the universality of the way human beings interact . . .  $^{104}$ 

West and his colleagues observe that while biological organisms eventually die a natural death and corporations reach a size plateau, cities can grow indefinitely, which leads to an ever-increasing pace of life and the threat of collapse as exponential growth becomes unsustainable. To date, innovation from cities has allowed us to reset the clock, to but innovation must come ever faster. The need to innovate to avert collapse is, in West's view, "the challenge . . . [—] something that we have to face." 107

Though West does not discuss city-system resilience, his view of city-systems suggests a less fuzzy approach to assessing regional resilience, to developing the concept of definable and measurable regional health. 108 Establishing a science of cities opens the door to assessment of cities as having more or less resilience. Though cities fall generally along logarithmic lines, some may have metrics that are better than the norm; others may be worse. 109 As this science of cities progresses, it may become possible to identify the social, cultural, and institutional patterns and practices that underlie positive and negative deviations. 110

<sup>102.</sup> *Id.*; Bettencourt et al., *supra* note 72, at 7303. The physical aspects of cities, in comparison, scale sublinearly—similar to animals and corporations. *See supra* note 76 and accompanying text.

<sup>103.</sup> Bettencourt et al., supra note 72, at 7303 (Table 1.).

<sup>104.</sup> EDGE, supra note 72.

<sup>105.</sup> Bettencourt et al., supra note 72, at 7304.

<sup>106.</sup> Id. at 7305.

<sup>107.</sup> EDGE, supra note 72.

<sup>108.</sup> Id.

<sup>109.</sup> See Bettencourt et al., supra note 72, at 7306 ("New indices of urban rank according to deviations from the predictions of scaling laws also provide more accurate measures of the successes and failures of local factors (including policy) in shaping specific cities.").

<sup>110.</sup> *Id.* ("This knowledge will suggest paths along which social forces can be harnessed to create a future where open-ended innovation and improvements in human living standards are compatible with the preservation of the planet's life-support systems.").

In this type of assessment, cities may be thought of as similar to biological organisms and corporations. City-systems may be more or less resilient, just as biological organisms may be more or less healthy and corporations may be more or less viable. 111 Each class of complex adaptive system exhibits attributes that correspond to resilience because they increase or decrease the vigor, longevity, the well-being of the entire system—and the well-being of the individual agents comprising it. For city-systems, these individuals include residents, workers, and officials.

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West's view of city-systems highlights one particularly notable and important attribute of cities. "[D]imensionality," which West describes as "extraordinary diversity," is the characteristic of cities that grounds their super-linear nature. 112 This diversity arises from human socioeconomics—the vast multiplicity of cultural human interactions. 113

In many complex adaptive systems, diversity corresponds to and facilitates resilience.<sup>114</sup> Biological diversity enabling ecosystem resilience is a familiar example.<sup>115</sup> Sexual reproduction, which ensures genetic diversity and the survival of species,<sup>116</sup> is another. The abundant cultural diversity in cities that generates innovation goes hand-in-hand with city-system capacity to adapt and accommodate. The role of diversity and how that diversity is handled thus calls for special attention in examining city-system resilience.

#### II. ATTRIBUTES OF RESILIENT CITIES

<sup>111.</sup> See, e.g., Zolli, supra note 88 (stating that while New York may have been redeveloped to have more sustainable buildings, the buildings are still vulnerable to the impacts of the environment).

<sup>112.</sup> EDGE, supra note 72.

<sup>113.</sup> See id. This demarcation of our social and cultural adaptability as the human difference accords with Clark's identification of cultural flexibility as our evolutionary hallmark. See supra notes 26–33 and accompanying text. West's view of city-systems also contemplates that adaptation results from innovation that is both ever-accelerating and ever-more-necessary. "[Cities] are the origin of [global] problems, but they are the origin of the solutions." EDGE, supra note 69. This perspective focuses on cities as generating adaptive solutions not only for themselves but for the planet.

<sup>114.</sup> E.g., JON NORBERG & GRAEME S. CUMMING, COMPLEXITY THEORY FOR A SUSTAINABLE FUTURE 47 (2008) (concluding that "[d]iversity thus plays a central role for resilience" in the context of social-ecological systems).

<sup>115.</sup> See, e.g., Carl Folke et al., Regime Shifts, Resilience, and Biodiversity in Ecosystem Management, 35 ANN. REV. ECOLOGY EVOLUTION SYSTEMATICS 557 (2004), available at http://www.annualreviews.org/doi/pdf/10.1146/annurev.ecolsys.35.021103.105711.

<sup>116.</sup> See, e.g., JOAN ROUGHGARDEN, EVOLUTION'S RAINBOW: DIVERSITY, GENDER, AND SEXUALITY IN NATURE AND PEOPLE 21 (2004) (identifying genetic diversity as the evolutionary purpose of sexual reproduction).

City-systems are comprised of citizens. In this article, I use the word "citizens" expansively to encompass all residents, commuters, workers, and officials—all those individuals who interact as agents within a region. This approach may be thought of as a *de facto* rather than a *de jure* approach to citizenship. "Citizens" thus includes people without immigration papers, minors, people who are disenfranchised for various reasons, people who physically cycle in and out of the region, and even people who are physically located elsewhere who interact regularly with people inside the region. 118

As a complex adaptive system, moreover, the emergent patterns or system-level characteristics of a particular city will result not only from the qualities of its citizens as individuals, but also from their interactions and relationships. As such an emergent characteristic, resilience arises from and depends on how citizens interact with and relate to each other. Cities are more or less resilient as a result of citizen interactions that allow, or do not allow, for self-organizing behavior that facilitates adaptation to shocks and changes. These interactions include, but are by no means limited to, those with individuals in "governing" roles.

This Part maps a view of city-system resilience as grounded in interpersonal interactions and relationships onto one sophisticated effort to develop a multi-faceted assessment of real-world regional resilience. The goal is to explore the possibility of aligning the local and system levels: individual civic experience, interpersonal interactions, and relationships on the one hand, and regional resilience on the other.

#### A. Civic Networks

If humans and human interactions constitute cities, we must look to the citizens of cities for enlightenment as to system dynamics. We learn about city-system function, in other words, by asking and observing citizens. In prior work, I developed a bottom-up approach—an indi-

<sup>117.</sup> See MELINDA PATRICIAN & PALMA JOY STRAND, ARLINGTON'S CHANGING STORY: CIVIC ENGAGEMENT IN ARLINGTON COUNTY, VIRGINIA 15 (2003), available at http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1510267; see also PALMA JOY STRAND, CIVIC ENGAGEMENT: A GUIDE FOR COMMUNITIES 1 (2006), available at http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1510276.

<sup>118.</sup> For example, I am a faculty member of the Werner Institute at Creighton University, a department of the law school that offers an international, online degree in conflict resolution. I have a colleague, Noam Ebner, who lives in Israel. From Israel, he directs and teaches in the online program based at the Werner Institute in Omaha, Nebraska. We have Werner staff meetings on a regular basis that he attends via video conference. He has offered webinars campus wide as part of our faculty development program. We have video conferences with Noam and instructors in the online program who are based elsewhere. Those of us who are based in Omaha email with Noam frequently, and we see him in person several times a year when he travels to Creighton for our residency program. In this globalized age, Noam is a citizen of Werner, a citizen of Creighton, and a citizen of Omaha, even though his primary physical residence is elsewhere.

<sup>119.</sup> But cf. Plummer & Armitage, supra note 94, at 65–68 (discussing resilience in the context of adaptive co-management of socio-ecological environments).

vidual and interpersonal-based perspective of civic life as grounding both sustainable legal change<sup>120</sup> and law more generally.<sup>121</sup> This view was grounded in my own citizen experiences, but it also drew on work from various disciplines: sociology, biology, conflict resolution, organizing, political theory, and network theory and systems.

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My own experiences led to an emphasis on the individual quest for respect,122 and sociology provided a textured description of respectful interactions. 123 Biology, conflict resolution, and sociology created a context for the experience of respect: human nature that reflects propensities for connection, autonomy, and the meaning and idea of power-with relationships. 124 Sociology, along with network and systems theory, sketched a picture of civic networks: small-world, weak-tie social networks consisting of horizontal webs of relationships. 125 Organizing and political theory highlighted the importance in practice of the configuration of relationships and the role of groups. 126 Overall, this view connected respectful relationships and civic networks to actual practices of civic conversation, institutional inreach, and civic governance that fulfill citizen needs of relationship, identity, and relevance to decisions that affect the whole group. 127 This view also intimated a scaling-up connection between individual-level experiences and system-level characteristics by virtue of the nesting of social networks. 128

Growing sociological evidence connects this type of civic network to regional resilience.<sup>129</sup> In the 1980s sociologist Robert Putnam led the way in connecting social networks with a particular configuration and relational quality to system-level social outcomes. <sup>130</sup> In particular, he showed how crosscutting, web-like horizontal social networks contribut-

<sup>120.</sup> See generally Palma J. Strand, The Civic Underpinnings of Legal Change: Gay Rights, Abortion, and Gun Control, 21 TEMP. POL. & CIV. RTS. L. REV. 117 (2011) [hereinafter Strand, Civic Underpinnings] (sustainable legal change is grounded in interpersonal interactions that change the social norms that tether widely acceptable law).

