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GLOBALIZATION AND URBAN OPPORTUNITIES IN THE IMMIGRANT CITYSCAPE

*José Miguel Flores**

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* José Miguel Flores is an attorney in California. He obtained his Juris Doctor in 2004 from Boston College Law School. This Essay is dedicated in loving memory of Guadalupe Díaz (1922-2005), who lived through many of the experiences discussed in this Essay and without his perseverance in the streets of Mexico City this work would not have been possible. I also dedicate this work to those micro-entrepreneurs who struggle each day to earn a living in these modern times not only in the streets of Los Angeles and New York, but also worldwide.

I. INTRODUCTION

Through the process of globalization, the world is undergoing change not seen since the industrial revolution and the encounter between the old and new worlds in 1492. This is especially true in the context of cities. Today, there is a renewed interest in making cities more livable through large-scale private and public investment in real estate developments, business and sports centers, and transportation systems.¹ Local leaders, from politicians to businessmen, link this urban renaissance to the global economy by promoting these structures as symbols that enhance cities' status as cosmopolitan centers of business and culture. Within these same cities, the overlooked forces of globalization "from below" are also transforming the city environment.² Immigrant populations, such as Latino and Asian, are lured to America's cities by the economic forces of globalization. They are not only reshaping the social sphere; they are also reshaping the physical landscape.³ As in the larger debates on globalization, these transformations, initiated by immigrant and ethnic populations, are creating a dialogue that explores the contradictions and opportunities created by the global economy.⁴ Cities in the globalization context are the centers in which the macro forces of globalization, both cultural and economic, centralize and disseminate throughout the globe.⁵ For example, New York represents the center of global capitalism, while Los Angeles the center of the entertainment industry, whose influences extend worldwide to the disdain of many and to the pleasure of others. Thus both cities which are "global cities" or "world cities," are cities that are forces in the world economic conglomerate, but also where cosmopolitan culture flourishes because of diverse populations and cultural

1. See, e.g., ROBERTA BRANDES GRATZ & NORMAN MINTZ, *CITIES BACK FROM THE EDGE* (2000); DAVID HALLE, *The New York and Los Angeles Schools*, in *NEW YORK & LOS ANGELES: POLITICS, SOCIETY AND CULTURE* (David Halle ed., 2003) [hereinafter *NEW YORK & LOS ANGELES*].

2. MICHAEL PETER SMITH, *TRANSNATIONAL URBANISM* (2001).

3. The author is aware of the many differences between immigrant and ethnic communities. While a community may be ethnic, it may not necessarily be immigrant. For the purposes of this Article, the terms are used interchangeably to express the elements these communities bring to Anglo-American society.

4. See, e.g., Jan Lin, *Globalization and the Revalorizing of Ethnic Places in Immigration Gateway Cities*, 34 *URB. AFF. REV.* 313 (1998); VICTOR M. VALLE & RODOLFO D. TORRES, *LATINO METROPOLIS* (2000); DAVID REIFF, *LOS ANGELES, CAPITAL OF THE THIRD WORLD* (1994).

5. JOHN RENNIE SHORT & YEONG-HYUN KIM, *GLOBALIZATION AND THE CITY* (1997).

resources.⁶ These cultural and economic forces supplement each other to enhance the city's global status.

Cities manifest this prestige through physical landscape including public space, private and public infrastructure, and monuments. After many years of decay, and failed redevelopment projects, American cities are reinventing themselves through landscape to solidify their place in the new world order. New York City, for example, promotes the restoration of Bryant Park and the transformation of Times Square, and now the redevelopment of the Lower Manhattan. Los Angeles, on the other hand, attempts to reinvent itself through downtown revitalization by converting older downtown buildings into trendy new lofts, and sporting and cultural developments, such as the Staples Center, the Frank Ghery designed Disney Concert Hall, and Our Lady of the Angels Cathedral, which is designed by Spanish architect José Rafael Moneo.⁷

Hidden from the headlines of the press, but equally visible as the large real estate developments, immigrant populations are similarly transforming the city environment. In the streets of Jackson Heights in New York City and in the streets of Boyle Heights in Los Angeles, these effects of globalization are distinguishable. From the types of shops on the commercial streets to the types of housing and social networks, a fluid city environment exists that many in the new urbanism movement, as well as local leaders, have been attempting to recreate in distressed cities.⁸ What distinguishes this immigrant urbanism is that despite the many regulatory, economic and cultural obstacles, these environments still flourish. Jackson Heights and Boyle Heights represent what Victor Valle and Rodolfo Torres have termed the new *mestizaje* or the mixing of cultural forces taking place because of globalization in American cities.⁹ As in the macro debate on globalization, many view this urban transformation as a threat, and physical spaces are being contested.¹⁰ What an examination of Jackson Heights and Boyle Heights will reveal are values lost in American society that are perhaps universal. Instead of discouraging this positive revitalization of city life, cities should find ways of promoting and managing it so these communities can continue to grow, because as in the larger force of globalization its effects cannot be stopped but managed to promote and create opportunity and welfare for all.

6. Lin, *supra* note 4; PETER J. TAYLOR ET AL., *Firms and Their Global Service Networks*, in GLOBAL NETWORKS LINKED CITIES 93-115 (Saskia Sassen ed., 2002).

7. Nicolai Ouroussoff, *A Core Dilemma*, L.A. TIMES, Aug. 18, 2002, at F4.

8. ALEX MARSHALL, *HOW CITIES WORK* (2001).

9. VALLE & TORRES, *supra* note 4, at 190-91.

10. DOLORES HAYDEN, *POWER OF PLACE* (1995).

II. GLOBALIZATION DEBATE

Globalization theorist Saskia Sassen writes that the trends in major cities cannot be understood in isolation of fundamental changes in the broader organization of economies, social and cultural phenomena, and can certainly not at the level of the nation-state.¹¹ Global capitalism today is the historical agent that is transforming organizational forms in the economic, social, and technological spheres.¹² It is important to connect the transformations taking place in city environments to the new economic regimes of globalization for it is in the city in which the effects of globalization are most visible.

Early in the twentieth century, the fordist economy of mass production led American cities to accommodate large-scale manufacturing.¹³ Services, intellectual, and financial capital have replaced the heavy manufacturing that once occupied the American economy. This has led cities to partner in the construction of world trade and convention centers, office parks, technology centers, and other infrastructures to accommodate the new American economy.¹⁴

Manufacturing that once dominated in the American city has now moved to the world city that offers the best comparative advantage in terms of labor costs, environmental standards, tax, or other incentives. Thus economic restructuring precedes and determines urban spatial and socioeconomic restructuring.¹⁵ Cities respond to trends in the global economy, and act accordingly with select projects that create the best synergies between the city and economy.¹⁶

Likewise, in the globalization from below, globalization is eroding and challenging existing structures of space, rule of law, and cultural assumptions. Within these cities in the United States, immigrants occupy many of the service sector jobs that support the economic machine.¹⁷ From their ethnic neighborhoods in Jackson Heights in New York and Boyle Heights in Los Angeles, these immigrant populations leave home each day

11. VALLE & TORRES, *supra* note 4, at 6-7; THE BUBBLING CAULDRON, (Michael Peter Smith & Joe R. Feagin eds., 1995).

12. HAYDEN, *supra* note 10, at 12; SMITH, *supra* note 2, at 37.

13. VALLE & TORRES, *supra* note 4, at 5-10.

14. See, e.g., MIKE DAVIS, CITY OF QUARTZ (1992); SUSAN S. FAINSTEIN & DAVID L. GLADSTONE, *The New York and Los Angeles Economies*, in NEW YORK & LOS ANGELES 81-82 (David Halle ed., 2003); Lin, *supra* note 4; Ouroussoff, *supra* note 7.

15. SMITH, *supra* note 2, at 26.

16. *Id.*

17. MARSHALL, *supra* note 8, at 119.

to occupy many of the janitorial, hotel and leisure industry jobs, light manufacturing, and other service sector, often low wage jobs that prevail in the new global economy.¹⁸ Their pervasiveness in the U.S. economy has led some employers to believe they are disposable labor, but overall society continues to choose to ignore their contributions.

Despite the perception being invisible and at times clandestine, immigrants are making their mark on America's cities and culture. As in the labor markets, where physical and legal borders have not stopped immigrants from finding jobs in the United States, immigrants in cities are negotiating and contesting for a place.¹⁹ Immigrant and ethnic communities that feel dislocated from their home countries are now recreating the types of places they left behind within the borders of the United States, both physically and culturally, and influencing American life.

The new *mestizaje* occurring in American cities is not an isolated phenomenon, but part of the blending taking place in cities across the world. Language, music, fashion, food, and place are all being restructured and experimented with, as a result of globalization.²⁰ For example, in language the fears that globalization would lead to the hegemony of one dominant language have not entirely resulted because immigrants in their new host countries are mixing their languages creating new words and dialects.²¹ *Spanglish*, the mixing of English and Spanish, chided by academics and purist, is spoken by thirty one million people not only within the borders of the United States but in many localities in Latin America.²² In music, globalization has led to, once thought unthinkable combinations and mixes. Thus, in the streets of Southwestern American cities, Mexican *corridos* and *norteño* music are now mixed with Hip Hop and techno.²³ Today, walking into the supermarket there are many varieties of tortilla chips and salsa, not even Paul Newman could resist entering the market for the largest selling condiment. As in the in the sixteenth century, when the old and new worlds collided, culture on top of culture have

18. *Id.*; VALLE & TORRES, *supra* note 4, at 4-6.

19. MIKE DAVIS, *MAGICAL URBANISM: LATINOS REINVENT THE U.S. BIG CITY* 27 (2000); VALLE & TORRES, *supra* note 4, at 143.

