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Research Article

The Business Ethic and the Ethic of Care: Business Improvement Associations, Emergency Shelters and the Hybridity of Urban Governance in Action

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Abstract: Business Improvement Associations (BIAs) – also referred to as Business Improvement Districts (BIDs) – and emergency shelters are two important entities in the hybridity of urban governance and order, even though, facially, this might not appear to be so, especially given the fundamentally different nature of the ethic of each: between protecting and enhancing business (and, to some extent, community and residential) interests related to profit and property values (BIAs) and serving the wellbeing of marginalized persons, such as the visibly poor or homeless (emergency shelters). This paper reads the ethics of BIAs alongside and against that of emergency shelters to claim that while the interests, values, and rationales of each are profoundly and fundamentally different, one premised upon a business ethic (BIAs) and the other on an ethic of care (emergency shelters), each ends up being severely oppressive to marginalized persons whether by intention or implication of their very being. As such, the article examines the way different forms of governance come together in the current urban landscape and helps shed light upon some of the workings of the hybridity of urban governance.

Keywords: Business Improvement Associations; Emergency Shelters; Care Ethics; Urban Governance; Public Space; Public Disorder

Highlights:

- The hitherto unappreciated relation between business ethics and care ethics.
- The manner in which care ethics often get subsumed under business ethics.
- The oppressive nature of this relation to marginalized populations.

1. Introduction

The urban fabric and the order therein are comprised of a patchwork of governance networks that are hybridized in nature (see Certomà et al., 2020; McCann, 2017; see Swyngedouw, 2005 for the notion of governance). Urban governance refers specifically to the local level of governance (as opposed to governance at a national or international level) that is characterized by the myriad relations, interactions and partnerships – not always in harmony, as this article attests to – between various actors in the production of the urban, including for the purposes of this article, what can be referred to as urban order. These myriad actors or players range from local government, which is to say those elected, to various other private entities as well as not-for-profit agencies, that is, unelected officials, working in tandem. As such, urban governance concerns both formal and informal means of interaction between various actors as well as a commingling between what can be called high, low and mid-level players (see Certomà et al., 2020; Lippert, 2012; Kudla and Courey, 2019). This mixture, and at times fusion, between what is official and unofficial and between the various tiers of actors in the urban landscape is what is referred to as the hybridity of urban governance, which, in a nutshell, is meant to capture the fluidity of governance, a relation that gives rise to “rhythmed territories” (Smith and Hall, 2018: 372). This article focusses upon one aspect of the hybridity of urban governance by examining the hitherto neglected but nonetheless important and interesting relation between two facially fundamentally different forms of urban entities, namely, Business Improvement Associations (BIAs – also referred to as Business Improvement Districts or BIDs) and emergency shelters, to explicate the manner in which this patchwork unfolds in relation to the governance of visible poverty and what is referred to as public disorder.

Public disorder concerns myriad activities, ranging from panhandling (begging), squeegeeing and loitering to public drunkenness as well as other matters related to materiality such as dilapidated and/or abandoned buildings or graffiti. These concerns were refocussed as significant problems by the infamous “broken windows” principles of the early-1980s, which conjectured that signals of disorder are breeding grounds for more disorder and crime, including violence (Wilson and Kelling, 1982; Skogan, 1990; Ranasinghe, 2012). Unsurprisingly, many cities across North America (and in the UK as well) sought to combat the supposedly deleterious effects of public disorder as it related to the wellbeing of the urban fabric.

Drawing upon the way public disorder was (and is) tackled in large urban centres in Canada (Toronto and Vancouver as just two significant examples), this article brings to light the rather unnoticed, but important, relation between BIAs and emergency shelters, and highlights how despite the fundamentally divergent ethics that ground each, namely a business ethic (BIAs) versus an ethic of care (shelters), each works, even if unwittingly, to promote a particular urban agenda that is oppressive and dangerous to the plight, wellbeing and dignity of marginalized people. The governance of public disorder aptly illuminates the hybridity of urban governance in action by underlining the partnerships and relations between these entities.

The article commences by providing context to both BIAs and emergency shelters, specifically in relation to the issue of public disorder and then situates the empirical material from which the theoretical ambit of the article is developed and sustained. The sections which follow demonstrate the close link between BIAs and shelters in the production of urban order by focussing on how such links work to further marginalize and oppress those in need. This oppression is not merely about the treatment of marginalized persons but also about the evisceration of dignity. That the dignity of those in need is reduced to nought by the business ethic is unsurprising. What is surprising is that such an evisceration (also) takes place at the hands of the very institutions tasked with caring for such persons. This is explicated by first examining the oratory effects of the business voice upon urban order and then exploring the way shelters tend to (unwittingly) reproduce this voice. To this end, focus is cast upon two specific “problems”, the first pertaining to the eventual tearing down of a wall, the second, the relocation of a beer store.

