

California Western School of Law

CWSL Scholarly Commons

Faculty Scholarship

1998

Single-Parent Latinas on the Margin: Seeking a Room with a View, Meals, and Built-in Community

Laura M. Padilla

California Western School of Law, lpadilla@cwsl.edu

Follow this and additional works at: <https://scholarlycommons.law.cwsl.edu/fs>



Part of the [Housing Law Commons](#), [Law and Economics Commons](#), [Law and Gender Commons](#), and the [Law and Race Commons](#)

Recommended Citation

Laura M. Padilla, *Single-Parent Latinas on the Margin: Seeking a Room with a View, Meals, and Built-in Community*, 13 Wis. Women's L.J. 179 (1998).

Available at: <https://scholarlycommons.law.cwsl.edu/fs/328>

This Article is brought to you for free and open access by CWSL Scholarly Commons. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of CWSL Scholarly Commons. For more information, please contact alm@cwsl.edu.

SINGLE-PARENT LATINAS ON THE MARGIN: SEEKING A ROOM WITH A VIEW, MEALS, AND BUILT-IN COMMUNITY

LAURA M. PADILLA*

After work, I pick up groceries while my husband picks up the kids from day care. Once we get home, we cook dinner, clean up, and put the kids to bed. We don't have time for each other, let alone anyone else. There's got to be a better way.¹

INTRODUCTION

This is a typical day in the life of many Americans, but it is even worse for single mothers with limited human capital,² whose earning power is further weakened by the gendered income gap.³ Women of color are even more economically oppressed,⁴ particularly Latinas.⁵

* Visiting Professor of Law, University of San Diego, Spring 1998; Visiting Professor of Law, Hastings College of the Law, Fall 1997; Associate Professor of Law, California Western School of Law; J.D. Stanford Law School, 1987; B.A. Stanford University, 1983. I am grateful to Professor Joan Williams for her candid critique of this article. I am also indebted to Molly Deem, Lori Lechner, Lisa Sanderson, and Jacqueline Wagner for their dedicated research assistance, and to Mary-Ellen Norvell for her extraordinary secretarial assistance. Finally, I thank the members of Group XV of the Kellogg National Fellowship Program for their inspiration, expertise and constant challenge to stretch. With that said, I acknowledge the views expressed in this article as my own, as are any mistakes.

1. KATHRYN McCAMANT ET AL., COHOUSING: A CONTEMPORARY APPROACH TO HOUSING OURSELVES 11 (1994) [hereinafter COHOUSING].

2. Human capital is an investment in oneself. For a general discussion of human capital, see John H. Langbein, *The Twentieth Century Revolution in Family Wealth Transmission*, 86 MICH. L. REV. 722 (1988).

3. See Joan C. Williams, *Deconstructing Gender*, 87 MICH. L. REV. 797, 801 (1989) (discussing the Western wage labor system as one which promotes men to "idealized worker" status, and demotes women to second-class worker status, which negatively impacts women's social and economic position); Symposium, *The Gender Gap in Compensation*, 82 GEO. L.J. 27 (1993); Mary Joe Frug, *A Postmodern Feminist Legal Manifesto* (An Unfinished Draft), 105 HARV. L. REV. 1045, 1061-62 (1992); Deborah L. Rhode, *The "No-Problem" Problem: Feminist Challenges and Cultural Change*, 100 YALE L.J. 1731 (1991); Deborah L. Rhode, *Occupational Inequality*, 1988 DUKE L.J. 1207 (1988) (for more detailed discussions of the gendered income gap).

4. In 1995 constant dollars, Latinas earned a median income of \$8,928, compared to \$10,961 for African-American women, \$12,316 for white women, and \$23,895 for white men. See BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, STATISTICAL ABSTRACT OF THE UNITED STATES 472 (117th ed. 1997).

5. I use the terms "Latina/o/s" throughout this article to describe Mexican, Central and South American, and Caribbean descent, unless I am citing to a source which uses alternate terms such as "Chicana/o/s" or "Hispanic(s)." I generally do not use the term "Chicana/o/s" unless describing an activist. In many cases, I am describing

On a recent flight, I sat next to a woman who was visibly tired and upset. After talking with her for awhile, I could better understand. Leticia had married Tomás when she was 16, had her first child at 17, and had three more children by the time she was 23. Although Leticia graduated from high school, once she had children, the only practical economic choice for her was to stay home with the children. Unfortunately, Tomás eventually lost his job, and later his self-esteem.⁶ He drank more and more, met another woman, and left Leticia and the children.

At first, Tomás sent some money each month, but once he started another family with his new live-in, the money stream dropped to a trickle before vanishing altogether. Suddenly, Leticia was up at 4:30 a.m. to shower and dress, make lunches for the children, and prepare breakfast. Then starting with the oldest, she would get her ready for school and continue down the line with the other children. By the time she dropped the children off at school, at pre-school and with her cousin, she had already put in a half-day of work. The problem was that she had not yet even arrived at her job.⁷ She then clocked eight hours at a typical job for a woman of color with a high school degree.⁸ The day was filled with worries — what were the children doing after school? How could she possibly position herself for a better job? She could not afford child care and was lucky her cousin was temporarily out of work and could watch the toddler. Once the other children were home, they were on their own. Leticia prayed they would stay out of trouble. She did not have the optimism to pray for higher achievement for them.

At 5:00 p.m., Leticia rushed home to start dinner. Economic and time constraints mandated that she cook whatever was cheapest and easiest, regardless of the nutritional value. The kids begged for attention but she could hardly drop everything and read to them or help them with their homework. She barely had enough energy to get them fed, bathed and into bed. How could she possibly attend PTA meetings or otherwise volunteer at school? When she learned that

women from a cultural and ethnic background who are not necessarily activists and the descriptive word "Latina" is more accurate. I do not like to use the word "Hispanic" because it perpetuates male domination; it does not allow references to Latinas to be gender-specific and has colonial connotations.

6. Losing self-esteem commonly follows termination of employment. "When work is lacking and unemployment reigns, people learn *that they are not needed* Feeling unneeded, in turn, engenders self-hatred and the deadening of the self found in alcohol and drug abuse, crime that leads to prison, and other forms of self-punishment." MATTHEW FOX, *THE REINVENTING OF WORK: A NEW VISION OF LIVELIHOOD FOR OUR TIME* 60 (1995) [hereinafter *REINVENTING OF WORK*].

7. See generally ARLIE RUSSELL HOCHSCHILD, *THE SECOND SHIFT* 4 (1989) [hereinafter *SECOND SHIFT*] (discussing the notion that mothers who work for pay have two full-time jobs).

8. "[O]ver 90 percent of all Chicanas in the civilian work force are in menial, low-paying jobs." ALFREDO MIRANDÉ & EVANGELINA ENRÍQUEZ, *LA CHICANA: THE MEXICAN-AMERICAN WOMAN* 121 (1979) [hereinafter *LA CHICANA*].

her landlord was raising the rent, she scraped together some money and caught a cheap flight to plead with her ex-husband to make regular child support payments in the amount of the rent increase. It was clearly not an easy thing to ask.

The stress of juggling everything got to her and she understandably felt that her safety net was vanishing before her eyes.⁹ As I listened, I realized that she was talking about multiple issues — housing, education, nutrition, child care, the wage gap, and child support. Her problems, and those of others like her, are exacerbated when Congress and state legislatures pass laws which disproportionately impact low income persons, while considering tax cuts which benefit upper- and middle-income families.¹⁰

I thought about Leticia's plight over the rest of the weekend. When I was flying home, a different way of viewing concerns of single parents started to come into focus. This alternative paradigm uses a holistic approach to the problems I had been pondering, acknowledging their interconnectedness, rather than artificially segmenting them into disjointed issues. I visualized a multi-pronged approach to Leticia's many concerns, which would be based on a cohousing

9. Leticia's stress was to be expected, considering the current political climate which has removed much of the safety net for Leticia and thousands of other families like hers. See, e.g., Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Pub. L. No. 104-193, §110 Stat. 2105 (1996) (codified as amended at 42 U.S.C.S. § 601 (Law Co-op. Supp. 1997)), which replaces the former welfare system, including Aid to Families with Dependent Children (AFDC), the Food Stamp program, Medicaid, and Supplemental Social Security (SSI). PRWORA places time restrictions on many of its assistance programs. For example, under the Temporary Assistance for Needy Families (TANF) program, which replaced AFDC, recipients may only receive benefits for a total of five years during their lifetimes, and states may further reduce that time period. See *id.* Legal immigrants are even harder hit by PRWORA. While legal immigrants meeting all other eligibility requirements could previously receive benefits, those who were not receiving benefits by August 22, 1996, are not eligible for food stamps until they become legal citizens. See *id.*

10. For example, the House and Senate recently announced a basic agreement on a plan to balance the Federal budget. H.R. 2014, 105th Cong. (1997) (passed by a 253-179 vote on June 26, 1997); S. 949, 105th Cong. (1997) (passed by an 80-18 vote on June 27, 1997). As approved by Congress, H.R. 2014 provides, among other measures, a 20% maximum tax rate on capital gains (an eight percent reduction from the current tax rate of 28%). In addition, H.R. 2014 calls for gradual increases over the next several years in the amount exempted from estate taxes, from the current \$600,000 exemption to \$1 million. See 143 CONG. REC. 6794-6873 (daily ed. June 27, 1997) (full text of H.R. 2014, as amended and passed). These measures "generally favor the more-affluent." Richard Benedetto, *Democrats Did Some Lip-Reading on Tax Cuts*, USA TODAY, July 6, 1997, at 2A. The Center on Budget and Policy Priorities notes that "the House Republican plan offers 18.8 percent of its benefits to the wealthiest one percent of Americans . . . [t]he Senate plan gives them 12.5 percent, while the Clinton plan gives them 2.6 percent of its tax cuts." E.J. Dionne Jr., *The Tax War*, WASH. POST, July 15, 1997, at A19.

model,¹¹ as modified for the needs of a low-income,¹² racially distinct population of single-parent Latinas.¹³

Cohousing combines the privacy of single-family residences with the community offered by common facilities and meals. Cohousing typically consists of both private homes and a common house, which includes cooking and dining facilities, and may include child-care or day-care facilities. The common house offers group meals many nights a week in exchange for occasional cooking or cleaning tasks. This creates efficiencies that free up time for other valuable activities. To illustrate, in one California cohousing community:

The Mountjoys have just come home from a leisurely meal of black-bean tostadas in the dining hall, one they didn't have to plan, shop for or cook. Each . . . household is responsible for just one communal dinner a month. So while neighbors . . . [cooked], Catherine played a memory card game with her son, Gabriel, 2, in the family's living room. Daniel joined another resident in a carpentry project outside. Their 5-year-old daughter, Ashlin, and several neighbor girls pedaled trikes around the traffic-free three-acre site. Now, while other neighbors do their twice-a-month dishwashing duties, the Mountjoys are back at home, gathered around the kitchen table to play a board game before the kids go to bed.¹⁴

A cohousing model makes sense for the combination of problems facing single parents, who represent an increasing percentage of America's population.¹⁵ It is common knowledge that the nuclear

11. See *infra* Part I for a detailed discussion of cohousing.

12. Interestingly, the cohousing model has been adopted primarily by middle- to upper-middle income persons. For a more detailed discussion of this phenomenon, see *infra* text accompanying notes 109-112.

13. I direct my attention to single mothers for a number of reasons. First, the vast majority of custodial parents are single mothers. In Spring 1992, women comprised approximately 86% of custodial parents of minor children. See BUREAU OF THE CENSUS, STATISTICAL BRIEF, U.S. DEP'T OF COMMERCE, C3.20S/95-16 (1995) [hereinafter STATISTICAL BRIEF]. Second, many custodial mothers do not receive child support awards. See *id.* Even if courts do award support, very few custodial parents consistently receive the full amount. See IRWIN GARFINKEL, ASSURING CHILD SUPPORT 63 (1992). See also LENORE WEITZMAN, DIVORCE REVOLUTION 283 (1985). Third, custodial mothers have less human capital than custodial fathers. For instance, fathers "were twice as likely to have at least a bachelor's degree . . . and less apt to have only attained a high school diploma or less." STATISTICAL BRIEF, *supra*, 95-16, at 2. The aggregate effect of custody, little or no child support, and minimal education places custodial single mothers at a severe disadvantage that goes beyond mere economics. Thus, I place single custodial mothers at the center of this article. With that said, I acknowledge that many men are single parents who also face many obstacles and by not directing my discussion to them, I do not intend to diminish their struggles.

14. Claudia Morain, *Common Ground: Cohousing Residents Give Up a Little Privacy When They Share Chores*, L.A. TIMES, Mar. 31, 1992, at E1.

15. "[B]etween 1960 and 1990 the percentage of children of all races living with two parents dropped from 88 to 73 The percentage of children living with only one parent almost tripled from 9 to 25." JOHN SCANZONI, CONTEMPORARY FAMILIES AND RELATIONSHIPS: REINVENTING RESPONSIBILITY 287 (1995) [hereinafter REINVENTING RESPONSIBILITY].

family with a bread-winning father, a stay-at-home mother and common children, is no longer the norm.¹⁶ According to one statistic, nuclear families comprise only 23.9% of American families, while another source reports the number is substantially lower at 8%.¹⁷ At the same time, the percentage of single-parent families is increasing.¹⁸ Single-parent families, in turn, are more likely than nuclear families to be low-income.¹⁹

As is apparent by now, it is important to establish more competent policies which better address the needs of modern families, especially those with limited economic resources and fewer ways up from the bottom. That means it is crucial to develop creative alternatives to existing options, including alternative housing options. "[A]lternative housing — that is, alternatives to standard single-family, condo and town-house developments — is inevitable because 'the demand on women and single mothers living in single detached houses is tremendous.'"²⁰ However, our search for alternative housing should not stop at housing needs when the geography of housing can simultaneously address nutritional, child care, after-school care, and educational needs, as well as emotional and psychological needs.

This article addresses multiple issues of concern to single parents, especially single Latina mothers, and how these issues could be addressed through cohousing. It is also about the relationship between gender, property and law. Women have historically had less property than men,²¹ and not surprisingly, they have had less power and fewer

16. See A MODERN INTRODUCTION TO THE FAMILY 1 (Norman W. Bell & Ezra F. Vogel eds., 1960). See also REINVENTING RESPONSIBILITY, *supra* note 15, at 6-7.

17. See A MODERN INTRODUCTION TO THE FAMILY, at 1.

18. In 1991, 28.6% of all families with children were single-parent families. See STATISTICAL RECORD OF CHILDREN 842 (Linda Schmittroth ed., 1994). Furthermore, "[t]he percent [sic] of children living in single-parent homes ha[d] . . . more than tripled since 1960." *Id.* In 1990, 22% of the Hispanic homes in the U.S. were headed by females with no husband present. See *id.* at 843. By 1992, that number had risen to 24.1%. See *id.* at 838.