<sup>121.</sup> See generally Stand, Law as Story, supra note 51 (articulating a sociological view of law as emerging from collaborative communication ("voice") and immerging back into the community it seeks to govern ("resonance")).

<sup>122.</sup> Strand, Civic Underpinnings, supra note 120, at 134–37.

<sup>123.</sup> *Id.* at 137–38 (incorporating the work of sociologist Sarah Lawrence-Lightfoot).

<sup>124.</sup> *Id.* at 138–40 (building on the work of biologist Mary Clark, conflict resolution foremother Mary Parker Follett, and organizer Starhawk).

<sup>125.</sup> *Id.* at 144–48 (drawing on the findings of sociologist Robert Putnam and the ideas of network theorists such as Peter Csermely and Albert–Laszlo Barabasi).

<sup>126.</sup> *Id.* at 148–49 (referring to the insights of political theorist Iris Marion Young).

<sup>127.</sup> Strand, Law as Story, supra note 51, at 632–34, 639–42; Strand,  $Civic\ Underpinnings$ , supra note 120, at 140–44, 149.

<sup>128.</sup> Strand, *Civic Underpinnings, supra* note 120, at 147–48 (tapping the ideas of network theorist Peter Csermely and the collaborative emergence insights of Keith Sawyer).

<sup>129.</sup> See ROBERT D. PUTNAM ET AL., MAKING DEMOCRACY WORK: CIVIC TRADITIONS IN MODERN ITALY 83–120 (1993) [hereinafter PUTNAM, MAKING DEMOCRACY WORK].

<sup>130.</sup> See id.

ed to more effective regional government in Italy.<sup>131</sup> Further, he identified trust, generalized reciprocity, and social norms of cooperation as the characteristics of relationships within these networks that enabled good government—government that functioned effectively to meet the needs of the population.<sup>132</sup>

In later work, Putnam defined the relationships that comprise these social webs in terms of bonding relationships that join people who are alike and bridging relationships linking disparate bonded groups. <sup>133</sup> Focusing on bridges, sociologist Ashutosh Varshney meticulously demonstrated that inter-ethnic (Muslim and Hindu) associations in Indian cities result in lower overall rates of inter-ethnic violence in those cities. <sup>134</sup> Such associational contacts, Varshney found, give rise to interethnic relationships that allow small conflicts to be extinguished "from below" before they rage out of control. <sup>135</sup> The inter-ethnic associational bridges, though weak in an interpersonal sense, play an essential role at the system or city level by linking bonded groups sufficiently to enable social responses to shocks that protect against internal violence. The resilience of Indian cities in this particular context depended on the existence of associational civic networks with strategic bridging relationships. <sup>136</sup>

Another sociologist, Sean Safford, compared two U.S. Rust Belt cities hit by deindustrialization—Allentown, PA and Youngstown, OH—and concluded that social networks with intersecting relationships helped Allentown to be "more robust in the face of economic change." Safford highlighted several key characteristics of the salutary civic networks. First, diverse bonded groups within the system provide for greater information and interpretation, while bridges between groups allow for the flow, sharing, and careful selection of useful information. Second, the presence of various civic spaces within the region offer myriad places from which leadership can emerge. Third, a crisis in one

132. *Id.* at 163–85; see also Strand, Civic Underpinnings, supra note 120, at 144–45.

<sup>131.</sup> *Id*.

<sup>133.</sup> ROBERT D. PUTNAM, BOWLING ALONE: THE COLLAPSE AND REVIVAL OF AMERICAN COMMUNITY 22–24 (2000).

 $<sup>134. \;\;</sup>$  Ashutosh Varshney, Ethnic Conflict and Civic Life: Hindus and Muslims in India  $119–67,\,171–215,\,219–78$  (2002).

<sup>135.</sup> Id. at 46-47.

<sup>136.</sup> *Id.* at 23–52, 281–82; see also Strand, *Civic Underpinnings*, supra note 120, at 146–47.

<sup>137.</sup> SEAN SAFFORD, WHY THE GARDEN CLUB COULDN'T SAVE YOUNGSTOWN 138 (2009). On a smaller scale, an AP-NORC poll after Hurricane Sandy showed that "neighborhoods lacking in social cohesion and trust more generally are having a difficult time recovering." TREVOR THOMPSON ET AL., RESILIENCE IN THE WAKE OF SUPERSTORM SANDY 5 (2013), available

 $http://www.apnorc.org/PDFs/Resilience \%20 in \%20 Superstorm \%20 Sandy/AP\_NORC\_Resilience \%20 in \%20 the \%20 Wake \%20 of \%20 Superstorm \%20 Sandy-FINAL.pdf.$ 

<sup>138.</sup> SAFFORD, supra note 137, at 138.

<sup>139.</sup> Id.

<sup>140.</sup> *Id.* 

bonded group may be confined to that group rather than spreading throughout the region.  $^{141}$ 

Putnam and Varshney also emphasize discrete groups and links between those groups. In their disparate contexts, both document how bridging relationships (weak ties between bonded groups) link people into a single, though loose-knit network. Being joined in a single network creates a certain level of trust. This trust allows cross-group communication and facilitates collaboration. Overall, such trust enables individuals in disparate groups to see and believe in a common "we" that encompasses the entire region and to act on behalf of that "we"—the generalized reciprocity that Putnam observed and the violence-dampening effects of Varshney's civic associations.

A key network characteristic here is a combination of bonding and bridging relationships. Where both kinds of relationships are created and sustained with sufficient mutual respect to facilitate communication and to give rise to a shared sense of the good of the whole, civic networks emerge. Further, where the people within a system interact in civic configurations and in civic ways, emergent civic networks ground system-level resilience.

The presence of both bridging and bonding relationships within a social network facilitates social learning and innovation. Individuals who float between diverse groups, who occupy a "brokering position,...pick up information and trends from a number of different groups, and can introduce these into new social settings using their boundary-spanning contacts." <sup>142</sup> Further, though "high density and cohesion can promote trust," <sup>143</sup> such bonded dynamics can also lead to groupthink. In comparison, "networks of groups of dissimilar actors are expected to produce more creative ideas and solutions as compared to . . . homogeneous groups . . . ." <sup>144</sup> Deliberation can bring together people with diverse perspectives for social learning, though deliberative processes must be carefully structured to minimize the effects of "power asymmetries." <sup>145</sup>

Networks are, moreover, far from static. Network entrepreneurs can influence the social systems within which they operate by creating and using relationships from where they sit. After all, in social net-

142. Beatrice Crona et al., Combining Social Network Approaches with Social Theories to Improve Understanding of Natural Resource Governance, in Social Networks and Natural Resource Management: Uncovering the Social Fabric of Environmental Governance 44, 57 (Orjan Bodin & Christina Prell eds., 2011).

<sup>141.</sup> *Id.* 

<sup>143.</sup> Id. at 60.

<sup>144.</sup> *Id.* at 61. *See generally* KEITH SAWYER, GROUP GENIUS: THE CREATIVE POWER OF COLLABORATION 70–72 (2007) (explaining that diversity in groups leads to more creative—more original and complex work).

<sup>145.</sup> Crona et al., *supra* note 142, at 61.

works, people create the relationships: the nodes create the links. <sup>146</sup> Individuals can "harness[] and utiliz[e] resources and spread[] information [via existing relationships]." <sup>147</sup> They can also "change at least part of the network structure through strategically interacting with new actors." <sup>148</sup> Civic network entrepreneurs or civic organizers can both create new relationships and modify the valence or quality of existing ones to nudge existing social networks in a more civic direction. <sup>149</sup> The networks, as well as the relationships, are dynamic, which contributes to and facilitates cultural changes. <sup>150</sup>

On a preliminary basis, then, city-system resilience emerges from essential attributes of civic networks including distinct perspectives and sources of knowledge, a combination of bonding and bridging relationships, and good flows of communication. Relational trust, controlled power dynamics, and generalized reciprocity characterize the bridges that allow the collaboration that enables problem solving and innovation. And citizens themselves have the capacity to nurture the civic networks that ground resilience.

