

FOR THE GREATER GOOD OR GREED? REDISTRIBUTING PRIVATE SPACE  
THROUGH EMINENT DOMAIN POWER: RELOCATING  
THE DALLAS COWBOYS STADIUM  
TO ARLINGTON, TEXAS

by

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To Rascally Knave and Angel Pot

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ABSTRACT

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The use of eminent domain power to take private land for private use continues to grow in the United States. Many American people lost their homes or businesses to city and council driven economic development in low-income neighborhoods. This thesis seeks to explore the social implications that eminent domain power has on residents and examines power that is used by cities and councils to create economic development through the taking of land in low-income communities. I explore these issues through a case study of the Dallas Cowboys Stadium relocation to Arlington, Texas.

I use discourse analysis to investigate the perceptions of the City of Arlington, the residents, and businesses in a project area that was seized through eminent domain power. Perceptions are the lens that explains why the city decided it necessary to invoke eminent domain and projected area residents argued that is was unnecessary. I use Henri Lefebvre's conceptual triad of representational space, representations of space, and spatial practices to understand the production of urban space through the use of eminent domain power.

Findings indicate that abuse of power was evident in four distinct categories: financial, political, legal, and social status. I use publicly available discussions of the project to describe abuses of power in these four categories.

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## CHAPTER 1

### INTRODUCTION

Eminent domain is the seizure of privately owned land by a government entity for public use (Goodwin, Manley, Marsh, and Stevens, 1997). Beginning in the early nineteenth century, governments recognized that the greater good of the city may mean a sacrifice by a few of its citizens (Main, 2005). Often times, cities reasonably seize land as necessary for flood control, water drainage, roads for transportation, *etc.* (Mansnerus, 1997; Talbott, 2005). Additionally, the use of eminent domain power is necessary when an area is designated as blighted, defined as a state of irreversible deterioration, and needs to be revitalized (Barnett, 2005). Sometimes, history regards land takings through eminent domain powers as being in the best interest of cities and citizens. In some instances, however, when land is seized via eminent domain power and used for private commercial development, it is regarded as harmful and unjust to society, particularly to underrepresented politically and socially disadvantaged minorities.

Governments have become more aggressive in utilizing eminent domain powers for eventual private use (Mansnerus, 1997). In the years between 1998 and 2003 alone, over 10,000 actual or threatened uses of eminent domain for private commercial uses occurred (Brush, 2005). Municipalities use their power to take private land for private

use developments in an effort to boost the economy through economic development and urban revitalization (Mansnerus, 1997). Cities use trigger words such as ‘economic development’, ‘urban revitalization’, and ‘capital improvements’ to justify the takings (Cypher & Forgey, 2003; DeCosse, 1995; Moulton, 1995).

### 1.1 Project Purpose and Objectives

There is considerable research regarding the utilization of eminent domain in the United States. However, very little research focuses on the perception of its use in the redistribution of private land. Specifically, how those affected perceive the taking of their land versus how those responsible perceive the deployment of eminent domain power for private land uses. This project examines the social implications of land seizure via a case study of the deployment of eminent domain power by the City of Arlington in Arlington, Texas. The city began condemning property for the new Dallas Cowboys stadium in June 2005. This project documents the use of politically charged arguments that legitimized and justified dispersing privately-owned urban space in the City of Arlington for future economic development through private commercial land uses. Specific research objectives include:

- a) analyzing the rhetoric and informational strategies utilized by the City of Arlington that sought to legitimize land seizure as being in the best interest of the “public good” and for economic development; and
- b) describing how the land seizure materially and emotionally affected hundreds of families and businesses in the displaced community in the City of Arlington; and

- c) examining perceptions, rhetorical reactions, and strategies of resistance or cooperation by the citizens of Arlington (those living and operating businesses in the stadium site and those from the greater Arlington region), to the taking of land for the new Dallas Cowboys stadium.

This project utilizes literature that discusses: the legal history and historical use of eminent domain powers, the use of eminent domain powers for economic development and neighborhood revitalization purposes, and the potential for social injustice through a city's use of eminent domain powers. Literature from several disciplines, including urban geography, urban political economy, and social theory, provides the theoretical basis for examining and understanding the impact of eminent domain powers upon urban spaces. Specifically, this project utilizes Henri Lefebvre's concepts of abstract space and concrete space and his conceptual triad of the "Production of Urban Space" to describe how the various perceptions and powers of different social groups shape the development and use of urban space (Lefebvre, 1991; see McCann, 1999). I also use work by Sharon Zukin, Michel Foucault, and Don Mitchell to explore power and regulation in cities and the creation of privatized public space in cities through the use of eminent domain power.

Sharon Zukin's concepts of symbolic economies and commodified space is used to discuss how social stratification occurs when space becomes commercialized (1995). Michel Foucault's work is applied to understand the various meanings and perceptions of power (1976) and the role power plays to create particular spaces (1977). Don

Mitchell's ideas on controlling particular landscapes of space applies to Lefebvre's theory of who "has a right to the city" (Lefebvre, 1996; see Mitchell, 1995).

Data for this project comes from secondary sources that include: local newspaper reports (the *Dallas Morning News* (DMN) and the *Fort Worth Star Telegram* (FWST)), publicly released project information (including Arlington city council meeting minutes and public notices) available through the City of Arlington and the Dallas Cowboys Organization websites, and op-ed position responses regarding the impact of the stadium relocation from local business and neighborhood citizen coalitions (such as The Concerned Taxpayers of Arlington, a local grassroots organization of citizens and business owners that opposed the seizure of land for the stadium).

### 1.2 Design of Thesis

In Chapter 2, I examine literature on several aspects of eminent domain – its use and power, and the history of takings law including a discussion of federal legislation and the Fifth Amendment to the U.S. Constitution that legitimizes eminent domain power. Examples of eminent domain cases, both positive and negative, are provided for comparative purposes as are the pros and cons of eminent domain, which are discussed from the perspective of residents, business owners, and cities. Additionally, I discuss the commodification of cities and how cities and commerce often define who belongs where. I also introduce Henri Lefebvre's Conceptual Triad Theory of the production of space and utilize his theory as a lens to understand the creation of urban space through eminent domain power. And, finally, I discuss issues of political and legal power and

how they relate to the struggles of disadvantaged groups when cities choose to deploy eminent domain powers.

Chapter 3 provides a description of the study area (future stadium site) and research methods. In this section, I discuss population demographics in the area of the stadium project. I also include a description of the new Cowboys stadium design, its entertainment and amenities and how it will be financed. Furthermore, I discuss discourse analysis and my use of it in this thesis project. Qualitative discourse analysis will provide insight into how eminent domain powers were perceived and utilized by the City of Arlington, how citizens reacted to the use of this power in the land takings for the relocation of the Dallas Cowboys stadium, and how conflict relating to the socially accepted use of urban space occurs between groups through political, social status, economic, and legal power.

Chapter 4 includes a stadium project timeline and provides project results for a specific time frame. I give examples of rhetorical and political strategies used to convince Arlington voters to approve the stadium project, describe project stakeholders, and discuss media representations of stakeholders. In this chapter, I also describe how power was used and perceived in the taking of land in the Northeast Arlington neighborhood. Findings indicate an abuse of political power by political and corporate officials against the neighborhood displaced through eminent domain power; negative perceptions about the stadium from residents and business owners in the displaced community; and negative media representation of officials from the Dallas Cowboys corporation.

In Chapter 5, I conclude the thesis by discussing how the project results relate to the use and abuse of power in the production of urban space. I also describe project limitations and contributions for literature on land seizure, power in city governments, and social justice.



## CHAPTER 2

### LITERATURE REVIEW

The conceptual framework for this study hinges on two basic premises: power and the production of space. Michel Foucault, Sharon Zukin, and Don Mitchell are referenced in this chapter to discuss how dominant social and political groups used power to condemn land for relocating the Dallas Cowboys Stadium to Arlington, Texas. This relocation created a “production of space” (Lefebvre, 1991) where the “right to the city” (Lefebvre, 1996), was legitimized for elite social groups to the detriment of less power groups. Lefebvre’s theory of abstract and concrete space explains how space is socially constructed through perceptions (1991). In this chapter, I discuss theoretical literature on power and the production of urban space, in addition to providing a historical understanding of the legal basis and use of eminent domain power.

The history of takings and eminent domain legislature indicates that land condemnation has been legitimized through political and legal strategies by governments to claim blight in specific locations. Blight is defined as a state of irrevocable damage (Barnett, 2005). Cities often use the term “blight” in an attempt to revitalize a low-income area or bring in economic development, which increases the tax base for the city.

When a location is in a state of irrevocable damage, condemnation is often necessary. Pros and cons included in this chapter provide positive and negative implications of land takings in communities. Additionally, examples of eminent domain cases discuss accepted or unjust uses of condemnation.

### 2.1 The History of Takings Legislation

Conflict over land use controls and corporate power emerged between European kings and city corporate organizations until the Glorious Revolution of 1688 determined the fate of all corporations, including city governments (Frug, 1999). At this time all corporations had protection from kings and centralized control (Frug, 1999). However, city governing bodies did not have a determined or defined manner in which to relate to legislature until the 19<sup>th</sup> century, when American courts established a public/private distinction for corporations (Frug, 1999). Cities became established as public corporations with the states and private corporations became established with individuals (Frug, 1999). For the first time, the state politically controlled cities while private corporations retained autonomy and freedom through free enterprise (Frug, 1999).

Although a public/private distinction became established for corporations, there seemed to be difficulty in defining the parameters in certain areas, particularly property rights (Frug, 1999). All corporations had power and protected rights and determined that property was the main commodity that needed protection (Frug, 1999). The U.S. Supreme Court Case *Trustees of Dartmouth College v. Woodard* in 1819 determined that property rights needed protection from state power (Frug, 1999). The next step was

to determine the status of cities in regard to public/private designation, which became a difficult and controversial task. Frug indicated the difficulty in determining the status of cities with questions. Were cities considered separate entities from states in terms of property rights (Frug, 1999)? Also, since private and public (cities) corporations were both determined for the public good, should cities be separate from private corporations in terms of land and use (Frug, 1999)? After several years of debate, Chancellor Kent, in his *Commentary on American Law*, stated that cities were “created by government” and he divided cities into two main categories: “legislation for the public good” and “the possession of property for municipal uses” (Frug, 1999, p.42). According to Frug (1999), city property became protected from the state, but no property was completely protected from the city (1999). This remains the law today.

The Fifth Amendment to the U.S. Constitution includes a “Takings Clause”, which allows cities to legally seize private property (DeCosse 1995; Moulton 1995). The amendment states “Private property [shall not] be taken for public use without just compensation” (Cypher & Forgey 2003; Moulton 1995). The takings clause was never meant to grant unlimited power to states but to limit the implied “right” of governments to take property without due cause (Main 2005). Due to governments’ increasing abuse of taking privately owned land for private use development, this amendment became cause for much debate (DeCosse 1995).

Although federal legislature regulates eminent domain powers, states have additional laws pertaining to public funds and their distribution for economic development (Jordan 2005; Talbott 2005). For example, Texas amended its constitution

in 1987 to allow public funds collected through eminent domain powers to aid private business ventures to increase a city's tax base, capital flow and job opportunities (Mansnerus 1997).

The use of eminent domain power began in our country two centuries ago and has been utilized to redistribute privately-owned land for private use development ever since (Main, 2005). The most obvious cases date back to 1832 when the Mill Acts emerged (Main, 2005). Statutes were passed in many states to allow the operation of gristmills (Main, 2005). In these instances, land takings provided a direct public service since farmers needed their corn ground up to provide for consumers (Main, 2005). As the West expanded, eminent domain railroad cases justified takings as well (Main, 2005). Private land was taken and turned over to private corporate use – the railroad companies (Main, 2005). In the late 1800's, a United States Supreme Court railroad case called *Kohl v. United States* determined that the federal government could take land from states through eminent domain power for its own uses (Main, 2005). Land seizures for public roads, bridges and railroads served the public, and therefore, justified the use of eminent domain power (Main, 2005).

## 2.2 Eminent Domain Cases

### ***2.2.1 Positive and Negative Examples of Eminent Domain Power***

Cypher and Forgey (2003) discuss a study performed by Accordino and Johnson regarding the problem with vacant and abandoned properties in an urban environment. Such properties are said to be a barrier for cities redevelopment concerns (Cypher & Forgey, 2003). The study consisted of 200 of the most populated central cities in the

United States with a significant amount of abandoned properties (Cypher & Forgey, 2003). Of the cities surveyed, 42% utilized eminent domain powers to acquire vacant structures and rated it as an effective means to revitalize urban material space (Cypher & Forgey, 2003).

In Hurst, Texas, the city government recently forced eminent domain on 100 of its residents for private use development (Mansnerus, 1997). The Northeast Mall, the city's largest taxpayer, wanted to expand and needed the adjacent land, which held 100 homes (Mansnerus, 1997). Ten of the homeowners went to court to find out how cities can condemn sound property for private business use (Mansnerus, 1997). Unfortunately, the property owners lost their homes and found no recourse through the courts. One Hurst plaintiff stated, "This was our lives. It's all gone without our permission. They can kick you out and say, 'We like his tax money better than we like your tax money.'" (Mansnerus 1997: 2)

### ***2.2.2 Kelo vs. City of New London***

In 1998, the City of New London, Connecticut offered to purchase the home of Susette Kelo with intentions of utilizing it for a mixed-use development (Barnett, 2005; Hagstrom, 2005). When she declined, the city threatened to use eminent domain power to acquire her property (Barnett, 2005). The city claimed that her home, and those surrounding hers, were in a state of distress; however, they never received a blighted designation (Barnett, 2005; Hagstrom, 2005). Susette Kelo spent years fighting for her home, only to learn in June 2005, that it would be seized by the city for economic development. In a 5 to 4 majority, the U.S. Supreme Court ruled in favor of New

London to seize nine homes of working-class residents, including Susette's, for a private-use business development to compliment a new pharmaceutical research facility (Barnett, 2005). This particular case has caused an uproar among residents and small business owners (Talbot, 2005). The timing of the ruling in the Kelo case had significant impact on condemnation proceedings in the Dallas Cowboys Stadium project. According to historical analysis (see Figure 4.2), the Arlington City Council condemned 51 lots right after the Kelo ruling.

### 2.3 Pros vs. Cons

The use of eminent domain can be a good and vital necessity of urban success when utilized properly. Like anything else, there are pros and cons associated with the effects of eminent domain powers on cities, small business owners and residents. The pros for a city include removal of blighted areas, economic development, urban revitalization, city growth, increased property tax values, better roads, transportation and public services (Cypher & Forgey, 2003). The cons for a city include financial reimbursement to businesses and residents, negative publicity, negative project outcome, and increased traffic, pollution and crime (Brush, 2005).

Removal of blighted areas increases the value of land, and therefore, the tax value (Hagstrom, 2005). It is also a necessary component of cleaning up crime and deteriorating portions of cities (Hagstrom, 2005). When eminent domain is utilized to remove blighted areas, it is within the best interest of all parties. They are often unsafe and unsanitary for anyone to live or work in. When these areas are removed, projects for economic development and urban revitalization create jobs and cash flow within the

city (Cypher & Forgey, 2003). The city grows, bringing more residents who pay increased property taxes (Cypher & Forgey, 2003). Repaved and newly created roads and increased transportation options invite people into the city for shopping, dining and tourism (Cypher & Forgey, 2003). These are all imperative for the success of a city, but they do not come without costs.

Financial reimbursement to businesses and residents can be quite costly for a city (Cypher & Forgey, 2003). When a city plans for development, it has certain costs associated with completing the project. Buying out residents and small business owners can put a city over its budget, causing a deficit, which is negative for a city for several reasons (Cypher & Forgey, 2003). The city must figure out how to balance these costs, whether from another project where costs can be cut or by raising taxes (Cypher & Forgey, 2003). It also reflects negatively back onto the city as poor budget planning. In these cases, officials often have to answer for the budget deficit and do damage control.

Residents and business owners often feel threatened and discontent with losing their property due to the use of eminent domain powers and react with retaliation to the conflict. This type of retaliation draws attention from the media, which often displays negative publicity for the city (Main, 2005). In addition, poor planning can create budget overruns and project completion issues (Main, 2005). If these problems require altering the project, negative publicity will occur.

The use of eminent domain power to build a large stadium will increase traffic, which can wreak havoc on a city, especially one that is poorly planned. If collector roads are not effective at controlling traffic congestion, delays discourage people from

working, shopping or visiting the city (Cypher & Forgey, 2003). Traffic congestion increases environmental pollution creating a health hazard and increased environmental protection laws and warnings for cities.

The use of eminent domain power could increase levels of crime, especially if a project for economic development or urban revitalization includes an entertainment district. Such a project could increase levels of crime in and around the surrounding areas due to increased population density. Fights in parking lots and muggings are factors to consider as negative implications in this case.

The pros of using eminent domain power on business owners are relative to the actual justification for taking the property. The pros include moving from a blighted area, sufficient financial compensation, opportunity for better business location, opportunity to reinvest in quality real estate, and maintaining mineral rights (Cypher & Forgey, 2003). The cons are feelings of emotional loss due to physical loss of property, violation of rights, loss of licenses, location and customers, loss in true value of real estate, and moving expenses (Cypher & Forgey, 2003; Main, 2005).

For business owners, moving away from a blighted area is a huge opportunity for the growth and advancement of their businesses. Blighted areas contain little cash flow for businesses and clientele is generally limited (Cypher & Forgey, 2003). Moving to another location, businesses are able to reinvest in quality real estate in better locations with increased amounts of clientele. Additionally, if business owners are sufficiently compensated financially, the monies from their land are often reinvested in their businesses or other ventures (Cypher & Forgey, 2003).