19. "[M]any children of solo parents live in economically disadvantaged circumstances. In particular, 34 percent of white children, 50 percent of black children, and 48 percent of Hispanic children live with a solo parent (usually a woman) whose annual income is less than \$10,000. Another 27 percent, 26 percent and 26 percent of white, black, and Hispanic children, respectively, live with mothers whose annual income is between \$10,000 and \$19,999." REINVENTING RESPONSIBILITY, *supra* note 15, at 290.

20. Audrey Haar, *Co-Housing Redefines Community: Families Live in Communal Environment*, ARIZ. REPUBLIC, Jan. 17, 1993, at CL3.

21. See, e.g., *supra* note 3. In 1993, 35.6% of all households headed by women were below the poverty level. See WOMEN'S BUREAU, 20 FACTS ON WOMEN WORKERS, U.S. DEP'T OF LABOR, (May 1995) [hereinafter 20 FACTS]. In almost half of the households headed by Hispanic women (49%), the woman's income was below the poverty level. See WOMEN'S BUREAU, WOMEN OF HISPANIC ORIGIN IN THE LABOR FORCE, U.S. DEP'T OF LABOR, (Dec. 1994) [hereinafter HISPANIC ORIGIN]. Salary differentials for homes with and without men present are noteworthy. The numbers are bleaker for people of color. For example, families headed by Hispanic women without husbands

rights.²² Accordingly, they have not been able to position themselves as well as men have in order to improve their lives and communities, or to represent themselves effectively in their struggles. The challenges for women of color have been more intense.²³ Cohousing, as envisioned in this article, has the potential to empower women of color, particularly Latinas.²⁴ Through the steps of identifying their own needs, planning a community to meet those needs, working with other residents, architects, city governments, contractors, nutritionists, health care professionals and education professionals, and seeing their plans materialize through construction of their own community, Latinas *will be empowered*. They will learn to find their voices, to speak them clearly, and to understand that they can take active steps to improve their lives.²⁵ Moreover, through the process of creating a cohousing community, they will learn how to create change, to maneuver around legal, social and cultural obstacles, to use social systems to their advantage, and to teach others to do the same — the potential for exponential impact is limitless.

Various academics have urged their colleagues to engage in praxis by transforming their theories into practical, positive legal change.²⁶ This article attempts to do so by using a creative problem-solving approach, which simultaneously addresses various issues such as housing, education and nutrition, and by including many parties in the process of designing a housing-based solution to these issues. This

earned an average of \$12,894 in 1992, while families headed by Hispanic men earned \$19,468 and Hispanic married couples earned \$28,515. See HISPANIC ORIGIN, *supra*.

22. For example, women were not allowed to vote until 1920 — almost 150 years after the country's 1776 independence. See U.S. CONST. Amend. XIX, § 1. Also, women could not enter professional schools or practice law until long after men had those same rights. A United States law school first admitted a woman in 1869. See Christine M. Wiseman, *The Legal Education of Women: From "Treason Against Nature" To Sending A "Different Voice,"* 74 MARQ. L. REV. 325, 332-33 (1991). Women in medicine followed a similar path. In 1849, Elizabeth Blackwell became the first woman to earn a medical degree in the United States. See Colleen O'Connor, *Women's Work: Annual Magazine Tells True Tales of Strong Female Role Models*, DALLAS MORNING NEWS, Mar. 27, 1997, at 5C.

23. See STATISTICAL BRIEF, *supra* note 13; 20 FACTS, *supra* note 21; HISPANIC ORIGIN, *supra* note 21. See also Alicia Chavira-Prado, *Latina Experience and Latina Identity*, in THOMAS WEAVER, HANDBOOK OF HISPANIC CULTURES IN THE UNITED STATES: ANTHROPOLOGY 244 (Thomas Weaver ed., 1994) [hereinafter Chavira-Prado]. In discussing challenges for Latinas, Chavira-Prado noted that "[T]he consequences of the double minority status are evident in the employment rates, types of wage work and educational levels with which Chicanas historically have been, and continue to be, associated." *Id.*

24. I reluctantly use the word "empower" because it is so overused, but definitionally, it is the best word choice.

25. See Parker J. Palmer, *Divided No More: A Movement Approach to Educational Reform*, CHANGE, Mar. - Apr. 1992, at 12-13, for a passionate discussion about transformative moments when women no longer choose to conspire in their diminishment.

26. See Adrien K. Wing, *Reflections Toward a Multiplicative Theory and Praxis of Being*, 6 BERKELEY WOMEN'S L.J. 181, 182 (1990-91).

article focuses on single-parent Latinas,²⁷ and there are many reasons for this centering.²⁸ First, Latinas are culturally unique with particular needs²⁹ that can be specifically addressed through the model proposed in this article.³⁰ Second, there are many more female than male single parents, so women's need for housing, child care and discretionary time is more pressing.³¹ Third, I am personally familiar with the stories of many Leticias, and thus have the benefit of their experience to assist in conceptualizing how this model could develop.³² Fourth, I live in San Diego, which has a large population of Latina mothers who could immediately benefit from the type of cohousing model proposed in this article.

Part I of this article provides a detailed description of cohousing. It is necessary not only to explain cohousing fundamentals, but also to dispel various myths about cohousing in order to help the reader understand its underlying philosophy and to understand that cohousing is about much more than housing.

Part II of this article provides social and cultural information about Latina/os, which is relevant to understanding the specific needs that may arise for single-parent Latinas. It also describes the unique challenges which Latinas face in working with a pared-down system of social justice, including a discussion of issues which present particularly daunting challenges.

Part III of this article proposes a cohousing-based model designed primarily for the needs of single-parent Latinas,³³ taking into account the social and cultural information provided in Part II. The article concludes that just as society is reinventing families,³⁴ it

27. While this article places Latinas at its center, I want to clarify from the outset that not all Latinas are alike — clearly they are not all poor, single parents, or homogenous in any other respect. Nonetheless, there is a significant population of low-income Latinas who are single parents in need of a better way to raise their children. This article focuses on that population.

28. In many ways, this article focuses particularly on Mexican-American women because of their large population in the border city of San Diego, where I conducted my research, the needs that arise because of their [im]migrant status, and because of their distinct cultural norms.

29. See discussion *infra* Part II for an elaboration of Latina culture.

30. See discussion *infra* Part III for a discussion of a proposed cohousing model tailored for single-parent Latinas.

31. "In 1990, 88 percent of all children living with one parent lived with the mother, and that percentage has not changed since 1960. Then and now the great bulk of solo-parent households are headed by women." REINVENTING RESPONSIBILITY, *supra* note 15, at 287.

32. Note, however, that a cohousing model approach using intersectional problem solving could work for any population of single parents — some components of the model would simply have to be tailored to address the specific needs of particular residents.

33. This model could easily be adapted for other low-income populations with unique ethnic or racial mixes. However, to be consistent with the concerns raised in this article, the proposed model focuses on Latinas.

34. See generally REINVENTING RESPONSIBILITY, *supra* note 15.

must concurrently reinvent its approach to housing and other social concerns in order to be more responsive to the wide variety of needs exhibited by today's families.

I. THE COHOUSING MODEL

This part provides a detailed description of cohousing as a background for the discussion that follows. The reader must understand the philosophical underpinnings of cohousing in order to grasp how cohousing developed and how it can be modified to meet the needs of low-income, single-parent Latinas.

A. *Anatomy of a Cohousing Community*

A cohousing community provides a unique housing experience. It combines elements of public space and privacy, with a goal of creating community. Most cohousing communities consist of twelve to thirty-six families.³⁵ Each cohousing development is distinct because of the inherent differences among the residents and the personality imprint they impose upon their community; however, there are at least three consistent features among them: common facilities, residential management and neighborhood design.³⁶

One feature of cohousing is its common facilities, generally including a common kitchen and dining area, laundry room, children's play room, outdoor play area, workshops, and a garden.³⁷ The most prominent features of the "common house" are the kitchen and dining areas. Typically, a committee organizes kitchen-related responsibilities, and adults rotate dinner duties. Responsibility can be assigned or assumed in a variety of ways, but generally it is done on a voluntary basis.³⁸ Common dinners are not necessarily prepared

35. See COHOUSING, *supra* note 1, at 283. In Denmark, where cohousing first developed, the number of families that comprise a cohousing development can range from six to eighty. See *id.* at 153. In the United States, there are at least twenty-one existing cohousing communities ranging from eight to forty-two units, and 150 community projects in the planning stage. See Karen E. Klages, *Latest Magazines Full of Ideas for Decorating, 'Cohousing'*, ARIZ. REPUBLIC/PHOENIX GAZETTE, Jan. 11, 1997, at EV12.

36. See COHOUSING, *supra* note 1, at 38.

37. See COHOUSING, *supra* note 1, at 12. There might be other site-specific common facilities such as a compost and recycling area. For example, Winslow cohousing's original plans called for a recycle/refuse center. See COHOUSING, *supra* note 1, at 231. See also Shoshana Hoose, *A Balance of Solo and Joint Housing: Fans of Cohousing are Springing up all Over the Country, Including Maine; Where Various Projects are Underway*, PORTLAND PRESS HERALD, Nov. 8, 1995, at 1C (members of cohousing project in New Amherst, Massachusetts, maintain community compost pile); Haya El Nasser, *Communes Grow Up, Residents Share Values, Sense of Community*, USA TODAY, July 15, 1997, at 1A ("recycling and energy conservation" are key elements of cohousing).

38. For example, in the Trudelslund cohousing community, two adults and one child plan, shop, prepare dinner, serve dinner, and clean up after dinner. They sign-up for the task at least two days in advance. Dinner typically costs about \$1.50 per adult and \$.75 for children. See COHOUSING, *supra* note 1, at 22. In the Jystrup

every night, leaving residents the choice of eating at home, elsewhere, or in the common house on an informal basis. Common house facilities can also be used by the surrounding neighborhood for organizational meetings concerning issues that affect the community at large.³⁹

A second characteristic common to most cohousing is residential management. This entails resident participation both in the planning and design of the development, and in the management of community concerns.⁴⁰ Ideally, residents are involved in the development of their cohousing community from conception to construction. Numerous benefits derive from this type of extended participation. First, members who have been involved since the project's conception are more motivated to overcome the many obstacles which confront development⁴¹ without compromising their goals.⁴² Second, participating members, rather than developers, determine the physical layout of the communities, including how far the parking lot should be from the common house, how far the private houses should be from each other, et cetera.⁴³ Third, members have a say in the geographic location of their community.⁴⁴ Fourth, members may be able to choose their own housing style.⁴⁵ Finally, and perhaps most importantly, members are involved in defining the intentions and goals of the group.⁴⁶

It is not possible, however, for all cohousing residents to be involved in planning their communities. While some residents are in-

Savraerket cohousing community, five to six adults are responsible for planning and preparing dinners for a week at a time, rotating every seven weeks. Then, within that group, tasks are divided depending on schedules (*i.e.*, if you have to work late, you can clean up after dinner instead of preparing dinner). *See id.* at 78. In the Jernstobeit cohousing community, residents sign up to cook each month. Then, a few days before the meal, residents sign up to eat. Tokens are given for cooking which are then exchanged for meals. *See id.* at 97-98. The flexibility of each of these plans allows residents to participate as much, or as little, as they like. *See id.*

39. *See generally* COHOUSING, *supra* note 1.

40. *See id.* at 38, 42.

41. These obstacles could relate to anything from financing to zoning, to locating a site and locating an empathetic developer to assist with planning and development. *See* Hoose, *supra* note 37, at 1C.

42. *See* COHOUSING, *supra* note 1, at 39.

43. *See id.* at 40.

44. *See id.* at 51.

45. Constructing unique homes increases the cost of construction; therefore, some communities like Sun & Wind in Beder, Denmark, opt for a "core" housing style which can be modified as a family desires. *See id.* at 54. For example, in Mejdal I cohousing community, the architect worked with individual families to design homes based on their "needs, taste and budget," though each family was restricted by a maximum square foot allotment of space. *See id.* at 85. In Jystrup, on the other hand, to ensure that decisions would be based on community rather than individual desires, families did not know which house they would get until late in the design process. *See id.* at 80.

46. *See id.* at 51-52.

volved in initial planning discussions, they drop out of the process for a variety of reasons. Other residents may join the process in the middle of planning, and still others become residents after the community is completely developed. Furthermore, in urban locations, groups frequently must work with pre-existing structures, thus limiting the nature of their planning involvement.⁴⁷

Regardless of a community's physical design, residents are involved in community management,⁴⁸ which requires residents to work together as a group. This results in accountability because residents are responsible to each other for their decisions and must live with the results of their decisions for many years to come.⁴⁹ In this respect, cohousing contrasts with a condominium homeowners' association (HOA) form of management, which consists of a hierarchical governance structure and little accountability among neighbors.⁵⁰

In cohousing communities, even though there are legal relationships among members during the pre-site acquisition phase,⁵¹ the development partnership phase,⁵² and the post-construction phase,⁵³ the nature of the legal relationships and the agreements governing those relationships are distinct from the relationships resulting through HOAs. In this sense, cohousing promotes community and social development and encourages cooperation and personal contact when addressing conflicts. For example, at Southside Park Cohousing in Sacramento, residents meet twice a month to "catch up on news, discuss issues and try to reach consensus on decisions that affect the community."⁵⁴ One Southside Park resident admitted that there are

47. The Doyle Street cohousing community in Emeryville, California, transformed a deserted warehouse into its housing complex. See *id.* at 217-28. Many other cohousing communities attempt to rehabilitate and gentrify older urban buildings. For example, the Jernstoberiet and Vejgard Bymidte cohousing communities converted old factory buildings into cohousing. The Bofaelleden cohousing community converted an old school house and the Jerngarden cohousing community renovated nine row houses. See *id.* at 44.

48. See *id.* at 38, 42.

49. See *id.* at 42.

50. For a detailed discussion of HOAs, see Carl B. Kress, Comment, *Beyond Nahrstedt: Reviewing Restrictions Governing Life in a Property Owner Association*, 42 UCLA L. REV. 837 (1995).