The signal advantage of a civic networks approach to city resilience is that it illuminates the cause-and-effects of interpersonal interactions leading to system-level emergent effects. The difficulty of the approach is that it calls for description and analysis of not only individuals and groups but of interpersonal interactions and relationships. This difficulty arises from the fact that identifying, measuring, and evaluating relationships—taking them seriously—is not standard practice. The signal of the signal o

#### B. The Building Resilient Regions Resilience Capacity Index

The Building Resilient Regions (BRR) initiative of the Institute of Governmental Studies at the University of California at Berkeley highlights a Resilience Capacity Index (RCI) for regions: "a single statistic summarizing a region's score on 12 equally weighted indicators—four

<sup>146.</sup> Strand, Civic Underpinnings, supra note 120, at 157.

<sup>147.</sup> Crona et al., supra note 142, at 54.

<sup>148.</sup> Id. (citation omitted).

<sup>149.</sup> See Strand, Civic Underpinnings, supra note 120, at 157-61.

<sup>150.</sup> See supra notes 28–30 and accompanying text. Changed relationships lead to changed stories, which reinforced changed relationships. Virtuous (or vicious) cycles can result. See also VARSHNEY, supra note 134, at 289–97 (discussing whether civic links can be forged).

<sup>151.</sup> See Crona et al., supra note 142, at 51–52.

<sup>152.</sup> *Id*.

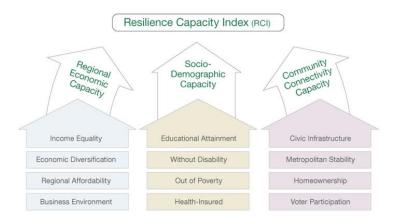
<sup>153.</sup> See generally id.

<sup>154.</sup> See id. at 52-53.

<sup>155.</sup> JOHN ESTERLE, MALKA KOPELL & PALMA STRAND, FROM THE KIDS' TABLE TO THE ADULTS' TABLE: TAKING RELATIONSHIPS SERIOUSLY IN A WORLD OF NETWORKS (2013), available

http://www.thewhitman institute.org/pdf/From % 20 the % 20 Kids % 27% 20 Table % 20 to % 20 Adult s% 27% 20 Table.pdf.

indicators in each of three dimensions . . . ."  $^{156}$  The RCI is graphically described below:  $^{157}$ 



Each of the three dimensions of the RCI has a primary emphasis. <sup>158</sup> The first dimension focuses on the region's economy. <sup>159</sup> The second looks to the capabilities of individuals within the region. <sup>160</sup> The third taps into non-economic connectedness. <sup>161</sup>

The largest proportion of the RCI indicators, across the three dimensions, invoke individual capability to contribute: <sup>162</sup> Five indicators—regional affordability, educational attainment, lack of disability, absence of poverty, and health insurance—relate to individual abilities to withstand stressors. <sup>163</sup> Two additional indicators—metropolitan stability and homeownership—denote the presence of bonded groups. <sup>164</sup>

<sup>156.</sup> The Univ. of Cal. Berkley, Harnessing the Power of Metropolitan Regions: Resilience Capacity Index, INST. OF GOV. STUDIES: UNIV. OF CAL. BERKLEY, http://brr.berkeley.edu/rci/ (last visited April 14, 2014) [hereinafter Resilience Capacity Index].

<sup>157.</sup> *Id.*; see also Peter Hart, Regional Resilience: Pittsburgh Ranks High in Study, U. TIMES, Mar. 31, 2011, http://www.utimes.pitt.edu/?p=15852 (speech by Kathryn Foster as featured in the University of Pittsburgh's *University Times*).

<sup>158.</sup> Resilience Capacity Index, supra note 156.

<sup>159.</sup> Id.

<sup>160.</sup> *Id.* 

<sup>161.</sup> *Id.* 

<sup>162.</sup> See The Univ. of Cal. Berkley, Harnessing the Power of Metropolitan Regions: Sources and Notes, INST. OF GOV. STUDIES: UNIV. OF CAL. BERKLEY, http://brr.berkeley.edu/rci/site/sources (last visited April 14, 2014) [hereinafter Sources and Notes].

<sup>163.</sup> Id.

<sup>164.</sup> Id.

Three indicators take a city-system perspective, Two of these—economic diversification and civic infrastructure (which measures the density but not the diversity of civic organizations <sup>165</sup>)—describe emergent effects of innovation and problem-solving. <sup>166</sup> And one indicator—business environment—encapsulates certain infrastructure, investment capacity, and overall regional business phenomena (small and large businesses and average churn). <sup>167</sup>

Only two indicators arguably shed light on relationships within the region: income inequality and voter participation. Income inequality is the sole factor that goes directly to relationships among individuals, and it is a factor that relates directly to civic culture. Socioeconomic inequality, which has grown dramatically since the 1970s, is now at levels unmatched since before the Great Depression. Social mobility in the U.S. is low, To and there is evidence that this low mobility is linked to inequality. Further, many worry that this inequality has weakened the social linkages that hold our society, our democracy together. Inequality undermines interpersonal trust, which results in a fraying of the civic fabric. When people do not trust in a generalized manner, they are unlikely to bridge out to others unlike them. The result is less robust civic networks.

Voter participation, in comparison, is an indirect measure of relationship that is largely unrelated to civic networks. <sup>175</sup> Voter participation describes the connection of individuals to the political process via the formal mode of voting. <sup>176</sup> Political participation, however, appears to be unrelated to the trust that correlates to civic networks and thus to resilience. <sup>177</sup> Political participation and voting bring people together with others who are like them rather than connecting them with others

<sup>165.</sup> Id.

<sup>166.</sup> *Id* 

<sup>167.</sup> The business environment criterion is drawn from the Economic Dynamics component of the Innovation Index developed by statsamerica.org. See generally id.; Innovation in Am. Regions, Calculating the Innovation Index, STATSAMERICA.ORG, http://www.statsamerica.org/innovation/innovation\_index/weights.html (last visited April 14, 2014).

<sup>168.</sup> See Joseph E. Stiglitz, The Price of Inequality 2 (2012).

<sup>169.</sup> See id. at 4-8.

<sup>170.</sup> See Palma Joy Strand, Education and the Inheritance-versus-Opportunity Tradeoff: The Regressive Effects of Privatization and Underinvestment 5 (2013), available at http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2344872.

<sup>171.</sup> Id. at 17 n.75.

<sup>172.</sup> See, e.g., STIGLITZ, supra note 168, at 65.

<sup>173.</sup> Eric M. Uslaner & Mitchell Brown, *Inequality, Trust, and Civic Engagement,* 33 AM. POL. RES. 868, 889–91 (2005), *available at* http://www.gvpt.umd.edu/uslaner/uslanerbrownapr.pdf.

<sup>174.</sup> See Crona et al., supra note 142, at 51-52.

<sup>175.</sup> See Uslaner & Brown, supra note 173, at 874–75.

<sup>176.</sup> See id.

<sup>177.</sup> See id. at 887.

who are unlike them.<sup>178</sup> In civic network terms, political participation and voting measure bonds rather than bridges.<sup>179</sup> Voter participation thus arguably constitutes a third indicator that measures bondedness.

The Putnam, Varshney, and Safford studies above explored specific aspects of regional health and/or resilience. Putnam focused on governmental effectiveness. Varshney focused on inter-ethnic violence. Safford focused on the ability to recover from the loss of a primary industry. Assessing regional resilience on a comprehensive basis is a new and more ambitious endeavor. But the studies above demonstrate that relationships and networks may well be key to gauging—and growing—regional resilience.

Further and more comprehensive studies will expand our understanding of interpersonal interactions and relationships and civic networks and help to identify resilience criteria. One recent study, for example, assessed resilience in four different communities in four different countries. He study reaffirmed the crucial role of "keystone bridging agents," but also developed a nuanced understanding of how bonded groups, even when not linked under ordinary circumstances, may facilitate intergroup cooperation in times of crisis. He researchers concluded that there may be a "benign side of factionalism" and, more importantly, described the circumstances under which factionalism may be benign.

A civic-network-and-relationship approach to understanding regional resilience thus points toward its own set of questions and criteria. How is the region's population diverse in ways beyond its business sector—demographics, sociocultural, civic, political, governance? What are the region's important bonded groups? What are the connections and power dynamics between/among the members of these groups? Are there multiple pathways for diverse citizens to interact, deliberate, and learn with each other, and to affect group decision-making? What are the region's measured levels of generalized trust, and are they consistent throughout the region geographically, demographically, and jurisdictionally?

A civic networks/city-system approach calls for drilling down even further into these questions. Does high educational attainment mask

<sup>178.</sup> See id. at 874–75.

<sup>179.</sup> Id. at 875.

<sup>180.</sup> See generally Varshney, supra note 134; Safford, supra note 137; Putnam, Making Democracy Work, supra note 129.