2. BIAs, Emergency Shelters and Urban Governance

BIAs are associations of property owners within specific geographic boundaries who organize to preserve and enhance business and property interests (see Kudla, 2022; Hoyt and Gopal-Agge, 2007; Ward, 2007, for overviews). While coming into existence over the past 70 years or so ago, BIAs have played a crucial role in urban governance. BIAs have been instrumental in bringing to light and upholding business interests broadly conceived. In conjunction with spearheading business interests, another effect of BIAs has been the promotion of residential (namely, property) interests (cf., Ranasinghe, 2013b).

One specific and significant area where BIAs played a leading role in shaping the urban order has been in relation to public disorder. In the Canadian context specifically, BIAs were heavily involved in spearheading campaigns to curb or eliminate public disorder because it was believed to be inimical to business and community (residential) interests, and it can be said without exaggeration that if not for these efforts the legal remedies that emerged to address public disorder, in the forms of bans on or regulations of problematic behaviour such as panhandling or queuing, would not have materialized (Ranasinghe, 2010a; 2013b).

While BIAs are paramount to the hybridized urban landscape there are other entities that are crucial players as well. One concerns the organizations tasked with addressing visible poverty and other forms of need, namely, emergency shelters. Emergency shelters are non-profit entities largely financed by local governments, and, as such, are public in nature, but they also generate funding through private donations as well as fundraising activities, and thus have a significant privatized nature to them, especially in terms of the daily governance of everyday life in the shelter. While not synonymous with homeless shelters, emergency shelters are sites of temporary refuge and respite for those in dire need. While many who enter shelters are indigent, some are not, and such persons include women of domestic violence, refugees or those who have run away from home (see Ranasinghe, 2017a; Loseke, 1992; Ferrill, 1991; Williams, 2003; Lyon-Callo, 2004; Desjarlais, 1997). Emergency shelters are tasked with the provision of care, itself broadly conceived, and this runs the gamut from the provision of shelter to the provision of food, clothing and other basic necessities of life to auxiliary needs such counselling or aid with securing employment or permanent housing. While the provision of care grounds the ethos of shelters, shelters play an important role in maintaining urban order, even if this is only a secondary function to the primary focus of care. As such, the provision of care becomes a crucial part of urban order maintenance (see Smith and Hall, 2018).

As alluded to, BIAs and shelters are grounded upon fundamentally different ethics, namely, that between a business ethic and an ethic of care. By ethics what is meant is the injunction towards action that is, while conceptually different from moral principles, nevertheless inextricably connected to them (cf., Noddings, 1984). If moral principles outline acceptable courses of conduct (based upon what is deemed right and wrong, good and bad etc.), then, ethical principles compel this conduct into practise. Thus, and taking the ethic of care, what is at the heart of this ethic is that people ought to, as a matter of moral conviction, have a desire to care for others rather than embrace an attitude of indifference or worse, hostility (see Noddings, 1984; Held, 2000; Robinson, 2011; Slote, 2007). Here, the moral conviction to/of care is grounded upon a desire to care that is founded upon compassion, sympathy or empathy which produces and sustains this desire that is then ethically grounded (Clark, 1987; Held, 2006; Slote, 2007).

This grounding is visible both in the business ethic as well as care ethics. BIAs are grounded upon an ethic to promote and safeguard business interests with profit maximization in mind, and this ethic grounds the ethos of every business whether small or a large corporation. In that sense, profit maximization is produced via the moral conviction that this ought to be the ethical principle that shapes business interests. Shelters, on the other hand, are grounded upon a desire to provide for those in need, often the very persons who are viewed as inimical to business interests and profit maximization (see Ranasinghe, 2017a; 2010a; 2011) – indeed, the “not in my back yard” (NIMBY) type ethics often lead to the siting of shelters being stymied at the hand of business and residential interests. With shelters, it is the provision of care that is translated from a moral conviction into ethical practise. Thus, two profoundly different foundational principles underpin not merely the values of these entities but also how they operate. Despite these disparities, both entities are heavily invested, though in different ways and along different trajectories, in maintaining and promoting urban order.

Yet, an important issue remains: despite foundationally different ethics that ought to shape and inform urban order, the urban order produced and sustained is one that is framed with a particular logic and ethic in mind, that of business interests – perhaps a good example being that the history of the shelter studied, as detailed in a later section, shows that the birth of the shelter was grounded upon the need to house labourers who were brought in to build the city (Ranasinghe, 2017a: 17-20). As such, the ethic of care, as demonstrated in this article, tends to get diluted into a business ethic, so that the mandate of the shelter is often funnelled into larger business principles under the umbrella of urban governance. Shelters, then, end up providing respite to businesses and residents by “housing” those who would otherwise occupy more time and space on the streets and thereby directly affect the wellbeing of business interests. That is, when the visibly poor and other so-called disorderly groups are removed from sight, they are of less concern to businesses. An examination of how public disorder was attended to reveals the inextricable link between shelters and BIAs as part of hybridity of the urban order, but it also reveals how in this hybridity, business and residential interests trump an ethic of care which then ends up being inimical to the wellbeing and dignity of marginalized people.

