**British Journal of
Political Science**

ARTICLE

Anti-homeless Hostile Design as Wrongful Discrimination

Andreas Albertsen[1] and Carl Knight[2]

[1]Department of Political Science, CEPDISC, Aarhus University, Aarhus, Denmark and [2]Department of Politics, University of Glasgow, Scotland, United Kingdom
Corresponding author: Andreas Albertsen; Email: aba@ps.au.dk

Abstract
Philosophical accounts of discrimination distinguish the question of what discrimination is from the question of its wrongfulness. This article addresses these two questions in the context of anti-homeless hostile design of public spaces. Regarding the first question, all forms of anti-homeless hostile design amount to discrimination, with typical cases (for example, anti-homeless spikes or benches) being direct discrimination, but with some cases (for example, CCTV not intended to target the homeless) being indirect discrimination. Regarding the second question, it is argued that all major accounts of the wrongness of discrimination identify the usual, directly discriminatory hostile design as wrongful on account of its harmful or disrespectful character. Most accounts also consider the less common indirectly discriminatory hostile design to be possibly wrongful, especially given the severe disadvantages faced by the homeless in contemporary cities.

Keywords: discrimination; disrespect; harm; homelessness; hostile design

While homelessness is, in one sense, a simple concept – living without a permanent home – it comes in many shapes and forms. It is common in Europe to count as homeless 'people who are living rough (street homeless), in encampments or in emergency accommodation or other designated homelessness services that offer temporary accommodation' (Pleace and Hermans 2020, 36; see also Busch-Geertsema et al. 2014). Some sleep in their cars, in garages, or on the couches of acquaintances, hoping not to wear out their welcome before the next opportunity for temporary shelter is lined up. Homelessness is widespread (Busch-Geertsema 2010; Busch-Geertsema et al. 2014). A study across France, Ireland, Italy, the Netherlands, Poland, Portugal, Spain, and Sweden found that 5 per cent of the respondents had experienced homelessness at some point (Taylor et al. 2019). On any night, 600,000 people are unhoused in the US (security.org 2023).

Contemporary societies have pursued many policies to improve the condition of the homeless or reduce the number of people affected by homelessness. These may seek to address the shortage of affordable housing or provide temporary accommodation and other places to rest, and maintain personal hygiene, such as public libraries, toilets, and swimming pools. Medical care can be offered outside the traditional healthcare system, often in connection with other services offering social or practical help (Dixon et al. 1997; Kaduszkiewicz et al. 2017). Social

entrepreneurship initiatives such as street newspapers help bridge the gap to ordinary employment (Swithinbank 2001).

However, not all responses to the homeless are so benign. This article takes up one such response, *hostile design,* which is enacted both by public and private actors. Rosenberger preliminarily defines hostile design as 'objects within public spaces that have the effect of targeting vulnerable groups' (Rosenberger 2020b, 884). While hostile design can target various groups, from immigrants (Tosi 2007) to skateboarders (Giamarino, O'Connor, and Willing 2023), our focus here is on the prominent kind of hostile design that impacts the homeless. Anti-homeless hostile design comes in many shapes and forms. Notable examples are benches designed to prevent sleeping, for instance, by adding armrests in the middle (Jensen 2023b; Rosenberger 2017); adding spikes to surfaces to prevent sleep and rest (Rosenberger 2023); sprinkling parks or pavements to soak those who might want to sleep there (Azhar 2022); and closing off ventilation grates to remove the option of obtaining heat from them (E Nielsen 2021, 17; Azhar 2022). Anti-homeless hostile design makes parts of the city less livable for the vulnerable and marginalized (Dakin 2021; Grainger 2021; Jensen 2021).

While observers believe hostile design is an increasing trend (Savić and Savičić 2014; Rosenberger 2017), no systematic attempts have been made to document this. However, there can be no disagreement about whether it is widespread. The existing literature provides examples of hostile design from across the globe, including Canada (Dakin 2021; E Nielsen 2021) and the Netherlands (Rossem 2022); Italy and the UK (Izzo 2022); France, Japan, and the US (Rosenberger 2017); Australia, Denmark, and Sweden (de Fine Licht 2023); and Finland, Cuba and Germany (defensiveto.com 2023a). Detailed hostile design mapping projects such as that in Toronto demonstrate how pervasive it can be (defensiveto.com 2023b). While research into the effects of hostile design is sparse, testimonies from homeless people and homeless organizations provide evidence that it drives homelessness away from services to the periphery of the city (Dakin 2021, 75; CH Nielsen 2024b, 2024a), is experienced as harmful by the homeless (Andreou 2015; CH Nielsen 2025) and creates an atmosphere of rejection (Jensen 2023b, 54), signalling to the homeless that they are not welcome (Pallet 2022).[1]

Despite hostile design's prominence in the modern city, discussion of it in philosophy and political theory has been limited.[2] This paper discusses the practice of hostile design from the perspective of the philosophical literature about discrimination. While it is sometimes mentioned in passing that hostile design is discriminatory (E Nielsen 2021, 16; Rosenberger 2017, 46), this article is the first to provide an in-depth assessment.

The philosophical literature on discrimination picks out two key questions. The first asks what discrimination is, identifying and conceptualizing its various forms. In brief, discrimination refers to the disadvantageous treatment of members of one group compared to another. It is direct where they are treated worse because of their group membership, and indirect where they are treated worse for some other reason through a seemingly neutral procedure. Many theories of what discrimination is remain neutral regarding whether discrimination is wrong.[3] The second question in the literature asks what makes discrimination wrong when it is wrong. Taking its cue from these discussions, the article addresses (1) whether hostile design can be considered discrimination based on prominent theories of what discrimination is and (2) whether and to what extent hostile design is wrong according to the suggestions in the philosophical literature as to what makes discrimination wrong. By scrutinizing hostile design from this perspective, the

---

[1]For recent qualitative insights into this, see (Nielsen 2024b; 2024a).

[2]The main exceptions are the recent work of Rosenberger, Petersen and de Fine Licht (de Fine Licht 2017; 2020; 2023; Rosenberger 2017; 2020b; 2023; Petersen 2025b). There is growing philosophical interest in homelessness more broadly (Abbarno, 2021; Essert 2016; Jenkins and Brownlee 2022; Moran and Atherton 2018; van Leeuwen and Merry 2019; Waldron 2006; Wells 2022; Wolff and de Shalit 2023; Van Leeuwen 2022).

[3]Even if the ordinary use of discrimination is moralized (Willemsen et al. 2024).

article heeds Schindler's idea that '[e]xclusion through architecture should be subject to scrutiny that is equal to that afforded to other methods of exclusion by law' (Schindler, 2014, 1953; cited in Rosenberger 2020b). We argue that this exclusion typically amounts to wrongful discrimination, being harmful or disrespectful.[4] This has significant implications for urban design and public policy, not least because the identified conflict between a widely shared anti-discrimination norm and current practices of hostile design provides a strong reason to oppose the latter.

What is anti-homeless hostile design?