<sup>181.</sup> See Putnam, Making Democracy Work, supra note 129, at 3.

<sup>182.</sup> See Varshney, supra note 134, at 3.

<sup>183.</sup> See generally SAFFORD, supra note 137, at 1.

<sup>184.</sup> Gene Barrett et al., Civic Networks and Community Resilience in Brazil, Canada, Chile, and Cuba, 7 J. CIV. SOC'Y 333 (2011).

<sup>185.</sup> Id. at 356.

<sup>186.</sup> *Id.* at 350.

racial, ethnic, and/or socioeconomic achievement gaps? How integrated are the region's neighborhoods along various socially salient lines? Are both men and women working to their full potential? Do process alternatives to traditional government exist: community visioning, collaborative governance, participatory budgeting, public dialogues? Are some parts of the region languishing under environmental burdens? Is the region investing in human sociolegal infrastructure—preschool, K-12, health, and governance?

Network and systems thinking is relatively new. Traditional metrics focus on either the characteristics of individuals or the qualities of groups—identifiable groups or large-scale agglomerations. Recognizing that interpersonal interactions and relationships play a key role in determining the network dynamics that lead to system-level patterns in regions opens up new vistas for investigation, exploration, and experimentation.

#### III. CIVITY

Social networks constitute particular configurations of individual-level interactions and relationships. System-level effects emerge from those interactions and relationships. Civic networks describe a cognizable combination of diverse bonded groups with looser, power-with bridges that are lubricated by trust and generalized reciprocity. One of the emergent characteristics of city-systems with a bounty of civic networks is resilience: collaboration, problem solving and adaptation in response to stress.

The word "civity" denotes city-systems comprised of people, citizens in the generous sense described above, whose interactions and relationships create civic networks. Before the word "city" came to its current meaning of the "town or place occupied by the community," it referred to "the body of citizens, the community." "Civity," a word that in earlier times meant "city," "193 resurrects the emphasis on the people and their relationships and, with its similarity to "civic," invokes not merely physical residence or connection but quality of interaction. 194 The word "civity" is like "community" in that both describe a social group and a particular quality of that group. 195 One might refer to a city-system with a bounty of civic networks as "a civity" and also as having a high degree of "civity." "Civity" is unlike "community," however, in that "civity" connotes the diversity and difference within the social group associated

<sup>187.</sup> See generally STIGLITZ, supra note 168, at 264.

<sup>188.</sup> See Uslaner & Brown, supra note 173, at 872–73.

<sup>189.</sup> See Strand, Law as Story, supra note 51, at 620.

<sup>190.</sup> See Uslaner & Brown, supra note 173, at 875.

<sup>191.</sup> See generally id.

<sup>192. 3</sup> OXFORD ENGLISH DICTIONARY 252 (2nd ed. 1989) (derivation of "city").

<sup>193.</sup> Id. at 258 (definition of "civity").

<sup>194.</sup> Id. at 254 (definition of "civic").

<sup>195.</sup> Id. at 581–582 (derivation and definition of "community").

with civic networks and resilience, while "community" emphasizes commonality, agreement, and identity. 196

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This Part offers examples from two categories of legal approaches for cultivating civity: building bridging relationships and nurturing trust. The examples are by no means exhaustive. In fact, they are accidental in that they happen to have crossed my own personal path. What distinguishes them, if anything, is that I have earmarked them and grouped them as varieties of civity cultivation, and I have selected them to provide a sense of the broad range of possible approaches.

Given the breadth of strategies below, I offer a few words at the outset as to the definition of "legal" that encompasses these strategies. "Legal" for the purposes of this Part includes all actions initiated by government or by other actors that are part of the full cycle of law creation (voice), articulation (formal law), application (resonance), and civic response and regeneration (including civic organizing).<sup>197</sup> This understanding of "legal" invokes a social constructionist view of law that looks not only to explicitly articulated policies and decisions but also to the processes and social dynamics that underlie them. 198 At the local level, the interweaving of interpersonal interactions into these processes means that the relationships are often "legal" and "legal" often encompasses relationships. 199

#### A. Building "Bridging" Relationships

Most regions are diverse along a number of dimensions. Some are familiar: race, ethnicity, socioeconomics, education, politics, and religion. Some tend to be lower-profile: the various sectors, multiple jurisdictions, a wide range of issues of interest, industries with distinct histories and agendas.

One strategy for cultivating civity is to systematically identify diverse groups, especially those that tend to be isolated overall or from each other within a region, and to facilitate the building of bridging relationships and interactions between those groups. Because of the myriad types of groups that can be isolated and the various ways isolation can occur, these strategies can take a wide range of forms. The subsections below touch on a range of approaches to creating bridging relationships in city-systems: across demographic divides, across jurisdictions, across sectors, and across issues.

Id. at 581 (definition of "community"). 196.

<sup>197.</sup> See Strand, Law as Story, supra note 51, at 618-26, 635-37, 642-47; Strand, Civic Underpinnings, supra note 120, at 117–19, 157–61.

<sup>198.</sup> Strand, Law as Story, supra note 51, at 618. I particularly value the discussion at the Symposium about this more inclusive sense of "law" and "legal." In this regard, see id., at 621 (diagram).

<sup>199.</sup> See id. at 618–19.

#### 1.. Bridges across demographic divides

One of the most entrenched separations in U.S. cities is residential segregation by race.<sup>200</sup> Federal policies governing mortgage lending in the middle of the 20<sup>th</sup> century—"redlining"—led directly to racially segregated neighborhoods, to higher real estate values in predominantly White neighborhoods, and to "hypersegregated" poor Black neighborhoods.<sup>201</sup> The effects of these policies are still evident in our racially segregated cities<sup>202</sup> and the continued isolation and vulnerability of poor neighborhoods.<sup>203</sup> A primary consequence of residential racial segregation is the lack of opportunities for people of different demographic backgrounds to interact where they live, to see diverse people on the street, at the grocery store, in the classroom at the local school,<sup>204</sup> or even at the city council or school board meeting as it is not uncommon for segregation to have been protected by the drawing of jurisdictional lines.

The Civil Rights Act of 1964 has made major inroads in desegregating public spaces such as workplaces, restaurants, stores, accommodations, and other institutions and facilities.<sup>205</sup> The Fair Housing Act of 1968 has made far fewer inroads in desegregating housing and neighborhoods, even though it imposed on the federal government not only a duty to prevent discrimination in housing but a duty to "affirmatively"

<sup>200.</sup> Palma Joy Strand, Inheriting Inequality: Wealth, Race, and the Laws of Succession, 89 Or. L. Rev. 453, 455–56 (2010).

<sup>201.</sup> See Sheryll Cashin, The Failures of Integration: How Race and Class are Undermining the American Dream 83–201 (2004) (history of policies leading to residential segregation and differential effects on black and white citizens); Douglas S. Massey & Nancy A. Denton, American Apartheid: Segregation and the Making of the Underclass 74–78 (1993) (discussion of "hypersegregation"); Strand, Inheriting Inequality: Wealth, Race, and the Laws of Succession, supra note 198, at 461–63 (racial disparities in wealth, including home equity); Race- The Power of an Illusion: The House We Live In (PBS, California Newsreel television broadcast 2003), available at http://www.pbs.org/race/000\_About/002\_04-about-03-01.htm (description of "redlining").

<sup>202.</sup> See, e.g., Segregation of the Population: Dissimilarity with Non-Hispanic Whites by Race/Ethnicity, DIVERSITYDATA.ORG (2010), http://diversitydata.sph.harvard.edu/Data/Rankings/Show.aspx?ind=163&tf=38&sortby=Val ue&sortChs=6&sort=HighToLow&notes=True&rt=MetroArea&rgn=ShowLargest100 (rank ordering of the top 100 U.S. metropolitan areas by racial segregation between black and white residents).

<sup>203.</sup> See, e.g., Jesus Hernandez, The Residual Impact of History: Connecting Residential Segregation, Mortgage Redlining, and the Housing Crisis (2009), available at

 $http://www.kirwaninstitute.osu.edu/reports/2010/02\_2010\_RedliningHistorySubprime\_Hern~andez.pdf~(analyzing Sacramento as an example).$ 

<sup>204.</sup> See CASHIN, supra note 201, at 202-36 (schools).