3. Notes on Methodology

The reflections which follow draw from two sets of fieldwork. The first consists of some 25 interviews with BIAs and Residential Community groups in Toronto and Vancouver conducted in 2006 and 2007. These interviews focussed upon the ways that public disorder was constructed as problematic to the wellbeing of businesses and residents (see Ranasinghe, 2010a; 2013b). The second consists of an ethnography on the production of order in an emergency shelter for men in a mid-to-large size Canadian city (population of approximately one million). The fieldwork was conducted in 2010-2011 and involved over 300 hours of observation and 16 interviews with the personnel who work in the shelter, namely front-line staff, caseworkers and managers/supervisors (see Ranasinghe, 2013a; 2014; 2017a). While this shelter is comparable in at least some aspects to other shelters (cf., Rogers, 2017; Ferrill, 1991; Williams, 2003; Loseke, 1992; Seider, 2010), no claim is made that it gives rise to conclusions that can seamlessly be transplanted to make sense of shelters as a whole. That said, the specifics of this shelter – and the detailed nature of its focus – permit an exploration of how the shelter is inextricably linked in/to the production of urban order, that involve not only more formal means, but also means that are informal, even humdrum (Ranasinghe, 2014; Certomà et al., 2020; Johnsen et al., 2018).

The data in question is dated. While this poses a particular limitation in terms of its currency – its “newness” – this does not necessarily pose an issue to the arguments developed here contingent upon the acknowledgement of these limitations. The primary reason for this is that the ambit of the article is theoretical, with the explicit purpose of conceptualizing the hybridity of urban order and the way order is secured and negotiated via players from the top, middle and bottom (Kudla and Courey, 2019). In this context, part of the theoretical premises developed here showcase the “messiness” of the hybridity of urban order, that given the numerous players and competing interests involved, urban order is often a patchwork of diverging values and ideologies that, rather interestingly as the vignettes engaged with here reveal, coalesce and congeal, and become synthesized, into a dominant oration, that being, in this context, the business voice. Thus, that the data is dated itself does not belie or invalidate the conceptual apparatus within which the theoretical engagement of the article unfolds. In fact, part of the validity of the data is founded upon an epistemology that shuns chronocentrism, that is, the tendency to give primacy to and laud, value and uphold as more important, even necessary, that which is new (see Bernstein, 1994; Morson, 1994; for an example in the social sciences, see Rock, 2005). This way of thinking epistemologically can have profound impacts on developing an ontology of the very knowledge being produced and studied.

One other reason tends to help downplay the dated nature of the data. This is that where relevant, what is transpiring currently is flagged. For example, the concerns raised by the voices in the previous studies in Vancouver show clear parallels with what is currently unfolding in that city around tent cities and encampments, some of which is briefly canvassed to give colour to the discussion. In the end, while no effort is made here to downplay the dated nature of the data, this is less a concern when the epistemological premises that ground the theoretical inquiry are contextualized. In that context, another more straightforward way to obviate some of the methodological difficulties is to think of what is presented here in its historical context and then excavate that history towards the theoretical engagement of the hybridity of urban governance.

4. BIAs as Orators of/for Urban Order

As public disorder came into the limelight in the late-1970s and 1980s, a dominant narrative permeating, especially in the media, was that disorder was inimical to the urban fabric. Already by the early-1960s, the famed urban scholar Jane Jacobs (1961) had raised concerns about the health of urban centres, and “broken windows” would further cement this, especially in law-and-order circles (Wilson and Kelling, 1982; see Ranasinghe, 2012). In response to these concerns, beginning in the 1990s, many cities across the U.S. and Canada (as well as in Europe) passed legislation (mostly at the municipal level) to combat disorder. Various bans against or regulations on begging, squeegeeing and loitering were introduced. For present purposes, the focus is not on the constitutionality of such laws or whether they have been effective in curbing disorder or the myriad contradictory, even punitive and revanchist, logics and rationales (see Smith, 1996; MacLeod, 2002) that gave rise to and cemented them. Rather, focus is on the important and influential role of BIAs, at least in the Canadian context, in getting such legislation passed (see Ranasinghe, 2010a; 2013b).

According to proponents, legislation addressing public disorder preserves quality of life. The order in question pertains to safety and a sense of comfort, pedestrianism and mobility, commerce and aesthetics (see Lippert, 2007; Ranasinghe, 2011). As such, BIAs are important players in the architecture of urban order, pertaining to what that order looks, sounds and feels like. One incident that transpired during fieldwork in Vancouver helps set the stage.

Vancouver is a world-renowned city famous for, among others, its mild temperature, picturesque nature and world-class skiing in Whistler, about 125 kilometres from the city. It is also home to the infamous Downtown Eastside (DTES) which borders Gastown, a trendy and hipster-ish neighbourhood. The DTES has been labelled as a site of rampant drug and alcohol use, cheap hostels and hotels as well as high crime rates and other disorderly behaviour. It is generally avoided by residents and tourists alike (see Smith, 2003; Woolford, 2001, for more on the DTES). It ought to be underlined as well that Vancouver, like many urban cities in Canada, operate and unfold under what Glen Coulthard (2014: 176) calls “*urbs nullius* – urban space void of Indigenous sovereign presence” which the area of Gastown is a perfect example of, especially the regentrification and renewal projects undertaken in the past decades (and, most Canadian universities, it should not be forgotten, are built and operate on such land despite the vague nod to such possession now oft seen in the rather trite and disingenuous acknowledgement of the unceded nature of the land that accompanies many personal e-mail signatures).