Anti-homeless hostile design is, as the name suggests, a subset of a broader category. This is discussed under a wide range of terms: 'defensive architecture' (Smith and Walters 2018), 'hostile architecture' (Petty 2016), 'dark design' (Jensen 2023a), 'unpleasant design' (Savić and Savičić 2014; Savičić and Savić 2013), 'exclusionary design' (Jensen 2023b), or, our preferred term, 'hostile design' (Rosenberger 2020b, 2023, 2017). We prefer 'hostile' because it is commonly used and descriptive of the phenomena in question. We refer to 'design' rather than architecture because the former is broader (Jensen 2020, 327), capturing all the main examples discussed in the literature.

A wide range of definitions of hostile design are on offer. These definitions differ, firstly, in terms of what hostile design pertains to – whether it concerns objects or space, and whether these need to be public or urban. We refer to these as the *formal* conditions of hostile design. Secondly, the definitions differ regarding further, often somewhat moralized, conditions for hostile design, which may be, for instance, related to the intentions of those behind such designs.[5] We refer to these as the *substantive* conditions of hostile design. Roughly speaking, the formal conditions are conditions for something being a design, while the substantive conditions are conditions for it to be hostile.

Formal conditions of hostile design

What, then, are the *formal* conditions of hostile design? To what does it pertain? The broadest views here talk simply of *space* (de Fine Licht 2023), while many add that we are dealing with *public* or *urban* phenomena (Jensen 2023b, 1; E Nielsen 2021, 16; Izzo 2022, 527). The narrower definitions focus on *objects* in public spaces (Rosenberger 2020b; 2023). We will take hostile design to pertain to the *configuration of public space*. 'Configuration' refers to physical arrangements made by humans, such as surfaces, structures, signs, furniture, and electronic equipment. The 'public space' part of the formulation ensures that we discuss areas that are (or should be) open to the community.[6] Our formal condition excludes things that do not count as designs, as that concept is used in discussions of hostile design, such as weather, terrain, plants, or animals due to nature rather than human intervention; social or legal norms themselves, rather than their physical manifestations; and features of private homes.[7] Some of these things may sometimes be unwelcome or, in some sense, hostile, but they are not the kinds of things that can count as hostile design.

Our formal condition is broad enough to include the *designed absence* of objects by (1) removing them, as when a bench is uninstalled or a public restroom closed, or (2) not providing them in the first place, as when a new public space has no benches or restrooms. This

---

[4]The philosophical literature commonly associates the wrongness of discrimination with harm and/or disrespect, and empirical studies suggest the importance of both (Albertsen et al., 2023).

[5]Some definitions specify that hostile design targets vulnerable groups. However, not everything discussed as hostile design targets the vulnerable – consider, for instance, so-called skate stoppers (de Fine Licht 2023). This disagreement is, however, not important for the discussion of anti-homeless hostile design.

[6]The 'should' clause ensures that privatization of space that should be public is not a means of evading the charge of hostile design.

[7]We do not restrict the definition to urban spaces, as though the city is certainly the most prevalent setting for hostile design, anti-homeless benches or spikes in rural settings would be, intuitively, just as much matters of hostile design.

hostile design by removal or absence is broadly recognized in the literature (Rosenberger 2017, 32–33; 2020b, 887; 2023, 62; Dakin 2021, 44; CH Nielsen 2024b), and we take it to be an important reason to prefer space over object in the definition. We would not want to rule out that the Metropolitan Transportation Authority (MTA) in New York described a hostile design when they tweeted that benches were removed from stations to prevent homeless people from sleeping on them (Perrett 2021). The removal of a bench to prevent its use by the homeless is intuitively just as much a hostile design as the introduction of anti-homeless benches. To be sure, the absence of public amenities can be due to genuine low demand, and such cases are still configurations of public space, thereby satisfying our undemanding formal condition. It is their non-hostile character, as defined by the substantive condition we later discuss, that means they are not hostile designs.

The formal condition of hostile design distinguishes it from other ways vulnerable groups are targeted. Of particular relevance for our topic are *anti-homeless laws,* and related prohibitions on panhandling, camping, trespass, and storing property in public. Such laws and prohibitions are quite common (Kettel 2024). These laws do not count as hostile design in our definition, which rather concerns the configuration of public spaces. Anti-homeless laws do, nevertheless, interact in important ways with anti-homeless hostile design (Rosenberger 2017, 28; Izzo 2022; Jensen 2020, 328). An anti-camping prohibition is not itself a hostile design, nor is a police sweep enforcing the prohibition. However, other forms of enforcement of the same prohibition, such as anti-camping signs, anti-homeless spikes, sprinklers, or CCTV, may amount to hostile design.[8] The difference is simply that these measures involve changes to the design of the public space.

Clearly, this is a descriptive rather than normative distinction, and much of the argument we later give against anti-homeless hostile design may apply, mutatis mutandis, to other ways of enforcing anti-homeless laws, as well as to the laws themselves. But it is worth emphasizing that anti-homeless hostile design is not reducible to, nor merely a means of enforcing, anti-homeless law. Much anti-homeless hostile design is not a law enforcement measure at all but rather reflects the bare preferences of public officials and private businesses regarding the use of public space. The interest of our focus on hostile design is, then, twofold, considering both hostile design to enforce anti-homeless laws, and hostile design that does not have that legal motivation. It might be added that anti-homeless hostile design may in part be an important topic of discussion because anti-homeless laws have come under increased pressure. If activists succeed in, for example, arguing that bans on panhandling impede free speech, or that broad laws banning activities carried out mostly or exclusively by homeless people are equivalent to banning 'a status', which the 8th Amendment of the US Constitution outlaws (Kettel 2024, 121), we can expect those who pursue an anti-homeless agenda to look for different and more subtle means to achieve their ends. The normative status of anti-homeless hostile design then becomes even more important.

Substantive conditions of hostile design

Our second key definitional topic concerns *substantive* conditions of hostile design. While it is natural to think of hostile design as consisting of specific objects, such as benches or spikes, on reflection it is clear that physical objects, or even the spaces they occupy, are not sufficient for hostile design. Some further condition is required.

The standard view holds that an *intent* behind the design is also needed. The relevant intentions are those of the decision makers, such as politicians, planners, architects, and owners and managers of businesses and institutions adjoining public spaces. To illustrate, tiny benches might be harmless when they are provided in a schoolyard while amounting to hostile design when they are placed in a park as an anti-homeless measure because the intent is very different in the two cases.

---

[8]Rosenberger considers CCTV a form of hostile design (Rosenberger 2020a).

What kind of intent is required for hostile design? Some substantive definitions foreground hostile design's intended changes to *behaviour*. These may identify hostile design as deterring people from using public space as their private space (E. Nielsen 2021, 16), 'excluding activities and social groups' (Jensen 2023b, 1), or 'targeting social control and behavior' (Izzo 2022, 527). De Fine Licht similarly suggests that hostile design is when some actor A prevents (or tries to prevent) a bad outcome or realizes (or tries to realize) a good outcome by changing a group or a person's behaviour, with a threat or a realization of harm (de Fine Licht 2023).[9] But some crucial cases seem to be excluded by the various behaviour-based definitions. For instance, closing off a trashcan to prevent food or bottle picking does not seem to be an attempt at deterring the use of a public space as a private space. Moreover, a general problem with definitions focusing on behavioural change is that they rule out a perhaps rare but concerning kind of hostile design, which simply targets the homeless without concern for whether their behaviour changes.