51. See COHOUSING, *supra* note 1, at 164-65. The initial pre-site acquisition agreement outlines the group's purpose and defines the decision-making and membership recruitment procedures. See *id.*

52. During the development partnership phase, the group typically incorporates or establishes a legal entity for purposes of obtaining financing. See *id.* It normally drafts by-laws at this time, which provide for the group's general intentions, membership requirements, decision-making procedures, financial responsibility and amendment procedures. See *id.*

53. In the post-construction phase, the construction loan is normally transferred to a mortgage company, and a permanent residents' association and by-laws replace any prior agreements. See *id.*

54. Dana Oland, *Common Ground*, SACRAMENTO BEE, July 6, 1996, at G1.

squabbles but said that cooperative living kept them together.⁵⁵ Decisions are made by consensus,⁵⁶ and as one Southside Park cohousing resident noted, because of the extensive discussions that are involved in various proposals, a consensus is rarely blocked.⁵⁷

The third common characteristic of cohousing is a neighborhood design, which intentionally encourages interaction among neighbors. This is accomplished in a number of ways. First, the parking lot is usually placed at one end of the community or around the perimeter, which allows the rest of the development to be pedestrian-oriented.⁵⁸ This layout increases social interaction because residents must walk from their cars to their homes.⁵⁹ Second, the common house is strategically located to increase opportunities for social interaction.⁶⁰ If residents must walk by the common house to get to their homes, they are more likely to stop in to check on activities.⁶¹ Similarly, if they can see the common house from their private residences, they are more likely to be aware of ongoing activities and therefore, more inclined to participate.⁶²

An important feature of cohousing's neighborhood design is its "child-friendly" environment.⁶³ Most cohousing developments are designed around the safety, recreation and well-being of resident children.⁶⁴ Common houses generally have either a children's room or complete day-care centers. Beyond the common house, children can play safely within most of the community because of the pedestrian-oriented design.⁶⁵ Most kitchens face pedestrian walkways, so adults can keep an eye on children.⁶⁶ Play areas are also set up so other community residents can see the children, even if the children's own parents cannot actually see them.⁶⁷ This is beneficial because it encourages many adults beyond parents to be involved in children's lives. In turn, the relative degree of independence enjoyed by the

55. See *id.*

56. See *id.*

57. See Mark Fearer & Deborah Hyman, *The Cohousing Option*, MOTHERING, Dec. 22, 1994, at 104 [hereinafter MOTHERING].

58. See COHOUSING, *supra* note 1, at 40.

59. Cohousing's parking procedures are distinct from typical suburban housing procedures where residents can drive into their attached garages, close the garages, and retreat directly into their homes.

60. See COHOUSING, *supra* note 1, at 40.

61. See *id.*

62. See *id.* Cohousing's design also inhibits undesirable behavior such as domestic violence. See *infra* text accompanying notes 213-17.

63. See COHOUSING, *supra* note 1, at 178.

64. See MOTHERING, *supra* note 57, at 104.

65. See COHOUSING, *supra* note 1, at 27. For example, at Winslow Cohousing on Bainbridge Island, Washington, there are walking paths linking the private residences to the common areas, together with a large grassy play field, all removed from moving vehicles. See *id.* at 229-39.

66. See MOTHERING, *supra* note 57, at 104.

67. See COHOUSING, *supra* note 1, at 40, 178.

children, coupled with the sense that many adults care about them, assists the children's development as it helps instill security and self-confidence. As one writer noted, "[m]ost people learn how to avoid emotional hijackings from the time they are infants. If they have supportive and caring adults around them, they pick up the social cues that enable them to develop self-discipline and empathy."⁶⁸ Thus, cohousing's built-in interaction between adults and children is particularly beneficial for children because it can help them develop into self-assured and cooperative teenagers and adults.

Cohousing's neighborhood designs often have built-in flexibility. As the composition of the community changes, its members can modify the common facilities to adapt to the community's changing needs.⁶⁹ For example, when children are younger, child care facilities are very important. However, as children get older, after-school care becomes more pressing and the common facilities can be adapted to meet those needs. As children get even older, there comes a point when independent supervision is no longer necessary, but it is still desirable to have activities, such as theatre, music or computer lessons, available to engage the children.⁷⁰ These activities could take place in the common facilities.

While cohousing, by its own admission, has not been terribly successful in providing low-income housing,⁷¹ that has not been the primary focus; rather, it has been more concerned with building community.⁷² Cohousing has been about sharing, caring and community responsibility,⁷³ and its main purpose and function is to develop a positive social living environment.⁷⁴ It creates a community where children can live near their friends and where residents have a sense of belonging and can get to know others of all ages, thus fostering

68. HILARY RODHAM CLINTON, *IT TAKES A VILLAGE* 65 (1996) [hereinafter *VILLAGE*].

69. See *COHOUSING*, *supra* note 1, at 42. For example, when Tornevangsgarden was in the design process, child care was the main factor in site layout and the houses were built around a courtyard where the children's sandbox was to be located. As the children became older, the sandbox was replaced with a picnic table and flower boxes. See *id.* at 102-3.

70. Keeping teenage children productively and creatively engaged between the hours when school ends and when their parents get home from work is critical. If not so engaged, they may well turn to drugs, alcohol or sex. See *infra* text accompanying notes 221-26.

71. While very few cohousing communities have focused on single parents, Depot Commons in Morgan Hill, California, "the first rental cohousing community in the United States . . . cater[s] . . . to 12 single-parent families." Nora Villagran, *Common Ground Cohousing, A Community-Style Way of Living that Provides Wall-to-Wall Warmth, is Catching on all Across the Nation*, *SAN JOSE MERCURY NEWS*, Sept. 12, 1992, at 1E.

72. See *COHOUSING*, *supra* note 1, at 45.

73. See Oland, *supra* note 54, at G1. See also *MOTHERING*, *supra* note 57, at 104.

74. As one developer states, it is "neighbor helping neighbor." Kenneth Z. Chutchian, *Slow but Steady Progress on Co-Housing Plans*, *MAINE TIMES*, June 27, 1996, at 10.

intergenerational interaction among community members.⁷⁵ "Children thrive in the environment because they feel safe and appreciated by the adults around them, and elderly people enjoy the contact with other age groups."⁷⁶ Intergenerational interaction "adds to the quality of life and broadens the individual."⁷⁷ For example, such interaction allows residents to socialize with people from other age groups with whom they would not otherwise socialize, thereby learning from each other's experiences. Cohousing also:

offers many role models of different ages. The easy, intergenerational social flow gives teens access to adults other than their parents — adults who can act as friends, mentors, even reality-checks. And in an age of smaller families, cohousing provides children with sibling relationships they might not otherwise have.⁷⁸

By encouraging social interaction, cohousing results in greater community participation. Since most residents are involved in the community, they get to know each other and this allows for a greater sense of acceptance, which in turn increases feelings of self-worth.⁷⁹ Accordingly, cohousing provides general community support, which is good for individual residents, the cohousing community, and the broader community.⁸⁰ Additional nuances of cohousing are best illustrated by examining the history of cohousing and its movement into America in the late 1980s.

75. See COHOUSING, *supra* note 1, at 15.

76. Terry Lawhead, *Don't Fence Me In: Cohousing Tries to Recapture that Neighborhood Feeling*, SEATTLE TIMES, May 13, 1990, (Pac. Sec.), at 14.

77. COHOUSING, *supra* note 1, at 110.

78. Peter Hellman, *It Takes a Co-op: The Urge to Revive the Sense of Small Town Community Living is Turning American Families to Cohousing*, 29 METRO. HOME, Jan.-Feb. 1997, at 44, 48.

79. See COHOUSING, *supra* note 1, at 119-20. Although acceptance is generally considered important for child development, it is just as important for older persons who may feel disassociated from society simply because they are not able to do the same types of activities they could do when they were younger. Furthermore, "[o]lder people also . . . need to 'feel needed.' They too need to have work in the universe and the purpose and dignity that come with that work." REINVENTING OF WORK, *supra* note 6, at 60. Cohousing is not only helpful in this regard, but it also gives single people the chance to eat dinner with others, sparing them the potential loneliness of another meal alone. Cohousing provides an atmosphere for elders which is distinct from that in nursing homes, where individuals have little control over their lives and are at the mercy of nurses and doctors. Dr. William Thomas describes loneliness, helplessness and boredom as the "three plagues of nursing homes." Laura Bruck, *Welcome to Eden: Nursing Home Care, Eden Alternative*, NURSING HOMES, Jan. 1997, at 28, 28. But what less severely ill elders need "is an environment that provides for continuity of the self, that affords activities and engagement." Whitney Gould, *New Designs Ease the Way: A Humane Approach to Alzheimer's Care*, MILWAUKEE J. SENTINEL, June 30, 1997, at 4G.

80. See COHOUSING, *supra* note 1, at 17.

B. *History of Cohousing*

Cohousing developed out of frustration with limited housing choices. The cohousing concept, known in Danish as *bofaellesskaber*, started in Denmark in 1964 when Jan Gudmand-Høyer met with a group of friends to discuss alternative housing options.⁸¹ Mr. and Mrs. Gudmand-Høyer planned to have children, but did not want to raise them in the city.⁸² The only housing option which countered the isolation of living in single-family homes, apartments and condominiums, was the row house option. Row houses, however, did not offer common facilities which contribute to the "sense of community" that the Gudmand-Høyers sought.⁸³

Over several months, the Gudmand-Høyers and friends considered their goals and desires. They wanted the "qualities of a country village," but also wished to remain accessible to "the professional and cultural opportunities" offered by the city.⁸⁴ As originally conceived in the 1960s, cohousing residences would be large and private, with walls enclosing the front and back.⁸⁵ Likewise, the common house would be virtually hidden from view.⁸⁶ Focusing on the importance of cooperation in the home, they decided the housing community should be small enough to allow neighbors to get to know each other and to encourage social interaction.⁸⁷

In 1964, the group purchased some land outside Hareskov and proceeded with design plans.⁸⁸ While city officials did not oppose the project, many neighbors did.⁸⁹ The opposition's main concern was

81. *See id.* at 135-36, 145.

82. *See id.*

83. *See id.*

84. *Id.* at 136.

85. *See id.* at 135, 145.

86. *See id.* at 136. This is distinct from modern cohousing where the common house is the central feature, there is less emphasis on privacy, and private residences have gotten smaller. For a description of typical cohousing communities, *see supra* text accompanying notes 35-68.

87. *See COHOUSING, supra* note 1, at 136. Two of Gudmand-Høyer's main inspirations for the cohousing concept were Thomas More's book, *Utopia*, and the Doctor's Association Housing of Copenhagen. *Utopia* described a city of cooperatives not unlike today's cohousing communities, with common facilities. The Doctor's Association Housing, built in 1853, consisted of row houses built on a scale which encouraged neighbor interaction. *See id.*

88. *See id.*

89. *See id.* Initial opposition to cohousing is common. For example, neighbors of the Brunswick, Maine, development expressed concern that the new homes would "spoil the rural character" of the neighborhood. *See* Peter Pochna, *Development Values Community: The Cumberland County Cohousing Community is a Threat to Some, but Future Residents Say it Regenerates the Concept of Neighborhood*, PORTLAND PRESS HERALD, Jan. 25, 1996, at 1B. They were also "suspicious" of the "type" of people who would reside in a cohousing community. *See id.* Neighbors of the Robinson Road cohousing community were similarly concerned with cohousing's potential impact on the rural nature of the neighborhood, and were even more concerned with density. *See* Clark Mason, *Deadlock Broken on Innovative Housing*, PRESS DEMOCRAT (Santa Rosa, CA), Aug. 21,

that the "increased number of children would bring excessive noise to their quiet neighborhood."⁹⁰ Even though neighbors ultimately thwarted this project,⁹¹ the cohousing group did not quit. In 1968, Gudmand-Høyer published an article on cohousing,⁹² which generated much interest and support.⁹³ Times and attitudes had changed from four years earlier and an increasing number of people believed that a "more cooperative living environment would help build a more humane world."⁹⁴ Society was certainly more accepting of cohousing and other alternative living arrangements such as "hippie communes."⁹⁵

That same year, Gudmand-Høyer, Bodil Graae,⁹⁶ and the remaining Hareskov families purchased property outside of Jonstrup and Hillerød.⁹⁷ Planning and development proceeded and in 1972, twenty-seven families moved into Sættedammen.⁹⁸ By 1980, twelve cohousing communities had been built in Denmark and cohousing had evolved into an established housing option.⁹⁹

Cohousing is not only popular in Denmark, it has exploded in the United States over the past several years.¹⁰⁰ Most Americans still live in single-family residences,¹⁰¹ but these residences are not the best housing option for all family types.

The modern single-family detached home, which makes up 67 percent of the American housing stock, was designed for a nuclear family consisting of a breadwinning father, a homemaking mother, and two to four children. Today, less than one-quarter of the population lives in such households. Rather, the family with two working parents predominates, while the single-parent household is the fastest-growing family type.¹⁰²

1996, at B1. However, many of the same neighbors who initially opposed cohousing came to praise it for the neighborhood benefits which accrued, such as a built-in community organizing center and residents who tend to be active in the community. *See id.* For example, neighbors of Southside Park Cohousing initially believed that the cohousers were very self-involved and only concerned with their internal community. *See Oland, supra* note 54, at G1. Those neighbors have recently begun working with cohousers to build a child activity center and to lobby the city to designate Southside Park as an "alcohol-free zone." *See id.*

90. COHOUSING, *supra* note 1, at 136.

91. *See id.* at 136-37.

92. *See id.* at 137.

93. *See id.* at 136.

94. *Id.* at 137.

95. *See id.*

96. *See id.*

97. *See id.*

98. *See id.*

99. *See id.* at 141, 145.

100. *See Klages, supra* note 35, at EV12.

101. As of 1990, "64 percent of all housing units were single-family homes" STATISTICAL BRIEF, *supra* note 13, 94-16, at 2.

102. COHOUSING, *supra* note 1, at 12.

The rapid growth of single-parent families necessitates more housing options that are tailored to the needs of single-parent families. Other housing alternatives exist — condominiums, cooperatives, apartments and mobile homes.¹⁰³ Yet none of these housing options intentionally attempt to provide anything but housing. Cohousing, on the other hand, provides a relatively new housing choice that as a bonus, comes with a built-in community.

In 1991, the first United States cohousing community opened in Davis, California.¹⁰⁴ As of January 1997, there were at least twenty-four cohousing communities operating in the United States, with plans to build an additional 150 communities.¹⁰⁵ This rapid growth is not surprising considering the loneliness of living in isolation, the need for community, and the many forms of today's families, which require more housing choices.¹⁰⁶ As one cohousing architect stated,

[W]e can no longer afford to push our old people aside and have them live apart from us. Old people need to be living in a place where they have a relationship with the young. We can no longer afford to isolate out single parents. Single parents need to be around traditional families with children.¹⁰⁷

Modern cohousing is an approach to housing that takes into consideration lifestyle, as well as a desire to live in community.¹⁰⁸ Cohousing residents vary in occupation and background, and make a concerted effort to bring in residents from various income brackets,¹⁰⁹

103. A 1993 data chart indicated that in the United States, there were 58,918,000 single-family detached housing units, 5,375,000 single-family attached housing units, 24,776,000 apartment structures consisting of anywhere from 2-50+ housing units, 729,000 cooperatives, and 3,621,000 condominiums. U.S. CENSUS BUREAU-THE OFFICIAL STATISTICS, AMERICAN HOUSING SURVEY, 1993 AHS-N Data Chart Table 2-1 (visited June 2, 1997) <<http://www.census.gov/hhes/housing/ahs/tab2-1.html>>.

104. See COHOUSING, *supra* note 1, at 207-15. The community, called "Muir Commons," opened in August 1991, after three years of intense planning by residents. See *id.* at 208.

105. See Klages, *supra* note 35, at EV12.

106. One sociologist cited the recent trend in cohousing as "a response to suburbia's failure in raising teens." Joni James, *Sociologist: Cohousing Result of Suburbia Shock*, ORLANDO-SENTINEL TRIB., Apr. 27, 1997, at A16.