By happenstance, I witnessed two representatives of the Downtown Vancouver Business Improvement Association (DVBIA), ambassadors as their title says, who were speaking to a store owner on the pavement. There is no evidence that the subject of the conversation – an indigent man – was a safety concern. It is not even clear how his begging – if he was even so doing – was problematic; it did not violate extant provincial laws and municipal by-laws, which permitted passive (that is, non-aggressive) panhandling. Rather, what appears to have drawn the ire and concern of the store owner was not conduct, perhaps not even status as it was with historical vagrancy legislation (Ranasinghe, 2010b), but rather a breach of the aesthetic order. The owner wanted the man removed from the front of the store so that the man would not be off-putting to customers. As well, the owner wanted the man removed because he, too, it can be presumed, did not want to see the man when he looked out of the window. Thus, it was an aesthetic order – of being where one is not supposed to be – that appears to have been violated.

The ambassadors spoke to the indigent man and asked him to move, and then watched as he left. Urban order here concerns the placement of things and people: things are out of order when they are not where they are supposed to be (see Hermer, 1997). Thus, drawing upon extant legislation (specifically in relation to trespass), the ambassadors were equipped with the ability to create this order by utilizing a move-along tactic (often relied upon by the public police as well). In that sense, this private entity has with it, both because of extant legislation and a *de facto* authority that comes with representing property owners (in this case businesses), the right of the move-along tactic. It is easy, then, to appreciate

how urban order is upheld by the BIAs via specific policing powers, especially as it relates to discretion (see Lippert and Sleiman, 2012; see also Smith and Hall, 2018: 385, who discuss how social workers use a variety of tactics, such as providing food and/or coffee, to move people off of storefronts to provide businesses respite and relief).

One interesting aspect of urban order production by the BIAs is that while BIAs were heavily invested in the production of law (as noted above) and, then, relied upon these legal powers to regulate space, the very police power of move-along means that BIAs are in the business of making law extemporaneously. Barbara Yngvesson (1993) describes such a practise as making law at the doorway to capture the way the requests of citizens to file legal complaints (mostly for litigation) were deemed valid or invalid by the clerks of the courts. It is the clerk, untrained in law, who decides whether a case does or does not proceed forward. With the example of the man who was “asked” to leave the storefront, a similar case of lawmaking at the (literal) doorway is evident. The ambassadors of the DVBIA are vested with immense discretionary power, as are the public police, to decide each scenario differently. Agents of BIAs, like the public police, are in the business of producing not only order, but also the very meaning of what that order entails, which also includes what does and does not constitute an offence (see Ranasinghe, 2017b, for the way the public police produce crime; see also Ericson, 1981). These agents could have asked the man to move or could have merely spoken to him and left. As well, problematic people are often either escorted to a different road or simply asked to move to the very next store. The point is that the “solution” to the “problem” is brokered or negotiated extemporaneously so that the production of order generated is a product of two related things: the immense leeway of deciding whether something should be deemed a problem and if so, to what extent, and related, how that problem ought to be addressed. BIAs, thus, are in the business of making and unmaking problems as part of the urban order.

What is noteworthy given the above is that BIAs are clearly also in the business of producing law (through discretionary power) and are, as well, vested with the authority to proclaim what is and is not problematic. If official law names in order to regulate (or criminalize in the case of criminal law), then, in terms of urban space, BIAs are in the business of setting the agenda for urban order by being able to name (and remove) things, people and events as problems. BIAs, then, are orators – what Loïc Wacquant (1987) calls the oracle effect – of/for urban space. They, in other words, have a voice and forum from which to speak for the urban by framing the language of the urban, and are, thus, part of the very fabric of urban order.