<sup>205.</sup> See, e.g., Donald T. Kramer, Annotation, Validity, Construction, and Application of § 201(b)(2) and Related Provisions of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000a(b)(2)), Prohibiting Discrimination or Segregation in Restaurants, Cafeterias, and Other Such Facilities Principally Engaged in Selling Food for Consumption on the Premises, and in Gasoline Stations, 10 A.L.R. FED. 220 (1972).

further fair housing" (AFFH).<sup>206</sup> After 45 years of dormancy, the Obama Department of Housing and Urban Development resurrected the AFFH mandate by proposing implementing regulations in July 2013.<sup>207</sup>

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The proposed regulations provide that HUD will supply local entities with comprehensive data on housing patterns related to race, ethnicity, poverty, employment, environment, and transportation.<sup>208</sup> Local entities engaged in community planning will thus be in a better position to not simply prohibit housing discrimination but to affirmatively further fair, equitable, and integrated housing. In the face of the new AFFH regulations, assuming they are finalized in essentially their proposed form, local governments can exercise leadership to facilitate more bridging relationships within neighborhoods through increased residential integration.

#### 2. Bridges between jurisdictions

An important set of bonded groups in any region are the multiple jurisdictions that operate there. Multiple cities (sometimes dozens in one metropolitan area), counties, special districts, and various state and federal agencies operate as discrete entities within any city-system.<sup>209</sup> Though regional planning authorities often exist, these authorities generally lack teeth,<sup>210</sup> and few states have acted to enforce general regional cooperation through regional governments.<sup>211</sup> Neal Peirce refers to the resulting lack of coordination as the "governance gap": "[V]irtually no problem of the modern citistate—be it strategic economic planning, environmental protection, education and work force preparedness, transportation, parks, recreation, urban growth management—can be handled entirely on a municipality-by-municipality basis."<sup>212</sup>

209.~See~Number~of~Governments,~DIVERSITYDATA.ORG, http://diversitydata.sph.harvard.edu/Data/Rankings/Show.aspx?ind=155&notes=True&rgn=ShowLargest100&sortChs=Non-

Hispan-

ic%20Black%20%28Velir.DataCenter.Domain.Characteristic%236%29&sort=HighToLow&sortby=Value&rt=MetroArea (last visited April 14, 2014) (highest is Chicago with 1,742).

<sup>206.</sup> Nikole Hannah-Jones, Living Apart: How the Government Betrayed a Landmark Civil Rights Law, PRO PUBLICA (Oct. 28, 2012, 11:00 PM), http://www.propublica.org/article/living-apart-how-the-government-betrayed-a-landmark-civil-rights-law.

<sup>207.</sup> Affirmatively Furthering Fair Housing, 78 Fed. Reg. 43709 (proposed July 19, 2013) (to be codified at 24 CFR pts. 5, 91, 92, 570, 574, 576, and 903), available at https://www.federalregister.gov/articles/2013/07/19/2013-16751/affirmatively-furthering-fair-housing (last visited April 14, 2014).

<sup>208.</sup> *Id.* 

<sup>210.</sup> Patricia E. Salkin, *Metropolitan and Regional Planning*, 2 AM. L. ZONING § 10:9 (5th ed. 2013).

<sup>211.</sup> See generally Gerald Frug et al., Local Government Law: Cases and Materials 537–94 (5th ed. 2010) (overview of regional initiatives).

<sup>212.</sup> PEIRCE, *supra* note 48, at 32–35.

Unquestionably, there is value in smaller units of government within larger city-systems. Citizens may find smaller government entities more accessible. Particular issues of importance (schools, resources, economic development) may receive more focused attention. The challenge, however, is that these smaller units do not always see their interests as aligned with those of an overall city-system, myopia which leads to failure to work together toward *regional* health. Too often, for example, wealthy suburbs do not see their well-being as tied to central city stability. Many regions lack the necessary impetus for getting a region's various jurisdictions to work together, while those jurisdictions experience incentives to actively compete. In key ways, the Tiebout model of local jurisdictions as economic competitors captures this dynamic. 214

When formal regional governance is absent or infeasible, more flexible collaboration among regional jurisdictions offers a promising way to move forward. Bill Barnes of the National League of Cities recommends an entrepreneurial approach:

[T]he relevant options for regional action are too often framed as either doing nothing or engineering major structural change in the form of jurisdictional consolidation. This is a false choice and a bad way to frame the topic.

To get away from this false choice about consolidation, we should shift to a less dramatic but more practical focus on regional governance as capacity and process. The measure of regional governance success is achieving a goal—solving a problem, seizing an opportunity—not governmental consolidation for its own sake.

Regional governance occurs when multiple governmental jurisdictions and interest groups in an area work and struggle together toward a goal. $^{215}$ 

How can this work? Networks. Bridging relationships among local public jurisdictions, an approach that is already making inroads in regional governance.<sup>216</sup>

<sup>213.</sup> Keith R. Ihlanfeldt, *The Importance of the Central City to the Regional and National Economy: A Review of the Arguments and Empirical Evidence*, 1 CITYSCAPE: J. POL'Y DEV. & RES. 125, 125 (June 1995) *available at* http://www.huduser.org/Periodicals/CITYSCPE/VOL1NUM2/ch3.pdf.

<sup>214.</sup> See Charles M. Tiebout, A Pure Theory of Local Expenditures, 64 J. POL. ECON. 416, 418–20 (Oct. 1956) available at http://www.econ.wayne.edu/agoodman/5520/week3/Tiebout-JPE-1956.pdf.

<sup>215.</sup> Bill Barnes, *Emerging Issues: Closing the Regional Disconnect*, NATIONAL LEAGUE OF CITIES, (July 11, 2011), http://www.nlc.org/media-center/news-search/emerging-issues-closing-the-regional-disconnect.

<sup>216.</sup> See Thom Reilly & Robert J. Tekniepe, Collaborative Regional Networked Systems, in Transforming American Governance: Rebooting the Public Square 126, 126–44 (Alan P. Balutis et al. eds. 2011).

With this mindset, officials at multiple levels within local jurisdictions can create the bridging relationships—build the "trust and respect" with their counterparts in other jurisdictions—that facilitates collaboration and problem-solving.<sup>217</sup> The network dynamic here is similar to that of individuals in less formalized groups. The nested nature of networks underlies this similarity: Bridging relationships can join bonded organizational groups such as local jurisdictions in much the same way that they can join bonded groups of individuals.

#### 3. Bridges across sectors

The field of public administration explicitly articulates the value of cross-sector networks in governance and offers a wealth of insights into the design and implementation of such networks for various purposes. Cross-sector networks, by their nature, incorporate bridging relationships between people who operate within the different sectors—public, private, non-profit. One well-established group of initiatives designed to nurture cross-sector relationships are the "Leadership XXX" programs that operate in cities across the country.

My introduction to these initiatives was Leadership Arlington,<sup>221</sup> a yearlong program sponsored by the Arlington County, Virginia, Chamber of Commerce in which I participated as a member of the class of 2000. With approximately forty members, our class included—intentionally—approximately one-third members from the public sector, one-third members from the private sector, and one-third members from the non-profit sector. Members of the class included real estate developers, the CEO of the Metropolitan Washington Airport Authority, the executive directors of the local animal welfare league and a business improvement district in one of Arlington's commercial areas, a local high school principal, and someone from the county's economic development department.

Though there were a number of activities in the program designed to develop our individual leadership capacity, the primary focus was on

<sup>217.</sup> Bill Barnes, Emerging Issues: Intergovernmental System Requires Attention, NATIONAL LEAGUE OF CITIES (Feb. 21, 2011), http://www.nlc.org/find-city-solutions/city-solutions-and-applied-research/emerging-issues/2011-columns/intergovernmental-system-requires-attention.

<sup>218.</sup> See, e.g., STEPHEN GOLDSMITH & WILLIAM D. EGGERS, GOVERNING BY NETWORK: THE NEW SHAPE OF THE PUB. SECTOR 55–91 (2004); John M. Bryson, Barbara C. Crosby & Melissa Middleton Stone, The Design and Implementation of Cross-Sector Collaborations: Propositions from the Literature, 2006 PUB. ADMIN. REV. (SPECIAL ISSUE) 44, available at http://www-test.hhh.umn.edu/centers/pnlc/pdf/DesignImplementationCross-Sector.pdf.

<sup>219.</sup> Bryson et al., supra note 218, at 44.

<sup>220.</sup> See Advancing the Effectiveness of Leadership Programs, ASS'N. OF LEADERSHIP PROGRAMS, http://www.alp-leaders.net/ (last visited April 14, 2014).

<sup>221.</sup> See Leadership Arlington, http://www.leadershiparlington.org/ (last visited April 14, 2014).

connecting us to each other and to Arlington as a whole. We worked primarily in groups, and we were intentionally exposed to a wide range of who was doing what in the county. I left the program with a few close ties and a much longer list of people I felt comfortable contacting.

Over two hundred programs across the country are members of the Association of Leadership Programs. <sup>222</sup> The robustness of these programs, a number of which have been in existence for several decades, <sup>223</sup> speaks of both local understanding of the importance of cross-sector relationships and the ability to intentionally create or strengthen those relationships. <sup>224</sup> Providing a space in which cross-sector relationships can grow is akin to a civity greenhouse.