For purposes of this paper, the cons for the business owners are relative to the seizure of their land for private use. Although owners in blighted areas may not want to move and feel emotional loss, it is a better situation for them to move to another location. However, for the business owners who lost their land to private use development in areas that truly are not blighted, the emotional loss is different (Main, 2005). It stems from years of building a dream, only to have it swept out from under you for no altruistic reason (Main, 2005). In addition, they feel violated because they perceive something that belonged to them was taken unjustly (Main, 2005). The frustration from emotional loss and feelings of violation can lead to resistance and retaliation.

Business owners lose more than real estate from the use of eminent domain in an unblighted area. They may also lose specific types of licensing within certain fields of industry due to location restrictions (Main, 2005). For example, industries that require certifications or licenses for a specific state can present a problem to those who need to move across state lines for employment (Main, 2005). This can make relocating difficult for a business owner.

A familiar phrase about real estate is “location, location, location.” When businesses establish themselves in a location, they become a fixture to that location – a part of the landscape. Establishments that serve the public for long periods of time become a part of people’s reality and over time relationships are formed through customers that frequent the business (Main, 2005). It is difficult to reestablish a location and build relationships with new patrons. Once a business moves, it often loses

once loyal customers due to distance, which can place strain on the relocated business establishment (Main, 2005).

Once land is claimed through eminent domain power, the value may be reduced to less than fair market value (Moulton, 1995). Unfortunately, some owners do not receive sufficient compensation to reestablish new businesses. If the land value is reduced and the owner attempts to relocate, he may have a difficult time finding something comparable in price to what he previously paid (Cypher & Forgey, 2003). Additionally, if the owner lives close to work and must move his residence, as well as his business, he may not be financially able to relocate both his business and his home (Main, 2005).

The effects that eminent domain power has on residents are similar to those of business owners, but not identical. Once again, the pros of eminent domain power are relative to the actual justification for taking the property and the cons are relative to the seizure of land for private use. The pros for residents include moving from the blighted area include sufficient compensation, an opportunity for better living accommodations, and an opportunity to reinvest in quality real estate (Cypher & Forgey, 2003). The cons for residents moving from land that is not blighted include physical loss of land, subjective value loss, loss of neighbors, inability to enjoy the revitalization of the city, value of real estate and moving expenses (Main, 2005).

The pros of moving from a blighted area for homeowners are more evident than they are for business owners. As previously mentioned, blighted areas are those with irreversible damage (Barnett, 2005). They are areas of crime, pollution, danger, and

unsanitary conditions, and can be extremely harmful for children (Cypher & Forgey, 2003). Moving from a blighted area could mean safer streets, increased police surveillance, better schools, access to better grocery stores and integration into middle-class neighborhoods. Additionally, the physical structure of the new location will most likely be stronger and in better condition. However, all of these achievements depend on sufficient compensation from the entity taking the land (Cypher & Forgey, 2003). With sufficient compensation, moving to a better neighborhood is possible and increases the opportunity to invest in higher-quality real estate (Cypher & Forgey, 2003).

Similar to business owners, homeowners feel emotional loss, but possibly of a deeper magnitude (Mansnerus, 1997). This type of loss is subjective value loss because it applies to loss that cannot be measured or quantified in tangible terms. Many homeowners put great amounts of time into their homes – refurbishing, updating, and landscaping the yard. To have those memories taken and erased may be extremely painful for many people. Not only might they be saddened by the loss of their home, but also they physically lose the ability to go back and show their children or grandchildren where they once lived and where their roots came from.

When homeowners live in an area for a long period of time they often develop strong ties with neighbors. Relationships form creating bonds of friendship. Because the use of eminent domain power tends to take large tracts of land, many people within a community disperse and lose contact with others they previously developed meaningful relationships with (Mansnerus, 1997). Fortunately, with the increase in

technology and transportation, keeping in touch is much easier than it was just a decade ago. However, the place itself becomes erased and reunions in that location are impossible.

When homeowners lose their land due to urban renewal or economic development, they are unable to enjoy the revitalization of the city (Mansnerus, 1997). Often residents move to another city to reestablish their roots, but even if they do not move, they are often angry over their loss. They will also feel sad about the changes that are happening to make their once-loved space ahistorical and aspatial. Ahistorical space no longer has a history, according to McCann (1999).

#### 2.4 Power and Redistributing Private Space

The definition of public space within cities has changed radically over time. What was once neutral and open space for heterogeneous groups of people has become commodified space regulated by powerful, and often, homogeneous groups (Foucault, 1976). What happened to change our cities from accepted heterogeneous pools to reflect the socially stratified communities that we have today? Although it was probably a combination of events over time, symbolic economies developed, challenging our predisposition toward public space (Zukin, 1995). Symbolic economies refer to the interaction of cultural consumption (art, food, fashion, music, *etc.*) and the industries that cater to these commodities to produce both symbols and space (Zukin 1995). Symbols and space relate to each other to create meanings in social spaces that reflect the values of commercialization (Zukin 1995).

The culture of cities changed to reflect the nature of power and commercialization (Zukin, 1995; Harvey, 1996). The city became a place of commodities and eventually, a commodity itself, creating social stratification through expected norms of society (Foucault, 1976; Zukin, 1995). Those with economic and political power have the resources to influence city planning, which controls the types of spaces that are created (Foucault, 1977). Additionally, cities compete with each other for economic development projects, strengthening the commodity aspect of planning and the role of the local government to interact in private-public partnerships (Cox and Mair 1988).

According to Zukin, commodifying the city established a culture that symbolizes “who belongs in specific places” (1995, p. 137). Certain social groups, such as the homeless or those in lower socioeconomic divisions, become banished from urban public spaces to allow for “legitimate public activities” (Mitchell, 1995, p.118). Public environments are created today for security, comfort, and entertainment, ensuring a certain level of consumption (Mitchell, 1995). These environments, such as malls, parks and corporate plazas, are referred to pseudo-public spaces that create landscapes of controlled interaction (Mitchell, 1995; Zukin, 1995).

The word ‘power’ is subjective – it can take on many different meanings and perceptions (Foucault, 1976). Michel Foucault (1976) states “...that power must be understood in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organizations...” (p.475). Power has the ability to struggle and trudge through difficulty, only to become stronger

(Foucault, 1976). It is not tangible, but often seen on the perimeter of social issues. We specifically witness it within the construct of eminent domain.

Power creates resistance in situations and within relationships (Foucault, 1976). Those with power take from those without it (Talbot, 2005; Foucault, 1977; Zukin, 1995). Federal, state and local city governments have immense coercive power over their citizens through eminent domain powers (Brush, 2005; Talbot, 2005). Local political interest groups, private interest groups, large corporations and wealthy taxpayers as financial assets to cities are major stakeholders that rely on the power of commodities (Cypher & Forgey, 2003; Main, 2005, Zukin, 1995). Urban planners often work with real estate developers and politicians to revitalize urban areas within cities, and they have the power to influence the mayor, city council, government officials, etc. (Cypher & Forgey, 2003; Main, 2005).

Unfortunately, those with limited power are the most affected in coercive situations. Often, the utilization of eminent domain power occurs in areas with residents of low socioeconomic status and small business owners (Main, 2005; Talbot, 2005). Residents of working class or poor socioeconomic status do not have the connections or the funds to fight the power system, which places them at an increased disadvantage due to class (Main, 2005; Talbot, 2005).

If the value of real estate declines due to the utilization of eminent domain powers, residents are hurt financially when trying to move (Cypher & Forgey, 2003; Main, 2005). This makes relocating to a comparable neighborhood difficult and only increases the level of frustration for the resident (Cypher & Forgey, 2003; Main, 2005).

Residents have the option to file suit with the city, but it is probably a mute point since they are already struggling financially to get through the situation and do not have disposable income. Residents become worried they will become homeless without a permanent dwelling place, and many move in with relatives while finding housing (Main, 2005).

Henri Lefebvre is at the center of discussions regarding who belongs in certain places. According to Mitchell (2003), Lefebvre believed everyone had a “right to the city.” Lefebvre argued that the city is an *oeuvre*, a creative art where all citizens participate (Lefebvre, 1991; see Mitchell, 2003). Lefebvre believed that cities are, in essence public, and therefore should be places for social interaction with people of diversity (Lefebvre, 1991; see Mitchell, 2003). By diversity, I refer to what Lefebvre called heterogeneity - different ethnicities, social backgrounds, and varying classes of stratification (Lefebvre, 1991; see Mitchell, 2003). According to Lefebvre (1991), diverse interactions in the everyday world create meanings that become negotiated in the process of the egalitarian production of space (see Mitchell, 2003). However, the structure of power in cities, by a dominant class, limits the creation of heterogeneous, egalitarian space (Foucault, 1976). Space is produced and regulated for us rather than allowing space to be justly and organically produced by the masses (Lefebvre, 1991; see Mitchell, 2003).

Lefebvre argued that all people have a “right to the city” (Lefebvre, 1996; see Mitchell, 2003). Mitchell quoted Lefebvre saying, “The right to the city manifests itself as a superior form of rights: right to freedom, to individualization in socialization, to

habitat and to inhabit. The right to the *oeuvre*, to participation and appropriation, are implied in the right to the city” (Lefebvre, 1996: see Mitchell, 2003). According to Lefebvre (1996) and Mitchell (2003), all persons have a right to the spaces of the city. This theory applies to residents and their right to stay in their homes without being told they have to leave for economic development. Lefebvre’s “right to the city” theory is thus applicable and important to the takings process in the Dallas Cowboys Stadium case study.

### 2.5 Henri Lefebvre’s Conceptual Triad

Henri Lefebvre’s work on space through his conceptual triad is applicable to many urban issues, particularly eminent domain. According to McCann (1999), Lefebvre’s conceptual triad consists of conceived, perceived and lived spaces and has been used to discuss many spatial practices. McCann (1999) and Merrifield (1993) explain how Lefebvre’s work pays close attention to everyday practices of life, his interest in the overall relationships between things, and that he believed different parts of a whole are interrelated. According to Merrifield (1993), Lefebvre’s approach allowed him to always see representations of something within something else – wholeness and individuality. Lefebvre’s concept of space refers to the formation of material landscapes and how those landscapes relate to every-day social practices (Merrifield, 1993). It is this concept that leads us to the connection with eminent domain power.

Lefebvre’s work utilizes dialectics, which emphasizes contradiction in the developmental processes that shape an undivided whole (Lefebvre, 1991; see



Merrifield, 1993). The use of eminent domain power affects the entire structure of a city and can create discontent and disorganization. In the takings case surrounding the Dallas Cowboys stadium, the City of Arlington used their power to condemn private property to create space that is privatized, commodified, and socially unjust.

Lefebvre refers to space as concrete or abstract (Lefebvre, 1991; see McCann, 1999). Concrete space is the material and social space that is experienced everyday in routine activities (Lefebvre, 1991; see McCann, 1999). In the land takings case for the stadium site, concrete space changed over time. Before offers were made by the city to purchase properties, and prior to condemnations, concrete space of the site included the neighborhood, land, residents and business owners interacting in their daily routines. After the city made offers to purchase properties and condemnations occurred, residents and business owners moved and structures (houses, apartments, business buildings) were razed. Therefore, when residents and business owners lost their land, the prior concrete space became ahistorical and aspatial. New concrete space was created in the old neighborhood for the elites through the practice of eminent domain power.

Abstract space does not refer to physical space, but how material and social spaces are perceived (Lefebvre, 1991; see McCann, 1999). In the stadium case, abstract space refers to the perception of land, and what it could become. For the City of Arlington, this land represented economic development and urban revitalization through a new Dallas Cowboys' stadium.

Lefebvre's conceptual triad (Lefebvre, 1991; see McCann, 1999) consists of three categories that are interrelated. McCann (1999) diagrams Lefebvre's triad in the following manner.

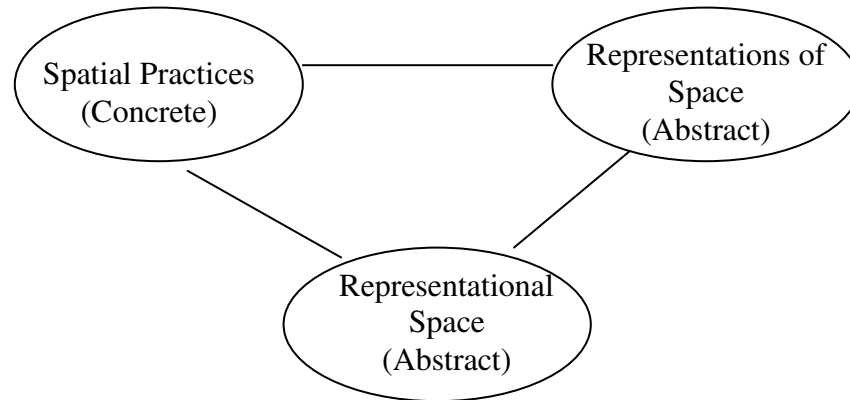


Figure 2.1 Lefebvre's conceptual triad

McCann interprets Lefebvre's Representations of Space as abstract, conceived space, which is the space of planners and bureaucrats (Lefebvre, 1991; see McCann, 1999). City managers, city councils, and large businesses often attempt to increase growth and create financial security with economic development and urban revitalization through the use of eminent domain power. The City of Arlington and the Dallas Cowboys corporation utilized condemnation as a vessel to gentrify of the city.

Representational Space is also abstract, but is the perceived space of imagination through which life is viewed and meaning is attached to places and material things (Lefebvre, 1991; see McCann, 1999). It is experienced through the symbolic interaction of users. Symbolic interaction occurs when meanings are attached to objects through interaction (Blumer 1937). Creating an imagined way of life produces

meaning. Government entities often perceive neighborhoods of working class and poor people as representational space in need of “repair” and gentrification. Therefore, the use of eminent domain power is a positive issue here as well.

Spatial practices are concrete, lived, inhabited spaces in which routines create their own social spaces (Lefebvre, 1991; see McCann, 1999). Edward Casey (2001) discusses the concept of *habitus*, which ties place and self together. Casey (2001) refers to it as being the mediatrix between the lived place and the geographical self – what brings and keeps them together. Therefore, the concrete Spatial Practices that people engage in entail more than routines alone. They are the lived and experienced practices that tie people to their geographical location. The residents and business owners who live and work in these spaces may not experience them as needing “repair”. The Northeast Arlington neighborhood was a *habitus* for the residents and business owners – where they routinely experienced their lives through friendships, commercial transactions, and family interactions. This is where they worked and lived out their daily lives. This is where they had coffee with neighbors and contributed to society. For the residents and business owners, this space was their life.

I utilize Lefebvre’s theory of abstract and concrete space in this project to describe how the city and residents, as stakeholders, each perceived the stadium site and how both groups used their power to compete for the production of space.

## CHAPTER 3

### STUDY AREA, PROJECT DESCRIPTION AND RESEARCH METHODS

#### 3.1 City of Arlington and Site Description

The city of Arlington, Texas is located approximately 12 miles east of downtown Fort Worth and 20 miles west of downtown Dallas, placing it at the heart of the DFW metroplex. According to the American Community Survey, the population of Arlington was 348,965 people in 2005, with 50% Caucasian, 24% Hispanic or Latino, 18% African American, 6% Asian, and 2% some other race (U.S. Census Bureau 2005). The Arlington area median household income in 2005 was \$48,992 with 32% of the workforce in management or professional positions, 27% in sales and office occupations, and 14% in service occupations (U.S. Census Bureau 2005).

The displaced community in Arlington, Texas (further referred to as the Stadium Community throughout this thesis) was a community of approximately 158 properties on 200 acres (Ahles, 2006). Located to the south of Amerquest Field and east of Six Flags, the physical description of the area is north of Division Street, east of Collins Street, west of Stadium Drive and south of Randol Mill Road (see Figure 3.2 on page 40). The community contained low-income, modest single-family homes, affordable apartments, small businesses, gas stations and a miniature golf course.

In 2000, 6,143 people resided in the Stadium Community with nearly half being Hispanic or Latino (U.S. Census Bureau, 2000). Males made up 55.7% of the total population while females made up 44.3% (U.S. Census Bureau, 2000). The median age was 26.1 and most people were between 25 to 34 years of age (U.S. Census Bureau, 2000). Family households made up 53.9% of the total population while families with children under the age of 18 years made up 30.8% (U.S. Census Bureau). Most households in the Stadium Community rented (83.2%) while only 16.8% owned (U.S. Census Bureau, 2000). Over 75% of the community were employed and approximately 58% held blue collar jobs – 28.6% in service occupations while another 28.8% were in construction, maintenance, production or transportation industries (U.S. Census Bureau, 2000). Commuting to work statistics indicate that 27.4% carpooled, 3.6% walked, and 66.2% drove alone (U.S. Census Bureau, 2000). The median household income in 1999 was \$33,427 while median family income was \$41,150 (U.S. Census Bureau, 2000). Poverty status in 1999 indicated that 255 families were below the poverty level by 20.2% and 1,432 individuals were below the poverty level by 24.8% (U.S. Census Bureau, 2000).