This leads us to a different branch of intent-based definitions, which identifies hostile design with *hostility* towards the targeted group. One version focuses on an intention to create discomfort and interfere with the use of public space (Savić and Savičić 2014, 977). Another requires explicit or implicit ill will toward someone, trying to harm them, or not caring if they are harmed (de Fine Licht 2020, 5).[10] Considered in the abstract, it may seem obvious that hostile design requires hostile intent. This account also offers a pleasingly tight fit with certain core examples of hostile design, such as anti-homeless spikes. Yet it excludes other cases that are widely considered hostile design. The impact of CCTV on the homeless is not necessarily motivated by a desire to create discomfort or interfere with the use of public space, nor ill will. Even anti-homeless benches, the very paradigm of hostile design, may sometimes be used without a deliberate intent to discomfort or harm. A well-publicized example is a bench with anti-homeless armrests that featured prominently in the launch of the *She-Hulk: Attorney at Law* television show in Los Angeles (Gale 2022). It is improbable that Disney intended to display hostility towards a vulnerable group, undermining their own premiere, and much more likely that they simply did not appreciate the implications of mid-bench armrests. Even so, we submit that there is a case for saying that the bench, and ones installed in similar ignorance but away from the glare of cameras, amounts to hostile design, and should be encompassed by our definition.

The formal conditions alone are not enough for hostile design, but the substantive conditions proposed in the literature on hostile design may exclude some important cases. The solution is to propose less demanding substantive conditions. We propose one simple, relatively easily satisfied condition: that the design *disadvantages* members of the group in question (here, the homeless) compared to another group. 'Disadvantage' is here to be understood in a very broad sense, including disadvantages in particular goods, opportunities, or rights like money, healthcare, education, employment, or political representation; disadvantages in metrics of distribution such as welfare, resources, and capabilities; and even non-distributive, relational disadvantages of respect, dignity, authority, status, or standing.[11] This condition is substantive in that the homeless would actually have to be made worse off, along some dimension, by a configuration of public space in order for it to count as a hostile design. But it is also wide, not presupposing intent nor any particular philosophical account of disadvantage. We have, then, arrived at the following definition:

---

[9]De Licht 2020 prefers to use the term disciplinary design to describe objects (etc.) that seek to change the behaviour and motivational structure of the targeted people.

[10]One account differentiates hostile design from defensive architecture, which seeks to halt an outcome without any ill will (de Fine Licht 2020, 10), and disciplinary design, which 'tries to mould the motivational structure of someone towards some specific end' (de Fine Licht 2020, 12).

[11]'Relational egalitarians claim that inequality is unjust when it disadvantages people: when it reflects, embodies, or causes inequality of authority, status, or standing' (Anderson 2010, 2).

> *Anti-homeless hostile design:* a configuration of public space (formal condition) that disadvantages the homeless (substantive condition).

This definition may seem too wide or easily satisfied. Does it not need to be more demanding if our treatment of hostile design is to have a critical bite? Is not much of the objection to hostile design precisely the bad intention behind it?

Such concerns suggest combining definitional issues with normative appraisal as a single stage. The intent-based views surveyed earlier lean towards this approach: identification of hostile design with ill will or intent to cause discomfort bestows a certain normative status on it. We rather propose to treat definition and appraisal as two stages. Specifically, we give relatively undemanding conditions for hostile design, capturing all cases we might expect to capture, then normatively assess them from the perspective of philosophical accounts of discrimination. This two-stage approach has three advantages.

First, and as we have seen, more demanding, one-stage definitions are prone to exclude some cases that intuitively amount to hostile design, forestalling full consideration of them and, potentially, practical resistance to them.

Second, our approach is flexible. Those who give special importance to bad intentions will find their concerns accommodated in the concept of direct discrimination as well as in certain disrespectful accounts of wrongful discrimination. Those who consider alternative aspects of hostile design to be fundamental, such as the harm it inflicts on the homeless, can be accommodated with other accounts of wrongful discrimination.

Finally, one-stage definitions are likely to be dominated by moral intuitions or 'considered judgements' about the particular cases of putative hostile design under consideration. According to the method of *reflective equilibrium* that is dominant in analytic moral and political philosophy, principles are better justified where such case-specific judgements are viewed in the light of theoretical considerations, allowing for mutual adjustment of judgements and principles (Rawls 1971, sec. 9; Knight 2017b; 2023). Theories of discrimination are a rich source of such considerations, guiding us away from overreliance on pretheoretical case-specific judgements. These theories are, furthermore, *independent* of judgements about specific cases of hostile design, a key desideratum within reflective equilibrium (Daniels 1996, 22–24). To see the importance of this, consider the situation where a theory (or definition) is *not* independent of case-specific judgements about hostile design, being motivated by these exact judgements. Here the theory offers no support for the judgements that are not already there in the judgements – the theory is too dependent on the judgements to offer non-circular justification. By contrast, theories of discrimination are certainly not motivated by hostile design, which has not featured in their development, nor are they an important basis for existing judgements about hostile design. They offer a genuinely independent basis for moral assessment of hostile design, in line with the method of reflective equilibrium.

Is hostile design discriminatory?

Having defined hostile design, the remainder of the article will be concerned with what we referred to above as the second stage, which is the moral appraisal of hostile design from the perspective of discrimination. In this section, we consider whether anti-homeless hostile design amounts to discrimination against the homeless, and if so, which kind of discrimination.

We should first briefly address the conceptual relationship between discrimination and anti-homeless hostile design. Discrimination refers to the disadvantageous treatment of members of one social group compared to another. As we have defined anti-homeless hostile design as a configuration of public space that disadvantages the homeless, it may seem that we have made anti-homeless hostile design discriminatory by definitional fiat. Three clarifications are helpful

here. First, our definition is not arbitrary but rather captures cases that intuitively qualify as hostile design in an elegant fashion. Thus, if anti-homeless hostile design were, by our definition, necessarily discriminatory, this would be an interesting result, flowing from the nature of hostile design, rather than definitional fiat. Second, however, our definition does not, in any case, make anti-homeless hostile design discriminatory by definition, as some might consider the homeless not to be a social group in the relevant sense and therefore not susceptible to discrimination. An important part of the argument that follows is that they are such a group. Third, even if (as we argue) the homeless are a socially salient group, it remains to be seen whether particular cases of putative hostile design really do disadvantage the homeless as a group, as is required for such cases to be discriminatory. As discussed below, it could be suggested that it is other groups (such as those who sleep in public) that are disadvantaged. Our account is, then, substantive, grounded in the facts of hostile design, rather than stipulative.

A key distinction for our discussion is that between direct and indirect discrimination. Members of a socially salient group are *directly* discriminated against when they are treated worse than others because of their membership in this group (Lippert-Rasmussen 2013, 26). By contrast, *indirect* discrimination occurs when 'a policy or procedure is on the face of it neutral, but in fact disproportionally disadvantages members of a particular social group' (Holroyd 2017, 382).[12] An indirect discriminator does not treat the discriminatee in a particular way because of their group membership, but the treatment is still worse for those who are members of a particular group (Berndt Rasmussen 2020, 732). In short, discrimination is direct where the disadvantageous treatment of members of a social group is because of their membership of said group, and indirect where the disadvantage arises through a neutral procedure that has unintended disparate effects across groups.