107. John Harmon, *A New Neighborhood: Communal Living Trickles South*, ATLANTA J. & CONST., Mar. 23, 1997, at 1D.

108. See COHOUSING, *supra* note 1, at 17. This is distinct from so-called 'hippie communes' of the 1960s, which were driven primarily by lifestyle and were organized around religious beliefs or dependent on charismatic leaders to keep the group together. See *id.* However, some commentators describe cohousing as somewhere between a "hippie commune" and a "yuppie condo development." Chutchian, *supra* note 74, at 10 (quoting Robert Weiner, president of the Cuberland County Cohousing Community).

109. See Kevin McCullen, *Cohousing Project Planned Near Downtown Ft. Collins 'Living Community' Would be yet Another for Boulder Company*, ROCKY MTN. NEWS, Jan. 23, 1997, at 35A. In spite of efforts to achieve income diversity, cohousing has thus far appealed primarily to middle-income persons with higher-than-average educational levels. See Oland, *supra* note 54, at G1 (discussing that Southside Park cohousing resi-

which leads to a more diverse environment for children, as well as adults. In spite of these efforts, not many cohousing developments have succeeded in providing low-income housing.

Cohousing developments have not proved to be cheaper than traditional homes, because in building homes for the first time, people can get carried away in customizing it, which drives up the price. But money can be saved by pooling resources — buying food in bulk for group dinners, sharing child-care expenses and sharing costs on little-used household items, such as gardening equipment, tools and kitchen gadgets.¹¹⁰

Although cohousing has not drawn many low-income residents, several cohousing communities are now placing a greater emphasis on affordability.¹¹¹ If properly designed, cohousing may provide an affordable housing alternative. For example, one proposed housing project, Synergy Cohousing Community, received an award from the U.S. Department of Housing and Urban Development for “design and promoting construction of affordable housing.”¹¹²

Admittedly, there are financial challenges to building units for low-income residents, but these challenges are not insurmountable. David Mandel, a cohousing spokesperson and Southside Park Cohousing resident, has compiled a list of strategies for affordable cohousing.¹¹³ To lower construction costs, Mandel suggests that residents do

dents “tend to be well educated professionals in their 30s with children”); Nick Ravo, *Commune Living Revisited Idea of the 1960s Gets a New Twist in 1990s*, PLAIN DEALER (Cleveland, Ohio), Mar. 14, 1993, at 1F. “It is not a solution to the affordable housing problem . . . It will probably appeal to people who want to do something different, and they are probably well-educated and reasonably well off.” *Id.* Furthermore, cohousing has not yet attracted significant racial or ethnic diversity. *See id.* For example, at Southside Park, there is economic and age diversity, but little ethnic diversity. *See id.* Residents have tried recruiting from various cultural groups, but with minimal success. *See id.* *See also* Hoose, *supra* note 37, at 1C (groups want to attract diversity, yet seek people who share their vision, cutting down on diversity); MOTHERING, *supra* note 57, at 104 (biggest drawback of cohousing movement is inability to attract ethnic diversity).

110. Audrey Haar, *Co-Housing is Like a '90s Hybrid of Communes, Neighborliness*, BALTIMORE SUN, Jan. 30, 1993, at 13H. *See* Villagran, *supra* note 71, at 1E (“Housing prices in cohousing communities vary, but most units are in line with a region’s market rate for comparable townhouses”). Even though most cohousing communities are not designed as low-income communities and have not necessarily offered low-income options, more and more communities are attempting to provide some low-income units. *See infra* text accompanying note 111.

111. *See* Irving Murphy, *Cambridge Project Obtains Loan*, BOSTON GLOBE, June 21, 1997, at F1. (“Twenty percent of the units will be designated as affordable and will be made available to low income buyers.”).

112. Scott Gold, *Proposed ‘Village’ Awarded: HUD Likes Delray Co-Housing Plan*, SUN-SENTINEL (Ft. Lauderdale, Fla.), Jan. 21, 1997, at 1B.

113. *See* David Mandel, *Affordability Strategies for Cohousing* (visited July 21, 1997) <<http://www.cohousing.org/resources/affordability.html>> (on file with author).

some of the work themselves (otherwise known as "sweat equity").¹¹⁴ Other savings ideas include using less expensive materials and energy-efficient designs, accepting greater standardization, and taking full advantage of the "cluster" design (because common walls save in construction costs).¹¹⁵ Mandel also suggests obtaining public or "quasi-public" subsidies.¹¹⁶ This could be in the form of donated land or government grants.¹¹⁷ To demonstrate, the Nyland community in Lafayette, Colorado, was able to obtain three grants sponsored by the Environmental Protection Agency to research ways to increase the energy efficiency of individual homes.¹¹⁸ There are also many ways to obtain necessary financing.¹¹⁹ Cohousing developers can obtain subsidy financing through state and local agencies.¹²⁰ For example, Southside Park Cohousing received financing from the Sacramento Housing and Redevelopment Agency, which helped lower-income residents purchase their units.¹²¹ In addition, government grants could cover common facility costs. Accordingly, there are ways to reduce construction or rehabilitation costs and to obtain financing assistance, each of which should be utilized in developing the cohousing model proposed here. Through creative design, rehabilitation and space utilization, residents can realize costs savings and produce affordable housing.

This part laid out the fundamentals of cohousing, explaining its unique attraction for those seeking more than just housing — it provides meals, child care, and intergenerational community. It should be apparent that cohousing is an increasingly viable housing option for more and more families, especially for single parents who could benefit from cohousing's common meals, and their children who could benefit from the "village" of adults.

In sum, cohousing can provide a progressive housing option and with commitment, creativity and planning, it can bring diverse people together in community while meeting needs beyond housing, such as child-care, nutritional and emotional needs.

114. *See id.* While this may be impractical if the future residents are inexperienced at construction work, efforts such as those underlying Habitat for Humanity could be utilized. Furthermore, even future residents who are inexperienced with home improvement work can assist with finish work after attending "how-to" workshops at local hardware stores.

115. *See id.* While all these savings devices are important, the cohousing envisioned in this article would probably originate in an apartment complex with common facilities, which would then be renovated in accordance with a cohousing model. Thus, it would be important to focus on renovation savings ideas.

116. *See id.*

117. *See id.*

118. *See* COHOUSING, *supra* note 1, at 246.

119. *See* Mandel, *supra* note 113.

120. *See id.*

121. *See* Walt Yost, *Team Boosts City by Design*, SACRAMENTO BEE, Mar. 27, 1997, at N1.

II. LATINA/OS' SOCIAL AND CULTURAL BACKGROUND

This part will discuss Latina/os' social and cultural background, focusing primarily on Latinas. Such background will be helpful to understand how the Leticias of this world come to be where they are, and to understand the obstacles in getting to a better place. This part will also assist the reader in understanding how Latinas' backgrounds may pose particular challenges to engaging in activism, including the activism required to create a cohousing community, and suggests some ideas on how to overcome those obstacles.¹²²

It is not surprising that there are so many low-income, single-parent Latinas, considering that Latinas are among the lowest paid people in America, occupying the bottom rung of the economic ladder.¹²³ "By almost any available standard, Chicanas are economically exploited not only relative to Anglo men and women, but also relative to Chicanos."¹²⁴ One author wrote in 1993 that "the average income of a Chicana-headed household is \$4,930."¹²⁵ While their annual income has increased slightly since 1993, the intersection of race and gender for Latinas still means that they will suffer greater economic marginalization than men of any color, white women, and black women.¹²⁶ This marginalization has been manifested through limits on opportunities, which has resulted in the "browning" of the feminization of poverty.¹²⁷

Latinas are currently dropping out of school faster than any other group in the population.¹²⁸ In 1995, only 53.8% of Latinas had completed four years of high school.¹²⁹ Among Latinos, females have

122. See, e.g., *infra* text accompanying notes 155-78.

123. As of 1993, women on average still earned only 71 cents for every dollar earned by men and Latinas earned even less — 54 cents. See *Why Affirmative Action is Still Necessary*, AFFIRMATIVE ACTION CALIFORNIA: WHY IT IS STILL NECESSARY (ACLU, Los Angeles, CA), Sept. 1995, at 5-6 (statistics provided by the National Committee on Pay Equity).

124. LA CHICANA, *supra* note 8, at 119, 122-23.

125. Ramón A. Gutierrez, *Community, Patriarchy and Individualism: The Politics of Chicano History and the Dream of Equality*, 45 AM. Q., 44, 67 (1993).

126. As one unidentified academic noted, "I believe that the impact of sexism, racism and elitism, when combined result in more intensely exploitive, oppressive and controlling situations than when these conditions exist independently of one another." Denise A. Segura & Beatriz M. Pesquera, *Beyond Indifference and Antipathy: The Chicana Movement and Chicana Feminist Discourse*, 19 AZTLÁN 69, 83 (1992). For a more detailed discussion of where the intersection of race and gender positions Latinas, see Laura M. Padilla, *Intersectionality and Positionality: Situating Women of Color in the Affirmative Action Dialogue*, 66 FORDHAM L. REV. 843 (1997).

127. See generally Laura M. Padilla, *supra* note 126, at 885-92.

128. See, e.g., Fred Alvarez, *Program Urges Young Latinas on to Success*, SAN DIEGO UNION TRIB., May 29, 1992, at B1. ("No one drops out of school more often in San Diego County than young Latinas . . .") In San Diego County in 1991, 6.5% of Latinas in the 10th-12th grades dropped out of school compared to 2.9% of white females, 2.6% of African-American females, and 4.4% of Asian females. See *id.*

129. See BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, STATISTICAL ABSTRACT OF THE UNITED STATES 159 (116th ed. 1996) [hereinafter CENSUS].

fairly consistently attained fewer years of education than males.¹³⁰ Even more discouraging, only about six of one hundred Latinos finish college.¹³¹ The damage of dropping out of school extends beyond the dropouts themselves. "The children and grandchildren of dropouts tend to have less intellectual stimulation at home and no role models upon which to base their attitude toward education."¹³²

For single-parent Latinas, the combination of low wages and minimal education can be devastating, resulting in many lower-income single mothers who are poorly educated and with few prospects of moving out of poverty.¹³³ Without intervention, it is likely that this cycle will repeat itself.¹³⁴ There are many reasons for this repetition.

130. See LA CHICANA, *supra* note 8, at 123-29. "Chicano men are . . . about three times more likely than Chicano women to have completed four years of college or more . . ." *Id.* at 129.

131. See Ernesto Portillo, Jr., *Education of Latinos Said in Crisis*, SAN DIEGO UNION TRIB., June 29, 1997, at B1.

132. EARL SHORRIS, *LATINOS: A BIOGRAPHY OF THE PEOPLE* 220 (1992) [hereinafter *LATINOS*].

133. The intent here is not to essentialize Latinas into a homogenous group of low-income single parents. It is dangerous to create or accept negative stereotypes and to buy into self-perpetuating negative myths. As one academic noted, "the assumptions that all Latinos are racially mestizo, that all are Catholic, or that all are lower class are examples of other common misperceptions used to justify homogenization under a common ethnic label." SUZANNE OBOLER, *ETHNIC LABELS, LATINO LIVES: IDENTITY AND THE POLITICS OF (RE)PRESENTATION IN THE UNITED STATES* xvi (1995) [hereinafter *ETHNIC LABELS*]. Nonetheless, to the extent that Latinas are lower-income single parents, it is more likely than not that they are part of a cycle which preceded them and will follow as well.

134. While continuation of the cycle of poverty is by no means a certainty, many predictors indicate that it will be perpetuated for the children of low-income single parents. "Growing up with only one parent is found to be related to attaining lower levels of education, becoming a parent earlier, being more likely to have premarital births, marrying earlier, and being more likely to divorce when compared to children who lived with both biological parents throughout their childhood." Steven Garasky, *The Effects of Family Structure on Educational Attainment: Do the Effects Vary by the Age of the Child?*, 54 AM. J. ECON. & SOC. 89, 89 (1995). One possible explanation is that fathers frequently do not support the single mothers of their children, and their children do not receive sufficient nurturing and attention. As a result, these children may suffer poor health, nutrition and insufficient parenting. See *id.* They may also experience fear of harm from living in dangerous neighborhoods. See JOEL F. HANDLER, *THE POVERTY OF WELFARE REFORM* 33 (1995). Early childbearing, which is more common for children from low-income families whose parents bore children while young, starts the chain again, beginning with fathers who do not support the mothers of their children. See *THE FORGOTTEN HALF: PATHWAYS TO SUCCESS FOR AMERICA'S YOUTH AND YOUNG FAMILIES* 37-38 (1988). This is exacerbated when children who are raised in poverty rush into adulthood before they are mature enough to handle the accompanying responsibilities. See *THE FORGOTTEN HALF: NON-COLLEGE YOUTH IN AMERICA - AN INTERIM REPORT ON THE SCHOOL-TO-WORK TRANSITION* 17 (1988) [hereinafter *FORGOTTEN HALF*]. Ultimately, if these children have neither the economic means nor the requisite social support systems, they tend to make either short-term or bad decisions due to lack of adult guidance or lack of hope. See *id.* Thus, growing up with a low-income single parent increases the probability of following certain tendencies which result in continuation of a cycle of poverty.

First, children's ultimate educational levels tend to correlate with that of their mothers,¹³⁵ and Latina mothers have a minimal investment in human capital.¹³⁶ Second, Latinas may not expect their children to break out of poverty or to necessarily lead better lives than they lead. "[F]or generations, centuries, Latinos in North America accepted the idea that their children would fare no better than they, perhaps worse. The parents and then the children suffered and endured."¹³⁷ The sense that one has a duty to endure suffering with dignity, *aguantar*,¹³⁸ is cultural and must be addressed honestly and openly.¹³⁹ Third, all single working mothers, including Latinas, in effect have two full-time jobs — working at a paying job and raising their children.¹⁴⁰ With little or no spare money or time, they cannot hire help to assist with child care, meal preparation, housekeeping, or errands. Additionally, they are often too tired to prepare nutritional meals for their families, to read to their children or help them with their homework, or to attend parent-teacher conferences, each of which has been proven to contribute to children's success.

Without the boost provided by well-balanced meals, one-on-one parental attention, early reading, and parental involvement in education, it is likely that Latinas' children will be destined to follow their mothers' economic paths. Furthermore, these Latina mothers, with low-paying jobs and little education, generally do not receive child support, or certainly not enough to begin to cover the expenses (or even one-half of the expenses) of raising their children.¹⁴¹ Thus, they are stretched even further economically and are even less likely to be able to provide their children with the advantages that money can

135. See OFFICE OF THE ASST SEC'TY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS, DEP'T OF DEFENSE, PROFILE OF AM. YOUTH: 1980 NATIONWIDE ADMIN. OF THE ARMED SERV. VOCATIONAL APTITUDE BATTERY 40 (1982); McLANAHAN & SANDEFUR, GROWING UP WITH A SINGLE PARENT 42 (1994). Interestingly, the future success of children of low-educated parents is discouraging regardless of whether the children live with one or both parents. See McLANAHAN & SANDEFUR, *supra*, at 62. For example, only 14.5-20% of seventeen-year-old students whose parents have less than a high school education have proficient reading and math achievement, whereas 52.1-68% of those students whose parents have post-high school education have achieved proficient reading and math. See JANET M. SIMONS, ET AL., THE ADOLESCENT & YOUNG ADULT FACT BOOK 107 (1991). The numbers are even more startling for nine- and thirteen-year-old children. See *id.* Parents' minimal education coupled with poverty correlates even more directly with school failure. See, e.g., FORGOTTEN HALF, *supra* note 134, at 16.