Source: [www.ci.arlington.tx.us](http://www.ci.arlington.tx.us)

Figure 3.1 Dallas Cowboy Stadium aerial site map

## 3.2 Dallas Cowboys Stadium - Project Description and Details

### ***3.2.1 Stadium Design***

A portion of the Stadium Community will soon be the fully developed Dallas Cowboys Stadium. According to the Design Statement, the Stadium will contain 2.3 million total square feet – enough for the Statue of Liberty and its base to fit into with the roof of the Stadium closed ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)). The Stadium will have the world’s largest column-free room and will be the largest enclosed stadium in the NFL with 104 million cubic feet ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

The Stadium will have a seating capacity of 80,000 and a total potential capacity of 100,000 people including standing room and end zone plazas ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)). There will also be a total of 200 suites in eight different locations, separated strategically on five levels, and 15,000 Club Level seats available to club members and accessible to field-level suite patrons ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

It is stated in ‘What Fans Need to Know’ from the Dallas Cowboys web site that access to the stadium will be available from 14 different approaches, compared to only three at Texas Stadium ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)). Also, \$270 million through the Arlington Entertainment District would provide improvements to area highways and new and improved access to the Stadium ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)). Available parking on game days is estimated at 30,000 parking spaces and on land owned or controlled by the Dallas Cowboys, as well as, owners of lots in the nearby Stadium area ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

Tickets are estimated to cost approximately \$100 per person, plus tax ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

### ***3.2.2 Entertainment and Amenities***

The entertainment and amenities of interest to fans of the Dallas Cowboys include clubs with large-screen monitors, restaurants and concession stands. On game days, the Dallas Cowboys' players and coaches will walk through the Field Level Sideline Club on their way to the playing field. Hall of Fame suites are situated 20 rows up from the field ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

A total of eight video boards will be displayed throughout the Stadium with one being the largest video board installed in the world ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)). According to 'What Fans Need to Know,' this board is intended to create a 'premium on the value of the upper-level seats and make the game more exciting for all fans' ([www.stadium.dallascowboys.com](http://www.stadium.dallascowboys.com)).

The Dallas Cowboys Hall of Fame will be open to the public year round and a Dallas Cowboys Pro Shop will be adjacent to the Hall of Fame.

### ***3.2.3 Financing the Stadium***

The City of Arlington agreed to fund \$325 million of the stadium, which was half of the original projected cost. According to the ordinance in the Master Agreement between the City of Arlington and the Dallas Cowboys, the city's portion would be paid by taxes approved through a general election vote. The vote approved five tax increases: a sales tax increase of one-half of one percent (.5%) on taxable retail sales and transactions within the city, a car rental tax of five percent (5%), a hotel room



occupancy tax of two percent (2%), a parking tax in the parking facility of the Dallas Cowboys Stadium of three dollars (\$3.00), and a tax on tickets sold to events at the stadium at ten percent (10%) of the ticket price. The .5% sales tax increase estimated to bring in approximately \$20 million a year while the 2% hotel tax would bring in about \$1.1 million a year. The tax increases would allow the City of Arlington to pay off their portion of the stadium in 16 years. The City of Arlington planned to sell 30-year bonds to pay for their share of construction costs (Wethe, 2004). Stated on page two of the Master Agreement, project costs would be funded out of one or more series of the Cowboys Complex Bonds, detailed in section 2.7 of the Agreement ([www.ci.arlington.tx.us](http://www.ci.arlington.tx.us)).

### 3.3 Methodology

Social research through qualitative analysis allows the researcher to develop in-depth knowledge about many different aspects, hidden and obvious, in our social world (Baxter & Eyles, 1997). A reflexive sociology allows the researcher to ask herself what the deeper meanings are behind what she sees within herself and what she investigates – what the connection is between social reality and individual perception (Gouldner, 1970). The discovery will reinvent itself each time she reads over the text, all the while confirming or confronting internalized paradigms. Social research allows the active sociologist to be a part of the research, not only an analyst.

The type of qualitative analysis used for this case study will be discourse analysis. Discourse analysis is an unobtrusive method for obtaining information by analyzing the rhetorical arguments in written texts, historical artifacts, media, and

interviews, etc. (Gill, 1996; Tonkiss, 1998). The data are gathered and analyzed by discovering patterns throughout the object of study and establishing categories for discussion (Gill, 1996). By comparing various texts, an interconnection occurs between them thereby creating meaning (Phillips & Hardy, 2002; Tonkiss, 1998). Discourse analysis is the art of research – abstract with hints of information. It is a creative science combining the richness of context with the rigour of methodology (Baxter & Eyles, 1997).

The merit of discourse analysis is the ability of the researcher to evaluate all information provided as a story, rather than closed responses, such as that found in quantitative survey research (Tonkiss, 1998). More information can be obtained and patterns established because the researcher is not limited to one set of information provided through a specific, sole source.

The negative aspect of discourse analysis in this case study is it is not representative across all eminent domain cases (Baxter & Eyles, 1997). It is particularly abstract and subjective to ones interpretation of the text and can therefore be criticized as not applicable over time and location (Gill, 1996; Tonkiss, 1998). Since one's truth is not another's, discourse analysis can also be seen as lacking in validity if all patterns in the data are not accounted for in relation to the particular research study (Tonkiss, 1998). It is also often time consuming and difficult to identify patterns (Gill, 1996).

In an effort to ensure validity and consistency, rigour will be applied in the research methods by utilizing several different materials for accuracy and classifying

patterns into specific themes (Baxter & Eyles, 1997). Themes will be cross-examined to prevent triangulation where possible. Rigour will also be represented by reporting all themes, expected and unexpected, to reduce bias, sustain objectivity and ensure intellectual honesty (Baxter & Eyles, 1997).

Data for this project come from secondary sources that include: local newspaper reports (the *Dallas Morning News* (DMN) and the *Fort Worth Star Telegram* (FWST), publicly released project information (including Arlington city council meeting minutes and public notices) available through the City of Arlington and the Dallas Cowboys Organization websites, and op-ed position responses regarding the impact of the stadium relocation from local business and neighborhood citizen coalitions (such as The Concerned Taxpayers of Arlington, a local grassroots organization of citizens and business owners that opposed the seizure of land for the stadium). The timeframe for the analysis of this project began with articles dated July 28, 2004 when Jerry Jones and the City of Arlington were in serious discussion about the project and ended with the announcement of the new stadium's design in an article dated December 15, 2006.

Through rigorous methods and in-depth analysis, I document the potential for both negative and positive social impacts when City's use eminent domain powers. In this analysis, I find that an unjust use of power was evident in the takings process for the stadium and the City's perception of space played a significant role in determining which groups of people have a "right to the city".

## CHAPTER 4

### RESULTS

In this chapter, I describe project stakeholders and provide a timeline of events in the production of the stadium space. Key timeline events include: the November 3, 2004 vote by the Arlington public that approved tax increases for the Dallas Cowboys stadium, condemnation of properties by the City of Arlington that coincided with the Kelo vs. New London case ruling, a final victorious win for a displaced resident from the Stadium Community, and the secrecy of the site for the stadium. For much of the timeframe in this analysis, the exact site of the stadium project was kept secret by the City of Arlington, Jerry Jones, and the Dallas Cowboys organization.

I also describe the exercise of power and rhetorical strategies of stakeholders that portrayed the stadium and land takings as either necessary or unnecessary. Key findings in this chapter suggest that the City of Arlington and Arlington City Council abused political and financial power in forcing residents and business owners to leave the Stadium Community. Media representation of displaced residents seem to agree with this assertion. Additional findings include the lack of power by the Stadium Community, strong representations of the displaced residents by the media, and negative emotional and financial implications for the Stadium Community.

#### 4.1 Project Stakeholders

There are several groups of stakeholders for the Dallas Cowboys Stadium project: the City of Arlington and the Arlington City Council, the general Arlington public, the Dallas Cowboys and Jerry Jones, and the displaced residents and businesses in the Stadium Community. Although there may be additional groups, those mentioned above will be used for the purpose of this paper.

The City of Arlington and the Arlington City Council have very high stakes in this project at different levels. Historical analysis suggests that the City of Arlington and the Arlington City Council conducted their actions strategically leading up to the vote to approve taxes for the project. Their interest to proceed with such a large project that displaced people created questions about their integrity externally and internally within the municipality. The idea that they became involved with a wealthy and shrewd investor such as Jerry Jones took a risk that potentially affected Arlington residents' perceptions about the council's ability to make wise decisions for the city.

A negative vote rejecting approval of the project would indicate a lack of confidence from the Arlington public. If the vote was approved to proceed, the City and Council would face many decisions on how to develop an acceptable agreement with the Cowboys, making it necessary to take into account long-term social and financial implications for the City and its residents. Due to an approved vote, the City and Council (present and future) continue to be stakeholders and responsible that the project is perceived as a successful venture. Obviously, the City and Council had an option to be part of the project.

The Arlington public is the largest group of stakeholders who held control of the project in the beginning by determining the vote. They are the residents and businesses outside of the Stadium Community that voted on the stadium. The Arlington public approved the Stadium project by voting to increase sales, car rental, hotel, and stadium parking and ticket taxes. Although an increase in property taxes were not voted on, property taxes will increase as property values rise in close proximity to the stadium. The Arlington public has stakes in the project for a positive outcome while also facing transportation and traffic congestion issues.

The Dallas Cowboys and Jerry Jones are stakeholders in the project with an advantage. As the investor with high social status, Jerry Jones had a good business deal at stake. With all of the power and wealth that he attains, he could have built a stadium anywhere, but with the City agreeing to a generous financial match, Jerry Jones would lose \$325 million if he built the facility on his own. If the vote was not approved Jerry Jones and the Cowboys would need to renew their lease at Texas Stadium, something that Jones did not want to do, or find another location very quickly to build his new venue. Therefore, the real stake in the project for Jones was before the vote.

The hundreds of displaced residents and business owners in the Stadium Community were a disadvantaged group due to their lack of social, political and economic power. Their lack of power existed because of few financial resources and minimal political representation. The stakes of this group were much larger than the other groups as they faced vacating their homes, lives and livelihood. This group

became stakeholders by force, not choice, because of the demonstrated power of the Arlington City Council through the use of eminent domain power.

Of the four groups of stakeholders, three groups had power to determine the creation and birth of the project at certain points in time. The City of Arlington and Arlington City Council, the Dallas Cowboys and Jerry Jones, and the Arlington public each determined the fate of the group that did not have the power to choose - the disadvantaged and displaced residents and business owners of the Stadium Community.

#### 4.2 Timeline of Events

According to Dallas Cowboys' history, Texas Stadium was home to the Cowboys for over three decades ([www.stadiumsofnfl.com/nfc/TexasStadium](http://www.stadiumsofnfl.com/nfc/TexasStadium)). The Cowboys played their first game in their new, state-of-the art stadium on October 24, 1971 ([www.stadiumsofnfl.com/nfc/TexasStadium](http://www.stadiumsofnfl.com/nfc/TexasStadium)). After more than 35 years at Texas Stadium, it looks as if the Dallas Cowboys will have a new place to call home in 2009. Jerry Jones, the owner of the Dallas Cowboys since February 1989 ([www.dallascowboys.com/history](http://www.dallascowboys.com/history)), began looking for a site to develop a new stadium as early as 2001. Between 2001 and early 2004 Jerry Jones spoke with officials in the cities of Dallas, Irving, and Grapevine, Texas (Wethe & Claunch, 2004). He eventually made contact with officials in the City of Arlington during this same time period and began serious negotiations in mid-2004 to bring the Cowboys to Arlington by 2009 (Wethe, 2004a). Newspaper articles state that the City of Arlington and Jerry Jones were discussing potential sites for development in July 2004 (Wethe, 2004a). In this same month, the City of Arlington hired a firm, Economics Research Associates, to

perform a cost-benefit analysis to determine financial feasibility of the project (Getz, 2004). During this same time, Jerry Jones was determining if he would personally acquire the land needed or if he would have the City condemn it (Wethe & Claunch, 2004). At this time, the Mayor of Arlington stated a potential area for the stadium was “crime-ridden”, but a definite location had not yet been determined (Wethe, 2004a). He mentioned that eminent domain would only be used as a last resort (Wethe, 2004a; Wethe, 2004b; Mosier, 2004b).