#### 4. Bridging across issues

One of the most challenging divides in city-systems relates to the issues people care about and are working to address. Making progress on one issue often requires significant progress on others. Criminal justice, for example, is linked to education, which is related to health. Health varies with socioeconomic status, which depends on employment, which may depend on access to transportation. The list goes on. Yet people often work in issue silos, perhaps because of a personal connection to a particular issue, perhaps because looking at all the issues together can seem overwhelming.

An organization here in Omaha, the Nonprofit Association of the Midlands (NAM), draws together nonprofits addressing a broad range of issues in Nebraska and Western Iowa. Chief Executive Officer Anne Hindery notes that adversity can enable those with very different issue portfolios to see that they have common ground. For example, in the face of a state government "divide and conquer" approach that would set members against each other as competitors for scarce funding, NAM has sought to unite its members in asserting for "both-and" solutions. On the specific recent question of the elimination of the Nebraska state income tax, for example, NAM's members joined in opposition.

NAM has also sought to build a "sector identity."<sup>228</sup> A 2012 report highlighted the economic impact of Nebraska nonprofits overall, enhanc-

<sup>222.</sup> ASS'N OF LEADERSHIP PROGRAMS, ADVANCING THE EFFECTIVENESS OF LEADERSHIP PROGRAMS 2012-2013 ANNUAL REPORT, (2013), available at http://www.alpleaders.net/2013/2013annualreport.pdf (listing 203 total members, including 65 new members in 2012-2013).

<sup>223.</sup> See Leadership Development: Leadership Omaha, GREATER OMAHA CHAMBER, https://www.omahachamber.org/talent-and-workforce/leadership-development.cfm/ (last visited April 14, 2014) (showing that Leadership Omaha began in 1978).

<sup>224.</sup> See Our Mission: Committed to Empowering New Leaders, PRESIDIO INST., http://institute.presidio.gov/about/Pages/Mission.aspx (last visited April 14, 2014) (initiating a new cross-sector leadership program on a broader geographical scale).

<sup>225.</sup> Interview with Anne Hindery (Jan. 17, 2013) (notes on file with author).

<sup>226.</sup> Id.

<sup>227.</sup> Id.

<sup>228</sup> Id

ing the story of connection between individual members.<sup>229</sup> NAM has also encouraged the creation of links between members that focus on different issues.<sup>230</sup> Again, adversity has had a silver lining. As a result of the economic downturn beginning in the late 2000s, less grant money has led to members holding closer to their core missions while networking with other organizations to enhance effectiveness.<sup>231</sup>

Interestingly, adversity as a catalyst for forcing cross-issue dialogue has also occurred in participatory budgeting. Cities facing fiscal challenges—cities such as Menlo Park, California, in 2005<sup>232</sup>—have brought citizens who care about different issues together to hammer out how to stretch resources to address community needs.<sup>233</sup> Participatory budgeting enables members of a city, through the shared medium of finance, to talk about shared priorities and to develop relationships across issue commitments.<sup>234</sup>

#### B. Nurturing Trust

Cultivating civity calls not only for building relationships but also for infusing relationships with trust. The collaboration that allows for innovation, the deliberation that enables real communication, the cooperation and reciprocity that ground problem solving—all of these depend on trust. Trust is essential to city-system resilience.

Trust cannot be taken for granted. Generalized trust within the U.S. has been falling.<sup>235</sup> So too has trust in a large number of our institutions, especially those that are public, civic, or political.<sup>236</sup> The ques-

232. Menlo Park's Participatory Budgeting "Your City/Your Decision," INST. FOR LOCAL GOV'T, http://www.ca-ilg.org/post/menlo-parks-participatory-budgeting-your-cityyour-decision (last visited April 14, 2014).

235. See Variable Trust: Can People Be Trusted, GEN. SOC. SURVEY, http://www3.norc.org/GSS+Website/Browse+GSS+Variables/Subject+Index/ (follow "T" hyperlink; then follow "trust" hyperlink; then follow "CAN PEOPLE BE TRUSTED" hyperlink to view question; then follow "Click here to see Trends for Trust" hyperlink to view trends) (last visited April 14, 2014) (asking the question: "Can people be trusted?" Responses: "CAN TRUST" from 46.3% in 1972 to 32.3% in 2006; "CANNOT TRUST" from 50.0% in 1972 to 62.4% in 2006).

236. Confidence in Institutions, GALLUP, http://www.gallup.com/poll/1597/confidence-institutions.aspx#1 (last visited April 14, 2014) (showing that public schools, churches, the media, and political bodies have lost trust over

<sup>229.</sup> See Nonprofit Ass'n of the Midlands, Nebraska Nonprofits: Essential & Vibrant: Economic Impact Report 2012 (2013), available at www.nonprofitam.org/resource/resmgr/docs/economic\_report\_2013\_finalpd.pdf.

<sup>230.</sup> Interview with Anne Hindery, supra note 225.

<sup>231.</sup> Id.

<sup>233.</sup> See generally Mission & Approach, PARTICIPATORY BUDGETING PROJECT, http://www.participatorybudgeting.org/who-we-are/mission-approach/ (last visited April 14, 2014) (describing process and projects The Participatory Budgeting Project uses to help communities decide how to spend public money).

<sup>234.</sup> See generally id.

tion arises: How can we nurture trust in city-systems, especially in fledging or attenuated bridging relationships? How can we intentionally create the conditions in which trust can grow?

#### 1. Trust in bonded settings

An important component of trust building in cities is nurturing trust within bonded communities. Most people interact most frequently with others within their families, schools, faith communities, workplaces, and neighborhoods. People learn to trust—or distrust—from their experiences in those environments. We can all build trust in our bonded communities, with a particular emphasis on trust that is inclusive rather than exclusive. In this section, I want to highlight three types of initiatives that can build trust within neighborhoods.

One initiative is the 21st-century equivalent of the neighborhood newsletter: the neighborhood listserv.<sup>237</sup> A listserv allows people in a small geographical area to share information, identify their neighbors, and plan events with very little investment of time or resources.<sup>238</sup> Once the listserv is set up, people post by their own choice and read or respond only if they wish.<sup>239</sup> My own neighborhood listserv here in Omaha, "Nextdoor Joslyn Castle,"<sup>240</sup> serves as a bulletin board, crime watch, conduit for notices from the city government, and a way to transmit information about block parties or trick-or-treating. I don't think I've ever posted to it myself, but I feel connected just because other people do. (And thanks to Rob and Marnie Corsaro, who have taken the lead both on the listserv and in our civic association!) A listserv can also be part of a larger community effort to transform an ailing neighborhood into a vibrant one.<sup>241</sup>

Social psychologists established a long time ago that working together toward a common goal is a proven strategy for bringing together even antagonistic groups.<sup>242</sup> Groups of people who are not necessarily

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the past 40 years, while the military and the police have gained trust and business and the medical system have stayed steady).

<sup>237.</sup> Danielle Davis, *How to Build a Better Neighborhood*, SHAREABLE (June 9, 2010), http://www.shareable.net/blog/how-to-build-a-better-neighborhood.

<sup>&</sup>lt;sup>238</sup> See generally Rob Goodspeed, What's Your Neighborhood Listserv?, DCIST (May 25, 2005, 10:30 AM), http://dcist.com/2005/05/whats\_your\_neig.php.

<sup>239.</sup> See generally id (discussing how community listservs are open to the public).

<sup>240.</sup> See NEXTDOOR, https://nextdoor.com (last visited April 14, 2014); see also Jared Nissim, Here's How it Works, MEETTHENEIGHBORS.ORG, http://www.meettheneighbors.org/public\_mtn\_experiment.html (last visited April 14, 2014).

<sup>241.</sup> Cf. Kaid Benfield & Matt Higbee, How a Once-Disinvested Neighborhood is Building Community With Pride and Leadership, SWITCHBOARD, (Aug. 1, 2013), http://switchboard.nrdc.org/blogs/kbenfield/how\_a\_once-disinvested\_neighbo.html ("The neighborhood website, which posts a community calendar and contact information for neighborhood committees for people who want to get involved, is now the community's virtual hub.").