A socially salient group?

As both direct and indirect discrimination focus on social groups, or 'socially salient groups', we should clarify whether the homeless classify as such. Lippert-Rasmussen states that '[a] group is socially salient if perceived membership of it is important to the structure of social interactions across a wide range of social contexts' (Lippert-Rasmussen 2013, 30). The social salience of a group is a matter of degree, and group membership may be important in different ways. It may 'be anything from slightly important to wholly dominant in the structure of social interactions, and it may be important in more or fewer social contexts' (Lippert-Rasmussen 2013, 31).

Is perceived membership of the group of the homeless important across a range of social contexts? We argue that it is. The lack of a permanent place to live restricts job opportunities, makes it difficult to establish and maintain social relations, and creates social stigma (Moran and Atherton 2018, 12; Grohmann 2020, 222; Rea 2023). It makes it more difficult to receive public benefits and can effectively mean that one loses the opportunity to vote. The drastic effects of perceiving someone to be homeless are, furthermore, shown by empirical research. Fiske has demonstrated that the homeless are considered less competent and trustworthy than almost any group in society (Fiske 2013; 2012; 2018). In fact, the part of our brain that lights up when we meet other people does not light up when confronted with a homeless person (Fiske 2012, 20–21; Harris and Fiske 2009). In short, it is clear that being perceived as homeless is socially salient. It profoundly affects how others view a person, and thus matters to many important interactions.

As mentioned in the introduction, homelessness is a broad notion, which includes a wide range of life situations. That, of course, complicates the argument just made, as perceptions of couch surfers might be different from perceptions of the street homeless. But taking this into account does not greatly alter the picture. One approach says that the street homeless are the relevant

---

[12]Note that disparate impact is a part of many definitions of indirect discrimination (Lippert-Rasmussen 2013, 72; Altman 2016; Cossette-Lefebvre 2020).

socially salient group. An alternative approach is to consider the broader group of the homeless as socially salient. Whether one lives on the streets or can secure a temporary bed at a shelter or with a friend affects the extent to which the person experiences some of the disadvantages associated with homelessness, but does not change the fact that they are a member of a group that is negatively perceived. Indeed, being perceived as homeless could, for many, mean being perceived as living on the streets, even where this perception is false. As either of these approaches seems appropriate, we will remain neutral on whether the relevant socially salient group is the street homeless or the homeless in general.

Direct discrimination

Having established that the homeless can reasonably be considered a socially salient group, the next question is whether putative cases of anti-homeless hostile design should be considered direct or indirect discrimination. This section considers direct discrimination, while indirect discrimination is considered in the next section.

In deciding whether hostile design is best understood as direct discrimination, the crucial aspect to clarify, as per the definition above, is whether the homeless are treated worse than others *because* they are homeless. The pull of the idea that it is not direct discrimination is evident. A bench modified to prevent sleeping or spikes on the ground under a bridge prevent everyone from sleeping in these places, not the homeless alone. While on the surface, hostile design treats everyone equally but has differential effects, we cannot easily conclude that it is not direct discrimination. We would also have to show that those who implement hostile design do not treat the homeless worse because they are homeless. Therefore, the intentions of the broad set of actors who implement hostile design are crucial.

A useful test considers whether the actors would have still acted as they did had they not believed the affected people to be members of the specified group (here, the homeless) (Berndt Rasmussen 2020, 732). But it seems at least usually wrong to suggest that anti-homeless hostile design would still have been implemented were the affected people not perceived as homeless. There would be no cause for anti-homeless benches or spikes if none of the affected people were homeless – if, for instance, they were commuters or shoppers. Many hostile designs are specifically targeted at the homeless and therefore qualify as direct discrimination.[13]

This still might seem too quick. One could say that if the purpose of hostile design is to deter specific activities in certain public spaces, by making sleeping uncomfortable or impossible, then this applies equally to all groups. This counterargument says hostile design does not treat the homeless worse than others. Instead, it makes it uncomfortable for anyone to sleep in a public space, homeless or not. It is people sleeping in public rather than the homeless that are targeted by hostile design, which, therefore, does not amount to direct discrimination against the homeless.

Yet it typically seems rather implausible that it is sleeping as such that is targeted, rather than *the homeless sleeping.* This can be evoked through the following analogy. Suppose someone wanted to remove all the ramps from public buildings, and claimed that this was not direct discrimination against people with disabilities – they just wanted to stop people using wheels to go into buildings, whether they are disabled or not. Even if the occasional person would otherwise go into the building on a bicycle or skateboard, we surely would not find it very plausible that this is not direct discrimination against people with disabilities. For the same reason, it is not usually

---

[13]While we have here employed Lippert-Rasmussen's definition of discrimination, it is worth noting that, for reasons given in this paragraph, hostile design fulfils other definitions, such as Eidelson's. According to Eidelson, X (directly) discriminates against Y in dimension W on the basis of P if and only if X treats Y less favorably in respect of W than X treats some actual or counterfactual other, Z, in respect of W *(Differential Treatment Condition),* and a difference in how X regards Y P-wise and how X regards or would regard Z P-wise figures in the explanation of this differential treatment *(Explanatory Condition)* (Eidelson 2015, 17).

plausible that barriers to public sleeping are only that, rather than direct discrimination against the homeless.

Indirect discrimination

Suppose, however, we had a case where sleeping people really were the intended target of hostile design rather than homeless people. Perhaps many young people who are not homeless begin to sleep on benches due to the lack of nighttime public transportation, and benches in train stations are modified to prevent this. Assuming this is the real purpose of the hostile design, this would not directly discriminate against homeless people. The key point for our purposes, however, is that it would still *indirectly* discriminate against them. This hostile design does not disadvantage the homeless *because* they are homeless, but it still disadvantages them.

Likewise, while CCTV cameras sometimes target the homeless, they can also be installed for other reasons – notably to deter drug dealing, prostitution, violent crime, and property crime. In some such cases, they may be, all things considered, beneficial to the homeless (for example, where the homeless themselves are frequently victims of crime). In such cases, they are clearly neither hostile design nor discriminatory against the homeless. However, where the CCTV is genuinely installed to deter crime but has overall negative consequences for the homeless, it seems the conditions for indirect discrimination are satisfied: the CCTV would have been installed even if the homeless were not homeless, but nevertheless impacts the homeless far more than other people. A broad account of discriminatory hostile design follows from this. For instance, CCTV located in a place never used by the homeless might nevertheless indirectly discriminate against them if they would use it, were it not for the CCTV. Likewise, the defensive architecture proposed by advocates of defensible space theory (Newman 1977) and Crime Prevention Through Environmental Design (CPTED) (Crowe and Fennelly 2013; Cozens 2013) may sometimes amount to indirect discrimination against the homeless, where they are negatively impacted by its territoriality, surveillance, and image maintenance.[14] To reiterate, it is a separate question whether such discrimination is wrongful.