20. VALLE & TORRES, *supra* note 4, at 190.

21. See *Migration 'Creating' New Dialects*, BBC NEWS, Apr. 4, 2004, available at <http://news.bbc.co.uk/1/hi/england/3585231.stm> (last visited July 27, 2005).

22. See ILAN STAVANS, *SPANGLISH: THE MAKING OF A NEW AMERICAN LANGUAGE* (2003); *How Much of Blade Runner Has Come True?*, BBC NEWS, Feb. 6, 2001, available at <http://news.bbc.co.uk/1/hi/uk/1154662.stm> (last visited July 27, 2005).

23. George Varga, *Fusion Bomb*, SAN DIEGO UNION-TRIB., Jan. 29, 2004, Entertainment, at 4; Alejandro Riera, *The End of an Era, and an Emerging New Sound*, CHI. TRIB., Dec. 13, 2003, at C16.

produced these new fusions.²⁴ This *mestizaje* is an urban phenomenon and today ethnic and immigrant neighborhoods are at the forefront of it.²⁵

III. DIVERSE PHILOSOPHIES OF CITY LIFE

In cold economic terms cities are surpluses of capital.²⁶ In the case of global cities, they are the accumulation of global capital. Besides capital surpluses and built physical environments, cities are political and human communities.²⁷ U.S. society has remained ambivalent to the role of cities in shaping its democratic ideals. For American intellectuals like Thomas Jefferson, Ralph Waldo Emerson, and Henry David Thoreau, virtue was to be found in the isolation of the countryside and agrarian economy.²⁸ The city was the source of corrupt commerce while the “chosen people of God” labored and owned the earth.²⁹ In the Progressive era, city political-machines, often composed of immigrants, were viewed as destructive to America’s values.³⁰ Yet America’s cities also represent the nation’s economic might.³¹ Today, the suburbs are places Americans seek tranquility from the chaos, crime and despair of the city. Even for some immigrant populations, moving to the suburbs represents the Anglo-American notion of assimilation.³² As Jane Jacobs later observed, this move to the suburbs created a sense of alienation in American society, where the parking lot at the convenience store became the meeting place to talk to a neighbor instead of the town square.³³

In contrast, in places like Latin America where many U.S. immigrants originate from, the city is a natural association that encourages civic

24. RICHARD L. KAGAN, *URBAN IMAGES OF THE HISPANIC WORLD 1493-1793*, at 39 (2000); SAMUEL Y. EDGERTON & JORGE PEREZ DE LARA, *THEATERS OF CONVERSION* 47-48 (2001).

25. Lin, *supra* note 4.

26. SMITH, *supra* note 2, at 27.

27. KAGAN, *supra* note 24, at 20.

28. MARSHALL, *supra* note 8.

29. See, e.g., THOMAS JEFFERSON, *Selection from Notes on the State of Virginia 1787*, in *THE AMERICAN INTELLECTUAL TRADITION, VOLUME I 1630-1865*, at 174 (David A. Hollinger & Charles Capper eds., 2d ed. 1993); WILLIAM A. SHUTKIN, *THE LAND THAT COULD BE* 25 (2000).

30. JEROME MUSHKAT, *TAMMANY: THE EVOLUTION OF A POLITICAL MACHINE, 1788-1865* (1971).

31. *POWER, CULTURE, AND PLACE: ESSAYS ON NEW YORK CITY* (John Hull Mollenkopf ed., 1988).

32. HAYDEN, *supra* note 10, at 88.

33. MARSHALL, *supra* note 8, at 190; HALLE, *The New York and Los Angeles Schools*, in *NEW YORK & LOS ANGELES: POLITICS, SOCIETY AND CULTURE*, *supra* note 1, at 18.

virtue.³⁴ Influenced by the thoughts of Thomas Aquinas and Saint Augustine, Spaniards used the city as a tool of conversion in order to Christianize and “civilize” native populations and make “rational” people out of them.³⁵ It was believed that the citizen’s tie to the king were weaker than his ties to his native city or *patria*.³⁶ Thus the Spanish emphasized *policia*, life in a city community where the citizen was integrated into the republic.³⁷

The Spanish did not have much difficulty in converting the city as a tool of assimilation because many pre-Colombian societies also regarded the city as both a symbol of cosmic and social order.³⁸ Built to the four cardinal points, the city symbolized the cosmic master plan and the center of the pre-Colombian civilization.³⁹ The Aztec capital, Tenochtitlan, was a well-planned city with a grid pattern urban zone, canals and water systems.⁴⁰ Entering with Hernan Cortez, Bernal Díaz recognized these great achievements in city design and construction. He was impressed with the great temples with their large courtyards, which were bigger than the Plaza de Salamanca in Spain.⁴¹ He witnessed gardens with many varieties of flowers and trees and a central market where vendors had assigned stalls that sold chocolate, cotton goods, vegetables, and herbs.⁴² In the New World, Díaz found a market and city that rivaled Constantinople, Rome and other cities in Europe.⁴³ In the *mestizaje* of the sixteenth century, it was easy to replace the ancient central courtyard with the central plaza.⁴⁴ Today the idea that place and city are important in shaping citizenry enters once again the public discourse.⁴⁵

IV. CITIES AS NATURAL LOCALITIES FOR IMMIGRANT POPULATIONS

Considering the historical precedents, it is not surprising that many immigrants have adapted quite well to urban life. Immigration has

34. KAGAN, *supra* note 24, at 20.

35. *Id.* at 20.

36. *Id.* at 25.

37. *Id.* at 27; Lin, *supra* note 4.

38. EDGERTON & DE LARA, *supra* note 24, at 61.

39. *Id.*

40. NIGEL DAVIS, *THE ANCIENT KINGDOMS OF MEXICO* 196-205 (1982).

41. *Id.*; BERNAL DÍAZ, *THE CONQUEST OF NEW SPAIN* 232-35 (J.M. Cohen trans., Penguin Books 1976).

42. *Id.*

43. *Id.*

44. EDGERTON & DE LARA, *supra* note 24, at 61.

45. HAYDEN, *supra* note 10, at 89.

traditionally remained an urban phenomenon, although, today it is increasingly rural.⁴⁶ Immigrants move to neighborhoods that are conveniently located near their places of work, offer affordable housing and where social-networks exist to facilitate the transition. For immigrants, these neighborhoods serve to mitigate the shocks of immigration.⁴⁷ It is surprising to note that many of these ethnic neighborhoods were once privileged spaces of an earlier era of “empire building,” but with new economic orders were sacrificed in the name of progress.⁴⁸ Both Jackson Heights in New York City and Boyle Heights in Los Angeles offer good examples.

A. A Brief History of Jackson Heights

Jackson Heights began as one of New York’s first suburbs. Located in Queens, it aimed to attract middle to upper class families by creating housing that fostered community. Influenced by the Garden City Movement in England, the Queens Boro Corporation in 1917 decided to subdivide their tract of land to create residential and commercial buildings that created a “city within a city.”⁴⁹ The residential designs proved to be most innovative. With a U-shaped design, each block-long apartment complex had both a large central garden and was set back a few feet to allow for minor landscaping along its street facing façade.⁵⁰ In contrast to Manhattan apartment complexes that occupied as much as seventy percent of the lot, the Jackson Heights garden apartments covered only forty percent.⁵¹ Exterior design ranged from British to French to Italian.⁵² The numerous windows incorporated into the design allowed natural sunlight and fresh-air to enter the large apartments.⁵³ The U-shaped dwelling in Jackson Heights, is reminiscent of the Islamic garden home, in which the

46. See, e.g., ROGER WALDINGER, *STRANGERS AT THE GATE* (2001); Eduardo Porter, *Prospecting: As Latinos Fan Out Across America, Business Follow*, WALL ST. J., Nov. 26, 2002, at A1; Queena Sook Kim, *Korean Grocer Thrives Serving an Ethnic Mix*, WALL ST. J. (South East Journal), Aug. 23, 2000, at S1.

47. Lin, *supra* note 4.

48. VALLE & TORRES, *supra* note 4, at 165.

49. See E.E. Lippincott, *Onetime “Garden City” Fights to Preserve Part of Its Past*, N.Y. TIMES, Apr. 22, 2001, § 14, at 9; Paul Murphy, *Originally “A Garden In the City,”* INDIA ABROAD, Aug. 14, 1992, at 34; Community Greens: Shaped Urban Blocks, available at <http://www.communitygreens.org> (last visited July 27, 2005).

50. *Id.*

51. *Id.*

52. *Id.*

53. *Id.*

home surrounds the inner courtyard that cools and shades to mitigate the effects of surrounding harsh environments.⁵⁴

To make the suburb successful, the Queens Boro Corporation lobbied for a subway to extend to the new tract of land.⁵⁵ It has been said that transportation determines the shape of cities.⁵⁶ It can also be said that New York City's extensive subway transportation system has contributed to its success as a world city.