5. Emergency Shelters and the Ethic of Care

Emergency shelters, as noted, provide the basics of life to those in need on a temporary basis. Evidence from one shelter (Ranasinghe, 2017a) unequivocally reveals that its mandate is to provide help, and there is evidence that this ethic governs shelters more broadly (see Desjarlais, 1997; Seider, 2010). This view is wholeheartedly shared by all the employees of the shelter, whether frontline staff, caseworkers or management, itself remarkable given the discord, friction and acrimony that otherwise characterizes daily affairs (Ranasinghe, 2017a; 2014). While employees wanted and believed in the need to help, profound disagreements split employees and supervisors, including palpable differences among frontline staff. These disagreements run the gamut from who deserves help to what aid entails. These issues spill into the delivery of aid perhaps best reflected in the profound disagreements over how established rules ought to be administered (Ranasinghe, 2014). What resulted was a severely adulterated ethic of care leading to a highly chaotic environment, where standing for what was “right” (legal-mindedness) rather than providing service, became paramount. The disagreements over what constituted right-conduct is clearly an example of the private ordering within the shelter, where depending upon the day and the staff at the helm, the type and quality of services would differ significantly.¹ This is evinced, for example, in the fact that despite an open-door policy that grounds its public pronouncements, shelters heavily regulate who is permitted entry into their institutions. In one shelter, for example, two sets of doors served as the entrance to the shelter, with entry through both being necessary to be inside the shelter and gain access to services. One set of doors, the one serving as entry from the street into the space between the two doors, was always left open (unless there was a pending security issue), while the other door was quite frequently locked or would be locked to prohibit entry (Ranasinghe, 2017a: 42–44). Given the often-disparate ways employees would view who deserves aid, a client could often not be permitted on one day but granted entrance another, all premised upon who was at the helm on a particular day.

Shelters are an important cog in the hybridity of the urban as they uphold and preserve order (recall the history of the shelter in question reveals its close ties to building the city). This order, as will become apparent, coheres with the order proclaimed and orated by and for the business ethic (Ranasinghe, 2017a: 36–39). The contention here is, even if unwittingly, shelters reproduce a business ethic even though facially the two are grounded upon fundamentally different, and opposing, ethics. In the shelter studied, for example, managers were clear that the ability to provide service was only possible if the shelter was financially stable and sustainable and this meant that a “business plan” as it was referred to always took precedence over an ethic of care. While such a view is reasonable, it also meant that the ethic of care as envisaged, in terms of the provision of help, did not materialize when it interfered with the business side of care/caring.

Consider a recent pronouncement from the Executive Director of Ottawa Inner City Health (OICH), an organization that provides health care to the homeless: “I am *heartened* by the BIAs commentary because their messaging really is a call for us to come together as a community to figure out what we can do and to better understand everybody’s perspectives [...]” (Ottawa Citizen, July 28, 2021; emphasis added). This statement is a response to the comments of the Executive Director of the Ottawa Coalition of Business Improvement Areas (OCOBIA), which represents the 19 BIAs in the city, that “There is a growing social crisis in Ottawa with the Downtown Byward area at the core” and this crisis is caused by “issues of mental health and addiction” among indigent persons “that are proliferating and witnessed in our communities” (Ottawa Citizen, July 28, 2021). The coalition representing BIAs leaves little to no doubt not merely of the problem, but who is responsible for it. Its call to various social services is not simply about working in tandem but functions akin to laying blame upon such services for having failed to take responsibility, especially, as expanded below, of keeping that which ought to be kept inside, inside. As such, when OICH calls the commentary of the BIA spokesperson “heartening” this reproduces the veracity of the statement, as if social services had not, up to that point, sought to attend to these matters, and it was only at this juncture, after the coalition had exhorted social services, that social services saw the need to intervene. This partnership comes at the request – even admonition – of the business community to guard against *its* losses, and it fuses two fundamentally different values into one under

¹ The governance structure of the shelter is referred to private ordering because shelters are governed by and subject to local legislation and other human rights codes while their everyday functioning is heavily private being comprised of an amalgam of internal rules and codes. While these rules reflect the values of broader public law, their everyday practise need not, and often does not, fit within the mandates of public law. As such, the everyday order in the shelter is often comprised of contradictory policies that are frequently birthed extemporaneously, and this has significant implications on the way care is conceptualized and deployed.

the banner of “community”, which is then given voice to and spoken for by the business ethic for its ethic. For example, the website of the OCOBIA (accessed on October 28, 2022), which in a section provides a link to the above-mentioned article, notes, in that same section: “Crime, including theft and violent crime, is escalating in our BIAs. Commercial property owners do not have the resources to manage and handle these situations. [...] Businesses in BIAs are experiencing direct crimes, and some don’t feel their staff are working in safe areas.” Such a statement clearly pits BIAs against those labelled as problematic, an opposition that OICH appears to support as well, or is at least unmindful of. Two specific incidents, long drawn in linear time, reveal this rather strange and peculiar relationship at work.

6. Drugs, Walls and the Aesthetics of the Order of Placement

The shelter is located on an arterial road in the entertainment district of the city. The area is busy with heavy foot and vehicular traffic brought on by various activities of leisure (bars, restaurants and nightclubs). The area also contains many condominiums, one of which came into the spotlight during fieldwork. It quickly became clear that there was friction, even acrimony, between the shelter and a condominium which it directly faced. Residents (and the condominium board, as the spokesperson for the condominium) and the shelter (split between management and employees versus the clients) were pitted against one another in a drawn-out conflict.

Perhaps the most visible issue was that the clients – all men – would frequently congregate outside. This incommoded pedestrian traffic. Compounding this was the aesthetics associated with the large concourse: the visual of some 50 men, dishevelled in appearance, along with loud banter, often involving carousing and profanities, were said to be off-putting to residents and passersby. Such a visual offended the sensibilities of some employees, certainly all managers. The problem was magnified in the summer when the warm weather permitted clients to congregate outside for long periods.