It should finally be noted that some instances of hostile design are directly discriminatory against some homeless people and indirectly discriminatory against other homeless people. A regulation proposed in Hamburg for the 2006 World Cup would 'prohibit at least professional bands of beggars from Eastern Europe', but 'would not be directed against the old established beggars of Hamburg' (S. Nagel 2007, 11). While this regulation was ultimately defeated, with no actual hostile design following from it, it and similar cases elsewhere in Europe (for example, the removal of sleepable benches or introduction of anti-homeless benches in Italian cities to exclude immigrants) suggest that the motivation for some hostile design may be anti-immigrant rather than anti-homeless per se (Bergamaschi, Castrignanò, and Rubertis 2014; Tosi 2007). Such hostile design exhibits indirect discrimination towards the non-immigrant homeless, as they are not the intended target of the measures, but are nevertheless among its victims. As regards homeless immigrants, who are the express targets of this hostile design, the discrimination is direct.

In sum, it seems reasonable to consider most anti-homeless hostile designs as direct discrimination against the homeless, with the remainder being indirect discrimination or a combination of direct and indirect discrimination.

Hostile design as harmful discrimination

Having established that hostile design counts as discrimination, we move on to our second key question: is hostile design *wrongful* discrimination? It is a touchstone of much of the philosophical literature on discrimination that not all discrimination is wrongful. Most notably, affirmative

---

[14]Also a topic of recent philosophical discussion (Holmen, Petersen, and Ryberg 2024; Holmen 2024; Petersen 2025a).

action policies treat members of some socially salient groups (for example, men or white people) worse than others because of their group membership, and so qualifies as direct discrimination. Yet it has long been considered that at least some cases of affirmative action are not wrongful (T. Nagel 1973; Dworkin 2005, Chap. 9; Lippert-Rasmussen 2020). It is, then, important to consider whether hostile design discrimination is wrong. We will focus on two main families of accounts of the wrongfulness of discrimination.[15] This section considers the first, which focuses on the *harm* of discrimination.

Harm accounts explain the moral wrongness of discrimination by reference to the harm it brings about. This typically means that discrimination is considered wrongful when it disadvantages the discriminatee in some specified sense (Lippert-Rasmussen 2013, 154–55). As all discrimination, including affirmative action, disadvantages someone, harm accounts pick out particular kinds of disadvantage as harmful and therefore wrongful. Two broad kinds of harm accounts can be distinguished. The *comparative account* says that it is wrongful for persons to be disadvantaged relative to others. This account usually appeals to equality of opportunity; that is, it objects to disadvantage in opportunity rather than disadvantage in outcome (Segall 2013; 2012; Knight 2017a). The *non-comparative account* says that it is wrongful for persons to be disadvantaged in absolute terms. A leading version of this account says that it is wrongful not to maximize moral value where this depends on (1) the overall amount of well-being, (2) how badly off the affected people are, and (3) their desert levels (Lippert-Rasmussen 2013).

The comparative account

What, then, does the comparative account make of hostile design discrimination? We should first consider *whether the homeless face inequality of opportunity.* This question can be considered at two levels.

First, there is a clear and vast inequality of opportunity between a homeless person and an average member of society. As noted above, being homeless makes it much more difficult to find and keep a job, start and maintain a family life, and access social insurance and voting rights. It also has severe impacts on mental and physical health, access to medical care, and mortality. A German study found that at least 75 per cent of the homeless currently have a mental illness requiring treatment (Kaduszkiewicz et al. 2017). The physical health of the homeless is often affected by respiratory problems, cardiovascular disorders, injuries, foot problems, intoxication, and infectious and parasitic diseases (Kaduszkiewicz et al. 2017; Liu, Chai, and Watt 2020; To, Brothers, and Van Zoost 2016). In addition, the homeless are more likely to be undertreated (if at all) in the medical system (Kaduszkiewicz et al. 2017) and, when hospitalized, more likely to experience readmission (Lewer et al. 2021). For all these reasons and more, mortality rates among the homeless are significantly higher than the general population (O'Connell 2005; Funk et al. 2022). All this suggests that the homeless face unequal opportunities.

Yet it might be countered that these current or 'point in time' inequalities of opportunity are consistent with lifetime equality of opportunity and that it is lifetime equality of opportunity that matters. After all, most leading theorists of equality hold that it is lifetime prospects that must be equal (Rawls 1971, 78, 178; Dworkin 1981, 304–5; Arneson 1989, 85–86). It has been suggested that anti-homeless measures 'are designed with the assumption that homelessness is caused by the poor life choices of the individual' (Southworth and Brallier 2023, 41), perhaps informed by media portrayals of the homeless as 'elderly male alcoholic rough sleepers who invariably beg and are work-shy' (Devereux 2015, 264). The British Home Secretary recently complained of the homeless 'living on the streets as a lifestyle choice' (Otte 2023). This takes us to the second, deeper level of analysis.

---

[15]For reasons of space, we will set aside a third, which focuses on *freedom* (Khaitan 2015; Moreau 2020). As noted below, freedom might also be considered relevant to the harm account given its connection with opportunities.

Might the homeless have had equal lifetime opportunities, which they squandered? This is highly unlikely given the significant unchosen disadvantages faced by the homeless *prior* to their becoming homeless. The U.S. Department of Housing and Urban Development reports that 16.8 per cent of people experiencing homelessness are under 18 (de Sousa et al. 2022, 10). Furthermore, many homeless adults transitioned into homelessness as children: one study found that 35 per cent of the homeless came from a youth-to-adult pathway, being 21 or older but having first been homeless when 18 or younger (Chamberlain and Johnson 2013). Disadvantaged racial minorities are often massively overrepresented among the homeless – for instance, Black and African Americans make up 37.3 per cent of the homeless (de Sousa et al. 2022, 10) but only 13.6 per cent of the US population (U.S. Census Bureau 2023). It might be added that a large majority of homeless people are from lower class backgrounds, with homelessness 'not represent[ing] much of a disjuncture from their lifeworlds, which have already been shaped by poverty, disadvantage and marginalization' (Hodgetts et al. 2012, 1214). When housing opportunities are inadequate, housing prices are high, and social benefits are insufficient, people may be driven into homelessness (Crisis 2023). Homelessness may also be due to poor mental or physical health, unemployment, major life events such as leaving an abusive partner, or intellectual disability (Crane et al. 2005; Mercier and Picard 2011). Given this catalogue of unchosen disadvantages, one could hardly find a group more gravely denied lifetime equality of opportunity.

The homeless do, then, face inequality of opportunity. This takes us to our second question: *is the inequality of opportunity faced by the homeless worsened by hostile design?* The answer is surely yes. Hostile design makes it harder for the homeless to find places to rest, sleep, shelter, and maintain personal hygiene, directly lowering their opportunities for welfare as well as their prospects for work and an escape from homelessness. It may also interfere with their deliberative freedom (Moreau 2010; 2017; cf. Waldron 2006), thereby making it more difficult for them to navigate their lives without being confronted by their homelessness.[16] Hostile design worsens the options available for those who are already much worse off. If discrimination is wrongful where it is contrary to equality of opportunity, as the comparative account maintains, it is clear that hostile design amounts to wrongful discrimination, as it deepens a large existing inequality of opportunity.