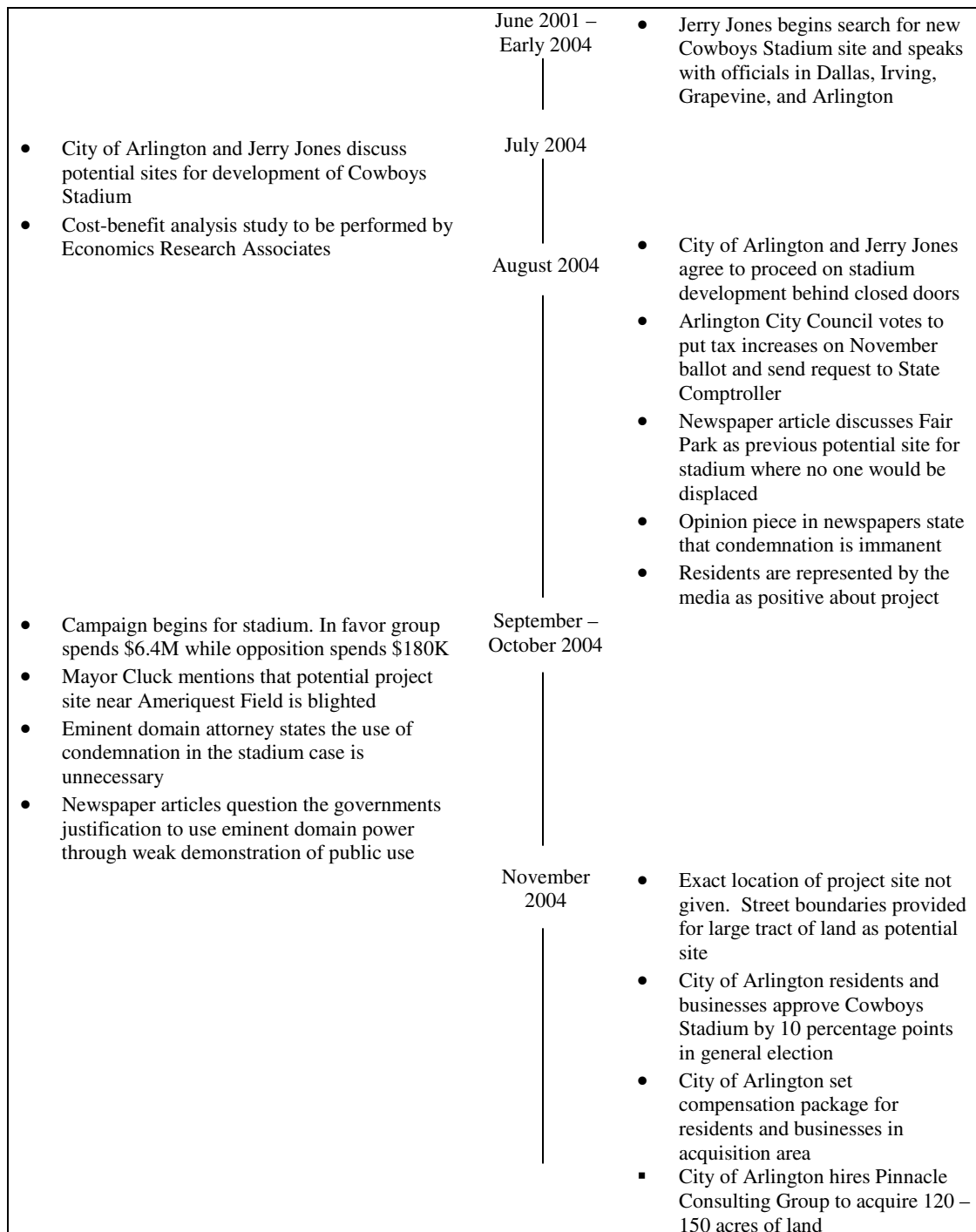


Figure 4.1 Timeline of events – June 2001 – November 2004

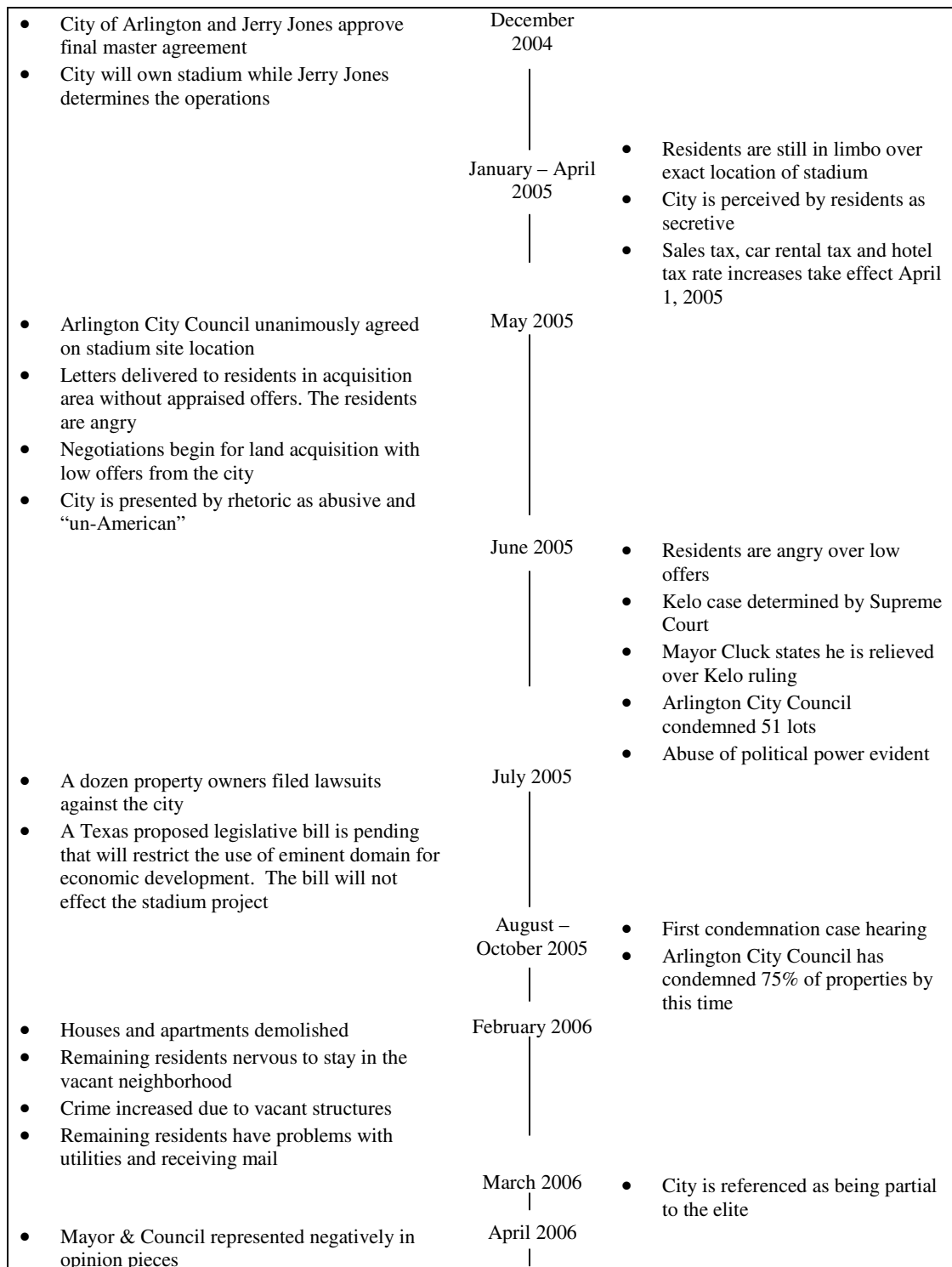


Figure 4.2 Timeline of events – December 2004 – April 2006

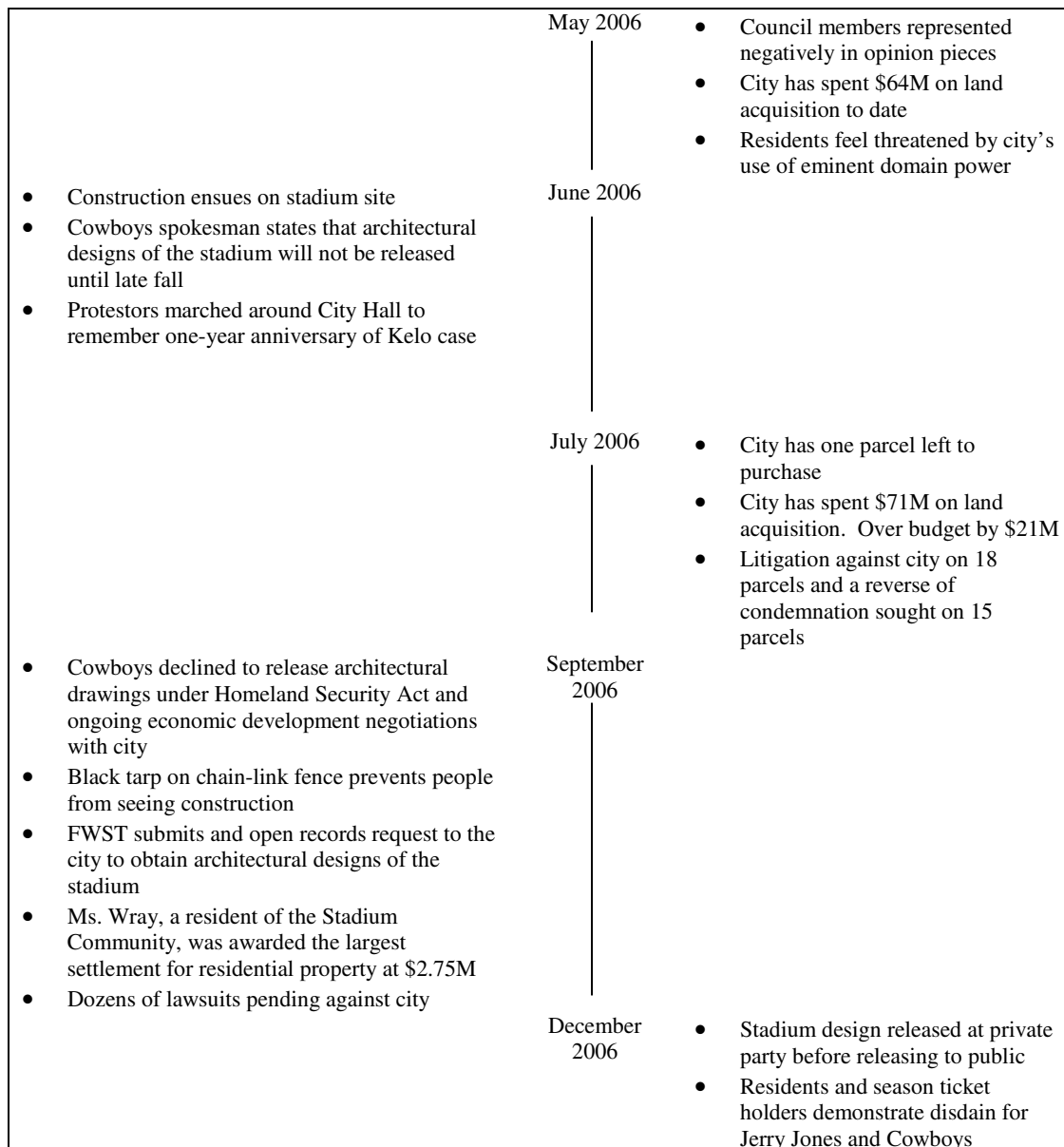


Figure 4.3 Timeline of events – May 2006 – December 2006

In August 2004, the potential stadium development was discussed behind closed doors. During this same month, a FWST article mentioned that Jerry Jones could have moved the Dallas Cowboys to Fair Park in Dallas - the cost would have been to build parking garages and no one would have lost their homes (Wethe, 2004b). The City of Arlington and Jerry Jones agreed to put the project on the November 2, 2004 general election ballot for voters to approve tax increases for the new stadium (Wethe, 2004b). A request to add the item to the ballot as a proposition was sent to the State Comptroller's office (Wethe, 2004b).

September 2004 – October 2004, the campaign began for the new stadium. In October 2004, the City of Arlington mentions that a “blighted” area close to Amerquest Field, home of the Texas Rangers, was being considered as a *potential* site for the Cowboys new stadium (Getz, 2004). At that time, Glenn Sodd, an attorney for eminent domain victims, publicly stated that eminent domain was not necessary for the project (Getz, 2004).

In November 2004, the exact location of the potential Dallas Cowboys Stadium had not been determined, but street boundaries outlining a large area of land were released (see Figure 2.2) (Mosier, 2004a). The residents of Arlington pass the proposition for the new stadium with the stadium win by a small majority (Wethe, 2004c). The project was only approved by ten percentage points (Schnuman, 2004). The City of Arlington set the compensation package for residents and business owners

and hired Pinnacle Consulting Group at an initial \$2.3 million to acquire 120 – 150 acres of land (Mosier, 2004b).

In December 2004, the City of Arlington and Jerry Jones approved a final master agreement. The City of Arlington would own the stadium while Jerry Jones leases and manages it for the Dallas Cowboys' operations. In January 2005 – April 2005, Arlington residents and business owners still do not know exactly where the stadium site will be (Mosier, 2005a). The city was perceived as secretive while residents and business owners were concerned that they will be forced to vacate their homes or businesses without fair compensation. April 1, 2005, sales tax, car rental taxes and hotel tax rate increases took effect (“What’s Next”, 2004).

In May 2005, Arlington City Council agreed on a project site for new Dallas Cowboys Stadium (Mosier, 2005b). Negotiations for land acquisition began with landowners in the stadium site (Mosier, 2005d). Arlington City officials said then that they would use eminent domain only as a last resort (Mosier, 2005c). Some property owners contacted Glenn Sodd, the Corsicana attorney who specializes in eminent domain cases (Mosier, 2005c). During this time, residents were negotiating for more money and some argued that their property should be valued at its “highest and best use”, which is a standard often used in eminent domain cases, not the land’s current use value (Mosier, 2005d). The City filed no condemnations during this time (Mosier 2005e).

In June 2005, many residents continued to be upset over the low values offered for their homes. A key date in the stadium’s timeline was June 23, 2005, when the

Supreme Court ruled in a 5 to 4 decision that Fifth Amendment rights were not violated when property was condemned solely for purposes of “economic development”, according to the Kelo vs. City of New London Syllabus provided by the U.S. Supreme Court (Congressional Digest, 2006). The ruling endorsed that cities can take property by eminent domain power to help increase the tax base, which applies more to public purpose than public use (Congressional Digest, 2006). Public purpose refers to supplying a good or service for the overall economy whereas public use refers to the actual availability to the general public. At this same time, a DMN article stated that the Arlington City Council expected to authorize eminent domain proceedings against over 50 properties in the Stadium Community the following weeks (Mosier, 2005e).

In July 2005, twelve property owners filed lawsuits against the City of Arlington to prevent condemnation of their land (Mosier, 2005f). Between August 2005 – October 2005 the first hearings for condemnation cases were heard (Mosier, 2005g). During the months between June and September 2005, the City condemned 75% of the properties they acted on in the stadium site location (Mosier, 2005g).

In February 2006, Tarrant County officials were in the process of tearing down houses, apartments and businesses in the stadium footprint (Mosier, 2006a). The City’s Real Estate Manager stated that they focused on purchasing businesses along Collins Street within 30 – 45 days (Mosier, 2006a). A court-appointed panel awarded Evelyn Wray, a resident in the Stadium Community, \$1.2 million for her property after she filed a lawsuit against the city (Meyer, 2006). By this time, 96 of the 104 houses were demolished and 716 of the 1,090 apartments units were razed (Claunch, 2006a). The

city still needed to acquire 22 more properties, mostly businesses, and spent a total of \$63.4 million to date in land acquisition (Claunch, 2006a).

In April 2006, more than 20 Arlington business owners along Division Street found out that their properties would not be condemned for the stadium (“New Plans”, 2006). Some were glad to stay while others wanted to sell (“New Plans”, 2006). The city decided to use 23 acres of undeveloped parkland near Johnson Creek and spare the historic Eastern Star Home (“New Plans”, 2006).

In May 2006, city officials estimated that the acquisition of all properties would cost approximately \$80 million - the city already spent \$64 million (Ahles, 2006a). Thirty of the 38 homeowners took the city’s offer, however many of the property owners who owned rental houses or vacant land decided to go to court (Ahles, 2006a).

In June 2006, construction on the new Dallas Cowboys Stadium began by digging two stories below ground for the 50-foot-deep bowl that will be the playing field (Mosier, 2006b). The City of Arlington was in the process of finishing “one of the most contentious parts of the project” – acquiring land (Mosier, 2006b). At this time, the City had only a few additional parcels to purchase for parking (Mosier, 2006b). Less land was needed than previously expected, so land along Collins Street and Division Street would not be purchased (Mosier, 2006b). The Cowboys’ spokesman stated that the architectural design of the 75,000-seat stadium would not be publicized until late fall (Mosier, 2006b). Developers met to discuss the adjacent project to the Dallas Cowboys Stadium, Glory Park, which will have 1.2 million square feet of retail, office and residential space (Mosier, 2006b).

During this same month, 20 protestors marched around Arlington City Hall to remember the one-year anniversary of the U.S. Supreme Court's decision in *Kelo vs. City of New London* (Claunch, 2006b). These protestors were part of the Concerned Taxpayers of Arlington, not the Stadium Community residents (Claunch, 2006b). The Arlington City Council voted to hire a consultant at no more than \$134,000 to study the creation of a tax increment reinvestment zone for the entertainment district to help fund streets, water and sewer lines for Glory Park (Claunch, 2006b). The City's Police Department was in the process of obtaining wireless Internet access for emergency workers to share files and images and install 26 surveillance cameras in the project area, all provided by a \$1 million in Homeland Security grants (Claunch, 2006b).

In July 2006, the City of Arlington had one parcel left to purchase, bringing the total cost for land acquisition up to \$71 million, which was an additional \$21 million that the City did not anticipate spending (Ahles, 2006b). Between two eminent domain lawyers and 33 parcels, 18 moved into litigation against the City and 15 sought to reverse the condemnation (Ahles, 2006b). More suits were pending against the City (Ahles, 2006b).

In September 2006, the Dallas Cowboys declined to release architectural drawings of the stadium due to confidentiality issues under the Homeland Security Act and ongoing economic development negotiations with the City of Arlington (Ahles, 2006c). During this month, the FWST submitted a request to the City through the Public Information Act to gain access to copies of the stadium plans (Ahles, 2006c). During this month, Ms. Wray was awarded \$2.75 million for her house and four acres



that the city had condemned (Mosier, 2006c). Jay Doegey, Arlington's city attorney, said that dozens of lawsuits were still pending and it would take three to four years before the legal process was finished (Mosier, 2006c).

In December 2006, the release of the stadium's design occurred, several months after the public wanted to see them ("I'll be watching", 2006). The initial release of the design was not open to the general public, but occurred at an invitation-only gala ("I'll be watching", 2006).

#### 4.3 Social and Political Rhetoric and the Stadium Project

There are several rhetorical themes that surround the relocation of the Dallas Cowboys stadium to the Stadium Community. These themes vary according to the stakeholders involved. Most rhetoric described the Stadium Community takings case as necessary or unnecessary. Stakeholders, specifically the City of Arlington, described the project as necessary for economic development, and thus for the greater good and in the best interest of the public. Other stakeholders described the project as unnecessary, a waste of the taxpayers' money, and a project that primarily served the elite class while negatively impacting poor and minority classes because of displacement without fair compensation.

Perceptions and power are important in this project because space was defined by two different groups – that of the City and that of the displaced residents, but ultimately produced by one group – the City. Although both groups were competing for power, the city had a disproportionate amount of power compared to the residents, and the city's perceptions drove the production of new urban space.

### 4.3.1 Takings as Necessary

#### **4.3.1.1 Representational Space – Perception of Site**

Before the City of Arlington and the Arlington City Council met with Jerry Jones to finalize any real negotiations, they made their standpoint clear on the project location. From their perception, the area, described as close to Amerquest Field and bounded by Collins Street, Division Street, Stadium Drive and Randol Mill Road, was an area that needed revitalization. Not only did it need to be cleaned up a bit - it needed a clean sweep. In articles from the FWST and DMN, Mayor Cluck of Arlington said the area was blighted and crime-ridden (Getz, 2004; Wethe, 2004a). The term ‘blight’ is defined as a state of irreversible deterioration (Barnett, 2005). Although blight was a strong and erroneous word according to various DMN and FWST newspaper articles, it was legally the most persuasive word that could be used to get what the City of Arlington and Arlington City Council wanted – economic development and revitalization of a physically older part of town.

City officials looked at the project space as a prime area for redevelopment. They envisioned creating an entertainment district with the Dallas Cowboys as their main attraction for the fall and winter months. The space would be wiped clean and a big, brand new stadium with a historically winning football team would indicate success and vitality. Besides, what is more American than football?

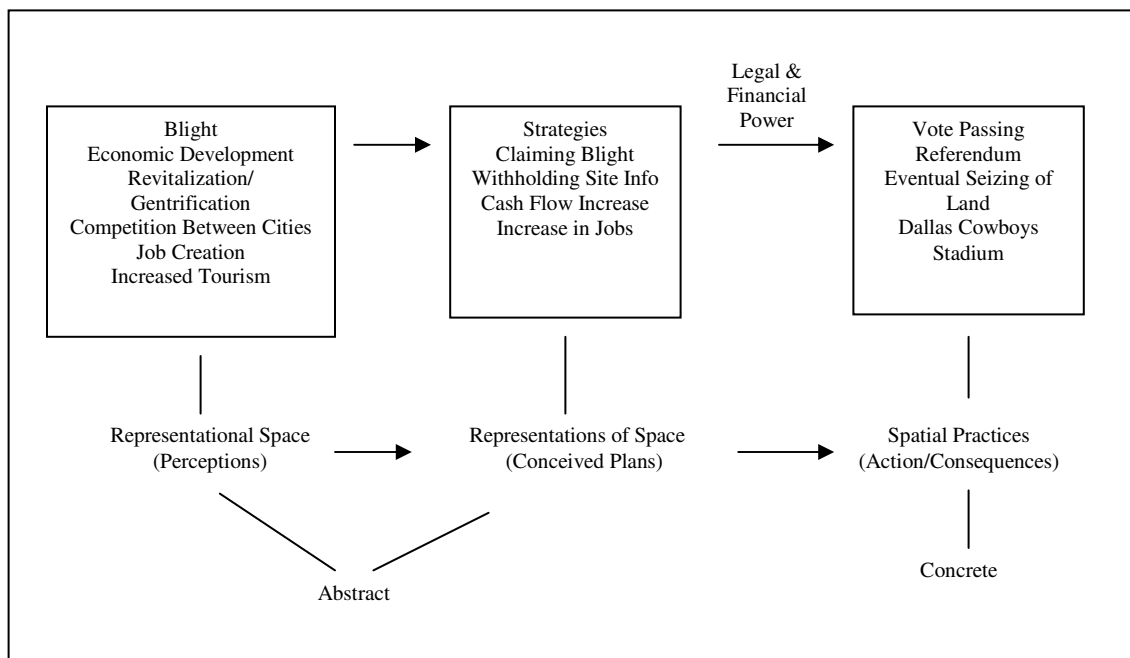


Figure 4.4 Production of space through perceptions and actions of city

The above figure represents the city’s production of space through eminent domain power and abstract perceptions about the Stadium Community along with plans and strategies to win public and legal approval to seize land. Lefebvre called the perception of what reality is and could be Representational Space. The city held abstract perceptions of the space including what they perceived to be there, such as blighted neighborhoods, and what they perceived could be there, the Dallas Cowboys Stadium. The city saw the need, in this specific site, to revitalize, to promote economic development for more jobs, and to increase tourism – all attainable goals. Strategies, or Representations of Space, developed from these perceptions as ways the city could achieve their goals and included arguments about withholding site information, a

promise of increased cash flow in the city, and an increase in jobs to persuade people to vote for the referendum.