136. See *supra* text accompanying notes 128-34.

137. LATINOS, *supra* note 132, at 216.

138. See *id.* at 105-10 (for a more detailed discussion of *aguantar*).

139. In the course of dialoguing about what they want their lives and the lives of their children to be like, Latinas, as future cohousing residents, must discuss when to accept situations and suffer with dignity, and when to work actively to change unacceptable situations. They should freely dream of a better future and then work to make it happen.

140. See SECOND SHIFT, *supra* note 7, at 4.

141. See generally *supra* note 13.

buy. The odds of single-parent Latinas breaking out of a cycle of poverty are slim, with far-reaching implications for themselves and their children.

Cultural norms may exacerbate challenges for Latina mothers. Latinas tend to marry young,¹⁴² and to have more children than other women.¹⁴³ In addition, they place a high priority on family.¹⁴⁴ "[F]or Chicanos the family is by far the single most important unit in life . . . It is the basic source of emotional gratification and support."¹⁴⁵ Latinas also tend to come from larger-than-average families,¹⁴⁶ and to have close extended families.¹⁴⁷ With the strong emphasis on family, it is common for Latinas to focus on their families, rather than on

142. See NICOLAS KANELLOS, *THE HISPANIC AMERICAN ALMANAC: A REFERENCE WORK ON HISPANICS IN THE UNITED STATES* 202-203 (1993).

143. "The rate of fertility for Chicanos is considerably higher than the rate for the society as a whole." *LA CHICANA*, *supra* note 8, at 108. In 1995, the fertility rate for white women was 1,984, for black women it was 2,427 and for Hispanic women, it was 2,977. See BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, *POPULATION PROJECTIONS OF THE UNITED STATES BY AGE, SEX, RACE AND HISPANIC ORIGIN: 1995 TO 2050*, 2 (1996). The rate is calculated per 1000 women thus producing an average of 1.984 children per white woman, 2.427 per black woman, and 2.977 per Hispanic woman. See *id.* A different report noted that "Hispanic women, on average, have 3.5 lifetime births, while white women have 1.7 children . . ." *U.S.-Population: Study Shows High Rate of Hispanic Fertility*, INTER PRESS SERV., Aug. 31, 1995, available in WL 10133984. Among American teenagers, "[birth] rates were highest among minorities. In 1990, . . . young Hispanic women were roughly twice as likely as whites to become teen mothers." *Teen Pregnancies: High Rates, Higher Costs*, U.S. NEWS & WORLD REP., Apr. 15, 1996, at 16. One article noted that "[u]nmarried Hispanic women had a birthrate of 95.3 per 1000. The rate for black women was 86.5, and that for white women was 35.2." Larry Witham, *Unwed Mothers Increase: Illegitimate Births Soar Among Whites*, WASH. TIMES, June 7, 1995, at A3. Latinas' larger family sizes can limit housing choices, which exacerbates their existing housing problems.

144. See GLORIA ANZALDÚA, *BORDERLANDS/LA FRONTERA* 18 (1987). See, e.g., *HANDBOOK OF HISPANIC CULTURES IN THE UNITED STATES: ANTHROPOLOGY* 255 (Thomas Weaver ed., 1994); Maxine Baca Zinn, *Political Familism: Toward Sex Role Equality in Chicano Families*, 6 *AZTLÁN* 13 (1975) (discussing the changing nature of Chicano families while emphasizing the strong family-centered nature of Chicanos as contrasted with Anglos).

145. *LA CHICANA*, *supra* note 8, at 107. While Latinas are usually culturally conditioned to make their families their first priority, that does not mean their parenting skills translate into success for their children as measured by this country's standards. Latina and Latino children are still dropping out of school at the highest rates in society. See *supra* text accompanying note 128. More intentional time with children can change that.

146. See CENSUS, *supra* note 129. Not surprisingly, it follows that Hispanics have more children in the home under eighteen than white or black families. See *id.* at 64. See *supra* note 143. See also SUSAN E. KEEFE, ET AL., *EMOTIONAL SUPPORT SYSTEMS IN TWO CULTURES: A COMPARISON OF MEXICAN AMERICANS AND ANGLO AMERICANS*, SPANISH SPEAKING MENTAL HEALTH RESEARCH CENTER, OCCASIONAL PAPER No. 7, 11 (1978); *supra* note 143.

147. See *LA CHICANA*, *supra* note 8, at 98, 107. "The emphasis on familism is such that it includes not only the immediate family and extended relations but fictive relations." *Id.* at 107.

their individual goals.¹⁴⁸ Accordingly, it is not as intuitive for Latinas to focus on their own needs and desires because they have been conditioned to subordinate those needs and desires to the family's needs. To make matters worse, many Latinas have been actively discouraged from elevating their own needs over the needs of others, even being taught that they are selfish to place a priority on their own goals.¹⁴⁹ An unfortunate consequence is that there is a focus on short-term needs which does not position low-income Latinas to emerge from the cycle of poverty. If low-income Latinas could more freely strategize about ways to improve their prospects over the long term, even if that means short-term sacrifices of family needs, they could better position themselves to improve their lives and the lives of ensuing generations.

Another challenge for many Latinas is that they have migrated from elsewhere and do not have other family members close by.¹⁵⁰ They lose the comfort, refuge and safety net that family provides — a safety net which can be larger than life for a low-income family that cannot afford child care.¹⁵¹ The problems of being without family are deeper than they would appear at first glance. One epidemiologist found that "one's family and social networks are the best predictors of health status."¹⁵² Nearly a hundred years ago, it was recognized "that persons with active family relations were less likely to commit suicide."¹⁵³ Thus, family not only provides a safety net, it also provides a "health net," and without extended family, single-parent Latinas lose both. This effect is magnified when one considers that the small

148. "If anything defined the ethics of this moral community [Chicanos], it was the belief in collectivism and an explicit rejection of individualism. *Chicanismo* meant identifying with *la raza* (the race or people), and collectively promoting the interests of *carnales* (or brothers) with whom they shared a common language, culture, religion, and Aztec heritage." Gutierrez, *supra* note 125, at 46. See also LA CHICANA, *supra* note 8, at 107. "[T]he needs of the collective frequently take precedence over those of the individual, and achievement and success are measured according to the contribution made to the family." *Id.*

149. I have many Latina colleagues who surreptitiously sent out college applications and went to college against their families' wishes. This is not because their families did not love them or did not want them to succeed. There is a more complex dynamic at work — typically there were limited family resources which may have gone toward the education of a male child, or the family immediately needed the child's income, or it was considered improper for an unmarried female to move away from home, or any combination of factors.

150. Migration, whether from another country or elsewhere in the United States, poses many challenges. "The first blow is the loss of the extended family support network. This, coupled with distance from kin, will often disorient the Mexican American." George Bach y Rita, *The Mexican American: Religious and Cultural Influences*, in MENTAL HEALTH AND HISPANIC AMERICANS: CLINICAL PERSPECTIVES 34 (Rosina M. Becerra et al. eds., 1982). See also KEEFE, *supra* note 146, at 11-18.

151. See, e.g., Zinn, *supra* note 144, at 18 ("family traditionalism serves to reduce the stress of culture contact by offering solidarity support").

152. David E. Hayes-Bautista, *How to Retire in Style: Learn from Latino Seniors*, SAN JOSE MERCURY NEWS, May 22, 1997, at 11B (citing Berkeley epidemiologist Len Syme).

153. *Id.* (citing Emil Durkheim).

safety net which had formerly been provided by governmental social services is gradually and consistently eroding.¹⁵⁴

Single-parent Latinas face additional social, educational, and advancement hurdles if their English language skills are limited.¹⁵⁵ This limitation can make it harder to plan, develop, and implement a cohousing community. In order to overcome this limitation while providing a voice to each participant, it is important to have bilingual facilitators and participants included both in the cohousing planning process and once a community is underway.

Latinas may face other cultural challenges which can cause them to be disinclined to mobilize and take on activist roles.¹⁵⁶ As one Latina activist noted:

[W]hat stopped women from taking leadership was that we had emotional blocks created by our oppression. The conditioning of . . . Latina women is not to talk, not to open your mouth. The issue is respect, respect your mother, your brother, your father, respect anybody older than you in authority. You look down when spoken to, you do not ask questions, you just do.¹⁵⁷

When one's upbringing includes socialization to keep problems private, not to seek help and to blame oneself for any problems, it is difficult to take on an activist role.¹⁵⁸ One way to work through this obstacle is to come together with other women in the context of planning a cohousing community.

As women came together they gradually created a culture organized not around fear or machismo, but around the recognition of each others experience . . . In the process of the collective struggles for their rights to equality, respect, justice, and recognition . . . women gradually learned to affirm themselves in the public sphere and to establish their respective identities.¹⁵⁹

154. See *supra* text accompanying notes 10-11.

155. This is not to say that all Latinas speak Spanish or that they all have poor English skills. "[S]tudies have shown that not all Latinos in the United States are Spanish dominant. In fact, increasingly, a significant number among the second and later generations are English dominant, and there are some, although relatively few, who do not speak Spanish at all." *ETHNIC LABELS*, *supra* note 133, at xv-xvi. However, a significant number of Latinas are native Spanish speakers, some of whom are comfortable with English and others of whom are not.

156. One Chicano academic described how Latinas have been treated in social movements as follows: "Women were denied leadership roles and were asked to perform only the most traditional stereotypic roles — cleaning up, making coffee, executing the orders men gave, and servicing their needs. Women who did manage to assume leadership positions were ridiculed as unfeminine, sexually perverse, promiscuous, and all too often, taunted as lesbians." Gutierrez, *supra* note 125, at 47.

157. *ETHNIC LABELS*, *supra* note 133, at 74-75 (quoting Esperanza Martell, co-founder of the Latin Women's Collective (1975-78)).

158. While activist roles may not come as naturally to Latinas, working together does because cooperation is highly valued in Latino culture, particularly among women. See, e.g., *LA CHICANA*, *supra* note 8, at 132.

159. *Id.* at 75.

Latinas have gathered on a large scale through national conferences such as those sponsored by *Mujeres Activas en Letras y Cambio Social* (MALCS).¹⁶⁰ They also converse with peers who are currently experiencing similar problems, or with members of different generations. Many Latinas regularly talk to their *abuelas* (grandmothers), *tias* (aunts), or other community elders about everyday issues.¹⁶¹

On a more local level, conferences like *Adelante Mujer Latina* bring young women together with experienced women to talk about issues impacting their lives.¹⁶² In all these examples, women are talking, and that may be Latinas' first step in taking on organizational roles. For example, Delores Huerta, who co-founded the National Farmworkers Association in 1962,¹⁶³ did not simply emerge as a leader fighting for farmworkers rights. With encouragement from her

160. MALCS is an organization founded in 1983 by Chicana, Latina, and Native American academics and graduate students "as a support and advocacy group." Segura & Pesquera, *supra* note 126, at 76. MALCS' founding declaration states:

We are the daughters of Chicano working class families involved in higher education. We were raised in labor camps and urban barrios, where sharing our resources was the basis of survival Our history is the story of working people — their struggles, commitments, strengths, and the problems they faced We are particularly concerned with the conditions women face at work, in and out of the home. We continue our mothers' struggle for social and economic justice.

Id. Each summer, MALCS organizes a conference where women gather to "share information, offer support and re-energize" without male influence, which is otherwise very prevalent. MALCS (visited Aug. 6, 1997) <<http://spot.colorado.EDU/~facio/malcs.htm>>. The League of United Latin American Citizens (LULAC) also coordinates local programs for Latinas through state coordinators. LULAC History (visited Aug. 5, 1997) <<http://www.lulac.org/history.html>>.

161. "Remember when you were little you had always had your uncles, your aunts, your grandmother and your comadres around. As a child in the Mexican culture you identified with a lot of people, not just your mother and father like they do in the middle class homes." ETHNIC LABELS, *supra* note 133, at 71 (quoting Delores Huerta).

162. The *Adelante Mujer Latina* (translated "Move Forward Latina Women") conferences are designed to provide young Latinas with inspiration and motivation to succeed in professional occupations. See Lucille Renwick, *Latinas Urged to Pursue Professional Careers; Conference; Speakers at CSUN Aim to Inspire High School Students to Seek College Education and Good Jobs*, L.A. TIMES, Mar. 17, 1996, at B3. The conferences introduce young women to role models who encourage them to achieve academic and professional success. See *id.* "The *Adelante Mujer Latina* conferences began in Fresno in 1985 and have since been held in cities throughout California." *Id.*

163. See Margaret Rose, *From the Fields to the Picket Line: Huelga Women and the Boycott 1965-1975*, LABOR HISTORY, Summer 1990, at 271 & n.1. See also Margaret Rose, *Traditional and Nontraditional Patterns of Female Activism in the United Farm Workers of America*, 9 FRONTIERS: J. OF WOMEN STUDIES 26, 28 (1990). In 1972, the NFWA became known as the United Farm Workers' Union (UFW). See Shawn Foster, *Union Leader: Root Out Racism*, SALT LAKE TRIB., Oct. 14, 1996, at A1; Lalo Lopez, *Si se Puede*, HISPANIC MAG. (visited Aug. 1996) <<http://www.hisp.com/aug96/chavez.html>>. See also Delores Huerta (visited Aug. 27, 1997) <<http://Thomson.com/gale/huertad.html>> [hereinafter Huerta].

mother and early exposure to labor activism from her father,¹⁶⁴ Huerta learned the value of dialogue. In 1955, at age 25, Huerta went to work for the Community Service Organization (CSO), an Hispanic civil rights group.¹⁶⁵ While with the CSO, Huerta "registered people to vote, organized citizenship classes for immigrants, and pressed local governments for improvements in barrios."¹⁶⁶ Huerta's underlying focus was on the power of the people, and it always involved talking to people, whether to register individuals to vote, to teach people, or to influence government officials. In one speech, Huerta attributed UFW success to "[going] to people's homes and [telling] them (exactly) what was going on," because "[p]eople want to know what's going on in their country."¹⁶⁷ Huerta's ability to organize stemmed from her gift of being able to speak honestly and openly with individuals.

Labor activist and organizer Emma Tenayuca also understood the importance of dialogue. "I could not help but be impressed by the discussions . . . of my family, my family circle. Also, the Plaza del Zocate was the type of place where everybody went . . . to hold discussions . . . you could also find revolutionists from Mexico holding discussions."¹⁶⁸ For Tenayuca, the impetus to organize for social change was spurred by conversation, where people shared their dreams and sorrows.