The New York City subway not only offers New Yorkers a convenient mode of transportation, it also offers residents a vibrant pedestrian atmosphere because of the dense neighborhoods that are in the vicinity of the system.⁵⁷ While the Seven Subway Line provides transportation for residents of Jackson Heights, it is also one of the factors that contributed to its decline. The elevated train line with raised stations, created a dark atmosphere along Roosevelt Avenue, one of Jackson Heights's primary commercial streets, that runs below the elevated tracks. The roaring train was not only a source of noise pollution, but rusty tracks and pillars upholding the tract gave the impression that Roosevelt Avenue was under a dark street bridge.⁵⁸ Consequently, both Roosevelt Avenue and Jackson Heights developed a reputation for attracting prostitution rings, drug cartels, and muggers who shot the occasional pedestrian.⁵⁹

In addition to the Seven Line, increased jet air-traffic from La Guardia Airport, which lies north of Jackson Heights, and the Brooklyn-Queens Express Way which runs through the center of Queens, brought added nuisances to the neighborhood. While original residents moved away, Jackson Heights with its depreciated rental prices and convenient transportation system, attracted new immigrants that did not allow the neighborhood to turn into a slum.⁶⁰ In its early days the Seven Line traveled from Irish, Italian, Jewish, and Polish neighborhoods; today it runs through the same mix, with the added spice of South and East Asian,

54. Magdy Tewfik Saad, *Traditional Urban Gardens in Identified Muslim Environments*, 1986, ENVTL. DESIGN: J. ISLAMIC ENVTL. DESIGN RES. CENTRE 28-31.

55. Community Greens: Shaped Urban Blocks, *supra* note 49.

56. MARSHALL, *supra* note 8, at xii-xv.

57. *Id.*

58. Pooja Bhatia, *No. 7 Subway Line Designed "The International Express,"* INDIA IN NEW YORK, July 30, 1999, at 8.

59. Mark Francis Cohen, *Neighborhood Report: Jackson Heights: Street Crime Has Cops on Move*, N.Y. TIMES, July 20, 1995, § 13, at 10; Hector Rodriguez Villa, *Los Caps de Medellin*, 36 EL DIARIO/LA PRENSA, 30 (1995); *Man Slain on Queens Street*, N.Y. TIMES, Aug 8, 1986, at B3.

60. MARSHALL, *supra* note 8, at 112.

Colombian, Peruvian, and Mexican communities, among others.⁶¹ The Seven Line was even designated a National Millennium Trail for immigrants by the federal government.⁶² The line, however, still continues to be an economic drag on the neighborhood. It is in need of clean and reachable stations and a complete overhaul of its elevated tracks.⁶³ While the Millennium Trail brought publicity to the line, it did not receive the federal dollars it requires for the upgrades. Consequently, Jackson Heights residents will have to continue to tolerate the noise from the train above and the dirt and other unknown debris falling on them below, when they shop along Roosevelt Avenue.

B. A Brief History of Boyle Heights

There is no doubt that government has been active in changing the natural landscape.⁶⁴ In Los Angeles, highways were seen as the transportation system of preference in the 1960s. Boyle Heights become the neighborhood of choice for planners, due to its “poor politically powerless” immigrant residents, to connect and run five of the region’s major freeways.⁶⁵ Similarly to Jackson Heights, Boyle Heights was once a desirable community. As one of Los Angeles first suburbs, Boyle Heights was first developed in the 1880s and was connected to the city by way of streetcar.⁶⁶ During this time, the city elites like Andrew Boyle, John E. Hollenbeck, and future mayor William H. Workman built their homes in the neighborhood.⁶⁷ The neighborhood was popular with elites because of its proximity to the city’s downtown, elevated lands that did not flood when the Los Angeles River overflowed and it did offer good landscapes with its rolling hills and diverse topography.⁶⁸ As in Jackson Heights, the elites built housing to meet their expensive taste. Unfortunately, no garden apartments were built in Boyle Heights, but Victorian style homes that

61. DAVID HALLE ET AL., *Residential Separation and Segregation, Racial and Latino Identity, and the Racial Composition of Each City*, in NEW YORK & LOS ANGELES, *supra* note 1, at 178; George Vecsey, *India Casts Its Subtle Spell on Queens*, N.Y. TIMES, Aug. 19, 1994, at C1.

62. Bhatia, *supra* note 58.

63. *Id.*

64. HAYDEN, *supra* note 10, at 99.

65. Derek Werner, *The Public Use Clause, Common Sense and Takings*, 10 B.U. PUB. INT’L L.J. 335, 350 (2001).

66. MICHAEL JACOB ROCHLIN, *ARCADIAN* L.A. 228 (2003).

67. Our Place Called Home – A History of Boyle Heights, available at <http://www.laep.org/access/change/histbh/> (last visited July 27, 2005).

68. *Id.*

range from large mansions to small single-family homes were the dwelling homes of choice.

During 1908, the City of Los Angeles began to enact the city's first zoning laws that primarily protected westside communities from industrial development, but left Boyle Heights in the east without any protections.⁶⁹ In addition, Boyle Heights was one of few places in Los Angeles that did not have restrictive covenants, some of which were based on race.⁷⁰ Consequently, Boyle Heights became the neighborhood of choice for new immigrants from Russia, Poland, Japan, and Mexico.⁷¹ As in Jackson Heights, early Boyle Heights residents were attracted to the neighborhood, because at the time Boyle Heights was well-connected to the rest of the City of Los Angeles, and the city's Red Line trolley car system.⁷² As in New York City, dense commercial districts developed along public transportation lines, which include Brooklyn Avenue, now Cesar Chavez Avenue, First Street, and Whittier Boulevard.⁷³

In the 1950s, Boyle Heights saw the first freeways run through its center.⁷⁴ In the 1960s, the Hollywood, the Pomona, and Golden State Freeways divided the community by separating neighbors, even cutting half of its English style park in memory of the Hollenbeck family.⁷⁵ The freeway construction only expedited the flight of the older immigrant groups that arrived in Boyle Heights. Before the freeway construction, Japanese residents were forcibly removed by the federal government pursuant to 8 Fed. Reg. 982, which placed them in interment camps during World War II.⁷⁶ Restrictive covenants were removed from other parts of the city and residents who could afford to move upgraded to more desirable housing. New immigrants, primarily Mexicans, now occupy Boyle Heights, however, its pedestrian character continues to thrive.

While highways, give modes of transportation, communication and speed, they also serve to contain and territorize.⁷⁷ Although Boyle Heights has five major California freeways running through it, it continues to thrive because it has embraced an urban lifestyle. The shops along Cesar Chavez

69. Power of Place, Time Line [hereinafter Time Line], available at <http://www.janm.org/boyleheights/exhibition/timeline.htm> (last visited July 27, 2005).

70. *Id.*

71. RICARDO MORO, EAST LOS ANGELES 65-70 (1983).

72. ROCHLIN, *supra* note 66, at 228.

73. Boyle Heights: Power of Place, available at http://www.boyleheightsproject.org/collecting/oral_history.htm (last visited July 27, 2005).

74. Time Line, *supra* note 69.

75. ROCHLIN, *supra* note 66, at 228.

76. *Korematsu v. United States*, 323 U.S. 214; 65 S. Ct. 193 (1944).

77. VALLE & TORRES, *supra* note 4, at 9.

may no longer have kosher delis, but now have *carnecerias* and *panaderias* that continue to provide residents with a shopping experience that does not require a car. In one study, where Los Angeles residents were asked to draw a map of Los Angeles, residents of Boyle Heights drew the map using the boundaries of the neighborhood with a connector to downtown, while westside residents drew the complete Los Angeles metropolitan region using freeways as their points of reference.⁷⁸ While this is an unfortunate commentary on the isolation and lack of access to the city for Boyle Heights residents, it also demonstrates that Boyle Heights is a self-contained world of its own.⁷⁹

V. THE PERCEPTION OF IMMIGRANT/ETHNIC NEIGHBORHOODS

One element that works both to the advantage and disadvantage of these neighborhoods is the actual and perception of crime. Eli Lehrer, of the conservative Heritage Foundation, recognizes that perception of crime functions as a progressive tax on urban life.⁸⁰ While these artificially depressed prices keep staples such as housing affordable, they are not really reflecting the true value of the assets immigrants are acquiring in these neighborhoods. One problem is the politics of racial criminalization.⁸¹ The legal status of immigrants is where the perception of illegality begins.⁸² Jackson Heights and Boyle Heights are perceived as the hot beds of illegal activity, where fake documents and drugs are sold on the street.⁸³ It is here where the forces of globalization come into friction with national values. Jackson Heights, for example, has seen a recent rise in immigration from Latin America, some estimate that Mexican population is as much as sixty percent undocumented.⁸⁴ Presence of these "illegal aliens" adds to the fears of invasions that undermine the nation state based on the rule of law.⁸⁵ No matter what their true legal

78. HAYDEN, *supra* note 10, at 29.

79. MARSHALL, *supra* note 8, at 124.

80. Eli Lehrer, *Crime-Fighting and Urban Renewal*, 2000 PUB. INT., at 91.

81. VALLE & TORRES, *supra* note 4, at 18; THE BUBBLING CAULDRON, *supra* note 11, at 92.

82. JOCELYN SOLIS, *Immigration Status and Identity: Undocumented Mexicans in New York*, in MAMBO MONTAGE 337 (Agustin Lao-Montes & Arelene Davila eds., 2001).

83. See, e.g., Nicole Karsin, *Instant Greencard*, N.Y. TIMES, July 8, 2001, § 14, at 11; Mark Francis Cohen, *Street Crime Has Cops On Move*, N.Y. TIMES, July 30, 1995, § 13, at 10; Marvin Howe, *Trade in Fake Documents Thrives in Neighborhoods of Immigrants*, N.Y. TIMES, July 21, 1991, § 1, at 25.

84. Javier Castano, *El Callejon de Los Indocumentados*, EL DIARIO/LA PRENSA, Oct. 8, 1997, at 6.

85. VALLE & TORRES, *supra* note 4, at 18.

status, immigrants will have the badge of illegality attached to them, which contributes to the perception that their activities are also per se illegal. Thus, some forms of commerce and making a living initiated by immigrant and ethnic groups and even some home decorating can turn into an illegal act. The perception and actual crime keep outsiders from not only the neighborhood commerce, but also its housing.⁸⁶ Yet, despite the stigma of these neighborhoods, local residents find ways of not only creating value and economic opportunity, they also find ways of creating a well-functioning neighborhood and community.