<sup>242.</sup> See URIE BRONFENBRENNER, THE ECOLOGY OF HUMAN DEVELOPMENT: EXPERIMENTS BY NATURE AND DESIGN 98–103 (1979).

antagonistic, but who may be wary of each other are likely prospects for working-together trust-building. Both of the remaining two initiatives fall into this category.<sup>243</sup>

In community gardens, neighbors share a piece of land to grow food and/or flowers.<sup>244</sup> The organization Eat Smart, Move More North Carolina defines a community garden as "any piece of land gardened by a group of people."<sup>245</sup> Sometimes individuals are allotted a small parcel.<sup>246</sup> Sometimes the plot is shared.<sup>247</sup> Sometimes what is grown is taken home and consumed by those who grow it.<sup>248</sup> Sometimes what is grown is donated to food pantries or other organizations in need.<sup>249</sup> In all of these variations, community gardens offer the social interactions that allow trust to grow.<sup>250</sup>

Public murals can also provide a working-together trust-building environment. In Philadelphia, for example, artist Jane Golden has spent more than twenty-five years working with "street artists," former taggers and creators of graffiti, to create over 3,000 murals throughout the city.<sup>251</sup> Golden describes how The Anti-Graffiti Network transformed into an art program over time, eventually "[becoming] a real catalyst for social change in the neighborhoods," a development that "surprised everyone, including [Golden]."<sup>252</sup> In this way, the Philadelphia Mural Arts Program has had "success in shaping marginalized citizens into Philadelphia's community leaders of tomorrow."<sup>253</sup>

#### 2. Trust in bridging relationships

In this subsection I look at two strategies for building trust in the context of relationships that bridge across socially salient divides. Both of these respond to changing conditions and perceived need in local

244. K. Baldwin et al., Eat Smart, Move More North Carolina: Growing Communities through Gardens 2 (2009), available at http://www.eatsmartmovemorenc.com/Gardens/Texts/ESMMGardens--LoRez.pdf.

<sup>243.</sup> Id.

<sup>245.</sup> Id.

<sup>246.</sup> See id.

<sup>247.</sup> See id.

<sup>248.</sup> Id.

<sup>249.</sup> *1* 

<sup>250.</sup> See Jane E. Schukoske, Community Development Through Gardening: State and Local Policies Transforming Urban Open Space, 3 N.Y.U. J. LEGIS. & PUB. POL'Y 351, 354–62 (1999–2000).

<sup>251.</sup> Susan Caba, *Painting the Town*, STAN. ALUMNI MAG., Nov.—Dec. 2009, *available at* http://alumni.stanford.edu/get/page/magazine/article/?article\_id=29695.

<sup>252.</sup> Id.

<sup>253.</sup> City of Philadelphia Mural Arts Program, PARTNERS FOR LIVABLE CMTYS., http://www.livable.org/livability-resources/best-practices/235-city-of-philadelphia-mural-arts-program (last visited April 14, 2014) (explaining the City of Philadelphia Mural Arts Program's was the recipient of the Entrepreneurial American Community Award).

communities. With both of these strategies, cities adapt by nurturing trust.

As have many U.S. cities, Arlington, Virginia, has experienced a shift in population demographics over the past couple of generations.<sup>254</sup> Between 1970 and 2000, "whites as a percentage of Arlington's total population ... decreased from 93% ... to 69%," while the "Hispanic/Latino population more than tripled ... (from 6% to 19%)" between 1980 and 2000.<sup>255</sup> Along with this shift, the percentage of Hispanic students in the Arlington Public Schools (APS) increased dramatically; by the fall of 2013, 27.8% of APS students overall were Hispanic.<sup>256</sup>

One APS response to these changing demographics was the creation in 1986 of Key School or Escuela Key—a two-way, partial immersion Spanish language elementary school that all of my three children attended at one time or another. In this kind of immersion program, half of the students are native English speakers and half are native Spanish speakers. Half of the day's instruction is in English; half is in Spanish. With this instructional model, students learn not only from their teachers but from each other.

In addition to learning two languages, students and their families, through their everyday interactions, have the opportunity to develop familiarity with and knowledge of members of a different language community, members who in many instances also live in different neighborhoods. <sup>260</sup> Moreover, extensive research on these programs has developed protocols for deepening relationships with minority-language parents who might otherwise feel marginalized vis-à-vis their children's education. <sup>261</sup> The success of the Key program in Arlington led over time to the opening of another immersion elementary school and the extension of the immersion program into middle and high school. <sup>262</sup>

A very different current initiative addresses the fact that, in the U.S. as a whole, political polarization has grown dramatically in recent

256. ARLINGTON PUBLIC SCHOOLS, QUICK FACTS (Dec. 2013), available at http://www.apsva.us/cms/lib2/VA01000586/Centricity/Shared/QuickFacts.pdf.

260. See Segregation of the Population: Dissimilarity with Non-Hispanic Whites by Race/Ethnicity, DIVERSITYDATA.ORG, http://diversitydata.sph.harvard.edu/Data/Rankings/Show.aspx?ind=163&ch=1&tf=38&sortb y=Value&sortChs=1&sort=HighToLow&notes=True&rt=MetroArea&rgn=ShowLargest100 (last visited April 14, 2014).

<sup>254.</sup> PATRICIAN & STRAND, supra note 117, at 9.

<sup>255.</sup> Id.

<sup>257.</sup> See Francis Scott Key Elementary School, http://www.apsva.us/Domain/960 (last visited April 14, 2014).

<sup>258.</sup> *Id.* 

<sup>259.</sup> *Id.* 

<sup>261.</sup> ELIZABETH R. HOWARD ET AL., GUIDING PRINCIPLES FOR DUAL LANGUAGE EDUCATION 36-37, 91-94 (2d ed. 2007), available at http://www.cal.org/twi/Guiding\_Principles.pdf.

<sup>262.</sup> See Directory of Two-Way Bilingual Immersion Programs in the U.S., CTR. FOR APPLIED LINGUISTICS, http://www.cal.org/jsp/TWI/SchoolListings.jsp (last visited April 14, 2014).

decades.<sup>263</sup> In Tallahassee, Florida, "a divisive local referendum on whether to buy into a proposed coal plant nearby . . . quickly turned into an expensive PR campaign that obscured the facts more than it educated the citizens."<sup>264</sup> "It also became all about liberals vs. conservatives and all the national issue baggage that comes along with it."<sup>265</sup>

Two leaders in the community, City Commissioner Allan Katz and Tallahassee Community College President Dr. Bill Law, were on opposite sides of the issue and hailed from two political parties. But they were also friends, and they were trying to have a "real conversation about the coal plant, complete with an effort to understand facts and higher level reasoning now and again." <sup>266</sup>

The Village Square brings people together to listen to real conversation on controversial topics. <sup>267</sup> The Village Square's insouciant tone makes light of its very serious mission. <sup>268</sup> At quarterly dinners, leaders converse about tough issues: "Wedge issues? We scoff at the challenge. Religion and politics? Child's play. Intractable hostility? Yawn. Coke or Pepsi? Admittedly tougher . . . . Our intention . . . is for people with differing views to find a way to walk *toward* each other." <sup>269</sup> As with immersion schools in Arlington adapting to a growing Hispanic population by reaching across language lines, The Village Square in Tallahassee is adapting to greater political divides by building bridging relationships and paying attention to trust.

### 3. Trust in bridging relationships with government and government officials

Despite the relative proximity of those who govern cities to city citizens, local government often operates behind a curtain of formal public participation such as public comment sessions.<sup>270</sup> All states have open

266. Id

<sup>263.</sup> Marina Azzimonti, *The Political Polarization Index*, 13 FED. RESERVE BANK OF PHILADELPHIA WORKING PAPERS 5, no. 41 (Sept. 2013), *available at* http://www.philadelphiafed.org/research-and-data/publications/working-papers/2013/wp13-41.pdf.

<sup>264.</sup> Our Story (and We're Sticking to It), THE VILLAGE SQUARE, http://tothevillagesquare.org/our-story/ (last visited April 14, 2014).

<sup>265.</sup> Id.

<sup>268.</sup> See id.

<sup>269.</sup> Id

<sup>270.</sup> See Terri Day & Erin Bradford, Civility in Government Meetings: Balancing First Amendment, Reputational Interests, and Efficiency, 10 FIRST AMEND. L. REV. 57, 60 (2011).

meetings and sunshine laws that apply to local government bodies.<sup>271</sup> Nevertheless, much goes on behind the scenes, and public engagement between officials and citizens in the sense of meaningful two-way rather than one-way communication is often not the norm. Public comment periods during formal government meetings, for example, rarely lead to interactive questions and answers or other official-citizen exchanges.

Moreover, when city-system government bodies do seek to undertake deeper citizen engagement, they run the risk of promising more than they deliver. The International Association for Public Participation (IAP2) spectrum lays out a range of levels of citizen involvement in decision-making. Discerning the differences between the levels is not always an easy task, but mismatches between rhetoric and reality can actually engender distrust rather than trust: citizens are savvy and do not care to participate as "window-dressing." 273

To build trust, city governments can clarify public participation processes and the level of citizen participation in actual decision-making commensurate with those processes and then stick to decision-making commitments. Such commitments require openness to policy decisions and implementation processes that public officials may not contemplate or may even resist at the outset. But the hallmark of meaningful public participation or civic engagement that builds trust is respect for process. <sup>274</sup> Citizens can accept substantive results that differ from their own positions or interests more easily if they feel that their voices were heard. <sup>275</sup> Trust is built through real conversation in which people speak and are heard, <sup>276</sup> which means that trust in government can be nurtured through authentic conversations. Such conversations are, of course, most practicable at the local level.