Dialoguing among Latinas has previously prompted social change, for example, in United States canneries. Historically, Hispanic women began working together in canneries before the 1930s to assist their families.¹⁶⁹ Cannery women developed a work culture that included gossip and recipe exchanges.¹⁷⁰ At first glance, gossip and swapping recipes might have seemed trivial, but it "facilitated communication among women of diverse ethnic groups."¹⁷¹ One historian noted that as a result of gender-based job assignments, a "collective identity among women" emerged.¹⁷² "Cross-ethnic bridges" also developed, where women from different ethnic backgrounds would talk about such things as work concerns, family issues, and "fashions, fads, and movie stars."¹⁷³ Cannery culture also included an "intermingling of gender roles and assembly line conditions, family, and peer socialization, and at times collective resistance and

164. See *supra* note 163.

165. See *id.* See also Delores Huerta (visited Aug. 27, 1997) <<http://www.bookfair.com/Publishers/O-89229/doloreshuerta.html>>.

166. Huerta, *supra* note 163.

167. Sarah Kilby, *UFW Founder Visits UW*, BADGER HERALD, Mar. 4, 1996, at 1.

168. Chavira-Prado, *supra* note 23, at 262.

169. See VICKI L. RUIZ, *CANNERY WOMEN, CANNERY LIVES: MEXICAN WOMEN, UNIONIZATION, AND THE CALIFORNIA FOOD PROCESSING INDUSTRY, 1930 - 1950*, at 14 (1987).

170. See *id.* at 31-2.

171. *Id.* at 32.

172. *Id.*

173. *Id.* at 34.

change."¹⁷⁴ During World War II, cannery workers had no child care and often simply locked their children in cars while they worked.¹⁷⁵ Dissatisfied with this arrangement, these same workers came together and forced management to provide on-site child care.¹⁷⁶ The camaraderie and socializing among cannery workers ultimately led them to unionize in order to improve wages and working conditions.¹⁷⁷ Through collective efforts which started with dialogue, Mexican women were able to effect positive social change.¹⁷⁸

Similarly, by coming together to discuss their needs, single-parent Latinas will take on activist roles. Their discussions will be the first step to designing a cohousing community which addresses their specific needs. The empowerment process begins there and continues as they learn to articulate their goals and objectives, to advocate on behalf of those goals, to establish collaborative relationships with other parties as necessary to effectuate their goals, and to see their goals materialize.

Culturally, Latinas may lack self-compassion because of social conditioning which tells them that they have caused their own problems or that their problems result from God's will¹⁷⁹ and they should simply accept their problems.¹⁸⁰ Cultural conditioning also discourages them from involving others in their problems.¹⁸¹ Yet paradoxically, the same women often sacrifice to solve the problems of others. Cohousing can bring mothers together and in the process, they can understand that their problems are not unique and need not be borne alone.¹⁸² Working with others to solve common problems can also help Latinas develop more self-compassion, starting with tak-

174. *Id.* at 32.

175. *See id.* at 36.

176. *See id.*

177. *See id.* at 32.

178. *See id.* at 31-39.

179. *See* Bach y Rita, *supra* note 150, at 35 ("The will of God is frequently invoked as the cause of illness and suffering").

180. Culturally, many Latinas are raised with the expectation that they will suffer, and that it is their duty to suffer with dignity. In fact, a Mexican-American woman who carries out this role may consider herself "a good, strong woman who has done her womanly duties very well and has fulfilled her culturally sanctioned role." *Id.* at 33. *See also* Isabelle Navar, *La Mexicana: An Image of Strength*, 2 REGENERACIÓN 4 (1974). "Strength, honor, and comfort have forever been associated with Hispanic mothers." Christine Granados, *Young, Single . . . and a Mom*, HISPANIC, June 27, 1997, at 24. *See also supra* text accompanying notes 137-39.

181. This tendency to accept fate and not to complain or bring in others even appears in Latina fiction. One author wrote, "[m]y mother was very upset, but she did not complain . . . because she knew that she should not. It was her job to do the best that she could with what she had." Enedina Cásarez Vásquez, *The House of Quilts*, in DAUGHTERS OF THE FIFTH SUN 77 (Bryce Milligan et al. eds., 1995).

182. "In the process of . . . finding collective solutions to the conditions of their communities . . . [the women] encouraged and supported one another as leaders of their own newly forming groups." ETHNIC LABELS, *supra* note 133, at 75.

ing care of their own needs, then moving on to community. As poet Mary Oliver has written so eloquently:

One day you finally knew what you had to do, and began, though the voices around you kept shouting their bad advice — though the whole house began to tremble and you felt the old tug at your ankles. "Mend my life!" each voice cried. But you didn't stop. You knew what you had to do, though the wind pried with its stiff fingers at the very foundations, though their melancholy was terrible. It was already late enough, and a wild night, and the road full of fallen branches and stones. But little by little, as you left their voices behind, the stars began to burn through the sheets of clouds, and there was a new voice which you slowly recognized as your own, that kept you company as you strode deeper and deeper into the world, determined to do the only thing you could do—determined to save the only life you could save.¹⁸³

To embark on the work of building community, it is important to have the self-compassion to take an inventory of one's own needs, and to then turn to the community to co-create resolutions to mutual needs.

This part opened by discussing why there are so many low-income Latinas who are single mothers and it explained the roots of some problems that are specific to Latina single mothers. In addition, it delineated particular cultural nuances which inform many Latinas and may impact the way Latinas approach and resolve problems. It also addressed how those nuances might impede low-income Latinas in their quest to break the cycle of poverty, particularly in the context of planning a cohousing community. Yet it is crucial to the success of a cohousing community that residents be committed to the project and that they establish emotional, if not legal, ownership.¹⁸⁴ While Latinas' cultural norms might dissuade them from participating in the planning of a cohousing community, this part offered suggestions to overcome social and cultural obstacles that might otherwise prevent them from coming together to plan a community.

III. PROPOSED MODEL

This part will address how to modify cohousing to address the distinct needs of single-parent Latinas, taking into consideration the cultural and social nuances introduced in the last part. It is important to note here the distinction between what cohousing can do by virtue of geography and volunteerism, on the one hand, and what cohousing can offer through funding, on the other hand. The first portion of this part will elaborate on the former, that is, how the physical and collaborative structure of cohousing can respond to single mothers' needs beyond housing. For example, its common facilities and emphasis on community and resident participation, makes it possible to

183. Mary Oliver, *The Journey*, in DREAM WORK 38 (1986).

184. See *supra* notes 40-46 and accompanying text.

offer group meals. Additionally, cohousing can address residents' nutritional and health care needs. The common facilities can also be used for day care and after-school care, which can be staffed by residents.¹⁸⁵ Cohousing's public nature and openness may reduce domestic violence against both women and children. Finally, the geography of cohousing helps create intergenerational community.

The next portion of this part will discuss other services or programs that cohousing can offer in its common facilities, which can be offered in any community center or large space, regardless of whether cohousing exists, so long as there is funding for such services. For example, a cohousing community can be used to fulfill educational needs of parents, senior citizens, and children through classes in the common house. Yet residents would need funding for these types of programs to bring in outsiders to conduct the services. This part closes by discussing the form of occupancy which makes the most sense for the cohousing community envisioned in this article, suggesting that rental units are the most practical option.

As emphasized throughout this article, one of the promises of a cohousing-based empowerment model is that it can go beyond housing. For one, it can address families' nutritional needs. As an example, a nutritionist could plan a series of weekly menus for a cohousing community.¹⁸⁶ This would increase the nutritional value of evening meals.¹⁸⁷ It would also allow parents to learn more about nutrition, while simultaneously teaching their children good nutritional habits which establish a life-long pattern of healthy eating.¹⁸⁸ Furthermore, meals could be content-related so that leftovers from one meal could be used as the basis for another meal. This would also reduce food costs, as would buying food in bulk. These few relatively simple steps could allow Latinas to become active partners in establishing healthy habits for themselves and their children, while reducing food costs and preparation time.

The common house could also be used as an immunization center.¹⁸⁹ Residents would be responsible for scheduling the clinics

185. Note, however, that federal or state subsidies may be available for these services. See *infra* text accompanying note 210.

186. It would be relatively easy to obtain a volunteer to provide nutritional consulting services — perhaps an HMO could even offer this.

187. While there are many varieties of Latino food, some healthier than others, several reports have noted that "the Mexican diet is high in fat." Marisa Warrrix, *Cultural Diversity: Eating in America Mexican-American* (visited Aug. 6, 1997) <<http://www.ag.ohio-state.edu/~ohioline/hyg-fact/5000/5255.html>>. "Clinical studies have consistently reported a high prevalence of obesity, cardiovascular disease, diabetes, dental caries, and over/under nutrition in the Mexican-American population. Overweight and obesity are higher in Hispanic women and children." *Id.* Thus, even though Mexican-American diets have a fairly healthy core, a nutritionist could make it healthier with a few adjustments.

188. See VILLAGE, *supra* note 68, at 117.

189. The American Academy of Pediatrics recommends that babies receive appropriate vaccines at birth and when they are one, two, four, six, twelve, fifteen and

and health care providers would be responsible for setting up the clinics and providing the immunizations.¹⁹⁰ This could be established as a community-wide service to build up goodwill and create a healthier community. Again, the residents would be responsible for the positive benefits flowing from their efforts to improve their community.

On a final health note, because Latinas tend to place a high priority on family, it may be difficult for Latina "empty nesters" to transition to childless status, particularly those who have focused most of their attention on their children.¹⁹¹ For these women, their self-worth may be tied to their value as mothers.¹⁹² When that role is no longer asked of them, they may suffer psychologically. While this does not directly impact the single mothers at the center of this article, it is relevant when contemplating the mix of residents in the cohousing complex designed for their benefit. It would be mutually beneficial to bring "empty nesters" and senior citizens into the cohousing resident mix, both to gain their child care services for the single mothers and their children, and to improve the mental health of the "empty nesters."¹⁹³ The self-esteem of the "empty nesters" would be enhanced as

eighteen months old, then again at four-six years, eleven-twelve years and fourteen-sixteen years. *Immunization Protects Children* (visited Sept. 4, 1997) <<http://www.aap.org/family/parents/immunize.htm>>.

190. This could be modeled on immunization clinics which many city and county governments provide. For example, the health department of Boulder County, Colorado, provides immunizations either by appointment or through regularly scheduled hours. See *Boulder County Health Department Weekly Immunization Clinic Schedule* (visited Nov. 10, 1997) <<http://www.boco.co.gov/health/immuni.htm>>. Similarly, the health department of St. Joseph County, Indiana, provides regularly scheduled immunization clinics throughout the week. However, only one branch clinic is open after 5 p.m., and this clinic is only open until 6:30 p.m. See *St. Joseph County Immunization Clinic* (visited Nov. 10, 1997) <<http://www.sbcsk12.in.us/lasalleitech/links/immun/clinics.html>>. In addition, several cities are involved in "National Infant Immunization Week" which is generally held for a week in April each year. See *National Infant Immunization Week* (visited Nov. 13, 1997) <<http://www.immunization.org/niiw.shtml>>. The program's goals include "improving immunization services for needy families" and "reducing vaccine costs for lower-income . . . families." *U.S. Celebrates National Infant Immunization Week*, M2 PRESSWIRE, Apr. 22, 1997, at 10, available in LEXIS, News Library, Curnws File.

191. For a discussion of morale problems that Mexican-American "empty nesters" suffer, see Teresa Brenner and Pauline Ragan, *The Effects of the Empty Nest on the Morale of Mexican-American and White Women*, San Francisco, California (Nov. 1977) (paper presented to the Gerontological Society) ("The emphasis on the mother role among Mexican-American families may mean that Mexican-American women are more adversely affected by the empty nest event than are white women").

192. It is not surprising that self-worth for many Latinas comes from their family roles, considering that "[a]lmost total devotion to the family is expected from the female." LA CHICANA, *supra* note 8, at 113. To the extent a woman has received fulfillment from her role of being "warm, nurturing, and minister[ing] to the needs of her husband and children," she may feel unfulfilled when she is no longer called upon to play those roles. *Id.* If she can carry out those roles once again through her position in a cohousing community, she may be more fulfilled and emotionally balanced.

193. "Cohousing would be perfect for elderly people Many are left to survive on their own without adult children nearby. In cohousing, they can mutually

they provided much needed services, and they would get the joy of being around others. The children would benefit from nurturing child care. The single parents would benefit as well through the relief that comes from knowing their children are in good hands and by developing friendships with older women and learning from their experiences.

The community concept underlying cohousing allows parents to create their own child care programs. For example, in Jystrup Savvaerket, several parents of sixteen children hired three non-resident teachers to participate in an after-school program for their children.¹⁹⁴ The program took place at the common house so the children remained in their own community and were supervised by qualified educators. Because the parents could pool their resources, they presumably paid less for child care than they would have had they each paid individually for their children's off-site child care. This is economically efficient, environmentally sound, and it gives children built-in playmates, consistency, and stability.¹⁹⁵

On-site child care facilities in the common house proposed here could provide similar benefits and they would be crucial to the success of this proposed cohousing community. Although a significant number of parents require day care for young children and after-school care for school-age children,¹⁹⁶ both of these care needs are expensive and after-school care may be forfeited as a luxury. To the extent that parents are using day care, they may be dissatisfied.¹⁹⁷ A large percentage of low-income parents are dissatisfied with their day care, which is not surprising considering that they typically cannot afford to pay much for child care and there tends to be a direct correlation between what you pay and the quality of care you get.¹⁹⁸ Children from low-income families frequently attend subsidized programs that are cheaper and less focused on education than non-subsidi-

support one another in ways that can enrich their lives." Villagran, *supra* note 71, at 1E. See also Ravo, *supra* note 109, at 1F.

194. See COHOUSING, *supra* note 1, at 78. "Non-resident" is used in the sense that they do not reside in the cohousing community. See *id.*

195. "Having so many other kids nearby allows for more spontaneous play, and knowing all the neighbors gives kids security without gates — both of which amount to more freedom." Hellman, *supra* note 78, at 48.

196. See VILLAGE, *supra* note 68, at 224. "Ten million children under age five rely on surrogate care, and many of the approximately 22 million children between ages five and fourteen whose mothers work require care during nonschool hours." *Id.*

197. See Louis Harris, *Child Care Poll Finds Parents Dissatisfied*, S.F. CHRON., Oct. 2, 1989, at A2. The poll indicated that overall, 27% of the parents were "unhappy" with child care. See *id.* Additionally, parents who thought the current child-care system in the United States worked well declined from 61% to 38%. See *id.*

198. See VILLAGE, *supra* note 68, at 225. A recent source noted that seventy-five percent of families earning less than \$20,000 are dissatisfied with their day care; see Susan Kontos, et al., *Children's Experiences in Family Child Care and Relative Care as a Function of Family Income and Ethnicity*, 43 MERRILL-PALMER Q. 386, 400 (1997).

dized programs, operating strictly as a day care.¹⁹⁹ On the other hand, children from middle- or upper-income families attend more fee-based facilities which focus on education and cognitive development.²⁰⁰ The result is that low-income children, particularly racial minorities, are getting less educational day care than their middle- and upper-income counterparts.²⁰¹ However, that only tells the story for those who have access to day care.

Many lower-income parents are in a double bind because of their work schedules, which often conflict with available child care. [A] . . . survey showed that one third of mothers with incomes below the poverty line and more than a quarter of those earning less than \$25,000 worked weekends. Yet only 10 percent of day care centers and an even smaller percentage of family day care centers provide care on weekends. Almost half of working-poor parents are in jobs with rotating schedules, making child care arrangements even more complicated.²⁰²

Child care concerns are often more pressing for low-income single parents because they have fewer options than other parents. These concerns could readily be addressed through cohousing's on-site child care.