Before the vote occurred to approve the stadium, the strategy used by the city included not releasing a specific site location for the stadium. Street boundaries were provided encompassing a large area of land, but an exact location was not provided until months after the vote. Homeowners, residents and businesses were finally finding out if they were in the path of the stadium – six full months after the vote (Claunch & Wethe, 2005). Not attaching a specific location to the vote possibly distanced people from their emotions, allowing them to make an unbiased decision. It also prevented people from making a truly informed decision.

A cost-benefit analysis performed by Economics Research Associates (ERA) suggested that the stadium relocation would provide promising economic benefits to the City of Arlington and its residents. According to the Economic and Fiscal Impact Study (ERA, 2004), the City of Arlington could expect to receive \$7.14 billion over 30 cumulative years at a 0% inflation rate (p.2). From the same study, Tarrant County could expect to receive \$12.48 billion over 30 cumulative years at a 0% inflation rate (ERA, 2004, p.2). The strategy of predicting that amount of cash flow over 30 years without any inflation is enticing to the worst critic. It is worth noting, however, that under the Executive Summary of the ERA report (2004), in the second paragraph, that a full market and financial feasibility analysis was not completed by ERA for this project, but ERA relied upon information provided to them ‘via the Cowboys and/or their independent consultant’ (page 1).

Another strategy utilized by the city to achieve their goal of economic development was the promise of an increase in jobs. According to the ERA report (ERA, 2004), in the year 2010, the Dallas Cowboys Stadium will add 807 full-time jobs in the City of Arlington and 1,940 full-time jobs in Tarrant County (p.2). During the 2.75-year construction period, the project is estimated to generate \$348.7 million in city and countywide economic output and provide 2,222 full-time jobs in the City of Arlington and Tarrant County (ERA, 2004, p.2). This study did not include the jobs lost due to displacement of potential businesses in the Stadium Community.

The strategies used by the city to achieve their goals came to fruition through the legal power of eminent domain use. The vote passing the stadium referendum allowed the eventual land takings for the new Dallas Cowboys Stadium to be constructed. This created the concrete space and new spatial practices.

#### ***4.3.1.2 Forces of Power***

The City of Arlington, the Arlington City Council, the Dallas Cowboys and Jerry Jones all held different types of power at varying levels across the timeline specified in section 4.2. Four categories of power identified through the newspaper articles were financial, political, social status, and legal, each varying in its importance and frequency across the timeline.

Discourse from the City of Arlington indicated power in these four categories. Discussions of land transactions, hiring a consultant, or funding a stadium from Jerry Jones' perspective indicated financial power. Political power appeared in phrases that referenced actions only the city was able to utilize - such as establishing a vote to utilize

eminent domain power. When the city referenced voters, I considered this a form of political power as well. The power of social status referred to actions or statements made by Jerry Jones, the Dallas Cowboys Corporation, and their representatives. Determining legal power occurred by defining legal action taken by the city to condemn property, references to legal standards by the city, and legal action taken by the residents challenging the city. The latter will be referenced in a later section, although it is important to note that the residents in the Stadium Community had far less financial power, social resources, and political representation to take legal action than other groups. All of these forms of power connect and overlap at various times. For example, when the City of Arlington and the Dallas Cowboys prepared the public to vote for or against the stadium, the campaign used by the Dallas Cowboys and Jerry Jones had both political power and the power of social status. When the City of Arlington condemned property to acquire the stadium, they held political and legal power, as well as, financial power. I reference these various forms of power in Appendix A.

#### ***4.3.1.3 The Vote to Effect Change***

The vote that became the catalyst for economic development occurred November 3, 2004 in a general election that passed the stadium referendum. According to the official ballot in the general election, the proposition gave the city of Arlington authority to plan, acquire and develop the Dallas Cowboys Stadium and to impose a sales and use tax, car rental tax, hotel tax, stadium event ticket tax, and parking tax to help finance the stadium ([www.ci.arlington,tx.us](http://www.ci.arlington,tx.us)).

The campaign leading up to the vote was persuasive from the proponent's side. Historical analysis suggests that the city strategically chose not to disclose the exact location for the stadium until six months after the vote. The DMN and FWST articles mentioned that a specific site had not yet been decided and the Cowboys were looking at three different sites (Wethe, 2004a; Getz, 2004). People identify with space and if a space is not identified, then the meaning behind the space becomes void. Therefore, voters were not given the opportunity to connect to a specific location when voting on the stadium and could not fully understand the impact of their actions in voting for or against the stadium.

The proponent side received campaign donations and spent \$4.6 million while the opposition side (Concerned Taxpayers of Arlington and general others not named specifically) campaign spent approximately \$100 thousand (Mosier, 2004a). The millions of dollars that were spent in campaigning for the stadium were persuasive. Televised commercials promised to bring jobs and tax dollars to Arlington. The 50/50 split in costs between the City of Arlington and the Dallas Cowboys appeared as a safety net to the voters (Schnuman, 2004). Jerry Jones agreed to donate \$16.5 million to youth sports in Arlington appealing to families with children (Schnuman, 2004). To top that off, Jones had celebrities such as Troy Aikman, Emmitt Smith, Roger Staubach and Paul Tagliabue go to kids' sports games and sign autographs (Schnuman, 2004). Additional persuasive rhetoric talked groups into favoring the deal highlighted a pledge by the Cowboys to continue to pay school tax dollars that would be lost by the taxpayers displaced (Schnuman, 2004). Jones took it up a notch – not only would the

money continue to be paid, but it would be raised 5.75% every year (Schnuman, 2004). That won over the Arlington Independent School District. When residents complained of the increased congestion in traffic that the stadium would cause, the team and politicians said that they met with transportation officials and the stadium would move Arlington up on the list for street improvements, increasing the voters confidence (Schnuman, 2004). Jerry Jones and Tom Hicks of the Texas Rangers got together and worked out a deal to develop a master plan for a new town center, which put Tom Hicks on board (Schnuman, 2004). No one was left out – officials at Six Flags, the University of Texas at Arlington and the Chamber of Commerce collaborated on development discussions (Schnuman, 2004). The campaign appealed to diverse groups of people, and it was a highly persuasive and powerful success.

According to U.S. Census 2000 statistics, the Stadium Community voting district 2148, held a population of 4,634 people over the age of 18. Of those people, 2,110 were Hispanic or Latino, which is 45.5% of the total in that location. According to stadium voting statistics from the City of Arlington, voting district 2148 had a total of 837 votes. This is only 18% of the total in the population for that location. These statistics do not specifically state how many eligible voters there were in the Stadium Community. However, I suggest that a large portion of the Hispanic or Latino population were not legally able to vote, did not have representation, and had no voice in the election.



#### ***4.3.1.4 Use of Eminent Domain***

Mayor Cluck of Arlington often said that eminent domain would only be used as a ‘last resort.’ Out of 57 articles, it was mentioned 12 times. The City of Arlington and Arlington City Council perceived eminent domain as necessary from their focal standpoint of economic development and therefore relative to their cause. Without the abstract perception of blight and the power of condemnation to create the concrete spatial practices through the production of space, there would be no use for eminent domain power in public-private partnerships. Therefore, abstract perceptions and strategies about the necessity of the stadium lead to the production of the Dallas Cowboys Stadium and the creation of new urban space. In a DMN article, Mayor Cluck stated, “If [the residents] can’t make reasonable counteroffers we have to use this tool” (Mosier, 2005e).

The perception of blight in the abstract space of the site (pre-Jones) is important because it indicates that the City of Arlington and their council believed that actions associated with blight occurred within the Stadium Community. This would explain why the Mayor referenced the area as ‘crime-ridden’ (Wethe, 2004a) – crime would be associated with blight. It could also be possible that the perception of other characteristics such as low-income, renters and minorities may be associated with blight. The Stadium Community had demographics with all of these characteristics.

#### ***4.3.1.5 Media Representation of City/Dallas Cowboys***

The media representation of the City of Arlington during the project phase was split between demonstrating “fair behavior” and “unfair or abusive behavior.” Rhetoric

of “fair behavior” referred to voters deciding if the project should proceed or not, suggested that the City was generous in terms of how they tried to compensate the residents and business owners, and that they acted responsibly toward the people that were being displaced. “Unfair behavior” described the secretive nature of the city by not disclosing the exact location of the project site before the vote, abusive in the process of acquiring land through low appraisals, and taking advantage of the disadvantaged by forcing eminent domain use.

The media provided several positive portrayals of the City of Arlington and the Arlington City Council regarding the project. Out of 57 articles, 47% of them described the city and council as positive regarding the process and direction the project was going. Only 12% of the articles indicated that some members of the city or city council appeared negative about an aspect of the project. Some of the council members were skeptical in the beginning of the project stating that they would make a decision on whether it was a good deal or not once they received the cost-benefit analysis. A few mentioned that they were not happy about displacing residents and businesses for a stadium, or about raising taxes to build the stadium (Wethe & Claunch, 2004). In articles toward the end of the timeline, a councilwoman indicated that the public would need to see the stadium design and she hoped it was ‘sooner, rather than later’ (Ahles, 2006c).

A dominant use of power on the displaced community provided negative portrayals of the city and council. An example of this was printed in a DMN article: ‘Condemnation has become the rule rather than the exception’ (Mosier, 2005g). These

negative portrayals appeared in the form of arguments by displaced people in the Stadium Community, as well as, editorials and opinion pieces from other residents, Concerned Taxpayers of Arlington, a grassroots organization, all within Arlington, and nonresidents in other surrounding cities. Although there were times when media represented the city and council as fair, there were important persuasive arguments that negatively regarded the City of Arlington's role in the project.

The articles often described the actions by the Arlington City Council as unfair and non-objective. There were several incidences of acquisition offers to residents that would not allow them to move elsewhere in Arlington that was comparable to what they had (Mosier, 2005g). A few residents in the Stadium Community mentioned that the offers were not enough to pay off their mortgages, and several said they were less than the value they paid taxes on (Mosier, 2005e; Claunch, 2005a). Some people admitted that they could not afford to take the city to court and wait it out in for several years (Mosier, 2005g). Others were heartbroken that they would have to leave their home where they had lived for more than 40 years (Mosier, 2006a). Several were elderly and some were sick and could not afford to live anywhere else (Claunch, 2004). These articles portrayed the city as tyrants. An article stated that the City of Arlington was 'desperate to create a spark' (Schnurman, 2004).

Of course, the Dallas Cowboys and Jerry Jones had nothing but good things to say about the project. However, the way the media presented them was overall selfish and greedy through the rhetoric of the displaced community, Concerned Taxpayers of Arlington, other residents within Arlington, nonresidents in other cities and officials in

other cities. Jerry Jones and the Dallas Cowboys could have moved their stadium plan to Fair Park in Dallas where the cost it took to build parking garages would have been approximately the same as the acquisition of the property needed – and no one would have lost their home (Wethe, 2004b). Dallas County officials stated that Jerry Jones wanted to go to the city that gave him the most money and that he didn't want a fair partnership (Getz, 2004). The media represented Jerry Jones as wealthy and as someone who takes advantage of others when he can.

#### 4.3.2 Takings as Unnecessary

##### ***4.3.2.1 Representational Space – Perception of Site***

After the vote was passed and the site location made public, the residents and business owners in the Stadium Community began to organize against relocating the stadium. Analysis in this section refers to arguments from these groups and references the time period after the City of Arlington and the Dallas Cowboys made their intentions known about the site location and acquisition of properties.

Some residents and business owners appeared willing to sell their property and move - for the right price (Getz, 2004). Some of the residents interested in moving were hopeful in the beginning and held an almost proud disposition that their land was being selected for one of the greatest football teams in history. In a DMN article, one resident stated, "...I'd love to have the Cowboys here. Can you imagine [saying] 'My house was on the 20-yard line'" (Getz, 2004). Others mentioned that they did not want to move but would have to wait and see what the offer was. However, many of these perceptions changed over the course of time. It is not completely clear if they thought

they had a choice in the matter or not. Of course, the Arlington residents and business owners did not know they were in the site area until six months after the vote occurred. Over time, positive attitudes about moving changed, as residents and business owners became more verbal about their “roots” and “homes”.

Residents, homeowners and business owners did not describe the site as blighted. For them, it was a place of stability that they went home to every night or to work most mornings. A DMN article stated that the Stadium Community “was once a quiet, hidden neighborhood....now, it’s a checkerboard of vacant lots and empty houses” (Mosier, 2006a). For many, the space contained decades of history and memories, space where children grew up and learned to walk, talk and ride a bicycle (Mosier, 2006a). It held generations of family members and land handed down over the years (Mosier, 2006a). For business owners, it was space utilized to make a living and provide a service or trade. They knew their customers and what their needs were. This was not just a place, an open area of space ready to be developed – this was a community of families with children and small businesses who were all trying to make ends meet. They had the same needs and desires as anyone else – to be successful, to survive, to have privacy. Family, community, and achievement were at the core of “place” for these groups.

It is important to understand that the perception of the space by the residents and business owners did not represent something as grandiose as a stadium, but something far more important, ownership and identity. Not necessarily ownership of land itself, but the perception of spatial belonging. As one resident stated in a DMN article, “I can

never replace what I had, no matter what they pay me” (Mosier, 2006c). The resident possessed something far more precious than tangible property, she identified with the space she occupied on a daily basis. Like so many others, it was taken away from her in the blink of a vote. Figure 4.3.2.1 again diagrams the production of space, however, focusing this time on the representation of space from the perspective of the displaced Stadium Community.

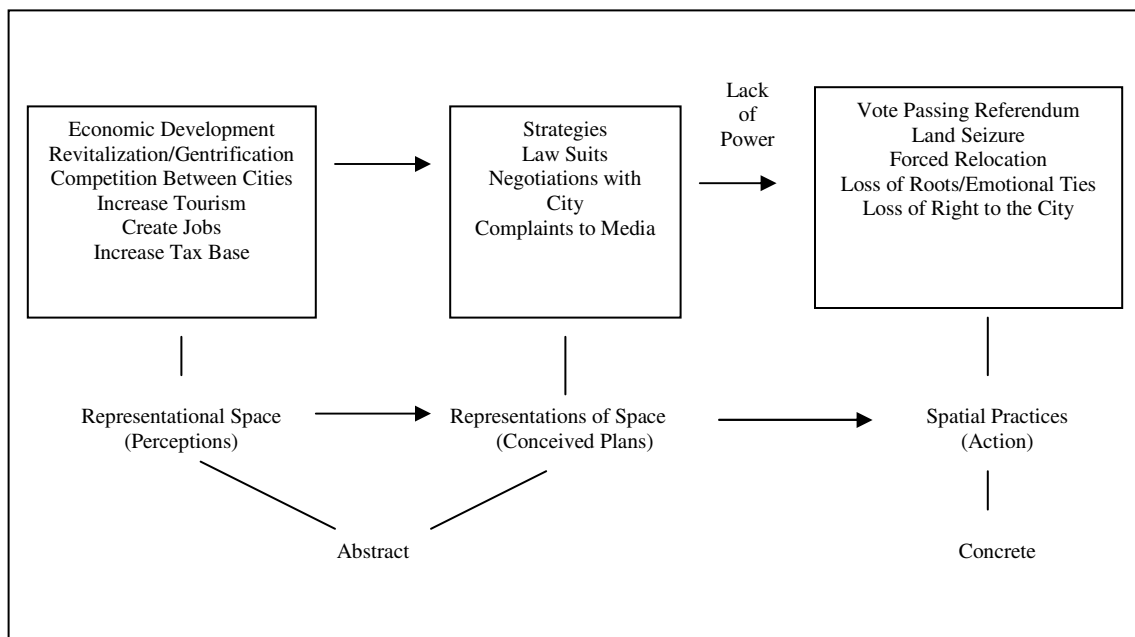


Figure 4.5 Competing perception of space – the Stadium Community

As discussed in section 4.3.1.1, the perception of abstract space by the city influenced their takings as necessary for attaining the goals of economic development, revitalization, and an increase in tourism. To attain these goals, the city utilized specific abstract strategies. In response to these strategies, the residents and business owners of the Stadium Community developed their own strategies in an effort to resist the city’s attempt to create a new, concrete production of space – the Dallas Cowboys Stadium.

The strategies of the Stadium Community did not begin until after the site was selected and offers were made to the affected residents and business owners. Strategies developed by the Stadium Community consisted of lawsuits against the city, financial negotiations with the city, and complaints to the media.