The tension spilled into action. One day when I entered the shelter, the atmosphere was tense. The previous night, as the story goes, residents, by now fed up with what they perceived to be unfair and irresponsible behaviour on the part of clients and a supposed lack of apathy on the part of management, took matters into their own hands. They resorted to throwing frozen eggs from their balconies and windows on unsuspecting clients as they congregated outside on a warm night. It is not clear if clients were injured, but when I entered the shelter, the talk was about which units in the condominium were responsible for the actions. Believing that the situation had reached a tipping point, the management of the shelter immediately ensured that further action on the part of residents or retaliation on the part of clients would not materialize. The clients were ordered to remain inside until a solution could be brokered. The practise of throwing eggs continued somewhat sporadically until it eventually, and rather anti-climactically, ceased.

This vignette illustrates that the shelter works well and is effective vis-à-vis the outside world, when what is constitutive of the inside of the shelter, namely clients, remains – and thus is – inside. Such an ethic appears to govern social services, as evinced in outreach workers who are tasked with moving people off the street from the sight of passersby and businesses (see Smith and Hall, 2018: 379-380). The world of the shelter is – and needs to be – sited within its four walls. The problem emerges when clients venture outside, that is, outside the boundaries of the shelter, and thus violate an unwritten code. This unwritten code can be thought of as an example of the informal aspects of urban governance (Certomà et al., 2020; see also Macauley, 1963, for how businessmen resorted to handshakes rather than lengthy legal contracts to sustain their interactions). As the outside world sees it, the expectations around the mandates of the shelter pertain to shielding what ought to remain inside from the outside. This important aspect of the aesthetic fabric of urban order – that everything has its place – is breached when things are out of place (see Hermer, 1997). If social services can be thought of as being in the business of care (Ranasinghe, 2017a), then, this care is inextricably tied to reparation in the sense of repairing problems of/in the urban (Hall and Smith, 2015; Smith and Hall, 2018: 379). As such, the shelter can be thought of as fitting with these acts of repairing, here the repairing having to do with ensuring that what ought to be inside remains inside. The frozen eggs thrown towards the shelter, perhaps with intent to hurt clients, was a reminder to the clients and the shelter that they have their place. By transgressing the boundaries of the shelter, the clients were thought to have breached the aesthetic order of urban space which includes, as well, matters of decorum and civility (Ranasinghe, 2011).

Recent events in Vancouver (which are quite similar to what is unfolding across numerous cities across North America) pertaining to the city-led initiative endorsed by residents and businesses to clear encampments (tent-cities) in the DTES aptly illuminates the place of shelters in the hybridity of urban order. As encampments were cleared in the spring and summer of 2023, some voluntarily, others by force, the shelters in Vancouver, as reported in the local media, reached capacity and were unable to meet demand and expectations. This is yet another example of the place of the shelter in relation to the fluidity of urban order, particularly how the shelter is expected to address myriad contingencies, in this case in relation to the pressing issues surrounding crime, disorder and aesthetic concerns in public sites, as well as the concerns of residents and businesses in the DTES and the surrounding vicinity.

This reading can be buttressed via another vignette, unfolding over the course of many months. Facing the shelter, on the other side of the road (the same side where the condominium is situated, and near it) lay a wall, about six feet in height. The wall was located on city property, but it was of immense import to the condominium as it provided privacy to residents who would use the open area outside on the ground floor to sunbathe, sit and converse with other neighbours or otherwise relax. The wall came into the spotlight because it essentially acted as a shield that hid and protected the sale and use of drugs. Clients who wished to sell, buy and consume drugs would use the wall to shield themselves or at least, so they thought. The area was heavily congested, and this became a concern to residents and businesses. For them, it was one thing for such behaviour to take place either inside the shelter or on its grounds. It was, however, another thing for such activity to take place and be tolerated so near to them.

These concerns escalated over time and eventually the decision was made to tear down the wall. The explanation provided by the shelter was that the complaints from residents and businesses were loud and clear: the wall served as a material hindrance to law-and-order in aiding and abetting criminal activity and posed grave dangers to the wellbeing of the community. At the expense of the city, the wall was torn down bringing relief to residents and businesses.

The wall was, and represented, a pressing problem. Tearing down the wall symbolized the prominence given to upholding both residential values and concerns (pertaining to privacy, property values and investments) as well as the business ethic (profit maximization) of the businesses in the vicinity. Tearing down the wall and its resultant effects professed serenity, calmness and order. The order here is aesthetic. While the wall originally captured and propounded an othering – us versus them in terms of public and private – the tearing of the wall and the resultant “empty” space still upheld this othering. That is, while it appeared as though the landscape was now demarcated less in terms of us and them (the side in question of the condominium was still separated by large steel fences erected by the condominium), the result was a clear vindication of the very