In spite of pressure to assimilate by sending their pre-school aged children to pre-school or day care, many Latino families resist, opting instead for family-provided child care.²⁰³ This is in contrast to Anglo preferences for a more formal day care setting.²⁰⁴ Although there are sufficient numbers of pre-schools and day care facilities in areas serving Latino populations, including subsidized day care, "[H]ispanic families often prefer asking relatives to watch their children or placing youngsters in family day care, in which one person watches a number of children in a home."²⁰⁵ Furthermore, as Latino parents' educational levels increase, so does the likelihood that they will send their children to pre-school.²⁰⁶ Thus, it is difficult to determine whether single-parent Latinas would prefer to structure on-site day care facilities more like standard day care facilities or more closely replicating a

199. See Sharon L. Kagan, *Care and Education of Children*, in *CARING FOR AMERICA'S CHILDREN* 76 (Frank Macchiarola & Alan Gartner eds., 1989).

200. See *id.*

201. See *id.* at 77.

202. VILLAGE, *supra* note 68, at 225.

203. See Note, *Into the Mouths of Babes: La Familia Latina and Federally Funded Child Welfare*, 105 HARV. L. REV. 1319, 1325 (1992) [hereinafter *Into the Mouths of Babes*]. See also Susan Chira, *Hispanic Families Use Alternatives to Day Care, Study Finds*, N.Y. TIMES, Apr. 6, 1994, at A19.

204. See *Into the Mouths of Babes*, *supra* note 203, at 1325. (Family-like day care consists of in-home day care where one or more day care providers watch children in a private home).

205. See Chira, *supra* note 203, at A19.

206. See *id.*

family setting.²⁰⁷ Day care and after-school care facilities should be designed with the resident parents' preferences in mind, allowing parents to preserve cultural preferences,²⁰⁸ while simultaneously informing the parents about the benefits of stimulation and cognitive development provided by many formal day care centers.²⁰⁹ One of the benefits of the cohousing model is that the residents make the decisions about their common facilities. They are not bound to one day care model or another. Once they have acquired all the relevant information and have considered what is comfortable for them, they are free to design day care which offers a combination of a warm family setting, formal teaching, and artistic and creative exercises.

In designing day care programs, residents should be aware of funding sources which can pay for or subsidize child care,²¹⁰ providing paid job opportunities for both single parents who live in the cohousing community as well as senior citizen residents. Residents can also integrate volunteerism to provide child care. For guidance on how to structure this, residents can look to models which many cohousing communities use to allocate group cooking and cleaning

207. Interestingly, many of the reasons Latinos prefer family style day care are also cited as reasons that children thrive. See Mark D. Somerson, *Children Thrive When Challenged Early*, COLUMBUS DISPATCH, May 11, 1997, at 1C. "Cuddle your children. Give them your time, shower them with attention, talk with them and - for heaven's sake - read to them." *Id.* With the exception of consistently reading to their children, many Latino families already engage in actions that are recognized as contributing to brain development. See Chira, *supra* note 203, at A19; Somerson, *supra*, at 1C.

208. "[A] cultural preference for keeping children in a warm and family-like atmosphere seemed to play a large role in Hispanic families' choice of day care . . ." See Chira, *supra* note 203, at A19.

209. The child-care should include an educational component. For example, the children could watch videos of *Sesame Street*, which has been shown to correlate with greater cognitive and emotional skills. See MILTON CHEN, *THE SMART PARENT'S GUIDE TO KIDS' TV* 41 (1994). "[C]hildren from all backgrounds who watched *Sesame Street* regularly for six months learned more numbers, letters, and other cognitive skills than those who did not watch." *Id.* Child-care providers could also utilize programs such as the *Sesame Street* Preschool Education Program "which provides training to childcare providers." *Id.* at 152.

210. Before recent welfare reforms, there were four "direct" federal child care subsidy programs: AFDC Child-Care, AFDC Transitional Child-Care, At Risk Child-Care, and Child-Care and Development Block Grants. See Joel F. Handler, *Women, Families, Work, and Poverty: A Cloudy Future*, 6 UCLA WOMEN'S L.J. 375, 408 (1996). However, the 1996 Welfare Reform Act replaced those programs with TANF. See *supra*, note 9. At a federal level, there are also some indirect subsidy programs: the Dependent Care Tax Credit, Social Services Block Grants, Title XX of the Social Security Act, the Child Care Food Program, and Head Start. See Handler, *supra*, at 408.

Additionally, states may provide child-care assistance. For example, the California Department of Education provides child care through its Child Development Division (CDD). *Child Development Division - Child Care and Development Programs: Fact Book 1996-7* (visited Sept. 16, 1997) <http://www.cde.ca.gov/cyfsbranch/child_development/factbk.htm>. In 1996-97, the CDD "entered into approximately 2,100 contracts with both public and private agencies to support and provide services to over 167,000 children." *Id.*

chores. For example, a resident can acquire a voucher for future child care for her own children every time she volunteers to provide child care.²¹¹ If a parent knew she wanted to attend a class on establishing a budget on a Saturday morning, she could provide child care at another time and cash in her voucher on Saturday morning. A senior citizen could provide child care in exchange for kitchen duties. The possibilities are limitless.

Through cohousing, parents could also come together to talk about parenting and other common issues they face. Policymakers have recognized that:

There is no set formula for parenting success. Many single-parent, step-parent and 'blended' families do a fine job raising children. But in general their task is harder. And these days parents are less likely to have readily available support from extended family or a close-knit community. There are fewer . . . relatives close by, and many of us no longer feel free to ask a neighbor to lend a hand or an ear.²¹²

The single-parent Latinas in this article have lost the safety net of extended family and social services. For these families, it is more important than ever to start reconstructing a safety net and cohousing can be part of that process insofar as it provides a built-in community which can offer child care, meals, and companionship on a regular basis, not only during emergencies. It is crucial to the success of this proposed model that single parents have more time as parents to care and nurture their children and to think about the best ways to discipline their children. As one children's expert noted,

As I respond to the requests . . . for advice and for the hard facts of my life . . . I find . . . that the best moments we had as disciplinarians . . . were those when we had . . . plenty of time to give of ourselves to our children, to make clear our reasons, to let them know why we objected to something and why we weren't of two minds on the matter, and so wouldn't budge The more satisfactory, affectionate, kindly time we can put in with a son or a daughter who is so utterly dependent at, say, a year or two, upon the adult world, for food, for clothing, for protection, and yes, for guidance, the better.²¹³

With the time that cohousing is designed to free up, parents can devote more time to raising their children in a thoughtful manner instead of constantly operating in a crisis mode. This deliberate transition can improve family relations which positively impacts all aspects of the mothers' and children's lives.

211. Many mothers I know presently have a barter system for child care. For example, two at-home mothers on my block regularly exchange child care duties, thus freeing up time to run errands without exchanging a dime.

212. VILLAGE, *supra* note 68, at 39.

213. ROBERT COLES, *THE MORAL INTELLIGENCE OF CHILDREN* 77-78 (1997).

Cohousing can help single parents find more time for their children. This investment in children should more than pay off down the road through a reduction in violent behavior. Psychologist Allan Sroufe explains how parental investment in children decreases violence. "To really understand violence in children . . . you have to also understand why most children and people aren't violent, and that has to do with a sense of connection or empathy with other people . . . that is based very strongly in the early relationships of the child" ²¹⁴ John Scanzoni has linked cohousing's public nature with its positive potential to combat domestic violence. ²¹⁵ He argues that cohousing can deter domestic violence because cohousing communities are so open and most residents are aware of what goes on both inside and outside the home. ²¹⁶ He also hypothesized that as families became increasingly private at the end of the last century,

the prosperous middle class [could] afford the type of sturdy housing that effectively shut out nosy neighbors and relatives, [and] it became part of North American culture for outsiders to keep away from the family's "own business". . . . Before that era, if a husband used excessive force on his wife (or children) the neighbors were very likely to know about it and to try to stop it. But as families became enclosed within solidly built walls and became ever more culturally private, community and neighborhood control over husband violence became virtually nonexistent. ²¹⁷

Additionally, cohousing has the potential to defuse some of the tensions that lead to domestic violence against children because it offers community support, reducing single parents' burdens. Living in a cohousing community may also provide single parents with more time to spend with their children and may reduce their exhaustion level. It is frequently the exhausted, worn down, frustrated parent who strikes a child. To illustrate, Dr. Sally Provence worked with a mother who was frustrated with her seven-month old son's eating and sleeping behavior and feared that she might hurt him. ²¹⁸ The mother was distressed around her son because of tensions revolving around her domestic duties and her son had picked up on that distress and responded to her agitation. ²¹⁹ Cohousing can positively change the

214. VILLAGE, *supra* note 68, at 89.

215. See Ulysses Torassa, *Social Changes Foster Growth of Community Family Groups*, PLAIN DEALER (Cleveland, Ohio), Feb. 16, 1997, at 25A (summarizing Scanzoni's lecture at the American Association for the Advancement of Science Annual Meeting on Feb. 15, 1997).

216. See *id.*

217. REINVENTING RESPONSIBILITY, *supra* note 15, at 272.

218. See VILLAGE, *supra* note 68, at 53.

219. See *id.* at 54. Dr. Provence helped teach the mother how to modify her behavior around her son:

She learned how to soothe him when he became fussy by holding him snugly. She talked to him more, in a gentler voice. Her new way with him allowed him to relax and become more manageable, which in turn softened

parent-child relationship by reducing the type of stresses Dr. Provence found and hence decreasing the parent's exhaustion level. Cohousing could help a stressed single mother modify her parenting approach by freeing up some of her time to spend on creative or nurturing activities with her child. Cohousing will not guarantee a tension-free life, but by design it can reduce many daily tensions by delegating cooking and cleaning chores to others. The free time which cohousing offers to single parents can be used to help children develop not only moral intelligence, but also rational intelligence. As Mrs. Clinton noted, "If family life is chaotic, if parents are depressed and unexpressive, or if care givers change constantly, so that children can rely on no one, their ability to perform the essential tasks of early childhood will be impaired."²²⁰ By increasing family time, cohousing can enhance family life, resulting in healthier parents and children.

The common facilities should include after-school activities for all school-age children. This is important because positive engagement acts as a deterrent to drug or alcohol abuse,²²¹ gang activity,²²² and pre-marital sexual activity.²²³ To the extent children are involved in activities, they will not have the time or energy to turn to derelict behavior. Children could also learn useful skills through after-school activities. For example, they could learn about computers, or how to paint, act or dance.²²⁴ They could also learn how to teach, tutor, and mentor. As part of the after-school program, older children in the community can tutor younger children, who in turn could tutor or tell stories to even younger children. The children may think of other ways to perform service, thus contributing positively to their neighborhoods. For example, they could plant trees, shrubs, or flowers, they

her attitude toward him and restored her confidence in her abilities as a parent.

Id.

220. *Id.* at 68.

221. "Teens who participate in at least one after-school activity other than sports use drugs less often than those who don't." VILLAGE, *supra* note 68, at 165.

222. See MARY JENSEN & PHILLIP YERINGTON, GANGS: STRAIGHT TALK AND STRAIGHT UP 153-57 (1997).

223. Many teen mothers became pregnant in the late afternoon. See James R. Thompson, *Preventing Pregnancies Among Adolescents*, 26 SOCIETY 64 (1989). By providing positive activities for children and teenagers and the physical space to engage in those activities, cohousing might be able to help reduce the incidence of teen pregnancies.

224. Living Literature Colors United (LLCU, Los Angeles, CA), for instance, provides an outlet for inner-city youth. According to one of its fliers, its mission is to "motivate at-risk youth by awakening an interest in learning." LIVING LITERATURE COLORS UNITED, IMAGINE INNER-CITY HIGH SCHOOLS WITHOUT VIOLENCE, GRAFFITI, RACIAL TENSIONS, DROPOUTS (date unknown) (on file with author). It accomplishes this "[t]hrough an extra-curricular program that utilizes literature, drama, music, and dance as its primary teaching tools . . ." *Id.* Through its program, "LLCU has helped hundreds of youngsters steer away from drugs and gangs by exposing them to their inner talents and potentials." *Id.* A cohousing community could adopt a similar program or design its own based on the children's interests.

could organize a neighborhood clean-up, or they could visit senior citizens. As noted, "[t]eenagers need a sense of belonging and want to be engaged in constructive activity. Community service for young people offers the combination of challenge and involvement that so many desperately need to stay on course in life."²²⁵ Furthermore, engaging in service activities tends to establish a pattern of service.²²⁶ The younger we can start our children on that path, the sooner the service ethic will be established in them. It is crucial to involve children in planning these activities. One reason is that they are tremendously creative. Another is that they have a better sense than adults of what they would like to do. Finally, it will give the children ownership over the success of their projects and it will teach them responsibility, organizational techniques, teamwork, and delegation skills. Acquisition of these abilities can lead to greater self-esteem.²²⁷ More than anything else, these after-school activities show children that adults care about them. This is one of the most significant factors which keeps teenagers out of trouble.²²⁸ A recent study found that:

[t]een-agers who have strong emotional attachments to their parents are much less likely to use drugs and alcohol, attempt suicide, engage in violence or become sexually active at an early age [F]eeling loved, understood and paid attention to by parents helps teen-agers avoid high-risk activities, regardless of whether a child comes from a one-parent or two-parent household.²²⁹

Latina mothers could participate more fully in their children's lives by providing after school activities at the common house and occasionally staffing those activities. The mothers' commitment results in concrete activities that give children a chance to be creatively involved in improving their lives.

Cohousing can also offer opportunities to improve and enhance education for both children and adults. For example, it could incorporate the American Library Association's "three-year national dem-

225. VILLAGE, *supra* note 68, at 167.

226. Dave Ostroff, a teacher and community service coordinator, writes that "[c]ommunity service should be a habit," noting that "adolescence is the proper time to build the habit of service." Dave Ostroff, *Editorial, Schools Should Give Youngsters Opportunities to Volunteer: The Children Can Show Us the Way to a Caring Community*, ROANOKE TIMES & WORLD NEWS, May 15, 1997, at A15. Even high school students recognize the value of community service. The Key Club president at Los Alamitos High School says "[c]ommunity service is like any habit. If you start early it creates a pattern that you'll likely continue when you're older." Yomi S. Wronge, *For Students, A Day of Thanks and Giving*, ORANGE COUNTY REG., Nov. 28, 1996, at Reg. 01.

227. Greater self-esteem, in turn, tends to give children the strength to avoid drugs. See VILLAGE, *supra* note 68, at 166. See also REINVENTING OF WORK, *supra* note 6.

228. For a discussion of the impact that caring adults have on children's development, see Laura M. Padilla, *Flesh of My Flesh But Not My Heir: Unintended Disinheritance*, 36 BRANDEIS J. FAM. LAW 219, 236 (Spring 1997-98); see also *supra* text accompanying note 213.