The non-comparative account

We move on to apply the non-comparative account of the wrongness of discrimination to hostile design. This account considers three elements: (1) the overall amount of well-being, (2) how badly off the affected people are, and (3) their desert levels. The application of (3) seems straightforward. While it may be that 'the public often views the homeless as undeserving of aid' (Southworth and Brallier 2023, 41), it is plain from the preceding discussion that the disadvantages of the homeless are not deserved but the result of circumstances beyond their control.

More complex issues are, however, raised by (1), which expresses the view that well-being is inherently valuable, and (2), which expresses the view that the well-being of the worse off has a higher priority (Parfit, 1998). In principle, this might offer support for hostile design, as harm to the homeless might be outweighed by larger benefits to others. But this is most unlikely to be true of typical cases of hostile design. Consider, for instance, the interests involved in the cases of anti-homeless benches or spikes: on the one hand, we have the need for somewhere to sleep, and on the other, a presumed desire to not see people sleeping in public. The well-being gain from having somewhere to sleep seems to vastly outweigh the supposed aesthetic costs.[17] And following from

---

[16]We are grateful to an anonymous reviewer for this suggestion.

[17]This is not to deny, of course, that such aesthetic interest often, in fact, comes out on top. Cohen points out that the CHICAGO, ILL., MUN. CODE §36-34 (1966) (repealed 1974) 'imposed fines on persons who appear in public who are "diseased, maimed, mutilated or in any way deformed so as to be an unsightly or disgusting object"' (Cohen 1987, 2035 n2).

(2), the benefits to the homeless should have additional weight. In other cases, such as a planned absence of public amenities, things are clearer still, as hostile design is bad for the homeless and general public alike.

Yet there may be circumstances where the scales tip in the other direction. Here two factors should be noted. First, where benefits to the general population increase, hostile design may be less objectionable. Suppose, for instance, that an area suffers from serious violent or sexual crimes and that CCTV would deter this. It may not be unreasonable to install CCTV, even though, as discussed earlier, this might amount to indirect discrimination against the homeless. The discrimination would not be wrongful, as it results in overall benefit as per (1), and benefits for at least some of the worse off (victims of serious crime), as per (2). But it must be emphasized that the need for CCTV must be real and not a pretext for wrongful direct discrimination against the homeless. Furthermore, even where the need is real, it must still be balanced against the interests of the homeless, which, as per (2), have additional weight. Current CCTV schemes are very unlikely to be the upshot of such considerations as the potential for wrongful discrimination is not considered.

Second, where the harm to the homeless decreases, hostile design may be less objectionable. Suppose, as a hypothetical, that the effect of the homeless not sleeping on benches or next to buildings is that they use shelters, which an enlightened city makes freely available, along with effective outreach and support services. While anti-homeless benches and spikes might still be, to an extent, disadvantaging in such circumstances, as they are still somewhat exclusionary, their harmfulness is reduced as the outcomes for the homeless are better. Now, this may seem a paradoxical case, as there would presumably be greatly reduced demand for rough sleeping in such a city, so there would be reduced 'need' for hostile design. This is correct but does not undermine the point of principle that hostile design is less objectionable, the better the alternatives for the homeless. Note as well the corollary, which has greater practical importance given the unjust circumstances of actual modern cities, that hostile design is more objectionable the worse the alternatives for the homeless.

In sum, we have found that the two harm accounts identify typical hostile design as wrongful discrimination. While there may be some permissible cases of indirect discrimination, the wrongfulness of hostile design is exacerbated by the more broadly disadvantaging circumstances faced by the homeless.

Hostile design as disrespectful discrimination

On, then, to the second main family of accounts of the wrongfulness of discrimination, which appeals to the idea that discrimination may be *disrespectful* towards the discriminatee (Slavny and Parr 2015; Alexander 1992; Hellman 2008; Eidelson 2015). This account is often presented as an alternative to the harm account, but it might be considered complementary to it within a pluralistic view (Moreau 2020). There are several disrespect accounts in the literature. We focus on *the mental-state account, the social meaning account,* and *the deliberative account.*

The mental-state account

On the mental-state account, disrespect concerns what or how the discriminator thinks about the discriminatee. Important versions of this account have been proposed by Arneson and Alexander. Arneson's version holds that wrongful discrimination occurs when the mental state of the discriminator reflects 'unwarranted animus or prejudice' against the discriminatee, where '[a] nimus is hostility or, more broadly, a negative attitude, an aversion' (Arneson 2006, 779, 787). In Alexander's version, wrongful discrimination is about beliefs regarding moral inferiority (Alexander 1992). This could take various forms – for example, Alexander highlights that discrimination based on inaccurate stereotypes or prejudices will often be wrongful.

Is it reasonable to suggest that hostile design would be disrespectful discrimination on such accounts of discrimination? The first question is, whose mental state? We noted already that hostile design is brought about through a wide range of actors, such as public officials, private businesses, and designers. It is their mental states that are of interest.

We do not, of course, have direct access to the mental states of such actors. But they are, to some extent, revealed by their actions and, in some cases, by whistleblowers (Ong 2020). The very purpose of *directly* discriminatory hostile design seems revealing. Regarding Arneson's view, it is easy to interpret the design of cities with the purpose of targeting a particular group of citizens as something that reflects at least a negative attitude towards the homeless, and perhaps outright hostility. It is arguably more difficult to apply Alexander's version of the mental state account, but it is not outlandish to suggest that there is a belief about inferiority involved when the already rough conditions of homelessness are purposely worsened.

These assessments can be corroborated by empirical evidence about attitudes toward the homeless and policies targeting the homeless. While broad attitudes of sympathy and an understanding of the social or structural causes of homelessness are identified (Tsai et al. 2017), this is not the full picture. The already mentioned studies, where people categorize homeless people among the least warm and least competent, suggest a different conclusion (Fiske 2012; Harris and Fiske 2009; Fiske 2013; 2018), even if the implications for policy preferences are not always clear (Cikara and Fiske 2011). Another study found that people's preferences for exclusionary policies against the homeless are rooted in feelings of disgust (Clifford and Piston 2017), and being homeless is stigmatized to a similar high degree as being mentally ill (Phelan et al. 1997).

However, the mental-state account does not seem to oppose *indirectly discriminatory* hostile design. For example, where CCTV impacts the homeless but does not do so because they are homeless (for example, it is purely motivated as an anti-crime measure), there is no animus or judgement of inferiority regarding homeless people, and therefore no wrongful discrimination on the mental-state account. Likewise, where public amenities are removed purely for cost reasons, without a mental state of hostility or superiority regarding the homeless, there is no wrongful discrimination on this account. It stands repeating that it is the actual, rather than merely publicly stated, motivations that are relevant here. CCTV installed expressly for anti-crime purposes, but with collateral effects on the homeless that would not be tolerated were they to fall on others, would cross over into direct discrimination and suggest that the homeless were treated with animus or as inferiors. Still, at the level of principle, while hostile design that directly discriminates against the homeless is wrongful on the mental-state account, indirectly discriminatory forms are not.