VI. THE TRANSFORMATIONS TAKING PLACE IN IMMIGRANT NEIGHBORHOODS

Neglected from official channels, such as governmental means, Jackson Heights and Boyle Heights residents have developed their own alternatives. The shrinking of traditional and “legitimate opportunities” due to displacement forces of globalization and political trends within and outside these communities has led them to develop alternative economies, which have created new opportunities for immigrant and ethnic residents.⁸⁷ In both Jackson Heights and Boyle Heights, bodies and faces are found on the street, creating a vibrant and energetic atmosphere in the neighborhood environment.⁸⁸ While city officials and developers are transforming downtown historic buildings, wondering how to restore a sense of community back to America, ethnic and immigrant communities have already done so by taking the traditional idea of the metropolis and using it as a space for creativity and opportunity.⁸⁹

A. Civic Life

What Boyle Heights and Jackson Heights reveal is that in the era of globalization, new forms of participation, and representation are emerging in ways that do not require citizenship because the new institutions created by these immigrant or ethnic communities are offering alternatives that advance their interest.⁹⁰ The catalyst for this new activism is urban life itself. Emigration to the United States is a system of networks where

86. Lehrer, *supra* note 80.

87. VALLE & TORRES, *supra* note 4, at 8; Lin, *supra* note 4.

88. HAYDEN, *supra* note 10, at 88.

89. Ouroussoff, *supra* note 7.

90. PEGGY LEVITT, TRANSNATIONAL VILLAGERS 5 (2001).

newcomers arrive to places already settled by countrymen.⁹¹ Critics of immigration may wonder why these immigrants settle in these enclaves and why they continue to their ways of their home country. These neighborhoods offer a network of cultural support, and serve as an extended family, not available to them when they enter a U.S. society that is so individualistic.⁹² The cultural network not only functions as a social support network, but it is also a vital link to obtaining a job. As in the search for professional jobs, the search for a low wage job may also involve more than skills such as networking.⁹³ Coexistence in ethnic concentrations increases the likelihood of obtaining information within those networks that will lead to a job.⁹⁴

Not only does labor crisscross borders but also social networks, remittances, and binational investment.⁹⁵ While corporations have satellite offices that link their operations and capital to further the enterprise, immigrant populations as well, have their own networks and infrastructures that enable them to not just keep in touch with those in the home country, but also allow them to send capital in forms of remittances to support their families and communities located in their home country.⁹⁶ For example, over forty percent of the Latino population sends funds totaling thirty billion dollars each year to relatives in their country of origin.⁹⁷ Thus, migration is not merely an escape valve to decrease the surplus of labor in these developing countries, but also an economic engine.⁹⁸ Immigrants are now investors in their home countries by financing infrastructure such as schools.

As Peggy Levitt notes, networks are two-way highways of exchange.⁹⁹ Migrants send and bring back the values and practices from their homelands. They are just as capable of influencing global culture, as those mass instruments of globalization like media and global capitalism.¹⁰⁰ As

91. *Id.* at 50-60.

92. David R. Diaz, *La Vida Libre: Culture de Calle en Los Angeles* [The Free Life: The Street Culture of East Los Angeles], PLACES, Spring 1993, at 30-37; SMITH, *supra* note 2; Monika Joshi, *They are More Aware of Racial and Ethnic Identities as Americans*, INDIA ABROAD, Nov. 11, 2002, at M4.

93. WALDINGER, *supra* note 46, at 84.

94. *Id.* at 85.

95. THE BUBBLING CAULDRON, *supra* note 11, at 18.

96. DAVIS, *supra* note 19, at 86.

97. *Hispanics' Payments to Families Back Home Continue to Grow*, L.A. TIMES, Nov. 24, 2003.

98. *Id.*

99. LEVITT, *supra* note 90.

100. SMITH, *supra* note 2, at 181.

seen in Jackson Heights and Boyle Heights, immigrant communities brought with them the sense of community and support that existed in their home countries. For example, in Jackson Heights, the South Asian community has developed a neighborhood that goes back to the 1970s.¹⁰¹ Today, Jackson Heights is the center of the greater North East South Asian area.¹⁰² People, from professionals to cab drivers, come to this community to pick up spices, food, clothing, or simply can meet with friends. An informal atmosphere still prevails in Jackson Heights where people can still drop in on each other unannounced, as they do in their native countries.¹⁰³ Like other immigrant gateway centers, they also serve as places to network and further their economic opportunities. For example, South Asian cab drivers developed Desi networks to help fellow kin transition to American society.¹⁰⁴ Both Indian and Pakistani cab drivers put aside nationalist differences from the home country to help another fellow driver when that driver gets lost, or to direct them to friendly delis where he can pick up a bite to eat in the middle of the night.¹⁰⁵ Some drivers have formed formal organizations like the Lease Drivers Coalition and the Committee Against Anti-Asian Violence, to protect drivers from both heavy-handed tactics by rival taxi companies and criminal violence.¹⁰⁶ This organizational network has also served to help drivers with the Taxi and Limousine Commission Courts by assisting members with legal and procedural aid.¹⁰⁷

Likewise, the Latino community in Jackson Heights, has also been strong in forming transnational networks. The Tepeyac Association of New York, based out of Manhattan, is a city-wide organization that assists Mexican immigrants with problems they may have at work, as well as provide cultural support by organizing cultural festivals and educational programs.¹⁰⁸ Organized around local churches, members of the Association base their activities in their local branch.

The Blessed Sacrament Branch in Jackson Heights is one of the strongest groups in the Association. Members help each other by

101. Joshi, *supra* note 92, at M4.

102. Lavina Melwani, *Desi Networks*, LITTLE INDIA, Feb. 28, 1994, at 10.

103. *Id.*

104. *Id.*

105. *Id.*

106. *Id.*

107. Melwani, *supra* note 102, at 10.

108. See, e.g., Edward Levine, *Making Mexicans His Mission*, N.Y. TIMES, Apr. 5, 1998, at CY1; David M. Herszenhorn, *Mexicans Unite to Honor Their Spiritual Mother*, N.Y. TIMES, Dec. 13, 1998; Asociación Tepeyac de New York web site, available at www.tepeyac.org (last visited Aug. 1, 2005).

providing, through word of mouth, information on job opportunities. In addition, solidarity is formed by organizing along religious activities such as the day of La Virgen de Guadalupe.¹⁰⁹

The organization has made the holiday into a transnational event by organizing a torch relay, the *Antorcha Guadalupeana*, in which a flame is carried from the Basilica in Mexico City to Saint Patrick's Cathedral in Manhattan.¹¹⁰ The torch not only symbolizes the aspirations immigrants carry with them to the United States, but also their culture and traditions they will not leave behind. Thus, these networks formed for economic advancement and cultural celebrations have led people to political organization as well.

The Blessed Sacrament branch of the Tepeyac Association is very active in the drive for amnesty for all undocumented immigrants. Members have been known to conduct protests within the city, lobby their local congressman, and even travel to Washington, D.C. to advocate for this cause.¹¹¹ Once, the amnesty movement was at the peripheries of the national agenda. Because of the advocacy by groups like the Tepeyac Association, the plight of undocumented workers is at the forefront of contemporary political discourse.

Similarly in Boyle Heights, those social and cultural networks have also been transformed into political organization. Although Boyle Heights residents were not able to stop freeway construction in the 1960s from dividing their neighborhood, they were successful in combating the "locally unwanted land uses" (LULUs) of a prison and toxic waste incinerator.¹¹² The "Mothers of East Los Angeles" (MELA), also a church based organization, fought long hard battles in the mid-1980s against the proposed construction of a state prison in the neighborhood.¹¹³ Different interests were put aside to form networks composed of long established residents, recent immigrants, merchants, and students to protect the youth and the community.¹¹⁴ Through strong community organization, MELA successfully defeated the prison construction project, and subsequently, through those networks a toxic waste incinerator, made itself part of the

109. Virgin of Guadalupe is patron Saint of Mexico whose holyday is celebrated December 12. David M. Herszenhorn, *Mexicans Unite to Honor Their Spiritual Mother*, N.Y. TIMES, Dec. 13, 1998.

110. Bill Broadway, *Carrying a Torch for Hope*, WASH. POST, Nov. 30, 2002, at B09.

111. Hector Rodriguez Villa, *Abogan Por Demoler Un Sistema Que Consideran Racista Y Obsoleto*, EL DIARIO/LA PRENSA, July 21, 2000, at 2.

112. MARY S. PARDO, MEXICAN AMERICAN WOMEN ACTIVIST (1998).

113. *Id.*

114. *Id.*

environmental justice movement.¹¹⁵ Similar to the Tepeyac Association in New York, MELA also spreads its influence onto other communities, in order to persuade them to organize and fight similar battles. MELA, for example, assisted the Mid-California town of Casmila in the closing of a toxic waste dump.¹¹⁶ Today this same activism is used to combat the greater challenge of street violence. Fed-up with gang-related violence, women activists are again taking to the streets to protect the youth in the neighborhood.¹¹⁷ What this reveals about activism in Boyle Heights and Jackson Heights is that although immigrants may be locked out of mainstream politics, they still find ways of exercising their rights, because they care about how the political process will impact both their families as well as their local community. What follows is an examination of how physical space has contributed to the development of these networks.