Lawsuits against the City of Arlington were filed to create resistance to the stadium project and for the purposes of principal. The principal was that residents and business owners would not leave without a fight for what they believed was rightfully theirs (Mosier, 2005f). Some disagreed with the utilization of eminent domain power for private use development and described the takings as unconstitutional (Meyer, 2006). A FWST article stated that ‘using eminent domain to acquire land for the stadium project is unconstitutional’ (Claunch, 2006a). In the same article, a resident was quoted, “If I’m going to have to vacate, I want to be compensated” (Claunch, 2006a).

Financial negotiations with the city occurred through appeals of appraisals. Several property owners chose to appeal the appraisal of their properties because they were not fair market value and the land’s best and highest use. A DMN stated a resident holding out for more money said, “Obviously, it wasn’t exactly what I hoped for” (Mosier, 2005c). Several residents complained that the offers were less than they pay taxes on. Julie Handley, a resident of the Stadium Community, referencing the city, stated, “They absolutely low balled us. They offered us less than what we pay taxes on” (Claunch, 2005a). Even though these property owners attempted to negotiate with the city, the bottom line was to take what was offered. Ms. Handley from the same article,

stated, “You have no choice other than to take what they will pay you” (Claunch, 2005a)

Property owners of the Stadium Community complained to the media as a strategy to let their voices be heard and also to resist the stadium project. Robert Magnus, a resident in the Stadium Community, stated that the offer made by the city was not enough to pay off his mortgage and he said, “They are just giving me pennies and telling me to get out” (Mosier, 2005e). The news media stated that several property owners hired Glenn Sodd, the Corsicana lawyer that specializes in eminent domain cases (Mosier, 2005e). Utilizing the news media was a powerful and smart strategy for property owners to use in the stadium case. Otherwise, we may never hear their voices and the plight they endured.

Although the strategies used by the property owners of the Stadium Community were a good effort, they did not stop the concrete production of space created by the city from happening. Through the vote that approved the stadium referendum, land was eventually seized, forcing property owners to vacate their land and reduce their historical roots to nothing but memories. The residents and business owners of the Stadium Community lost their right to the city.

#### ***4.3.2.2 Social Implications***

Residents and business owners often described social implications, specifically financial and emotional consequences that resulted from the takings of their land. Articles portrayed financial implications as causing negative financial impacts on the resident or business owner due to the project. Residents discussed the difficulty in



finding something comparable to what they already had for the money offered by the city. The compensation package offered by the city for homeowners was fair market value plus a bonus of \$22,500 and moving expenses if the move was within a 50-mile radius (Mosier, 2004b). Although the offer sounds appealing, most houses did not receive a value at their highest and best use and therefore, the homeowners did not receive a “bonus” at all. As one resident stated, “It’s not enough, because we can’t move with what they’re offering up. We’ve been here too many years to be displaced for peanuts” (Claunch, 2004).

In terms of livelihood, some landlords owned several rent houses and depended on the rent payments as their income (Mosier, 2004b). Business owners received a bonus of \$10,000 above market value, which could only be applied once (Mosier, 2004b). For example, if a landlord owned 20 rent houses, he would only receive one bonus – not 20. Because properties did not receive a value at their highest and best use, a bonus of \$10,000 was not enough to compensate the landlords to find something comparable that they could purchase to replace what they had (Mosier, 2004b).

The city treated renters rather fairly by providing a bonus of \$5,250 with a requirement to move within 45 days (Mosier, 2004b). Giving renters a bonus in eminent domain situations is not mandated. However one resident stated, “I don’t want to pay twice as much rent somewhere else. I can’t afford it. You stay where you are so you can pay nice rent, pay off your bills and move up” (Claunch, 2004). No matter how nice the bonus is for renters, the bottom line is the bonus will run out and bills have to

be paid. This is especially difficult for residents, who are elderly or sick and have medical bills to pay for.

Some business owners were not sure if they were in the path of the stadium and had financial concerns of their own. One small business owner, Tuan Nguyen, said he wanted to sell his Queen Laundry business because he depended on the residents in the apartments to use his services (Claunch & Wethe, 2005). Nguyen immigrated to the U.S. in 1983 and he and his wife saved their money to purchase the business to live out the American dream (Claunch & Wethe, 2005). He said, “I am very scared about my future. My business will die, I’ll be broke and I’ll lose everything” (Claunch & Wethe, 2005).

Emotional implications derived from the articles as themes of emotional connections to the space due to abstract perceptions of the space and distress of residents and business owners through patterns of frustration or anger in quotes. It became more evident as time went on that residents were frustrated, angry and disappointed with the process the city chose to take, as well as, the offers they made on properties. When property owners finally received letters from the city telling them they were in the path of the stadium, they were upset that the letters did not contain offers. A resident said, “Frustrated doesn’t begin to describe how I feel. I feel angry and bitter. We still don’t know what’s going to happen. My house isn’t being bought. It’s being stolen” (Claunch & Wethe, 2005). Other homeowners were mentioned as feeling “violated” and “abused” (Claunch & Wethe, 2005). The residents waited

literally six months to receive letters that told them something they were afraid of, but no solution was offered.

Some homeowners looked to make a move out of the stadium's path at an elderly age. An 82 year old woman who lived on Vine Street passed away one week prior to her planned move out of the neighborhood where she raised a dozen children (Mosier, 2006a). Her son said, "All my memories of growing up are from that house. Not only is that now gone, but my mother is gone, too" (Mosier, 2006a). The article states that the hearse carrying the dead woman's body took her down Vine Street as a final farewell "to a once familiar neighborhood that has become a ghost town" (Mosier, 2006a).

An elderly gentleman of 81 years old said he was going to have to look for another place to live – something he thought he would never have to do again. By this time period, some homeowners had contacted Glenn Sodd, a Corsicana lawyer that specializes in eminent domain (Mosier, 2005). They decided to begin challenging the city – fighting back the only way they could. An author of an article in the DMN stated, "we are loath in this country to tell people that they have to pack up and get out of their houses unless there's an awfully compelling reason for it" (Floyd, 2005). Compelling reasons are relative to the goal.

#### ***4.3.2.3 Abuse of Power***

For purposes of this section, I reference several time periods where abuse of power occurred: the campaign and voting period, the 'waiting period,' referring to the

time after the vote to May, 2005 when residents of the Stadium Community received notice of land acquisition, and the acquisition period.

Abuse of political power became evident in the campaign and voting period primarily because a specific site had not yet been selected. Articles after the vote stated that the Cowboys were still deciding where the site would be. Without knowing for sure where the stadium would reside and who would be displaced, it was an unjust use of political power from the City of Arlington pointed at the citizens and the residents of the Stadium Community. While the council stated that other sites merited investigation, the Arlington City Council made it clear that their interest was in creating an 'entertainment district' (Mosier, 2004a). Ameritrust Field and Six Flags Over Texas are located short distances from each other, so it would make sense that the stadium would be close by. From the rhetoric of the articles, it seems as if the city knew exactly where the stadium would go but did not want to disclose the information before the vote. A FWST article stated that the Cowboys and the city declined to say "specifically" where they were looking for land to build a stadium because they didn't want land prices to rise, which would make it difficult to piece parcels together (Wethe & Claunch, 2004). From this statement, it appears determination of the site location occurred early on, but the city and Cowboys did not want to deal with paying more money to acquire the land, which is a form of political and financial power.

The 'waiting period' refers to the time period from November 3, 2004, the day of the vote, to May 2005, when the first acknowledgement of a specific site location was made by the city. According to articles in the DMN and FWST during this time

period, residents of the Stadium Community still had no idea if they were in the stadium's path or not (Mosier, 2005a). The City continued to say that a final decision on the site had not been determined, but a master agreement had been formalized by signature ([www.ci.arlington.tx.us](http://www.ci.arlington.tx.us)). The City continued to appear secretive as they met with Cowboys officials behind closed doors, something that occurred from the beginning of the project. This indicates an abuse of political power, as well as, an abuse of status power by the Dallas Cowboys. The waiting period finally came to a halt when the residents of the Stadium Community received their notices that they had to move, but there was no appraisal of their property with the letter (Mosier, 2005b). Only the city could make the residents relocate through the power of eminent domain use, which is political power. To add insult to injury, the city continued to make the residents wait to find out how much (or little) the city would pay them for their property. This is abuse of political power as no one else but the city holds the position to dictate whom will move and at what price.

The acquisition period occurred between May 2005 and December 2006. It was a long, grueling process for the city and residents. When residents in the Stadium Community received offers for their homes, many were disappointed while others appeared offended by the low appraisal. A resident said, "I have never been more disappointed in city government than I am now. They absolutely low-balled us. They offered us less than what we pay taxes on" (Claunch, 2005a). The city's real estate manager stated that to make an appraisal, they never look at Tarrant Appraisal District because it "is not a basis for making a fair market value offer" (Claunch, 2005a).

Although I agree with his statement, it is difficult to understand how a house could be worth less than its taxable value. Usually, home values are taxed on a lower value than fair market. The resident went on to say, “You have no choice other than to take what they will pay you” (Claunch, 2005a). There are a couple of levels of power abuse in this situation. There is an abuse of financial power because the city is trying to pay as little as they possibly can. When the resident challenged the offer requesting that the amount be brought up to the taxable appraised value, which was only \$3,000 more, the city agreed to her terms. Instead of putting her through the emotional implications of this situation, the city could have offered her at least that amount from the beginning. Another level of power abuse is the perception that the city inflicted on the resident. She said she had “no choice” but to take the city’s offer (Claunch, 2005a). This is political abuse because only the city has the power to infringe the law upon residents.

Once the *Kelo vs. New London* case was decided in late June 2005, Mayor Cluck said that he was relieved that the city and the Cowboys could ‘proceed as planned’ (Montgomery & Austin, 2005). The mayor was quoted in reference to the *Kelo* case, “Our attorneys said to me this morning that this is the end of it. This is the final decision, the final appeal. I don’t think there is anything out there that is a danger to us now” (Mosier & Getz, 2005). The mayor was quoted and referenced as saying that eminent domain would be used as a last resort 12 times throughout the articles, but it seemed from his comments that condemnation was in the plans all along.

Immediately following the *Kelo* case, the Arlington City Council voted to exercise the city’s power of eminent domain over 47 lots - not even two full months

after residents received their letters notifying them that they were in the path of the stadium (Claunch & Jinkins, 2005). Mayor Cluck stated that the city had no choice to begin eminent domain proceedings because, “We have to have the land tied up by January [2005]” (Claunch, 2005b). The city and council were abusing their political power by invoking eminent domain on the residents according to a timetable. Not only were they creating fear in the residents to force them to move, the city made it clear that any bonus promised to those that moved only applied to willing residents, not those who moved due to condemnation (Claunch, 2005b).

Residents received offers of less than fair market value and would lose any possibility of bridging the gap between what the city was paying and a fair price through the bonus. Therefore, the residents’ power-struggle reduced to survival. They were being forced out of their homes for an unfair price and had to take the best offer, which was to accept the original offer and take the bonus. As one resident stated, “You have to do the best you can. They were going to get it one way or another” (Claunch, 2005).

By October 2005, the city had condemned 75% of all the properties they acted on (Mosier, 2005g). Mayor Cluck admitted the city was not using eminent domain as a last resort. Mayor cluck stated, “We were hoping that this would be the last resort. We were hoping there would be more willing sellers” (Mosier, 2005g). This statement indicates that the city wanted to use eminent domain as a scare tactic to get people to sell their property. A resident said, “They don’t want to come to our house and make honest deals. They just say, ‘If you don’t take our offer, then we’ll take it away from

you. Take it or leave it” (Mosier, 2005g). Glenn Sodd, the Corsicana lawyer that specializes in eminent domain, said that owners were digging in their heels because the offer made by the city was not enough for them to buy a comparable home (Mosier, 2005g). Most homes in the Stadium Community were being valued at less than \$70 thousand (Mosier, 2005g). A property owner stated, “You can’t go out and buy anything for these prices” (Mosier, 2005g). According to the article, the number of condemnations suggested that the incentives weren’t effective (Mosier, 2005g).

Throughout the quotes and statements in the articles, evidence of abuse of political and financial power runs rampant. With the City of Arlington and the Arlington City Council holding the only position able to invoke eminent domain on the local residents, the threat of condemnation could be tempting. The abuse of political power occurs when condemnation is used to remove residents from their homes and risk the livelihood of business owners for economic development when an area is not blighted. The abuse of this power becomes more evident when displaced persons are not fairly compensated to purchase or inhabit comparable property. When unfair compensation is offered, this is an abuse of financial power. With the lucrative deal the City of Arlington claims to be getting and the amount of money that the Dallas Cowboys establishment has, there is no justifiable reason for offering less than the taxable value of properties.

#### ***4.3.2.4 Media Representation of the Stadium Community***

In many ways, the news media was the voice of the disadvantaged community. The media referenced the residents in the Stadium Community more often than



businesses, which makes sense because many of the businesses concerned about being in the site area in the beginning remained intact in the neighborhood. Therefore, references in this section will mention businesses represented by the media, but the primary focus will be on the displaced residents.

It was interesting to see a pattern develop through the rhetoric regarding residents' emotions about the stadium. In the beginning, several residents in the displaced community were anxious to sell and excited that the Dallas Cowboys were coming to their city. As time went on, emotions spiraled downward while negative implications of low property appraisals and use of eminent domain grew. An example of this was seen in a DMN article, when Troy Villarreal, a Stadium Community resident was quoted, "Aside from the money, I'd love to have the Cowboys here" (Getz, 2004). When speculating about future conversations, he said, "Can you imagine? My house was on the 20-yardline" (Getz, 2004). This obviously occurred prior to offers from the city when residents thought they might get paid lucrative amounts for their land. In a later DMN article, the same resident, Mr. Villarreal, spoke about losing his 82-year old mother and his home at the same time. He said, "All my memories of growing up are from that house. Not only is that now gone, but my mother is gone, too" (Mosier, 2006a). Mr. Villarreal said that he was glad to go because his old neighborhood and house was not the same as it had been even a year earlier (Mosier, 2006a).

As a group, most residents were represented by the media as willing to sell in the beginning, although a few were opposed. As the city continued to be secretive about plans and acquisition offers, the media portrayed the residents as disadvantaged

and kept in the dark. A little later when the city had Pinnacle Group deliver acquisition letters, residents were portrayed as distressed and frustrated. When the U.S. Supreme Court decided the Kelo case and the City of Arlington began to condemn property, the residents were represented as defeated, angry, defiant and disadvantaged. From that point forward, which was June 2005, residents as a group were opposed to the project and not willing to sell their homes, but had no choice. Of the eight homeowners that chose to fight back, most received about 20 percent more for their properties, however they lost out on the bonus. Particularly one property owner, Ms. Wray, held out for more money and received a significantly higher amount than originally offered because her property was in a prime location across from a new Wal-Mart. Ms. Wray was challenged the city for more money, but also based her challenge on principle. She said that she did not think the city buying property for a stadium was constitutional. Ms. Wray was one of the few that could afford to fight the city on principal and had enough resources to aid in her quest.

The media portrayed most businesses as small and powerless, with many hoping that they would be spared. Of the few businesses referenced, one hoped his laundry service would be purchased by the city because the service he provided depended on the renters nearby, who eventually relocated. A couple of others said they hoped to stay because they put so much work into their companies and did not want to leave (Mosier, 2005a). Once condemnation proceedings began, businesses were rarely mentioned in the media.

Overall, media representation of the residents and businesses of the Stadium Community appeared much more optimistic in the beginning of the stadium venture than toward the middle and end. Before the city designated a site, the media portrayed the Stadium Community as innocent bystanders or participants waiting to see what would happen next. After the site was announced, the media portrayed the Stadium Community more as victims than before. The media representation of the residents was that eminent domain was not necessary, as the area they lived in was not blighted and most would go quietly for fair compensation. To most residents, fair compensation did not only include fair market value – it was the price that would compensate them for their trouble. After all, they were expected to give up their right to the city.

## CHAPTER 5

### CONCLUSION

Governments, especially local municipalities, have become more aggressive in utilizing eminent domain powers for private use projects (Mansnerus, 1997). Over 10,000 actual or threatened uses of eminent domain power occurred for private commercial developments between the years of 1998 and 2003 (Brush, 2005). Although there is considerable research regarding the utilization of eminent domain in the United States, very little research focuses on the perception of takings - how those affected perceive the takings of their land versus how those responsible perceive the takings of private land for private use. Therefore, the primary purpose of this study was to investigate the process of land takings and examine the social implications of land seizure by examining a case study of the relocation of the Dallas Cowboys stadium to Arlington, Texas through the use of eminent domain powers.

#### 5.1 Key Findings

##### 5.1.1 Legitimizing Land Seizure

The perception of the space was a very important component to the study as it was the main catalyst for economic development. The City of Arlington and the Arlington City Council perceived the East Arlington area as blighted and in need of redevelopment. As a FWST article dated November 7, 2004 stated, the City of Arlington was “desperate to create a spark in the city,” indicating that economic

development was in the best interest of the Arlington public. The argument by the Arlington City Council in favor of the stadium was to increase tourism during the fall and winter months, thereby increasing jobs and cash flow within the city. Arlington is home to Amerquest Field, the baseball stadium of the Texas Rangers, Six Flags Over Texas amusement park, and Hurricane Harbor water park. The addition of the Dallas Cowboys stadium would make Arlington the place for year-round entertainment. According to a DMN article dated November 3, 2004, Arlington officials said that adding the Cowboys was a critical piece that was missing from their entertainment district. The hope by the Arlington City Council was for the stadium to promote redevelopment of the surrounding area, which would increase the city's commercial tax base. In a FWST article dated July 28, 2004, Councilman McCollum stated, "It's one of the best things that could ever happen to the city."