The social meaning account

The second respect-based account of the wrongness of discrimination is the social meaning account (Hellman 2008; 2017). On the social meaning account, it is not a requirement that anybody believes the discriminatee to be inferior. On this account, the mental state is not what is important. This is interesting for the discussion at hand because those introducing hostile design often deny that they are motivated by such feelings or thoughts as those required by the mental state account. Instead, this account is concerned with how hostile design expresses social meaning. The meaning here is understood objectively, which is to be derived from a particular context. According to Hellman, the meaning of a discriminatory action or policy is problematic when it is demeaning. Specifically, this happens when two conditions are satisfied: the action or policy expresses 'that a person or a group is of lower status' and the 'actor or institution expressing this meaning must have sufficient social power for this expression to have force' (Hellman 2017, 102).

The social power-based condition is clearly fulfilled in most cases of hostile design. When, for example, a municipality introduces a hostile design to the benches on the local train station or

makes the pavement under a bridge so uneven that it cannot be used for sleeping, we are clearly dealing with an actor or institution with significant social power.

The remaining question is whether hostile design expresses that the homeless have a lower status. The *explicit* measures of hostile design, such as anti-homeless spikes or signs, are very visible and, therefore, probably also demeaning, as their express purpose is to exclude the homeless. To see how such signs are demeaning, consider a parallel case, where signs attempt to deter people with disabilities from entering a particular area. This would presumably be taken as demeaning. And that would be true even if the signs show, say, a crossed-out wheelchair, even though many people with disabilities do not use wheelchairs and people without disabilities can use them. This suggests that, even where anti-homeless signs show opposition to homeless-associated activities, such as camping or panhandling, rather than being expressly anti-homeless, they can be seen as conveying that the homeless have lower status.

More *implicit* kinds of hostile design may seem to have little expressive force. CCTV cameras, altered benches that go unnoticed by most, and the deliberate unavailability of public restrooms are not demonstrable and visible decisions that reinforce existing negative attitudes toward the homeless. The 'hostility' of such measures may only be detected by the homeless themselves. But that may in itself be enough for them to be demeaning: equivalently, insulting letters from the government might be considered demeaning even if no one but the recipients knew of their content. In addition to this, Hellman allows that something can be demeaning as long as it has the capacity to be demeaning, even if it is not viewed as demeaning. It is enough that it 'if known, would have this meaning' (Hellman 2017, 105). For these reasons, Hellman's account can consider even implicit measures demeaning.

The deliberative account

The third group of disrespect-based accounts concerns deliberative disrespect. According to Eidelson, 'discrimination is intrinsically objectionable when it is basically disrespectful of the personhood of those who are discriminated against' (Eidelson 2015, 95). Moral personhood consists of moral worth and autonomy. The first pertains to the equal respect that all of us are owed: 'To respect a person's equal value relative to other persons one must value her interests equally with those of other persons, absent good reasons for discounting them' (Eidelson 2015, 97). The second aspect of personhood is autonomy. It is disrespected by failures to treat a person as an autonomous individual capable of making autonomous choices (Eidelson 2015 128, 144).

Anti-homeless hostile design often seems to question the choice-making capacities of the homeless, as when anti-homeless benches or spikes signal that the homeless are making such poor choices about where to sleep that they must be overridden. It can, therefore, be seen as sometimes disrespectful of autonomy, the second aspect of moral personhood. The first aspect of personhood, which requires that people's interests be respected equally, also seems very relevant to the discussion of hostile design. As we pointed out in our discussion of harm, the implementation of hostile design can be seen as a weighing of interests under the assumption that the general population have an interest in not encountering the homeless at certain places in the city. Priority for such 'interests' seems clearly to imply lesser regard for the weightier interests of the homeless. Interestingly, this verdict applies to both implicit and explicit, and directly and indirectly, discriminatory cases of hostile design.

Overall, the disrespect accounts tend to oppose anti-homeless hostile design. However, there are some important differences in emphasis between the mental state, social meaning, and deliberative accounts. In particular, while the mental-state account objects only to directly discriminatory hostile design, the social meaning and deliberative accounts also object to indirectly discriminatory hostile design.

Conclusion

This paper investigated whether (1) hostile design towards the homeless can be understood as discrimination, and if so, whether it is (2) wrong on the grounds of harm and disrespect suggested in the philosophical literature on discrimination.

Concerning the first topic, it seems reasonable to consider most hostile designs as direct discrimination against the homeless, with some instead being indirect discrimination or a combination of direct and indirect discrimination. Importantly, it is hard to envisage a hostile design that is *not* direct or indirect discrimination.

With respect to the second topic, we found that the two harm accounts identify typical, directly discriminatory hostile design as wrongful discrimination. While there may be some permissible cases of indirect discrimination, in practice this would be unusual given the wrongfulness of hostile design is exacerbated by the more broadly disadvantaging circumstances faced by the homeless. The disrespect accounts concur that directly discriminatory hostile design is wrongful, though one such account, which focuses on the mental state of the discriminator, may not consider indirect discrimination wrongful. In short, then, all major philosophical accounts of discrimination consider typical cases of anti-homeless hostile design to amount to wrongful direct discrimination.

This finding has important policy implications. First, decision makers should ensure that the public spaces for which they are responsible are free of typical forms of anti-homeless hostile design. Some progress can be made here without any change in the law, as hostile design is often undertaken on the initiative of local politicians, businesses, and designers rather than being legally required. Second, anti-discrimination laws should be revised to prohibit typical hostile design. This could be achieved via specific restrictions on hostile design, for instance, by prohibiting anti-homeless benches or spikes. Our argument also supports broader efforts to include protections for the homeless in anti-discrimination law, for example, by treating homelessness as a protected characteristic. In a related move, the status of 'homeless' is now protected under hate crime legislation in some US states (Al-Hakim 2015; Levin 2015). Finally, the implications of our argument extend beyond classic hostile designs such as benches or spikes. Indirectly discriminatory hostile design, such as CCTV installed for reasons unrelated to homelessness, is potentially wrong. Likewise, we have argued that a lack of public amenities may sometimes amount to wrongful discrimination, expanding the scope of normative appraisal of public space.

References

Abbarno GJM (ed.) (2021) The Ethics of Homelessness: *Philosophical Perspectives*, 2nd ed. Leiden: Brill Rodopi.

Al-Hakim M (2015) Making a Home for the Homeless in Hate Crime Legislation. *Journal of Interpersonal Violence* **30**(10), 1755–1781.

Albertsen A, Hallsson BG, Lippert-Rasmussen K and Pedersen VML (2023) Does harm or disrespect make discrimination wrong? An experimental approach. *Philosophical Psychology*, 1–26. https://doi.org/10.1080/09515089.2023.2289451.

Alexander L (1992) What Makes Wrongful Discrimination Wrong? Biases, Preferences, Stereotypes, and Proxies. *University of Pennsylvania Law Review* **141**(1), 149–219.

Altman A (2016) Discrimination. In Edward N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy*. Winter 2016. Stanford University. https://plato.stanford.edu/archives/win2016/entries/discrimination.

Anderson ES (2010) The Fundamental Disagreement between Luck Egalitarians and Relational Egalitarians. *Canadian Journal of Philosophy* **40**(sup1), 1–23.