B. Home Living Spaces

The first type of place these immigrants are transforming is their homes. Like many neighborhoods in America, both Jackson Heights and Boyle Heights are in desperate need of low-income affordable housing.¹¹⁸ Rather than wait for government, private or nonprofit development to increase the housing stock, immigrants have taken matters into their own hands by building “granny flats” or “illegal conversions” in the backyard to accommodate extended families and neighbors.¹¹⁹

This has forced some to live precariously in both legal terms and in terms of public safety.¹²⁰ As the Los Angeles based urban commentator, Mike Davis observes, as a result of not following city ordinances and regulations, immigrant homeowners are consequently embroiled in costly conflicts with city inspectors and lawyers.¹²¹ The argument against these “granny flats” is that they create discontinuity in the neighborhood by producing nuisance type properties that attract transient, and “undesirable people,” to the neighborhood.¹²² While some would argue that this type of tenement living is un-American, it was common for architects to include

115. *Id.*

116. *Id.*

117. Lucero Amador, *Las Amas De Casa Contra La Violencia*, LA OPINION, Nov. 5, 2001, at 1B.

118. VALLE & TORRES, *supra* note 4, at 6; Motoko Rich, *Staying in the Family Home May Mean Taking Others In*, N.Y. TIMES, Oct. 12, 2003.

119. *Id.*

120. *Id.*

121. DAVIS, *supra* note 19, at 52, 53.

122. *Id.*

two or three units within town houses to accommodate extended families in the late nineteenth and early twentieth centuries.¹²³

At times, it seems city government is confused on its objectives. For example, the official Boyle Heights Community Plan as required by California Government Code Section 65300, recognizes there are many substandard lots and there are higher density population concentrations in Boyle Heights.¹²⁴

The plan restates the City of Los Angeles policy of preserving existing low-density housing stock.¹²⁵ The plan fails to recognize the benefit of high densities and mixed uses that create vibrant neighborhoods.¹²⁶ The policy of preserving low-density housing, and providing affordable housing, seems paradoxical by limiting housing stock when there is demand for it.¹²⁷ The plan seems to limit its options by stating that “conservation and improvement of existing housing stock is the only feasible alternative” until another means of providing new lower income housing is developed.¹²⁸

Ironically, the plan does recognize that the forces of globalization are a large factor in the community. The plan outlines that service systems must “take into account the substantial number of ‘undocumented aliens’ residing in the Community.”¹²⁹ It is important to acknowledge as the Boyle Heights Plan does, that different ethnic and immigrant communities have different needs and flexibility should be allowed whenever possible. Just as cities respond to the corporate forces of globalization by creating high profile developments and infrastructures that facilitate aspects of globalization, they must also recognize that other marginalized populations that serve the economy also need infrastructures to participate in the global economy in order to improve quality of life.

In Jackson Heights, the affordable housing problem is more difficult to resolve. Queens has the largest problem of illegal conversions of all the New York boroughs.¹³⁰ While the illegal conversions allow immigrants

123. *Id.*

124. City of Los Angeles, Boyle Heights Community Plan, last updated Nov. 10, 1998, Council File No. 95-1302 [hereinafter Boyle Heights Plan].

125. *Id.* at III-2.

126. Amy Liu, The Benefits and Realities of High Density Development, The Brookings Institution Center on Urban and Metropolitan Policy, Oct. 31, 2003, available at http://www.brookings.org/metro/speeches/20031031_uli.htm (last visited Aug. 1, 2005).

127. Boyle Heights Plan, *supra* note 124, at I-4.

128. *Id.* at III-1.

129. *Id.* at III-7.

130. Randy Kennedy, *Law Seen Aiding City in Battle Over Illegal Home Conversions*, N.Y. TIMES, Sept. 16, 1997, at B7.

and other low-income people affordable housing, especially in New York City with its high real estate prices, they are also managed by unscrupulous landlords who exploit the needs of these immigrant communities, by offering them poor dilapidated housing.¹³¹ Jackson Heights has been completely built out since the 1960s, and there is really no other room to build.¹³²

As globalization has created what are perceived to be serious problems in American cities in housing, globalization can offer some solutions by looking abroad for new ideas. Today in the developing world, governments are reforming their legal and property structures, to allow those with low incomes and desperate need of housing, greater flexibility in accessing the capital they have in their limited assets.¹³³ The forces of globalization have produced a deregulatory climate that has benefited multinational corporations that should be continuing to regulate systems that hamper the maximization of assets of the poor. In Turkey, Peru, and Egypt, governments are not keeping to strict property structures and laws, but are finding flexibility within those structures to regularize what were once considered “illegal” and clandestine settlements on state lands into property the occupant can obtain legal tenure and title, and thereby access the hidden capital.¹³⁴ This new access to capital has led some to obtain loans and mortgages to possibly start a business or upgrade to better housing.¹³⁵ These governments are acknowledging there are dual systems of the formal and informal, rather than the legal and illegal.¹³⁶ Rather than cracking down on them because it would be futile it is better to manage them so there are greater possibilities of creating wealth for more people.

While the above case studies refer to the transformation of public lands to private, it is important to remember that here in the United States, state and local governments regulate private property owner’s “bundle of

131. *Id.*

132. Christopher Gray, *Streetscapes: Garden Apartment; Waiting in Queens for Historic Status*, N.Y. TIMES, June 28, 1992, § 10, at 7.

133. See HERNANDO DE SOTO, *THE MYSTERY OF CAPITAL* (2002); PATRICK MCAUSLAN, *Tenure and the Law*, in LAND, RIGHTS & INNOVATION: IMPROVING TENURE SECURITY FOR THE URBAN POOR (Payne Geoffrey ed., 2002) [hereinafter LAND, RIGHTS & INNOVATION]; RICHARD GROVE ET AL., *Housing Tenure Change in Transitional Economies*, in LAND RIGHTS & INNOVATION, *supra*; AYAKO KAGAWA & JAN TUKSTRA, *The Process of Urban Land Tenure Formalization in Peru*, in LAND RIGHTS & INNOVATION, *supra*; DAVID SIMS, *What is Tenure Urban Egypt*, in LAND RIGHTS & INNOVATION, *supra*; MURAT BALAMIR, *Legality and Legitimacy and Tenure in Turkey*, in LAND RIGHTS & INNOVATION, *supra*.

134. MCAUSLAN, *supra* note 133, at 28-32.

135. *Id.*

136. *Id.*

rights.”¹³⁷ Government can increase or decrease the bundle depending on the regulatory structures such as zoning. Rigidly conforming to low densities, large setbacks, and height requirements, in low income neighborhoods may limit an owner who may really need additional housing given the shortage of affordable housing in the United States. In California, Massachusetts, and New York there have been recent initiatives to normalize the “granny flats” by granting amnesty to owners to allow them the opportunity to make granny flats conform to safety standards.¹³⁸ Recognizing the serious problem of illegal conversions and the need for more affordable housing, the California legislature amended California Government Code Section 65852.2 to push cities to amend their ordinances and zoning to allow owners more options to have “accessory units” to meet their housing needs.¹³⁹ It remains to be seen how this change in state law will help immigrant communities such as those in Boyle Heights, however it is a commendable initiative.

C. Garden and Green Spaces

While there are transformations taking place within the walls of immigrant homes, creative changes are occurring outside the home in the garden space. In Latin America, and all over the world, the home urban garden is of particular importance.¹⁴⁰ It offers the resident not only a place for expression, but also a much needed green space that mitigates the pollution of the city and in some cases a much needed source of income.¹⁴¹ Similarly, for the Latino immigrant families of Boyle Heights, home gardens are not only a decorative feature of the home, but also contribute to their sustenance and offer a social space.¹⁴² The typical Mexican home garden is descendent of Spanish, indigenous and Islamic influences, designed with its patio or courtyard at the center which functions to cool off the house from the elements.¹⁴³ While most of the homes in Boyle

137. See *Lucas v. S.C. Coastal Council*, 505 U.S. 1003; 112 S. Ct. 2886 (1992).

138. See, e.g., John Zaremba, *Town Seeks More Clout With Developers*, PATRIOT LEDGER, Jan. 5, 2004, at 11; Paul Shigley, *Second-Unit Ordinances Overhauled*, CAL. PLAN. & DEV. REP., Aug. 1, 2003, at 1; Staff, J. NEWS (Westchester County, NY), Nov. 19, 2002, at 4B.

139. See Shigley, *supra* note 138.

140. See, e.g., MARIE-PIERRE COLLE, *PARAISO MEXICANO* (2002); WILLIAM A. SHUTKIN, *THE LAND THAT COULD BE* 153 (2000).

141. Michael Ableman, *The Quiet Revolution*, 41 AUTUMN (2000).

142. James Rojas, *Enacted Environment of Environment of East Los Angeles*, PLACES, Spring 1993, at 48-50.

143. *Id.*; BERNAL DÍAZ, *THE CONQUEST OF NEW SPAIN* 231 (J.M. Cohen trans., Penguin Books 1976) (1963).

Heights are the typical single family home, as local planner James Rojas notes, the fence around them acts as an enclosure that converts the American single family home to the courtyard house.¹⁴⁴ Unlike the suburban homes where landscaping aesthetic is a determination based on how green a lawn is, in Boyle Heights the aesthetic is determined by the variety of plants held by the resident. Many residents plant within their gardens anything from rose bushes, corn, citrus trees, ferns, sugar cane, chili peppers, cactus, to more tropical plants, like mango and papaya trees.¹⁴⁵ For those residents with a Victorian home, they are keeping within the Victorian garden tradition of the more tropical and exotic customs.¹⁴⁶ This eclectic mix of garden design is not reserved to Latino home gardens, some longer established residents of Japanese ancestry still maintain traditional Japanese gardens within their homes complete with seiko palms and ponds. In Boyle Heights, styles are mixed, creating a collage in the neighborhood unlike the suburban development that stresses unity and conformity.