In this vein, one useful guideline for local officials desirous of building trust is to analyze whether a particular process will diminish or build trust. Officials often look at decisions primarily or exclusively from the perspective of their consistency with a contribution to furthering a master plan, complying with regulatory requirements, or meeting identified needs. All of these are important. So too, however, is how the decisions are made. The processes by which officials arrive at and implement decisions can move a city forward by building trust, which can make future deliberations and decisions easier. Alternatively, processes

<sup>271.</sup> Daxton R. "Chip" Stewart, Let the Sunshine in, or Else: An Examination of the "Teeth" of State and Federal Open Meetings and Open Records Laws, 15 COMM. L. & POLY 265, 265 (2010).

<sup>272.~</sup> Int'l Assoc. for Pub. Participation, IAP2 Spectrum of Public Participation, IAP2 (2007), http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/spectrum.pdf.

<sup>273.</sup> PATRICIAN & STRAND, supra note 117, at 33.

<sup>274.</sup> See Tom Tyler et al., Understanding Why the Justice of Group Procedures Matters: A Test of the Psychological Dynamics of the Group-Value Model, 70 J. Personality & Soc. Psychol. 913, 913 (1996).

<sup>275.</sup> Id.

<sup>276.</sup> See Gerard A. Hauser & Chantal Benoit-Barne, Reflections on Rhetoric, Deliberative Democracy, Civil Society, and Trust, 5 RHETORIC & PUB. AFF. 261, 262 (2002).

can send a city two steps back by undermining trust and creating a deficit to be overcome going forward.

## 4. Trust-generating individuals throughout the network: civity entrepreneurs

In the context of adaptive co-management of natural resources, resilience researchers Beatrice Crona and her colleagues highlight the contributions of bridging social networks and trust to ensure effective social learning and governance. They identify a group of individuals whom they describe as "institutional entrepreneurs": "actors who have an interest in particular institutional arrangements. . . and who leverage resources to create new institutions or to transform existing ones. These actors are often not in explicit leadership roles and do not have "followers. Moreover, they may well operate "behind the scenes. Reiterating Safford's observations, "organizations that span disparate groups in a community can become places where *entrepreneurs can emerge and drive change processes*.

Institutional entrepreneurs may operate as social network hubs that are particularly effective at facilitating the flow of information. They may operate as network "brokers" at the edge of bonded groups who "pick up information and trends from a number of different groups, and . . . introduce these into new social settings using their boundary-spanning contacts. They may strategically use the relationships they have or reach out to create new ones. In all of these ways, institutional entrepreneurs facilitate information flow, build trust, and help to create conditions for collaboration and problem solving.

An article in the May 2013 edition of *The New Yorker* highlighted tensions in the Mission District of San Francisco, which was "once a Latino neighborhood [that] has become extremely popular with technology workers." The article described Christina Olague, "a former member of the city's Board of Supervisors" and a community leader who "was once active in a local group called the Mission Anti-Displacement Coali-

<sup>277.</sup> See generally Crona et al., supra note 142.

<sup>278.</sup> *Id.* at 53 (quoting Steve Maguire et al., *Institutional Entrepreneurship in Emerging Fields: HIV/AIDS Treatment Advocacy in Canada*, 47 ACAD. OF MGMT. J. 657, 657 (2004))

<sup>279.</sup> Id

<sup>280.</sup> Id.

<sup>281.</sup> SAFFORD, supra note 137, at 138 (emphasis added).

<sup>282.</sup> Crona et al., supra note 142, at 54.

<sup>283.</sup> Id. at 57.

<sup>284.</sup> Id. at 53-54.

<sup>285.</sup> George Packer, Change the World: Silicon Valley Transfers its Slogans—and its Money—to the Realm of Politics, THE NEW YORKER, May 27, 2013, at 44.

tion," as "having trouble connecting with the newcomers." <sup>286</sup> She was quoted as saying, "People seem more self-absorbed, maybe more individualistic in a way, less empathetic." <sup>287</sup>

Chris Murphy, a twenty-something techie who had recently moved into the Mission, wanted to make a connection with the neighborhood and was having a hard time figuring out where and how to plug in.<sup>288</sup> Chris read the article and reached out to Christina.<sup>289</sup> Chris and Christina started getting together for coffee.<sup>290</sup> They didn't rush it, but they ended up bringing in other folks—Chris, his tech friends; Christina, her colleagues from the neighborhood.<sup>291</sup> For the last few months, a group of twenty to thirty people, drawn from both Christina's and Chris's networks, have been getting together monthly.<sup>292</sup> The group is starting to focus on reaching out even further through cultural activities, volunteering, and other activities.<sup>293</sup>

Christina says that the elephant in the room is still there: Gentrification of the neighborhood and the emotions and issues that accompany it have not gone away.<sup>294</sup> But she also says that she is at a point of wanting to be part of a different dialogue—as are others in the community who are intrigued.<sup>295</sup> The meetings are putting faces, for people in both groups, on people in the other group.<sup>296</sup>

Chris and Christina are, in the language of this article, civity entrepreneurs. They are building bridges and helping information flow. They are nurturing trust. They do not know yet what will come from their work, but I suspect that this work will make the Mission's ability to adapt to the tech influx more, rather than less, likely. An additional strategy for building trust, then, is to reach existing or potential institutional entrepreneurs such as Chris and Christina and encourage their civity entrepreneurship.

#### IV. CONCLUSION

Cartoonist Walt Kelly's Pogo asserted, "We have met the enemy, and he is us." Human behavior has caused or contributed to many of

<sup>286.</sup> *Id.* 

<sup>287.</sup> Id.

<sup>288.</sup> Telephone interview with Christina Olague, Mission resident, & Chris Murphy, Mission resident, (Jan. 14, 2013) (notes on file with author).

<sup>289.</sup> Id.

<sup>290.</sup> Id.

<sup>291.</sup> *Id.* 

<sup>292.</sup> Id.

<sup>293.</sup> Id.

<sup>294.</sup> Interview with Christina Olague & Chris Murphy, supra note 288.

<sup>295.</sup> Id.

<sup>296.</sup> Id.

<sup>297.</sup> See Walt Kelly, Pogo: We have Met the Enemy and He Is Us (1972).

the stressors that render city resilience a momentous and urgent consideration. And yet, just as we are the enemy, so are we both the beleaguered citizenry and the source of potential defense. We are the solution as well as the problem.<sup>298</sup>

Being the solution, however, requires not only that we become more conscious of the unintended consequences of our actions vis-à-vis the physical environment on a global scale;<sup>299</sup> we must begin to be more intentional with respect to those actions, with respect to how we alter the physical environment. We must also become more conscious of the ways in which our sociocultural, socioeconomic, and sociolegal interactions underlie those actions. We must acknowledge our ability to alter *ourselves* and the responsibilities that follow from that ability. If our overarching human attribute is our flexibility, our capacity to evolve culturally, then we must start asking what social relationships, what cultural principles make sense in the Anthropocene Age.<sup>300</sup>

In an Anthropocene strategy, cities and city resilience are of the essence. Cities are where the mass of humans live, and many physical alterations elsewhere support or result from cities.<sup>301</sup> But cities are essential even more because cities are where experiment and innovation occur.

Finally, cities are also local in this vast global human network, and "systems that sense change are always decentralized so that threat detection is as local as possible—but then all those local sensors are always connected into networks so that response can be coordinated for the whole."<sup>302</sup> City resilience, that is, may be key to larger-scale resilience. We need global resilience as intensely as we need city resilience. Because of the smaller scale of cities, fostering the city resilience that can ground global resilience may be relatively practicable and less daunting than global initiatives: Social networks at the city level are both diverse and sufficiently close-knit to facilitate the growth of civity. City-level civity and resilience may be the key to global-level civity and resilience.

<sup>298.</sup> Timothy Cotman Jr., *Facilitating Conversations About Race, in* GAINING ON THE GAP: CHANGING HEARTS, MINDS, AND PRACTICE 107, 120 (2011) (discussing systemic change: "we are each part of the problem and part of the solution.").

<sup>299.</sup> Potts, supra note 23, at 29-31.

<sup>300.</sup> Id. at 30.

<sup>301.</sup> EDGE, supra note 72.

<sup>302.</sup> ERIC LIU & NICK HANAUER, THE GARDENS OF DEMOCRACY 142 (2011).