othering that was originally met by the wall. This is because it was residential and property interests that were at the heart of demolishing the wall: that is, enhanced visibility secured and promoted safety, aesthetic order and preserved property values and business interests. The shelter, as this example shows, was complicit in providing its support for such a move because the very persons who are its clients were the cause of the issue. If the clients are the problem and it is not possible to find a solution through them, then, material matter can be turned into both a problem and solution (see Johnsen et al., 2018: 1113) to attend to people who otherwise, as the narrative goes, cannot be relied upon to uphold the values of society (Ranasinghe, 2011). The shelter, in its agreement with the residents and businesses, was acknowledging this because it had all but granted that it was incapable of regulating the very persons who enter its space. As such, the existentiality of the shelter needs to be understood vis-à-vis the ethics of business and property values. The demolished wall is more than a symbolic statement of the presentation of order: it is a clear and stark reminder that the shelter functions to preserve an aesthetic order that is sustained by the oratory pronouncements of the business and residential ethic (see Smith and Hall, 2018).

7. Beer, Disorder and Placing the Consumptive Ethic

A beer store, located about 50 meters from the shelter, would come under the spotlight during fieldwork and become a significant source of concern for the residents of a condominium building.² The problem, it appears, could be dated as early as when residents moved into the condominium, and by the time of fieldwork, it had evolved into a serious matter. The residents included a mix of professionals along with students and retired persons. The beer store – more so than other commercial establishments, ranging from bars and nightclubs which were responsible not just for heavy foot and vehicular traffic, but also for loud and boisterous behaviour, especially on the weekends – became a source of contention and acrimony for residents.

Perhaps it was the everyday aesthetics of the beer store and its surrounding vicinity that brought it under such scrutiny. Daily, by about 9:30 a.m., 30 minutes prior to opening, the line of customers would begin to form and swell. Most of them would have spent the previous night in the shelter (virtually all would have spent the night in one of the other two shelters in the area). It was not merely the large numbers that posed concerns but also the additional issues that accompanied it: noise and vulgarity of speech, incommoding pedestrian, even vehicular, traffic along with aesthetic concerns, especially pertaining to cart or bag-loads of empty beer cans and bottles to be returned, as well as discarded food and other items. While things tended to ease by 10:30 a.m., given that customers would have returned empty cans, things would start to escalate again about noon, when many of these same persons, who would use the money received from returning empty cans to buy more beer, would succumb to inebriation, with many passing out in a nearby pathway that connected the shelter and the beer store – all clearly visible to many residents (and the scores of businesses) that faced the beer store. The beer store – justly or unjustly – became an emblem of the disorder said to pervade the area and, thus, like the shelter in the previous example, became a scapegoat for all that was problematic.

The residents of the condominium, frustrated by what they saw (and heard), deemed things unacceptable. After a few years of agony as they viewed it, they mobilized to find reprieve. Overwhelming support also poured in from the myriad businesses in the area who dealt directly with inebriated persons who took to carousing, even stumbling on the pavement, sometimes leading to passing out on the doorsteps of commercial establishments. The beer store sought to be proactive and hired a private security guard – two on the weekends when the area was busier with tourists and visitors to the city, not to mention the concourse of residents – to patrol the area and keep order. The itinerant persons were not violent nor was there evidence of property crime, especially pertaining to vandalized vehicles (though there was harassment or (un)intentional incommoding of passage). The problem, more than anything else, had to do with aesthetics: the area, put simply, looked out of order, unkempt and chaotic to the residents, especially to the elderly.

It was the shelter that bore the brunt of the responsibility and culpability for these problems. The management of the shelter received numerous complaints which compelled it into action. A major source of contention was the violation of the unwritten code: to keep inside what is “meant” to be inside. Hence, clients of the shelter congregating around the beer store and found carousing and sleeping during the day were a sign of the failure of the shelter to uphold its mandate to shield residents, businesses and visitors from such visuals. The shelter, however, could only do so much to stem the tide, and focus turned (once again) to the beer store. The end came in an unexpected and anti-climactic manner: the lease on the property of the beer store was up for renewal and the decision was made to not renew the lease. The beer store was, upon completion of the lease, permanently closed (no official reason for the decision was provided publicly and news about the closure, as reported in the local papers, simply mentioned that the lease was not renewed).

The closure of the beer store should not be read as a castigation of alcohol. This is not a tale about alcohol or even excessive consumption. The vast amounts of alcohol consumed, especially on weekends, when party revellers are found drunk and carousing well into the night, seems to have had little to no effect upon the residents, and especially the businesses that catered to this group (e.g., restaurants which stayed open until at least 3 a.m.). As such, alcohol or its usage was not the issue, and the beer store was spared any moralizing discourse. Instead, focus was cast upon the indigent and itinerant who were viewed as unable to consume alcohol in a reasonable and responsible manner.