Like many urban gardens in the world, Boyle Heights gardens offer a means to obtain additional sustenance.¹⁴⁷ Local residents often sell or barter the fruits, vegetables, and spices within their home. For instance, a neighbor may stop to visit in order to buy some rosemary, a couple of limes, or perhaps some cactus leaves to make a cactus salad, and later on, that same neighbor will offer, in return, a little of his own harvest. People will often meet at the front gate to exchange these goods from the garden transforming physical barriers, such as fences and rigid space, into social catalyst that brings neighbors together.¹⁴⁸

In other locations in Los Angeles, immigrants are also creating collective spaces for a community, by transforming empty lots to those gardens Bernal Díaz saw when entering Tenochtitlan. Community gardens have been recognized by academics, environmentalists, and social scientists as places that not only provide low income communities nutritious fruits and vegetables, they also are places where community empowerment germinates from transforming liabilities such as empty lots

144. *Id.*

145. See, e.g., ROCHLIN, *supra* note 66, at 230-38; 2000 E. Pennsylvania Ave, Los Angeles (author's home).

146. Kristen B. Sullivan, *Subtlety Just Isn't In The Victorian Garden Vocabulary*, GARDEN GATE MAG., Apr. 1998, available at www.gardengatemagazine.com (last visited Aug. 1, 2005).

147. France Bequette, *Farms in the City: Urban Gardens As Sources of Food For Newcomers from the Countryside*, UNESCO COURIER, Feb. 1, 1999.

148. Rojas, *supra* note 142.

into community assets.¹⁴⁹ In one instance, an immigrant community in South Central Los Angeles was able to stop the LULU of a trash incinerator.¹⁵⁰ The land, consequently, lay vacant as result of these efforts and the community requested permission for a community garden.¹⁵¹ For ten years low income gardeners were able to depend on the garden for alternative sources of food.¹⁵² Today, the gardeners face eviction, and the garden and the land, are locked in legal and political controversy.¹⁵³ Here was an instance where public areas could have been transformed to create private or community property rights to allow the poor additional subsistence, such as the initiatives taken in Peru, Turkey and Egypt, instead this opportunity was lost.

Today, in Jackson Heights, the Queens Boro Corporation garden apartments have survived and so have their gardens. In the late 1970s and early 1980s, the garden apartments faced their gravest danger with many of them falling into bankruptcy.¹⁵⁴ Rather than letting the garden apartments deteriorate further, with broken fountains and courtyards, local residents formed new cooperatives and bought their apartments.¹⁵⁵ After years of hard work, many courtyards and gardens were restored by those tenants. For residents of these apartment complexes, there are no chain-link fences to divide them, but garden courtyards that enable them to come together as a community.¹⁵⁶ Unfortunately, these gardens are not open to the rest of the Jackson Heights population. The garden apartments represent the gentrification element in Jackson Heights, and as in Manhattan the co-op apartments function as de facto gated communities.¹⁵⁷ Perhaps if space permitted in Jackson Heights, immigrants would similarly transform the garden environment as seen in Boyle Heights.

Boyle Heights residents in order to deter graffiti, have also painted murals along the walls of their property. People in these neighborhoods are bringing the tradition of the mural from the walls of the ancient cities in Mexico and the frescos in Italy to the streets of America.¹⁵⁸ Many murals

149. SHUTKIN, *supra* note 140, at 155.

150. Jessica Garrison, *Urban Growers Decry Eviction*, L.A. TIMES, Jan. 8, 2004, at B1.

151. *Id.*

152. *Id.*

153. *Id.*

154. Anne Raver, *As Queens Change, The Gardens Remain*, N.Y. TIMES, Jun. 5, 1997, at C1.

155. *Id.*

156. *Id.*

157. MARSHALL, *supra* note 8, at 129; HALLE ET AL., *Residential Separation and Segregation, Racial and Latino Identity, and the Racial Composition of Each City, in NEW YORK & LOS ANGELES*, *supra* note 1, at 168.

158. PHILIP STEIN, *SIQUEIROS HIS LIFE AND WORKS* (1994).

have symbols of ethnic and racial pride such as religious symbols, themes relating to social justice, and homages to national and local heroes.¹⁵⁹ Painting the murals are community projects that involve both young and old.¹⁶⁰ As in murals painted on commercial walls, they contribute to the activity of the street in an otherwise forgotten area.¹⁶¹

VII. THE MARKET PLACE

A. *The New Main Street*

Another significant transformation of environment taking place within these city neighborhoods is in the marketplace. While the wider polemic debate continues on globalization and capitalism, it seems that these neighborhoods have embraced Adam Smith's theories of the invisible hand. Many have observed that commerce and markets are the forces that create the town center, because buying and selling ties people closer to a community.¹⁶²

Once these ethnic and immigrant markets were ignored, but retailers and corporate America can no longer do so because they are too big.¹⁶³ The Latino market alone is worth \$66.8 billion dollars a year in Los Angeles, while \$39.1 billion in New York City.¹⁶⁴ Riding the tide of globalization in New York and Los Angeles, this ethnic commerce has contributed to each city's post-industrial growth.¹⁶⁵

Ethnic enterprises are reviving the industrial, warehouse, and retail districts in America's cities after their move to the suburbs.¹⁶⁶ This revival in retail has led to corporate entities setting up shop right next door to these immigrant enterprises. In Jackson Heights, both Chase Manhattan Bank and Citibank maintain a presence through financial centers that offer local residents investment services and products.

159. Melvin Delgado & Keva Barton, *Murals In Latino Communities*, SOC. WORK, July 1998, at 346.

160. *Id.*

161. Rojas, *supra* note 142, at 45.

162. See, e.g., DAVIS, *supra* note 19, at 55; Lin, *supra* note 4; MARSHALL, *supra* note 8, at 197-99; KAGAN, *supra* note 24, at 34.

163. Alan Waldman & Bill Knight, *The Top 15 Hispanic Markets*, MULTICHANNELNEWS, Oct. 20, 2000, at 10A.

164. *Id.*

165. Lin, *supra* note 4.

166. *Id.*

The language capabilities needed in Jackson Heights are almost those needed in the global investment-banking department on Wall Street. One bank manager commented that she keeps customers happy with the diverse language capacities of the staff, including Bengali, Urdu, and Spanish.¹⁶⁷ The new emerging markets are not located abroad, but are within the borders of the United States.

As in the wider debate on global capitalism, where people feel that the free market is bringing many opportunities but also a loss of local control, those same debates are echoed in these immigrant neighborhoods. A simple desire to designate a shopping district can turn into a debate on sovereignty.¹⁶⁸ South Asian businesses located on Seventy-Fourth Street between Roosevelt and Thirty-Seventh Avenues have tried unsuccessfully to name the street "Little India" to encourage a sense of identity among the New York Indian community.¹⁶⁹

While these establishments may seem like mom and pop stores, it is estimated that the businesses around Seventy-Fourth Street make approximately one hundred million dollars in annual sales.¹⁷⁰ Once a "barren desert," businesses in the area have grown as much as two-hundred percent each year.¹⁷¹ In their efforts to rename the Indian shopping district, local merchants were met with community resistance by more established neighborhood business owners who fear increased traffic and trash on the streets.¹⁷²

Studies have shown that visual improvements can help create demand, where none existed thereby raising the quality of life and safety.¹⁷³ South Asian merchants have recognized the importance of a clean neighborhood and have even attempted to create a Business Improvement District.¹⁷⁴ In one building along Thirty-Seventh Avenue, a local entrepreneur opened a Japanese restaurant and replaced the store facade with a more historic look that fit with the character of the building. What that entrepreneur did not

167. Ganesh S. Lakshman, *Bhatia Financial Center Manager, Citibank, Jackson Heights: Bhatia said it was she who pressed upon Citibank to Open Jackson Heights Financial Center*, NEWS INDIA-TIMES, Mar. 3, 2003, at 19.

168. Tony Marcano, *Neighborhood Report: Looking Back, Looking Ahead; Turns of the Ethnic Kaleidoscope in Queens*, N.Y. TIMES, Dec. 31, 1995, § 10, at 8.

169. Srikant Ramaswami, *The Struggle For Little India: A Street Named Desire*, LITTLE INDIA, May 31, 1995, at 51.

170. Tania Anand, *Looking Down From the Heights?*, NEW INDIA-TIMES, July 21 1995, at 44.

171. *Id.*

172. *Id.*; MARSHALL, *supra* note 8, at 112.

173. Fred Correale, *New Streetscapes can Revitalize Cities*, AM. CITY & COUNTY, Sept. 1990, at 36.

174. Monika Joshi, *The Merchant Of Jackson Heights*, INDIA ABROAD, Mar. 3, 2003, at T1.

expect was that the Polish deli next door and the Colombian steak house, along with other merchants, would perform similar improvements using the area's historical heritage.¹⁷⁵ When Jackson Heights was declared a historic district, Jackson Heights saw an increase in commercial activity.¹⁷⁶ While this reevaluation of the neighborhood helped local residents obtain better value for their assets, it has also increased the displacement of those same ethnic residents and merchants who helped to create it.¹⁷⁷ However, that is the tradeoff in this globalization mix or *mestizaje*.

Boyle Heights also offers an eclectic visual commercial center. As in Jackson Heights, there are audacious forms of publicity some may frown upon. In Boyle Heights, it is common for merchants to use large text and paint pictures of products sold within the store on the outside walls of their establishment.

For example, ninety-nine cent stores will paint pictures of Clorox bottles and Doritos, while the auto-parts store will paint pictures of motor oil brands and the tortilla store will paint a mural of a women making tortillas.¹⁷⁸ The painted scenes on the outside wall of the business not only serve as a marketing tool, but also as a graffiti deterrent.¹⁷⁹ Another way business thrives in Boyle Heights is through the store fronts themselves.