#### 5.1.2 Social Implications

The families and businesses displaced by the land seizure suffered financial, emotional, and social losses. Financially, many residents felt they were "low-balled" by the city's offers to purchase their homes. Several residents stated that they could not pay off their mortgage with the offers, while others said they were offered less than the value they pay taxes on. The \$22,500 bonus homeowners were to receive often was not enough to bridge the gap between prices offered and fair market values. Additionally, most homeowners were receiving offers less than \$70,000, making it very difficult financially to buy a comparable house in Arlington. Business owners indicated that they either hoped they were not in the stadium's path because losing their business

meant losing their livelihood or they hoped they were because they primarily relied on the patronage of the residents who were being displaced to make their businesses successful. If forced to move, some businesses mentioned the difficulty in starting a new business elsewhere and didn't know if it would be financially feasible.

Residents made comments indicating emotional distress by stating they were “frustrated” and felt “abused” by the city. Such indications became stronger as residents waited months to find out whether or not they were in the stadium's path and continued to escalate as the city condemned properties. Several homeowners were sad to leave because of the ties they had to their houses and neighborhood. They lost ties with neighbors and historical roots of their lives.

### 5.1.3 Perceptions of Space and Rhetorical Reactions

The city viewed the project site as blighted and in need of redevelopment and therefore, believed its spatial practices to reflect that of a blighted community. The city's representational space was what the city wanted in place of the blighted area, which was the stadium. The representation of space was developed through the master agreement between the city and the Dallas Cowboys and through the action of eminent domain referendum. The Stadium Community viewed the project site as their home, their “space”. They felt entitled to be there – they had a right to the city. The residents and business owners of the site did not view their spatial practices the same way as the city, obviously, because they were actually living it and knew what daily routines consisted of. Their representational space consisted of success, survival, and privacy and their means of achieving this, their representations of space, was through hard

work. Each component of representational space, representations of space, and spatial practices feeds into the other. One is not necessarily more important than the other. Through Lefebvre's conceptual triad, it is clear how the social production of space occurs and how it can change over time. It is also clear that the production of space does not occur through egalitarian social negotiations. As Zukin (1995) discussed, commodifying the city establishes a culture that symbolizes "who belongs in specific places." By removing residents to develop the Dallas Cowboys Stadium, the City of Arlington bought into the culture of commodifying the space and therefore determined who belongs in that space. This clashes with Lefebvre's notion of *oeuvre* and who has a right to the city.

Through discourse analysis of the rhetorical strategies surrounding the Dallas Cowboys Stadium case study, some of my expected findings came to light, particularly the abuse of power by the City of Arlington on the displaced community. By examining the timeline and comparing dates with the rhetoric in articles, it becomes clear that the city appears abusive through rhetorical themes derived from the media. This brings me to the media representation of the stakeholders. Nuances in sentences led me to see the abusive nature of the city and council. For example, the way the article sets up to tell the story without always coming out and pointing a finger at a specific group. This was seen when the Kelo case ruling was announced and the reaction the Mayor had, according to the articles – the media stated that Mayor Cluck was relieved because the city and the Cowboys could go on as planned, meaning,

condemn property. Media representation was overall representative on the part of the residents, giving them a voice in the middle of the crisis.

#### 5.1.4 Abuse of Power

As each article progresses, the abuse of power by the City of Arlington becomes more evident through patterns in the rhetoric. Mayor Cluck regards the site as blighted in the first article. It is evident that he is referring to the actual project site because he stated the blighted area was near Ameritrust Field, and the project site is in that location. Condemnation through eminent domain power was present from the beginning with verbiage of “eminent domain may be used as a last resort” playing over like a broken record throughout the time period studied. The oft secrecy of the city and council discussing the project behind closed doors represented an abuse of power, especially as time went on and the stadium had already been approved by the public vote. Also disconcerting was the time it took for the project site to be announced. The vote by general election on November 3, 2004 did not detail a specific site, but only provided street boundaries of a large tract of land, which included the Texas Rangers’ Ameritrust Field. The specific site was not announced until May 2005, after the Arlington City Council agreed unanimously on the location of the stadium (DMN article dated May 6, 2005). Hand-delivered letters not containing offers notified Jones’ Playground, so they continued to wait, frustrated and angry. When the offers finally came, they were less than what some residents owed on their mortgage or the taxable value. All of these pieces of rhetoric are examples of abuse of power by the City of Arlington. As discussed in the literature review, according to Foucault (1976), power



creates resistance in situations. The use and abuse of power in the stadium takings case created resistance in the Arlington City Council and the inhabitants of Jones' Playground. The more power the council used, the less patient they became with the residents. Also, the more power the council used, the more resistant the residents became about moving.

### 5.2 Applying Lefebvre

It is evident in this project that dominant groups produced space for the citizens through the use and abuse of power. Residents and business owners were forced from their habitats by the City of Arlington and the Dallas Cowboys to create a new spatial practice that identifies with the city's representational space. As Lefebvre (1996; see Mitchell) described urban public space as diverse and heterogeneous, the struggle he references between the classes is evident in the stadium situation. The Stadium Community was diverse and heterogeneous compared to the surrounding neighborhoods. The location was 49% Hispanic or Latino race with low-income families and a high percentage of renters. This diversity is what Lefebvre would consider optimum public space – people interacting from different backgrounds and ethnicities. When the City of Arlington used power through votes to take that away, the spatial practice changed, and what was once a “quiet, hidden neighborhood,” is now ahistorical.

### 5.3 Project Limitations and Contributions

Although my study of the perceptions of takings in the Dallas Cowboys stadium is unique, it is limited by several factors, such as a specific period of time, limited

generalizability, and absence of direct interviews. This study investigates what happened in the takings case for a specific time period, which includes exclusive negotiations between Jerry Jones and the City of Arlington and stops when the final resident's property is acquired by the city. Future study that would be beneficial may include a time period before the limits of this study to investigate the process that led Jerry Jones to seek a new stadium in other cities and what brought him exclusively to Arlington. Another interesting time period may include the years after this study up to opening day in the new stadium.

This study cannot be generalized across other populations or studies because it is specific in context to the Dallas Cowboys stadium relocation. Future research would benefit by including a comparison case study.

As mentioned, this study did not include interviews with key stakeholders. More thorough work would include discussions with the displaced residents, city and political officials, and sports companies to ensure a direct representation of each group is established. Although rhetoric is very powerful in this case, future studies would benefit from direct contact with stakeholders.

Contributions of this research are it allows us to see the actions and power of government through the lens of arguments conducted in public media, the way eminent domain power is utilized by the government, and the social implications it has on residents and businesses. By becoming more familiar with the legal aspects of eminent domain, one can understand how it is applied to certain situations and when it is acceptable, which is a judgment call on most accounts. When governments use eminent

domain power to remove blighted areas, again defined as those areas that are damaged to a state of irrevocable damage (Barnett, 2005), then the use of the power is appropriate. The abuse of power by governments that use eminent domain power occurs when the *definition of blight is strategically misused* to create economic development for private enterprise. This creates the unnecessary and unfair displacement of many families and businesses.

This study contributes to the way we understand urban space and how it becomes socially stratified by elitist, dominant groups that hold a disproportionate amount of power compared to socially disadvantaged groups. By understanding how space becomes commodified and stratified, the opportunity for social change to occur increases through potential policy changes and implementations. Specifically, changing the laws that allow eminent domain to occur to reflect a more conservative action would be a place to start. The legal system can utilize the information discovered in this study, and those similar, to make more stringent laws preventing municipalities from claiming blight in areas that are not in a state of irrevocable damage. A structured legal definition of blight would provide distinct parameters of when the term can be used versus when it is considered unjust.

In terms of voting on stadiums, a recommendation for legal change is disclosing the site location before the vote. People should know specifically what they are voting for in order to make an informed decision on what is in the best interest of all residents and business owners. Voting is a responsibility that includes being informed before a decision is made and the vote is cast.

In terms of power, it is important to consider all of the variables that cause the uneven distribution between groups in order to take steps that create a balance of power in society. Specifically, the role of planners and how they shape the spaces we occupy is important in making positive changes that reduce social stratification. Planners have the opportunity to create egalitarian spaces by combining affordable housing with upper-scale housing to integrate communities. They can also work in low-income communities as an advocate to revitalize the area and increase the land value. Planners can connect low-income communities with cities and serve as a liaison between the two to achieve positive redevelopment for the city and the community.

In this study, I use newspaper accounts to support an argument that the City of Arlington unjustly used eminent domain power in taking of private land and redistributing it for other private land uses. If cities continue to have this kind of power in the future, no one's property is safe from condemnation. Resident and citizen awareness is key in making positive social change happen.

APPENDIX A

NEWSPAPER ARTICLE MATRIX

No.	Paper	Date	Power				Abuse of Power	Social Implications	
			Financial	Political	Status	Legal	Comments	Financial	Emotional
1	D	7/28/2004	x	x		x		x	
2	FW	7/28/2004	x	x	x		Cowboys wanted city to condemn land instead of paying for it outright.		
3	FW	7/30/2004	x	x			Mayor Cluck stated that the site was in crime-ridden area	x	
4	FW	8/10/2004	x	x	x		Stadium project discussed behind closed doors-no democracy		
5	FW	8/11/2004	x	x	x		Eminent Domain mentioned as definitely happening (Opinion Piece)	x	
6	FW	8/11/2004	x	x	x		Cowboys could have moved to Fair Park - no land costs or lost homes	x	x
7	D	10/22/2004	x	x				x	
8	D	10/22/2004		x		x	City calling area blighted, when it isn't		
9	FW	10/29/2004		x			Government has no restrictions other than demonstrating public good	x	
10	D	11/1/2004			x		Taxpayers are paying to fund a stadium for someone w/\$\$\$	x	
11	D	11/3/2004	x	x			Financial power of the Cowboys for marketing		
12	D	11/4/2004	x	x	x	x	Financially binding agreement to be established	x	
13	FW	11/4/2004	x	x	x	x			
14	FW	11/7/2004	x	x	x				
15	D	11/10/2004	x	x			City not giving fair deals to citizens	x	x
16	FW	11/13/2004	x	x			City not giving fair deals to citizens to move	x	x
17	FW	11/15/2004					Residents need sufficient compensation to move elsewhere in Arlington	x	
18	FW	11/21/2004		x			Property takings is for ED, not blight (opinion)	x	x
19	D	12/1/2004	x	x			City spends \$2.3M to hire group to acquire land	x	x
20	FW	1/30/2005	x	x	x		City displacing disadvantaged groups	x	x
21	D	2/20/2005	x	x			Property owners fear their land will be seized. No one is safe	x	x
22	D	2/20/2005	x	x			City taking land that isn't blighted	x	x
23	FW	3/2/2005	x	x	x		Arlington owns stadium, tickets will cost dearly, Jones will profit	x	x
24	D	4/29/2005		x			City being secretive; residents STILL don't know if they need to move	x	x
25	D	5/6/2005	x	x			City won't take businesses along Collins b/c they bring in "valuable tax dollars"	x	

No.	Paper	Date	Power				Abuse of Power	Social Implications	
			Financial	Political	Status	Legal	Comments	Financial	Emotional
26	FW	5/7/2005		x			City invoking fear in residents to sell or else. City still keeping prop owners in the dark by not giving them the appraisal of their property with the letter re acquisition.	x	x
27	D	5/7/2005		x			City invoking fear in residents to sell or else. City still keeping prop owners in the dark by not giving them the appraisal of their property with the letter re acquisition.	x	x
28	D	5/12/2005		x			City decides what a fair price is under eminent domain	x	x
29	D	5/16/2005		x		x	City trying to buy property for current use, not it's "highest & best use"	x	x
30	FW	6/20/2005	x	x			City taking advantage of residents by low-balling them	x	x
31	FW	6/24/2005	x	x		x	Mayor Cluck stated that he was relieved by Kelo decision and now the City and Cowboys could proceed as "planned".	x	x
32	D	6/24/2005		x		x	Mayor Cluck said the final decision in the Kelo case indicates that there wasn't any danger to them now (to take the land).		
33	D	6/25/2005	x	x			City's announcement to proceed with eminent domain came one day after Kelo decision	x	x
34	D	6/25/2005	x	x		x		x	x
35	FW	6/29/2005		x		x		x	x
36	FW	6/29/2005	x	x				x	x
37	FW	6/29/2005	x	x			City invoking fear in residents to sell. Residents feel defeated.	x	x
38	FW	6/29/2005	x	x				x	x
39	D	6/29/2005		x	x		Taking someone's home to turn over to a private owner for redevelopment goes against what our founding fathers fought for		x
40	D	6/29/2005		x		x	Council votes to take legal action less than one week after Kelo		
41	FW	7/1/2005		x			Opinion pieces-Mayor Cluck tries to justify the seizure of people's homes.	x	x
42	D	10/2/2005	x	x		x	City council has condemned or sought to condemn more than 3/4 of the properties it has acted on in the past 4 months.	x	x
43	D	11/25/2005		x	x		City used eminent domain as rule, not exception. Also, city and Jones promised minority and women-owned businesses would get major contracts that they didn't get.	x	x

No.	Paper	Date	Power				Abuse of Power		Social Implications	
			Financial	Political	Status	Legal	Comments	Financial	Emotional	
44	D	2/7/2006	x	x		x	City tore down a once "quiet, hidden neighborhood"	x	x	
45	D	2/23/2006		x		x				
46	FW	2/23/2006	x	x		x	City willing to pay resident 1/2 of what appraiser said property was worth.	x	x	
47	D	3/9/2006		x	x		Officials used eminent domain to satisfy the ultra-rich	x	x	
48	FW	4/20/2006	x	x	x		Council met Jones' demands with no concern of the effect on the city	x	x	
49	FW	4/25/2006	x	x						
50	FW	5/3/2006		x			Council - indiscriminate use of eminent domain.		x	
51	FW	5/15/2006	x	x	x	x	Citizens felt threatened by the city.	x	x	
52	D	6/4/2006	x	x		x	Article states that city is finishing [acquiring land] one of the "most contentious parts of the project".			
53	FW	6/28/2006	x	x		x	People not in the project zone fear that the city might want to take their land for a different project given the opportunity.	x	x	
54	FW	7/22/2006	x	x		x		x		
55	FW	9/8/2006	x	x	x		Cowboys decline to show architectural drawings or renderings			
56	D	9/14/2006	x	x		x	Citizen won't consider living in Arlington after the City took her home.	x	x	
57	FW	12/15/2006	x	x	x		City diverting tax dollars that could be spent on residents	x	x	

Media Representations Regarding Project/Jerry Jones												Representations of Groups				
No.	Paper	Date	Citizens			City of Arlington		Jones/Cowboys		All Others		Grassroots		Citizens	City	Jones
			Skeptical	Positive	Distress	Skeptical	Positive	Skeptical	Positive	Skeptical	Positive	Skeptical	Positive			
1	D	7/28/2004	x	x	x	x-some council			x	x	x		willing to sell	blight mentioned	greedy	
2	FW	7/28/2004				x	x		x	-	-		-	democratic	condemnation mentioned	
3	FW	7/30/2004					x							redevelop		
4	FW	8/10/2004	x			x-some council		x	x		x		opposed	secretive	Responsive to city	



Media Representations Regarding Project/Jerry Jones													Representations of Groups			
No.	Paper	Date	Citizens		Distress	City of Arlington		Jones/Cowboys		All Others		Grassroots		Citizens	City	Jones
			Skeptical	Positive		Skeptical	Positive	Skeptical	Positive	Skeptical	Positive	Skeptical	Positive			
5	FW	8/11/2004	x											opposed		
6	FW	8/11/2004	x	x	x				x					divided	optimistic	pushing ahead
7	D	10/22/2004		x										willing to sell		
8	D	10/22/2004							x					unfair;abusing use of blight.		
9	FW	10/29/2004												unfair-using public good the wrong way		
10	D	11/1/2004							x					foolish	foolish	unfair
11	D	11/3/2004	x	x			x					x		divided	hopeful	
12	D	11/4/2004					x		x							
13	FW	11/4/2004					x		x					proud/superior		
14	FW	11/7/2004	x			x	x		x					proactive	aggressive	
15	D	11/10/2004	x		x											
16	FW	11/13/2004	x	x	x		x							upset	pushing forward	
17	FW	11/15/2004								x				most willing to sell	generous	
18	FW	11/21/2004	x											steadfast	abuse of power	abuse of status & wealth
19	D	12/1/2004					x							disadvantaged	powerful, use of financial power	
20	FW	1/30/2005	x		x		x			x		x		disadvantaged	taking advantage	
21	D	2/20/2005	x		x							x		disadvantaged	taking advantage	
22	D	2/20/2005	x		x							x		disadvantaged	taking advantage	
23	FW	3/2/2005	x		x					x				disadvantaged	taking advantage	abuse of status & wealth
24	D	4/29/2005	x		x		x							in the dark	secretive about site	
25	D	5/6/2005			x		x							in the dark	secretive about site; finally giving residents notice	