The sobering reminder of this is evident in the fact that a liquor store, located about 150 meters from the beer store and of comparable distance to the shelter, did not come into the spotlight. The liquor store, too, was frequented by itinerant persons, and at times those inebriated slept in the vicinity. There were, however, several important differences that set it apart from the beer store. First, the volume of indigent and itinerant clientele frequenting the liquor store paled in comparison to those who frequented the beer store. This is because empty beer cans and bottles can only be returned at the beer store. Second, the plaza the liquor store was in contained a large grocery store; there were no residential units close to the liquor store. It appears that neither residents nor businesses were necessarily affected by the everyday life of the liquor store, and it appeared to have posed little to no concerns to the wellbeing of the neighbourhood. The shelter did not receive complaints from the liquor store about itinerant persons gathering near its vicinity. Thus, it is possible to see that the issues with the beer store had little to do with the moralizing of alcohol: it had everything to do with the aesthetics of disorder, and those perceived to have been the chief cause of this disorder were labelled as those who did not and could not drink responsibly.

This vignette – as the one narrated in the previous section, though with different foci and emphases – reveals that the business community working with the residential community (the latter taking the lead here) was able to have some effect on the fate of the beer store. This was a

² This is a different condominium from the one discussed above, but is located very close to it, and one which I lived in during this time – the balcony of my unit provided unobstructed views to the shelter, the beer store and the condominium discussed in the previous section. Beyond fieldwork, the following reflections draw from anecdotal material from discussions with personnel in the condominium, namely, residents and security staff.

product of the ability of the business community, as noted in the previous section, to name the culpable party and lay blame upon it (see Felstiner, Abel and Sarat, 1980-1981). Part of being a spokesperson for urban order necessitated that the business community also take the lead in speaking for both the residents and the shelter. In this case – as in the previous example – the shelter was named and blamed for its lack of drive and shamed into taking the necessary actions, namely, to ensure that what needs to be shielded from visibility is shielded appropriately (in the same way, as discussed earlier, that the OICH was called to take responsibility and act accordingly, owing to the “naming” engaged in by the coalition representing the business community). Thus, the shelter acted to preserve an aesthetic order – that everything has its place – and any violation of this is viewed as a threat to urban order.

The preceding vignettes bring to light the hybridity of urban governance with specific aspects of it being foregrounded. They reveal the so-called “soft” and “hard” forms of governance (Johnsen et al., 2018), as well the fluidity of the urban form (Certomà et al., 2020). This includes both soft policing practises (e.g., the move-along tactic) engaged not only by the representatives of BIAs, but also by outreach workers (Smith and Hall, 2018), including the staff and management at the shelter. Additionally, architectural design (in the form of tearing down the wall) can also be thought of as a “soft” form of governance to uphold order. As such, architectural design need not be “defensive” or “hostile” (Johnsen et al., 2018: 1113) in the form of gated communities, for example, which are meant to materially and symbolically shield and exclude. The torn wall represented a “softer” means of regulating: rather than operating via prohibition (such as benches that are structured to eliminate sleeping), in this instance, the design was merely to open the space and leave it empty, and with it, empty-out persons said to be problematic.

These examples illustrate the hybridity of urban governance. The urban assemblage as it is often referred to shows that BIAs are important “middle players” (Lippert, 2007: 51; Kudla and Courey, 2019: 335-339) often functioning as knowledge-brokers (Lippert, 2012). In this role as middle-players, BIAs have an important and powerful voice in shepherding the urban. The rather peculiar relation with the shelter, among others, shows the way BIAs work in tandem with these other groups to broker solutions to problems in/of the urban.

8. Conclusion

This article has examined the place of BIAs and emergency shelters to urban order and argued that a close connection between these entities exists despite what at first looks to be two fundamentally different logics, rationales and ethics that ground the mandates of each. Despite these differences, even competing interests, the close connection is significant. BIAs are an important part of the urban voice in their role as middle-players of the urban fabric. This voice brings into its fold various entities, ranging from condominiums to shelters (see Lippert, 2019: 9-10). While shelters are designed with a very different ethic in mind, this ethic often runs parallel to the business ethic, evinced in that the ethic of care is first and foremost, according to the dictates of the shelter itself, funnelled into a business ethic. As such, shelters serve, in some ways at least, the business ethic and are thereby an important part of sustaining the mission and ethic of the urban fabric.

What is concerning is the plight not merely of the shelter, but of the clients it serves. Both examples – from tearing down the wall to the closure of the beer store – illuminate not just the way the shelter tends to uphold the business and propertied ethic, but also the way in so doing, the shelter’s essence is reduced to a “low” player in the urban. This does not mean that the shelter is unimportant in/to the urban nor does it mean that it is merely a hapless victim in urban governance that always succumbs to the might of the business voice or other voices – far from it. It does mean, however, that, existentially, it must cede to others in the ladder, such as BIAs, who are middle-players. As such, the connection between the two means that the ethic of the shelter is rendered insignificant to the larger, broader, theme of urban order. Equally, this means that those persons who find reprieve and refuge in the shelter and so need it to shield themselves from the very order that views their existence as not merely a threat to it but as an eyesore, have little to no place to find meaning. The itinerant and indigent, in other words, are out of place – and will always be so – even in the very place of the shelter that is designed to hide them by housing (or storing) them. As such, even if only unwittingly, the shelter functions not merely to shield such people from the outside but also render them without place to begin with.

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