A good number of shops along Cesar Chavez Avenue still maintain large glass displays facing the street to entice customers with some shops not having front displays or front doors at all.¹⁸⁰ These shops with open walls create "open spaces" that connect the outdoors with what is occurring indoors.¹⁸¹ As a result, local residents within Boyle Heights still have daily routines of going to the butcher shop, *panaderia* or bakery, and drug store because of their diverse commercial districts.¹⁸² For eighty years now, the commercial district along Cesar Chavez has thrived and remained authentic in large part to their immigrant pedestrian customers, unlike artificially created outdoor commercial areas in Los Angeles such as Third Street in Santa Monica and the Universal City Walk. These immigrant localities have served as conduits for international trade by offering immigrants familiar products. Cities are finally beginning to tap into the

175. Somini Sengupta, *37th Ave. as Memory Lane*, N.Y. TIMES, May 30, 1999, § 14, at 1.

176. Vicki Cheng, *After a Landmark Label, Chain Stores Are Moving In*, N.Y. TIMES, July 30, 1995, § 13, at 10.

177. *Id.*

178. Rojas, *supra* note 142, at 45.

179. *Id.*

180. *Id.*

181. *Id.* at 47.

182. Diaz, *supra* note 92, at 33.

value of neighborhoods by promoting them as tourist spots, and as demonstrations of their cosmopolitan culture.¹⁸³

B. Restaurants

Restaurants are quasi-public spaces.¹⁸⁴ In both Jackson Heights and Boyle Heights, restaurants fill a large portion of the commercial space. In Jackson Heights, the selections for a meal are almost limitless. Anything can be found from Colombian steak houses, Indian buffets, Sushi, Afghan kebob houses, Mexican taco stands, Peruvian roasted chicken, to classic McDonalds.

Although now a predominantly Latino neighborhood, Boyle Heights likewise has a large variety of eateries from the classic broiled hamburger place, Chinese food, seafood with a Mexican twist, *birria* and *barbacoa* shops, traditional Mexican goat and lamb dishes, to classic burrito stands. Not only are these eateries symbols of globalization in America, they are also localities that facilitate the transnational lifestyle of immigrants. As quasi-public places, these businesses function as social meeting places for local residents and offer previous residents and members of the wider ethnic community to return to the neighborhoods.

The restaurants attract new immigrants "like moths to a flame" because they are full of the familiar aromas they left behind.¹⁸⁵ They are substitutes to the local corner hangouts, left behind in their home country.¹⁸⁶ These places are often one of the first places immigrants try to network to find jobs and friends.¹⁸⁷

They have also become centers where the immigrant and ethnic community becomes organized. In Jackson Heights, for example, during the Gujarat earthquake emergency in India, restaurants, such as Delhi Palace, became centers of international relief effort.¹⁸⁸ Restaurants not only served as meeting places to meet with the local congressional delegation to lobby for U.S. aid, but also the locations to conduct fund-raisers that raised fifty thousand dollars for quake victims.¹⁸⁹ In the wake of September 11, the Jackson Diner became a venue for a forum to discuss hate crimes,

183. Lin, *supra* note 4.

184. VALLE & TORRES, *supra* note 4, at 70.

185. Lavina Melwani, *Desi Networks*, LITTLE INDIA, Feb. 28, 1994, at 10.

186. *Id.*

187. *Id.*

188. Jeet Thayil, *\$50,045 Collected at Benefit Dinner Auction*, INDIA ABROAD, Mar. 9, 2001, at 16.

189. *Id.*

discrimination, and building community again.¹⁹⁰ When the Department of Homeland Security required the registration of men from certain middle Eastern and South Asian countries, these restaurants became centers where immigrants rights' groups offered counseling on the registration process.¹⁹¹

C. The Open-Air Market and Micro-Enterprise

While both Jackson Heights and Boyle Heights have vibrant commercial districts, there is added potential, if local leaders initiated efforts to provide the spaces for more market activity. The central plaza and the open-air market is a common site not only in the streets of Latin America, but also the streets in the Middle East, China, South Asia, and Europe.¹⁹² Today, high-finance developers are beginning to recognize that the best shopping areas are in the open-air, and the era of the indoor shopping mall is on the decline.¹⁹³

Not only is open-air shopping more conducive to consumers spending money, it is also a catalyst for social interaction amongst neighbors. One developer of an open-air shopping development found that customers spent money ninety-two percent of the time when they visited the open-air market development, compared to fifty percent when they visited a similar indoor shopping mall.¹⁹⁴ In addition, psychologists have pointed out that people have as many as seven times more social interaction in open-air markets thereby contributing to a sense of community.¹⁹⁵

More visibly within the United States, the Farmers' Markets are enjoying a new popularity, and are contributing to city revitalization. The Union Square Market in New York, and the Santa Monica Farmers' markets, are heralded for supplying fresh organic and gourmet products.¹⁹⁶ These Farmers' Markets however, cater to the high-income urban-professional and not to low-income populations who would benefit more from them.

Similar efforts to establish *mercados* or open-air shopping in ethnic immigrant neighborhoods were discouraged or ignored. Ironically, it is the

190. *Asian Communities Come Together To Respond to Sept. 11 Backlash*, FILIPINO EXPRESS, Sept. 15, 2002, at 19.

191. Jeet Thayil, *South Asian Muslims Go Underground to Escape Forced Registration*, INDIA ABROAD, Apr. 18, 2003, at A18.

192. DAVIS, *supra* note 19, at 55; KAGAN, *supra* note 24, at 25, 157; Lin, *supra* note 4.

193. Roger Vincent, *Caruso is at the Center of Open-Air Movement*, L.A. TIMES, Jan. 1, 2004, at C1.

194. *Id.*

195. Valerie Jablow & Bill Horne, *Farmers' Markets*, SMITHSONIAN, June 1999, at 120.

196. *Id.*

immigrant who is more familiar with this concept. As seen in the debate between street vendors in Boyle Heights, established merchants fear that by allowing street vending and open-air shopping, their customer base will decrease.

Recent research in Latin America has shown that urban populations rely equally on the open-air *mercado* as they depend on their neighborhood store and, increasingly, their local Wal-Mart.¹⁹⁷ Open-air markets offer the urban resident an opportunity to comparison shop and obtain the best value for their goods.¹⁹⁸ In Latin America, the poor use the open-air market for their fresh fruits and vegetables. The middle class may shop at all three market types: the open-air market, local corner store, and Wal-Mart. The upper class, who may claim to exclusively shop at the Wal-Marts, are also patrons of the *mercados*, through their domestic help who will often buy at the *mercado*.¹⁹⁹ In an American society that prides itself on its capitalist values, it is a mystery why the open-air market is not more common in American cities.

The difficulty in establishing open-air shopping has led small immigrant entrepreneurs and some corporate entities to adapt the idea of the open-air market to indoor spaces to meet the needs of customers. In Jackson Heights, the lack of an open-air market, a common site in India, has led the founders of Patel Brothers to recreate the open-air market inside their supermarket.²⁰⁰ Other merchants along 74th Streets and Roosevelt Avenues, likewise are not discouraged from creating their own open-air shopping experience on the sidewalk by displaying products outside on their shops, thereby making Jackson Heights one large *mercado*. Immigrant shoppers from India, Mexico, Poland and all over the world, have a large selection of fresh produce, clothing, entertainment, and classic Latin American literature to choose from. In Los Angeles, the Vons supermarket chain similarly attempted a *Tianguis* model that sought to recreate the open-air market indoors by offering fresh produce, *carneceria*, a meat department with one on one customer service that does fresh cuts, and more ethnic products.²⁰¹ Although these efforts by merchants to establish open-air shopping indoors cannot replace the actual open-air market experience, the actions by the merchants allow neighbors to come

197. Rosemary D.F. Bromely, *Market-Place Trading and Transformation of Retain Space in the Expanding Latin American City*, URB. STUD., July 1998, at 1311.

198. *Id.*

199. *Id.*

200. Mathew Strozier, *Patel Brothers Planning Supermarket on 74th Street, INDIA IN NEW YORK*, May 15, 1998, at 16.

201. *Marketers Pay Attention*, BRANDWEEK, July 18, 1994.

together and create economic opportunity for those who have been displaced by modern economic forces.

While micro-enterprise is celebrated around the world as a means for the world's poor to have their own subsistence, in the United States, particularly in Los Angeles, it is prosecuted and outlawed because it is contrary to health, safety, and welfare.²⁰² Planners have celebrated how such micro-enterprises of food street-vending keep the streets of Boyle Heights vibrant.²⁰³ They "flow in and out" of both commercial and residential areas, offering customers products from corn on the cob, *paletas* or frozen fruit bars, fruit salads, to doughnuts.²⁰⁴ According to Rojas, these vendors "fill" in the landscape. Late night taco stands, offer second incomes to families in order to supplement their earnings from the minimum wage jobs they hold during the day.²⁰⁵ As in those individual's home country, street vending or micro-enterprise offers immigrants an opportunity to earn much needed second or primary income as a result of their displacement in the global economy.²⁰⁶ While critics of immigration will assert that immigrants are a drain of public resources and live off the dole, street immigrant micro-entrepreneurs will often assert proudly they live off their enterprise, as their vending carts are hauled away by municipal authorities, and they are themselves put in the back of police cars in hand cuffs, for not having the required permits.