Media Representations Regarding Project/Jerry Jones														Representations of Groups		
No.	Paper	Date	Citizens		Distress	City of Arlington		Jones/Cowboys		All Others		Grassroots		Citizens	City	Jones
			Skeptical	Positive		Skeptical	Positive	Skeptical	Positive	Skeptical	Positive	Skeptical	Positive			
26	FW	5/7/2005	x		x		x							distressed/frustrated	Superior/Feel they are being generous. Still secretive re appraisals	
27	D	5/7/2005	x	x	x		x							distressed/frustrated	Responsible. Notifying prop owners	
28	D	5/12/2005								x				defeated	unfair	
29	D	5/16/2005	x	x	x		x			x				negotiating	sneaky	
30	FW	6/20/2005	x		x		x							disappointed	unfair	
31	FW	6/24/2005					x		x	x					selfish	selfish
32	D	6/24/2005					x			x		x			ready to take land	
33	D	6/25/2005	x		x	x				x				defiant	unfair;taking advantage; greedy	
34	D	6/25/2005								x				disadvantaged	abuse of power	
35	FW	6/29/2005									x			insignificant	justified	
36	FW	6/29/2005	x		x		x							defiant	using power of eminent domain	
37	FW	6/29/2005	x		x		x							intimidated/not intimidated	bullying	
38	FW	6/29/2005	x		x		x							disadvantaged	unfair	
39	D	6/29/2005	x		x					x				helpless	unjust	abuse of status & wealth; want someone else to do their dirty work
40	D	6/29/2005					x			x				defeated	justified	
41	FW	7/1/2005	x		x					x				outraged	communists	abuse of status & wealth
42	D	10/2/2005	x		x		x			x				angry	taking advantage	
43	D	11/25/2005	x		x					x				angry	taking advantage	abuse of status & wealth

Media Representations Regarding Project/Jerry Jones													Representations of Groups			
No.	Paper	Date	Citizens		Distress	City of Arlington		Jones/Cowboys		All Others		Grassroots		Citizens	City	Jones
			Skeptical	Positive		Skeptical	Positive	Skeptical	Positive	Skeptical	Positive	Skeptical	Positive			
44	D	2/7/2006	x		x		x			x				sad/afraid	taking advantage	
45	D	2/23/2006					x			x				fighting back	business/greed	
46	FW	2/23/2006	x		x					x				fighting back	unfair/greedy	
47	D	3/9/2006	x		x					x				angry	selfish	elitest/ultra-rich/selfish
48	FW	4/20/2006	x		x									angry	greedy/selfish	selfish/greedy
49	FW	4/25/2006								x				mixed		
50	FW	5/3/2006	x		x									angry	unfair/greedy	
51	FW	5/15/2006	x	x	x		x			x				defeated (majority). Treated fairly (few)	Threatening	
52	D	6/4/2006					x				x				Staying to task; on schedule	
53	FW	6/28/2006	x		x		x					x		angry/fighting back (protest)	justified b/c of votes	
54	FW	7/22/2006	x				x			x				fighting back/suing	trying to be accommodating to businesses	
55	FW	9/8/2006	x				x			x		x		in the dark	Some council trying to be fair	abuse of power/taking advantage/mysterious
56	D	9/14/2006	x		x					x				victory after holding out for \$	unfair/took something irreplaceable	
57	FW	12/15/2006	x		x					x				angry	greedy/selfish	greedy

No.	Paper	Date	Rhetoric				Eminent Domain Rhetoric			
			Persuasive	Positive	Negative	Comments	Necessary	Unnecessary	Last Resort	Kelo Case
1	D	7/28/2004								
2	FW	7/28/2004	x		x	Desperation				
3	FW	7/30/2004	x		x	Crime-ridden areas			x	
4	FW	8/10/2004	x	x		Road Expansion			x	
5	FW	8/11/2004	x		x	Overruns/Court Costs	x			
6	FW	8/11/2004							x	
7	D	10/22/2004	x		x	City could lose \$\$	x			
8	D	10/22/2004	x			People s/b paid		x		x
9	FW	10/29/2004								x
10	D	11/1/2004	x		x	People s/n have to move				
11	D	11/3/2004	x			Cowboys-critical component			x	
12	D	11/4/2004					x			
13	FW	11/4/2004	x	x		Major step forward for City	x			
14	FW	11/7/2004	x	x		Desperate to create a spark	x			
15	D	11/10/2004							x	
16	FW	11/13/2004	x		x	Being displaced for peanuts			x	
17	FW	11/15/2004								
18	FW	11/21/2004	x		x	Project clearly for ED	x			x
19	D	12/1/2004	x		x	R-O-W acquisition & sentence structure re: eminent domain	x			
20	FW	1/30/2005	x		x	Governmental takings violates public trust	x			x
21	D	2/20/2005	x		x	No one's home or small business is safe in this country.	x			x
22	D	2/20/2005	x			The government is trying to take land that truly isn't blighted	x			x
23	FW	3/2/2005	x		x	Power to dislocate people should be used sparingly and fairly	x			x

No.	Paper	Date	Rhetoric				Eminent Domain Rhetoric			
			Persuasive	Positive	Negative	Comments	Necessary	Unnecessary	Last Resort	Kelo Case
24	D	4/29/2005	x		x	People are in limbo and need to know. They could lose their business and home	x			
25	D	5/6/2005	x	x	x	Mayor Pro-Tem-we owe it to the residents to notify them first. Also, shops & rest. Would remain along Collins			x	
26	FW	5/7/2005	x		x	Residents feel angry and bitter, violated, x abused. They are being stolen from.				
27	D	5/7/2005	x		x	It's difficult to look for a home when one doesn't know how much they will be paid			x	
28	D	5/12/2005	x		x	You have to sell, we decide what's fair, and that's the law	x			
29	D	5/16/2005	x		x	I'm going to be on 50-yard line. I'll have to go.	x			
30	FW	6/20/2005	x		x	You have no choice other than to take what is offered			x	
31	FW	6/24/2005	x		x	Mayor relieved that city and Cowboys can proceed as planned	x			x
32	D	6/24/2005	x		x	Mayor Cluck said that the Kelo decision was final. Nothing a danger now.	x			x
33	D	6/25/2005	x		x	One resident claimed the City wouldn't pay him enough to cover his mortgage.	x			x
34	D	6/25/2005	x	x		Local officials have an obligation of wise stewardship	x			x
35	FW	6/29/2005	x	x		Cowboy's stadium is once in a decade deal that justify eminent domain	x			x
36	FW	6/29/2005					x			x
37	FW	6/29/2005	x		x	City is going to get the land one way or the other			x	

No.	Paper	Date	Rhetoric				Eminent Domain Rhetoric			
			Persuasive	Positive	Negative	Comments	Necessary	Unnecessary	Last Resort	Kelo Case
38	FW	6/29/2005					x			
39	D	6/29/2005	x		x	Texas has been a place for significant abuses of power	x			
40	D	6/29/2005	x		x	The displaced have had enough time to consider offers and make a counteroffer.			x	x
41	FW	7/1/2005	x		x	When did tax revenue become the most important priority for our leaders.		x		x
42	D	10/2/2005	x		x	Condemnation has become the rule rather than the exception			x	
43	D	11/25/2005	x		x	Demolished entire neighborhood without batting an eye.		x		
44	D	2/7/2006	x		x	My kids are scared for me to live here now.	x			
45	D	2/23/2006								
46	FW	2/23/2006	x		x	Resident claims she won't stay in Arlington	x			
47	D	3/9/2006	x		x	Officials have ruthlessly used eminent domain to uproot families, homes for ultra-rich				
48	FW	4/20/2006	x		x	Council met Jones' demands regardless of the effect on our city.				
49	FW	4/25/2006								
50	FW	5/3/2006	x		x	Council sold out to Dallas Cowboys owner Jerry Jones, squandering tax money.				
51	FW	5/15/2006	x		x	Mayor says they knew the acquisition process would be uncomfortable. Resident stated they felt threatened by the city	x			x
52	D	6/4/2006	x		x	City acquiring land one of the most "contentious parts of project"	x			
53	FW	6/28/2006	x		x	Protestors wanted to commemorate the people "who got thrown off their land"	x			
54	FW	7/22/2006						x		
55	FW	9/8/2006	X		x	Public has a right to see plans. People lost their homes for this stadium				
56	D	9/14/2006	X		x	"I can never replace what I had, no matter what they pay me"				

No.	Paper	Date	Rhetoric				Eminent Domain Rhetoric			
			Persuasive	Positive	Negative	Comments	Necessary	Unnecessary	Last Resort	Kelo Case
57	FW	12/15/2006	X		x	Resident states "all I see is government waste, eminent domain abuse, horrific traffic, lower home values, crime and shameful benefits for our leaders."	x			

## REFERENCES

- Ahles, A. (2006a, May 15). Paying up pays off – for city of Arlington, offering thousands of dollars to move makes buying 200 acres needed for new Cowboys stadium easier. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Ahles, A. (2006b, July 22). Land buying nearly finished. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Ahles, A. (2006c, September 8). Stadium plans are kept secret. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- American Community Survey (2005). General Demographic Characteristics for Arlington, Texas. Retrieved April 12, 2007 from <http://census.nctcog.org>
- American Community Survey (2005). Selected Economic Characteristics for Arlington Texas. Retrieved April 12, 2007 from <http://census.nctcog.org>
- Barnett, M. (2005). A Homeowner's Battle. *U.S. News and World Report*, 138:7, 48.
- Baxter, J., Eyles, J. (1997). Evaluating Qualitative Research in Social Geography: Establishing 'Rigour' in Interview Analysis. *Transactions of the Institute of British Geographers*, 22:4, 505-508.
- Blumer, H. (1937). *Social Psychology*, Chapter 4 in Emerson Peter Schmidt (ed.) *Man and Society: A Substantive Introduction to the Social Science*. New York, Prentice-Hall (1937)
- Brush, S. (2005). Real Angry Over Real Estate. *U.S. News and World Report*, 139:13, 34.
- Casey, E. (2001). Between Geography and Philosophy: What Does It Mean to Be in the Place-World? *Annals of the Association of American Geographers*, 91:4, 683-693.
- Claunch, S. (2004, November 13). Residents concerned about city's relocation assistance plan. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>



- Claunch, S., Wethe, D. (2005, May 7). Owners, renters in path of stadium get letters. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Claunch, S. (2005a, June 20). Sales of houses in path starting. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Claunch, S., Jinkins, S. (2005, June 29). Council to pursue 47 lots for stadium. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Claunch, S., (2005b, June 29). City taking aim at 47 lots. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Claunch, S. (2006a, February 23). Last stadium holdout packs to go. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Claunch, S. (2006b, June 28). Property fights – about 20 protesters at City Hall mark anniversary of Supreme Court’s decision on property seizures. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Congressional Digest (2006). *Kelo v. New London: Summary of the Majority Opinion* (January), 11.
- Cox, R., Mair, A. (1988). Locality and Community in the Politics of Local Economic Development. *Annals of the Association of American Geographers*, 78:2, 307-325.
- Cypher, M., Forgey, F., (2003). Eminent Domain An Evaluation Based on Criteria Relating to Equity, Effectiveness, and Efficiency. *Urban Affairs Review*, 39:2, 254-268.
- Dallas Cowboys Design Statement retrieved March 20, 2007 from <http://www.stadium.dallascowboys.com>
- DeCosse, D. (1995). ‘Taking’ Property and the Common Good. *America*, 173:2, 10-13.
- ERA, Economic and Fiscal Impact Study (2004), Project No. 15652 retrieved online at [www.ci.arlington.tx.us](http://www.ci.arlington.tx.us)
- Floyd, J. (2005, May 12). Could you give up your house if city knocked? *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Foucault, M. (1976). Power as Knowledge. *Social Theory: The Multicultural and Classic Readings*. Colorado:Westview Press.

- Foucault, M. (1977). The Birth of the Prison. *The Blackwell City Reader*. Oxford:Blackwell Publishing.
- Frug, G. (1999). *City Making: Building Communities Without Building Walls*. New Jersey: University Press, 26–42.
- General Election Ballot (2004, November 3). Retrieved from [http://www.arlingtontx.gov/citysecretary/pdf/110204/110204\\_sampleballot.pdf](http://www.arlingtontx.gov/citysecretary/pdf/110204/110204_sampleballot.pdf)
- Getz, J. (2004, July 28). Arlington residents open to Cowboys plan – homeowners would sell to clear way for stadium but wary of being used. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Gill, R. (1996). Discourse Analysis: Practical Implementation. *Handbook of Qualitative Research Methods for Psychology and the Social Sciences*. Oxford: Blackwell Publishing. 140-147.
- Goodwin, J., Manley, R., Marsh, J., Stevens, C., (Eds.).(1997). *The Oxford Desk Dictionary and Thesaurus*. New York: Oxford University Press.
- Gouldner, A. (1970). Toward a Reflexive Sociology. *Social Theory: The Multicultural and Classic Readings*. Colorado:Westview Press.
- Hagstrom, J. (2005). House Committee Plans to Take Lead on Eminent Domain. *CongressDaily AM*, 20-21.
- Harvey, D. (1996). The City in a Globalizing World. *Social Theory: The Multicultural and Classic Readings*. Colorado:Westview Press.
- I'll be watching on TV. (2006, December 15). *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Lefebvre, H. (1991). The Production of Space. Oxford:Blackwell Publishing.
- Lefebvre, H. (1996). “The Right to the City,,: in *Writing on Cities*. Oxford:Blackwell Publishing. 63-181.
- Main, C. (2005). How Eminent Domain Ran Amok. *Policy Review*, I33, 3-24.
- Mansnerus, L. (1997). The Mall’s Expanding and You’re Evicted. *U.S. News and World Report*, 123:10, 43.
- Master Agreement Regarding Dallas Cowboys Complex Development Project (2004). Retrieved April 2, 2007 from <http://www.ci.arlington.tx.us>

- McCann, E. (1999). Race, Protest, and Public Space: Contextualizing Lefebvre in the U.S. City. *Antipode*, 31:2, 163-184.
- Merrifield, A. (1993). Place and Space: A Lefebvrian Reconciliation. *Trans. Br. Inst. Geogr. N.S.*, 18, 516-531.
- Meyer, P. (2006, February 23). Land in Cowboys stadium's path fetches \$1.2M award – Arlington: homeowner plans appeal; property in path of Cowboys site. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mitchell, D. (1995). The End of Public Space? People's Park, Definitions of the Public, and Democracy. *Annals of the Association of American Geographers*, 8:1, 108-120.
- Mitchell, D. (2003). *The Right to the City: Social Justice and the Right to Public Space*, New York:Guilford Press.
- Montgomery, D., Austin, J. (2005, June 24). Court expands eminent domain. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Mosier, J. (2004a, November 3). Voters favoring Cowboys stadium – Arlington proposition would fund half of \$650 million venue. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2004b, November 10). Arlington sets buyouts for stadium – City, Cowboys would pay amount above market value for land. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005a, April 29). Cowboys close on stadium site – Anxious landowners should know next week if they'll stay or go. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005b, May 6). Arlington council picks stadium site – Cowboys' new home to be revealed after landowners notified. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005c, May 7). Clearing the way for the Cowboys – Arlington property owners notified of buyouts, await offers. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005d, May 16). Residents at stadium site mull offers – Arlington: some hold out, but officials say the process is going smoothly. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>

- Mosier, J., Getz, J. (2005, June 24). In light of stadium, ruling pleases Arlington – But some attorneys say state courts often side with property owners. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005e, June 25) Stadium eminent domain imminent for homeowners – Arlington: they say offers are too low; city says plan won't change. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005f, June 28) Owners sue to keep land at Cowboys stadium site. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2005g, October 2). Eminent domain has been key to clearing the way for the stadium – Arlington: officials say forcing homeowners' hands is final option. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2006a, February 7). Moving out of stadium's way – family last to exit Arlington neighborhood set to be razed. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2006b, June 4). Stadium is flurry of labor – Arlington: official says Cowboys' palatial new home is right on track. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Mosier, J. (2006c, September 14). Woman to get \$2.75M for property – Arlington: City offers its largest payout for land in stadium's path. *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Moulton, B. (1995). Takings Legislation: Protection of Property Rights or Threat to the Public Interests? *Environment*, 37:2, 44.
- New Plans (2006, April 25). *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Only at the right price. (2004, October 22). *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Phillips, N., Hardy, C. (2002). *Discourse Analysis: Investigating Processes of Social Construction*. Thousand Oaks, CA:Sage.
- Schnurman, M. (2004, November 7). Looking back at stadium victory. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>

- Talbott, B. (2005). Senate Panel Mulls Tighter Controls On Eminent Domain. *Congress Daily*, 8.
- Tonkiss, F. (1998). *Analysing Discourse. Researching Society and Culture*. California: Sage Publications. 245-260.
- U.S. Census Bureau (2000). 2000 Profile of General Demographic Characteristics for census tract 1217.02, Tarrant County, Texas retrieved April 2, 2007 from <http://factfinder.census.gov/servlet/QTTable>
- U.S. Census Bureau (2000). 2000 Profile of Selected Economic Characteristics for census tract 1217.02, Tarrant County, Texas retrieved April 2, 2007 from <http://factfinder.census.gov/servlet/QTTable>
- Wethe, D., Claunch, S. (2004a, July 28). Council begins weighing Cowboys stadium deal. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Wethe, D. (2004b, August 11). Cowboys, Arlington say a deal is close. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Wethe, D. (2004c, November 4). With voting over, talks get down to details. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- Wethe, D. (2004d, July 30). Arlington looks at three taxes for stadium. *Fort Worth Star-Telegram*. Retrieved January 15, 2007 from <http://www.star-telegram.com>
- What's next. (2004, November 4). *Dallas Morning News*. Retrieved January 15, 2007 from <http://www.dallasnews.com>
- Zukin, S. (1995). *Whose Culture? Whose City? The City Reader Third Edition*. London: Routledge.

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