229. Barbara Vobejda, *Study Finds Bond with Parents Key to Teens' Health*, OREGONIAN, Sept. 10, 1997, at A1.

onstration project whose goal is to help low-income parents and those with poor literacy skills to raise children who are 'born to read.' The program works with adults to improve their own reading skills and emphasizes the importance of reading to children."²³⁰ Generally, if children are not reading at the appropriate grade level before they start fourth grade, they cannot do their required homework. They may become discouraged and may not attempt to complete their assignments.²³¹ To help students read by the third grade, one California group started a program called "Rolling Readers-Everyone A Reader."²³² The program provides two services to the community. First, it provides one-on-one tutoring for children in first through third grades who are identified as reading behind grade level.²³³ Second, it provides volunteers who assist four students for one and a half hours per week in learning reading strategies.²³⁴ Utilizing this two-pronged approach, the Rolling Readers program goal is to have children reading at grade level by the time they reach the fourth grade.²³⁵ Cohousing communities can easily incorporate components of these programs into their after-school activities, as well as tailor programs to meet their specific needs.

The educational component of a cohousing community should inform parents that they are primarily responsible for teaching their children the value of education. First, however, parents must learn the value of being involved in their children's education. The Parent Institute for Quality Education has a model program for parents which provides motivational and educational seminars. "It emphasizes, among other things, that parents establish good study habits at home, and that they meet regularly with teachers and principals so that any problems at school are addressed quickly."²³⁶ Clearly, the

230. VILLAGE, *supra* note 68, at 107. See also Association for Library Service to Children: *Born to Read-A Project Fact Sheet* (visited Nov. 10, 1997) <<http://www.ala.org/alsc/born.html>>.

231. See Stephen Henderson, *Summer Occupied with Reading Skills at New Super Camp; For Third-Graders Ways to Keep Learning While the Sun Still Shines*, BALTIMORE SUN, June 7, 1997, at 1B.

232. See ROLLING READERS-EVERYONE A READER BULLETIN (San Diego County Office of Education, San Diego, CA) Sept. 15, 1995 (on file with author).

233. See *id.*

234. See *id.*

235. See *id.* The program also provides a brief training session for its tutors which focuses on understanding the reading process and learning to prompt the child in specific ways, causing the child to learn reading strategies in order to become an independent reader. See ROLLING READERS-EVERYONE A READER VOLUNTEER MANUAL (San Diego County Office of Education, San Diego, CA) Sept. 15, 1995, at 3-4, 8 (on file with author).

236. Anna Cearley, *Parents Go to School to Learn to Help Their Kids*, SAN DIEGO UNION TRIB., June 29, 1997, at B1. This article went on to note that the program has been effective in the short term and that "50 percent of Latino freshman students at San Diego State University in 1995 had parents who graduated from the Parent Institute." *Id.*

more time parents have to spend with their children, the more time they can devote to activities which enhance the children's educational skills. But, parents are more and more pressed for time.²³⁷ "American mothers, both those who stay at home and those who work outside it, spend less than half an hour a day, on average, talking with or reading to their children, and fathers spend less than fifteen minutes."²³⁸ Single mothers obviously have more demands and less time, and Latinas, who have more children than other women, are stretched even further.²³⁹ Yet some of the activities that enhance a child's educational skills take little time and no money.

Regardless of material advantages, children whose parents spoke frequently and affirmatively with them had larger vocabularies, as measured at age three. Follow-up testing in the third grade confirmed that the benefits of early language exposure persist, and do not seem to be caused by other factors, such as race or schooling.²⁴⁰

A mother's socioeconomic background should not determine whether she engages in activities which give her children a head start. However, knowledge about the impact of educational enhancement activities comes more slowly to those who are less educated, and as noted earlier, low-income Latinas have below average levels of education.²⁴¹ Nonetheless, a cohousing community could make intentional efforts to inform mothers about these activities and the advantages which follow through guest speakers and roundtable discussions.

Once built, cohousing can provide English skills enhancement through evening classes in the common house, while simultaneously offering child care, which takes a burden off the mothers.²⁴² This

237. See SHEILA B. KAMERMAN & ALFRED J. KAHN, *STARTING RIGHT: HOW AMERICA NEGLECTS ITS YOUNGEST CHILDREN AND WHAT WE CAN DO ABOUT IT* 38 (1995) (citing SUZANNE M. BIANCHI, *AMERICA'S CHILDREN: MIXED PROSPECTS* (1990)). "[M]others and fathers work more hours today to provide the same standard of living for their families than they did two decades ago." *Id.*

238. VILLAGE, *supra* note 68, at 96.

239. See *supra* text accompanying note 143. To the extent one has the means to hire out time-consuming tasks like housecleaning, laundry and ironing, it is of course easier to find the time to spend with children. The cohousing model attempts to find some precious time for parents so they can engage in productive activities with their children.

240. *Id.* at 100. Because language is learned early, it is important for parents to expose their children "to a rich array of appropriate words." Joan Beck, *Editorial: Research on Learning Not Being Put to Much Use for Kids*, SUN-SENTINEL (Ft. Lauderdale, FL), Feb. 26, 1996, at 9A. "More than any other factors, competence in a language . . . depends most of all on the age of first exposure." Joan Beck, *Opinion: A Small Miracle in Learning*, RECORD (N. N. J.), Apr. 8, 1991, at B8. The more a child is exposed to print, the easier the transition to reading. See Tim Simmons, *Born to Read*, NEWS & OBSERVER (Raleigh, N.C.), June 8, 1997, at A1. Most children are on the verge of reading by the time they get to kindergarten. "But nature and nurture have already created huge differences" among individual children. *Id.*

241. See *supra* text accompanying notes 129-31.

242. See *infra* text accompanying notes 243-46.

would not be designed for English to take the place of Spanish, but rather to make it easier for residents to communicate and work comfortably in either language. English language proficiency may also impact a mother's involvement with her children's school and school teachers. To the extent that a mother is uncomfortable with her own language skills, she may be reluctant to attend parent-teacher conferences or to otherwise volunteer in her children's classrooms. "If a child's parents have not finished school or were poor students themselves, they may be even less at ease in a school setting. Many parents stay away except when a child gets into trouble."²⁴³ To enhance parents' comfort with English and the concomitant benefits such as greater involvement in their children's schooling, English classes should be part of the adults' cohousing curriculum. The community can offer classes for children as well. In addition, day care and after school care can be structured bilingually so children can preserve their native language, whether it be English or Spanish, while simultaneously learning a new language.²⁴⁴ This is especially important considering that bilingual education may soon be a thing of the past²⁴⁵ in light of the English-only movement.²⁴⁶

A final topic to consider in the cohousing community proposed here is whether private residences should be structured as purchase or rental units. As a practical matter stemming from affordability and credit concerns, they would likely be rental units.²⁴⁷ This would be

243. VILLAGE, *supra* note 68, at 252.

244. Introducing a second language at a preschool age is much more effective than waiting until junior high school or high school to start a second language. "A second language . . . is best learned early - years before the eighth grade, when children usually are exposed to a foreign language." Somerson, *supra* note 207, at 1C. This goes along with the current philosophy that if you "[f]eed the brain with rich experiences during the first three years . . . the stage has been set for healthy development" *Id.*

245. See, e.g., *Education 1996 - The Year of the All-Out Assault on Bilingual Education*, CRLA Noticiero, Mid Year Report 1997, at 4.

246. Twenty-four states, including California, have made English their official language. See Stephen Green, *House Votes to Make English the Official Federal Language*, SAN DIEGO UNION & TRIB., Aug. 2, 1996, at A1. For some, that is not enough. California software entrepreneur and millionaire, Ron Unz, is currently funding an initiative known as "English for the Children," which would abolish bilingual education. See Carlos Muñoz, *Perspective: Bilingual Debate Divides California*, DENVER POST, Aug. 17, 1997, at G6. Co-sponsored by Gloria Matta Tuchman, the initiative would require that all classes in public schools be taught in English, unless the parent requests otherwise. See Mary Lynne Vellinga, *Issa Ads Support Bilingual Initiative*, SACRAMENTO BEE, Oct. 9, 1997, at A4. See also Ron K. Unz and Gloria Matta Tuchman, *English Language Education for Children in Public Schools* (visited Oct. 9, 1997). <<http://ourworld.com-puserv.com/homepages/JWCRAWFORD/unztext.htm>>.

247. Among other reasons that the units discussed in this article would be rental rather than sale units is that it is harder for single women to obtain the requisite credit. See, e.g., DEE PRIDGEN, CONSUMER CREDIT AND THE LAW (CBC) §3.03 (1)(2)(3) (1997); U.S. COMM'N ON CIVIL RIGHTS, MORTGAGE MONEY: WHO GETS IT? A CASE STUDY IN MORTGAGE LENDING DISCRIMINATION IN HARTFORD, CONNECTICUT 26-29 (1974).

consistent with home ownership patterns for Latinos more generally. "Nationally, home ownership eluded the majority of metro Hispanic householders. Only 4 in 10 were owners, much lower than the 2 in 3 metro non-Hispanic white householders."²⁴⁸ Since the intended residents in this proposed model are low-income, it is unlikely that they will have the requisite capital necessary to make a down payment or that many lenders would extend credit to the residents.

While some might argue that rental status would negatively impact cohousing's success, that historically has not been true.²⁴⁹ Besides, once one is a cohousing resident, ownership does not matter. Consider, for example, the cohousing development at Drejerbanken in Skalborg, Denmark, where half the members are renters and half are owners.²⁵⁰ The success of the Drejerbanken community dispelled many myths about renters. One myth is that renters are less stable, in terms of turnover, than owners.²⁵¹ However, at Drejerbanken, three owners and only two renters have left the community.²⁵² A second myth is that owners take better care of their homes and gardens than renters. A renter at Drejerbanken has earned the prize for "best roses," and one cannot tell by exterior appearances whether a home is occupied by a renter or an owner.²⁵³ A third myth is that rental units hinder appreciation of privately owned units. Yet at Drejerbanken, as in many other cohousing communities, houses appreciate at pace with traditional single family homes, and sometimes more quickly.²⁵⁴

While a cohousing community for single-parent Latinas might ultimately have units for purchase, in order to get it off the ground as expeditiously as possible, it would likely commence as a rental com-

248. STATISTICAL BRIEF, *supra* note 13, 95-4, at 2.

249. Renters, in fact, are frequently responsible for taking back their communities. For example, in one San Diego apartment complex riddled with drug dealers, the residents decided to stand up to the loss of freedom imposed on them. "We had a large group of volunteers backing up our security officers by taking turns manning posts at the entrances of the complex." Katie Kuehner-Hebert, *Apartment Complex Gets Quality Award From Housing Group*, SAN DIEGO DAILY TRANSCRIPT, July 2, 1997. In discussing the difference resident volunteers make, a property manager stated that: [H]aving residents . . . involved causes a psychological impact. It gives the drug dealers an impression that the entire community is together and that they are not welcome. Villa Nueva [the apartment complex being described] has been completely transformed [through the coordinated efforts of security officers and concerned residents] into a community of quality.

Id.

250. See COHOUSING, *supra* note 1, at 112. When the project was originally contemplated, not all members could afford to purchase housing units. The group had some problems gaining government approval because of the part-renter/part-owner configuration, but because the actual renters were involved in project planning, they were able to bargain directly with the government to obtain project approval. See *id.* at 111-12.

251. See *id.* at 118.

252. See *id.*

253. See *id.*

254. See *id.*

munity utilizing funding strategies outlined in Part I.²⁵⁵ As is clear through examples from other rental communities, this should not decrease its desirability as a community. Moreover, it should not decrease the residents' involvement in the design and management of the community.

This part synthesized the information from the first two parts, detailing how a cohousing community could be modified to meet the housing needs of low-income Latina single-mothers, as well as other needs which contribute to the overall well-being of the families in residence. In particular, it addressed how a cohousing community could provide a support network for cohousing residents, including support in the form of community meals, classes, child care and after school care. Through the provision of these services and support, the families could devote more time to each other which would lead to physically, intellectually, emotionally and psychologically healthier families. Healthier families are more likely to thrive, with the consequent multiplier effect of better positioning other family members and families to become effective families.²⁵⁶

IV. CONCLUSION

At the same time that single parents are trying to cope with child care, nutrition and education-related problems, they are trying to find safe and affordable housing for their families and are dreaming of a better future for their children. They may also be victims or perpetrators of abuse. Older citizens may simultaneously be coping with the emotional challenges of transitioning to empty nest status. Yet our social structure is set up to deal with these problems individually,²⁵⁷ and single-parent Latinas are lucky to resolve one of these problems,

255. See *supra* notes 71-121 and accompanying text.

256. See REINVENTING RESPONSIBILITY, *supra* note 15, at 3.

257. Even a cursory glance at various city and county government organizations available on the Internet reveals a duplication of services in many communities. For example, in Boulder County, Colorado, there are separate departments for "Community Services," "Health" and "Social Services." *Boulder County: Welcome to the Boulder County Government Home Page* (visited Aug. 27, 1997) <<http://www.boco.co.gov/>>. Within "Community Services," there are separate divisions for "Aging Services," "Community Action Programs" and "Housing Authority." *Id.* The "Aging Services" division purports to "[assist] older adults to remain independent in their homes and communities." *Boulder County: Aging Services* (visited Aug. 27, 1997) <<http://www.boco.co.gov/cs/aghhome.htm>>. The "Housing Authority" purports to "[provide] and [promote] decent housing for . . . elderly persons" and promotes projects fostering self-sufficiency. *Boulder County: Community Services Housing Authority Division* (visited Aug. 27, 1997) <<http://www.boco.co.gov/cs/hohome.htm>>. The "Social Services" department has an "Adult Services" division, including "Home and Community Based Services," which is "designed to prevent or delay nursing home placement of . . . elderly adults who are eligible for Medicaid." *Boulder County Dep't of Social Services* (visited Sept. 4, 1997) <<http://www.boco.co.gov/social/socialsv.html>>. Another program is the "Home Care Allowance," which provides "services and financial assistance" to the elderly and others. *Id.* It appears that Boulder County has numer-

much less all of them. A cohousing model can help resolve multiple problems by providing much more than housing for single-parent Latinas. It can also offer cheaper and healthier dinners which they only have to prepare once or twice a month, thus freeing up a substantial amount of time. Parents can spend some of that time nurturing and teaching their children, and some of that time investing in their own education and needs. Cohousing can be structured to provide day care and after school care, and it can include senior citizens, who have much to offer and can also benefit from connecting with children of all ages.²⁵⁸ Cohousing can provide workable solutions for many of the problems of single parents while concurrently helping "empty nesters." As described in this article, cohousing should be considered not only as an additional form of housing, but as part of a movement away from single issue problem-solving. In closing, I propose that as we head into the next century, we need to think about the intersectionality of race, gender, class, and family status not only in terms of defining problems, but also in terms of crafting creative solutions.

ous programs that purport to provide services to the elderly. *See id.* It would be more efficient if there was just one department that would provide services for older adults.

258. *See supra* text accompanying notes 191-93 for a discussion of the benefits of including senior citizens in a cohousing model for single parents.