There is precedent to these claims by street micro-entrepreneurs that their activities have a long tradition of legitimacy, despite claims to the contrary. Chilean social historian, Gabriel Salazar asserts, that the exercise of street vending is part of a long tradition of popular sovereignty that dates back to the Middle Ages and classical Greek and Roman times, in which the poor, through such activity as street vending, are active participants in

202. DAVID BORNSTEIN, *THE PRICE OF A DREAM: THE STORY OF THE GRAMEEN BANK* (1997); DAVIS, *supra* note 19, at 83; Jose Luis Sierra, *Nuevas Quejas de Acoso Policial de Los Vendedores Ambulantes de Boyle Heights*, LA OPINION, June 29, 1995, at. 5A; *Hispanic Taco Vendors of Wash.v. City of Pasco*, 994 F.2d 676 (9th Cir. 1993).

203. Rojas, *supra* note 142.

204. *Id.*

205. Victoria Infante, *Continua Venta de Comida en Las Calles*, LA OPINION, Nov. 12, 2000, at 6A; Antonio Olivo, *Illegal Street Vendors Targeted in Boyle Heights Dining*, L.A. TIMES, Nov. 13, 2000, at B1.

206. Mexico City is a good example where the increase in street vending has been credited to Mexico City's integration into the global economy and polarized labor markets where low wage workers exceed the available supply of jobs. See Christof Parnreiter, *Mexico: The Making of a Global City*, in GLOBAL NETWORKS LINKED CITIES 164 (Saskia Sassen ed., 2002).

city life and contribute to the welfare of their society.²⁰⁷ One obstacle to currently making street micro-enterprise more legitimate is how the law protects enterprises. Currently, the law protects more enterprises that are capital intensive rather than labor focused.²⁰⁸ Because the micro-entrepreneur relies more on his labor for his enterprise, he does not receive the same protections because such reliance on labor challenges the existing structures that require capital for permits, licenses, fees and taxes.²⁰⁹ After many years of fighting street micro-enterprise governments in Latin America have recognized that it is best to manage because cracking down on it only leads to the displacement and idleness in the population creating instability and economic uncertainty.²¹⁰

D. Plazas

Worldwide open-air markets are synonymous with central squares or plazas. In U.S. society, the only plaza people experience is the corporate plaza they walk through each morning when they go to work in the city high-rise.²¹¹ Los Angeles, founded as a Spanish Pueblo, is not without its plaza, Olvera Street, located in government building sector of downtown. For many years, Olvera Street was neglected by civic leaders who emphasized corporate development along the Bunker Hill and Pershing Square corridors.²¹² After much outcry by Latino activists, Olvera Street was finally declared a historical landmark in 1980.²¹³ Similarly in Boyle Heights, community leaders fought for decades for a central plaza to be located on First and Boyle Streets, a locality, traditionally known as Mariachi central, where people from both inside and outside the neighborhood come to hire and listen to traditional Mexican musicians. Once the Mariachi Plaza was no more than a doughnut shop located in the middle of the street median, today after twenty years of hard work by local residents there is a traditional Mexican *Quiosco*, or band stand, made of *cantera*, carved volcanic rock.²¹⁴ Some have said Boyle Heights does not

207. GABRIEL SALAZAR, *FERIAS LIBRES: ESPACIO RESIDUAL DE SOBERANÍA CIUDADANA* (2003).

208. John C. Cross, *Retailing in a Neighborhood Street Market*, available at <http://www.openair.org/cross/retail2.html> (last visited Aug. 2, 2005).

209. *Id.*

210. *Id.*

211. Tridib Banerjee, *The Future of Public Space: Beyond Invented Streets and Reinvented Places*, J. AM. PLAN. ASS'N, Jan. 1, 2001, at 9; DAVIS, *supra* note 14.

212. Lin, *supra* note 4.

213. *Id.*; DAVIS, *supra* note 14.

214. DAVIS, *supra* note 19, at 56.

need a plaza because, the unique residential way of life of Boyle Heights makes it unnecessary.²¹⁵ Plazas, however, are magical spaces that provide residents a communal environment, where people can stop to share a conversation with a neighbor or stop and listen to the music played by local musicians and, if regulations permit may also be allowed to shop.

The intersection of First and Boyle Streets, today is at a crossroads. The Mariachi Plaza can potentially become a vibrant space of activity, as it will become the site of one of the transit stations for the planned Metro Gold Line light rail extension that is planned for the area.²¹⁶ The station will rest just east of the existing Mariachi Plaza, but in examining the proposed design, it remains a desolate environment, similar to the corporate plazas downtown. The proposed station with its grandiose entrance, pyramid sculptures and light landscaping, becomes the center of attention itself, instead of the activity taking place within it. The lack of retail space, especially for micro-entrepreneurs, makes the station another transitory walkway. As seen in Jackson Heights, with the Seven Line station design, stations that are not fully integrated into their environment can produce unwanted results. On the other hand, stations that create pleasant walking atmospheres, do not include huge intimidating parking lots along their surroundings, and provide joint development projects that offer the public services as well as access to transit, and produce energized atmospheres.²¹⁷ In many localities in Europe and Latin America, the transit station offers a café, place for an open-air market, public garden and functions as a center for public events.²¹⁸ It is also common in Latin America for the Quiosco to be surrounded by intricate gardens with fountains.²¹⁹ Whether the corner of Boyle and First Streets in Boyle Heights can become that vibrant area remains to be seen if local leaders take initiative to think creatively to add greater value to the area.

The Metropolitan Transportation Authority, in preparing the site for the station, has already destroyed much of the vibrant environment that existed by having the proposed station lot vacant for almost five years without any landscaping or other mitigating measures. In other proposed station sites in Boyle Heights, similar vacant land exists, as a result of eminent domain

215. Rojas, *supra* note 142.

216. Metro Gold Line Eastside Extension Light Rail Project-Station Design Concepts, available at http://www.mta.net/projects_programs/eastside/stations.htm#TopOfPage.

217. Christine Kreyling, *Hug That Transit Station; Developing Land Around Transit Stations*, PLAN. MAG., Jan. 1. 2001.

218. Robert Cevero, *Green Connectors: Off-Shore Examples*, PLAN. MAG., May 2003.

219. GERARDO NOVO & JORDE DE LA LUZ, ESTADO DE MEXICO 97-98 (1996).

actions by the MTA. Ironically, these vacant lands, once occupied by medium-sized grocery markets, provided local residents with comparison-shopping experience due to the lack of an open-air market in the community.²²⁰

Jackson Heights does not have a formal plaza, but its streets function as one. Each weekend Roosevelt Avenue, Seventy-Fourth and Eighty-Second Streets are crowded with pedestrian activity. Along these commercial corridors, some local residents have suggested that street closures to vehicular traffic would benefit the area by reducing noise and traffic.²²¹ Moreover, the street closures would create pedestrian malls that may likely be friendlier to pedestrians in the neighborhood and function as plazas, such as Mulberry Street and Rockefeller Centers in Manhattan.²²² This measure would receive a mixed reception because many immigrant populations come from other parts of New York by car to do their shopping in the area, but the street closures would enhance their Jackson Heights shopping experience.²²³ Perhaps the best examples of the streets of Jackson Heights resembling plazas, occur during soccer season. During the 1998 World Cup soccer tournament, Jackson Heights residents flocked to their local bars, along Roosevelt Avenue, which have large-screen televisions.²²⁴ Following the games, residents do not have a Trafalgar Square or a *Zocalo* to fill to celebrate their team's victory, but they do have Roosevelt Avenue.²²⁵ While this scene may raise public safety concerns, one local police officer assures us that "ninety percent of it is good-natured rivalry, and it's not hostile."²²⁶ These displays are not limited to World Cup Soccer, but are repeated year-around because soccer matches are shown from the various countries of origin of Jackson Heights residents.

220. Boyle Ranch Market located on First and Boyle, and Johnson's Market on Cesar Chavez and Matthews Streets provided residents comparison shopping, now the sites are empty lots. See Boyle Heights Chamber of Commerce 21st Century Business Directory at 21.

221. MICHAEL KING, JACKSON HEIGHTS NOISE STUDY, Oct. 2003, at 17-18.

222. *Id.*

223. Mathew Strozier, *Plan For New Bus Terminal Raises Parking Woes*, INDIA IN NEW YORK, Apr. 3, 1998, Vol. 1, at 7.

224. Vivian S. Toy, *For a Month, Soccer is Life; In Queens, World Cup Opens Frenzy of Futbol and Pride*, N.Y. TIMES, Jun. 10, 1998, at B1.

225. *Id.*

226. *Id.*

VIII. CONCLUSION

Stepping into Jackson Heights and Boyle Heights, is like entering into part of the world. Both neighborhoods, however, are still within the borders of the United States, which is perceived as the land of opportunity. In an era of growing income inequality, the immigrant and ethnic residents of Jackson Heights and Boyle Heights, have demonstrated that succeeding in America is possible, if given the opportunity to do so.

Increasingly, it gets difficult to do so, because of over regulation and lack of flexibility of constructs. While planners are beginning to recognize the contributions immigrant and ethnic groups make to revitalizing America's cities through their habits, shopping patterns, and community networks, the political establishment is still lagging behind in recognizing and legitimizing those methods. It will take the legal profession, business, as well as community, leaders, and legislators to determine the flexibility in current zoning and business regulations to make this type of commerce even more successful.

Just as in the developing world where leaders are creating initiatives by which the poor can exploit their hidden assets and property interests, similar efforts need to begin here in the United States.²²⁷ If immigrant communities are not given these opportunities, they will be relegated to a servant class of those who have acquired the riches of globalized capitalism. As demonstrated by Jackson Heights and Boyle Heights, these communities are already doing much of the work, and like any other community, they just want a greater quality of life in the city.

227. See, e.g., DE SOTO, *supra* note 133; BORNSTEIN, *supra* note 202.