Andreou A (2015) Anti-Homeless Spikes: Sleeping Rough Opened My Eyes to the City's Barbed Cruelty. *The Guardian*, February 18, 2015, sec. Society. https://www.theguardian.com/society/2015/feb/18/defensive-architecture-keeps-poverty-undeen-and-makes-us-more-hostile.

Arneson RJ (1989) Equality and Equal Opportunity for Welfare. *Philosophical Studies* **56**(1), 77–93.

Arneson RJ (2006) What Is Wrongful Discrimination? San Diego L. Rev. 43,775.

Azhar A (2022) Why Are Cities Against the Homeless?" *Crit.* **90**, 20–21.

Bergamaschi M, Castrignanò M and Rubertis PD (2014) The Homeless and Public Space: Urban Policy and Exclusion in Bologna. *Revue Interventions Économiques. Papers in Political Economy* 51.

Busch-Geertsema V (2010) Defining and Measuring Homelessness. Homelessness Research in Europe. In Eoin O'Sullivan (ed) Festschrift for Bill Edgar and Joe Doherty, Brussel: FEANTSA, pp. 19–39.

Busch-Geertsema V, Benjaminsen L, Hrast MF and Pleace N (2014) Extent and Profile of Homelessness in European Member States: A Statistical Update. Brussels: European Observatory on Homelessness.

Chamberlain C and Johnson G (2013) Pathways into Adult Homelessness. *Journal of Sociology* **49**(1), 60–77.

Cikara M and Fiske ST (2011) Bounded Empathy: Neural Responses to Outgroup Targets'(Mis) Fortunes. *Journal of Cognitive Neuroscience* **23**(12), 3791–3803.

Clifford S and Piston S (2017) Explaining Public Support for Counterproductive Homelessness Policy: The Role of Disgust. *Political Behavior* **39**, 503–525.

Cohen A (1987) Extending Handicap Law to Employment Discrimination on the Basis of Physical Appearance. *Harvard Law Review* **100**(8), 2035–2052.

Cossette-Lefebvre H (2020) Direct and Indirect Discrimination: A Defense of the Disparate Impact Model. *Public Affairs Quarterly* **34**(4), 340–367.

Cozens P (2013) Crime Prevention through Environmental Design. In Richard Wortley and Lorraine Mazerolle (eds.) *Environmental Criminology and Crime Analysis*, pp. 175–99. London: Willan.

Crane M, Byrne K, Fu R, Lipmann B, Mirabelli F, Rota-Bartelink A, Ryan M, Shea R, Watt H and Warnes AM (2005) The Causes of Homelessness in Later Life: Findings From a 3-Nation Study. *The Journals of Gerontology Series B: Psychological Sciences and Social Sciences* **60**(3), S152–159. https://doi.org/10.1093/geronb/60.3.S152.

Crisis (2023) Homelessness: Causes, Types and Facts | Crisis UK. https://www.crisis.org.uk/ending-homelessness/about-homelessness/.

Crowe T and Fennelly LJ (2013) *Crime Prevention through Environmental Design*. Waltman, MA: Elsevier.

Dakin A (2021) The Subtle Art of Exclusion: An Examination of Hostile Urban Design in Guelph, Diss. University of Guelph, 2021, Ontario.

Daniels N (1996) *Justice and Justification: Reflective Equilibrium in Theory and Practice*. Cambridge University Press.

de Fine Licht K. (2017). Hostile Urban Architecture: A Critical Discussion of the Seemingly Offensive Art of Keeping People Away. Etikk I Praksis-Nordic Journal of Applied Ethics, **2**, 27–44.

de Fine Licht K. (2020) ' Hostile Architecture' and Its Confederates: A Conceptual Framework for How We Should Perceive Our Cities and the Objects in Them. *Canadian Journal of Urban Research* **29**(2), 1–17.

de Fine Licht K. (2023) Behavioral Designs Defined: How to Understand and Why It Is Important to Differentiate between 'Defensive,' 'Hostile,' 'Disciplinary,' and Other Designs in the Urban Landscape. *URBAN DESIGN International*, **28**(4), 330–343.

defensiveto.com (2023) 'More Cities' 2023 https://www.defensiveto.com/more-cities.

defensiveto.com (2023) 'Map'. Defensiveto. 2023. https://www.defensiveto.com/map.

de Sousa T, Andrichik A, Cuellar M, Marson J, Prestera E and Rush K (2022). The 2022 Annual Homelessness Assessment Report (AHAR to Congress) Part 1: Point-In-Time Estimates of Homelessness, December 2022.

Devereux E (2015) Thinking Outside the Charity Box: Media Coverage of Homelessness. *European Journal of Homelessness*. **9**(2), 261–273.

Dixon L, Weiden P, Torres M and Lehman A (1997) Assertive Community Treatment and Medication Compliance in the Homeless Mentally Ill. *American Journal of Psychiatry* **154**, 1302–1304.

Dworkin R (1981) What Is Equality? Part 2: Equality of Resources. *Philosophy & Public Affairs* **10**(4), 283–345. https://doi.org/10.2307/2265047.

Dworkin R (2005) *Taking Rights Seriously: New Impression with a Reply to Critics*. Nachdr. London: Duckworth.

Eidelson B (2015) *Discrimination and Disrespect*. Oxford: Oxford University Press.

Essert C (2016) Property and Homelessness. *Philosophy & Public Affairs* **44**(4), 266–295.

Fiske ST (2012) *Envy up, Scorn down: How Status Divides Us*. New York: Russell Sage.

Fiske ST (2013) Divided by Status: Upward Envy and Downward Scorn. *Proceedings of the American Philosophical Society* **157**(3), 261–268.

Fiske ST (2018) Stereotype Content: Warmth and Competence Endure. *Current Directions in Psychological Science* **27**(2), 67–73. https://doi.org/10.1177/0963721417738825.

Funk AM, Greene RN, Dill K and Valvassori P (2022) The Impact of Homelessness on Mortality of Individuals Living in the United States: A Systematic Review of the Literature. *Journal of Health Care for the Poor and Underserved* **33**(1), 457–477.

Gale A (2022) Marvel's 'She-Hulk' Bench at Launch Bashed for 'Anti-Homeless Architecture.' Newsweek. August 16, 2022. https://www.newsweek.com/marvels-she-hulk-bench-launch-bashed-anti-homeless-architecture-1734229.

Giamarino C, O'Connor P and Willing I (2023) The Impacts of Hostile Designs on Skateboarding as a Form of Active Transportation and Recreation: Comparing Perspectives from Public University Spaces in Australia, the United Kingdom, and the United States. Cities & Health **7**(3), 1–17.

Grainger GL (2021) Punishment, Support, or Discipline? Taking Stock of Recent Debates about Homeless Governance in Neoliberal Cities. *Sociology Compass* **15**(8), e1290. https://doi.org/10.1111/soc4.12909.

Grohmann S (2020) *The Ethics of Space: Homelessness and Squatting in Urban England*. Chicago: Hau books.

Harris LT, Lasana T and Fiske ST (2009) Social Neuroscience Evidence for Dehumanised Perception. *European Review of Social Psychology* **20**(1), 192–231.

Hellman D (2008) *When Is Discrimination Wrong?* Cambridge, MA: Harvard University Press.

Hellman D (2017) Discrimination and Social Meaning. In Kasper Lippert-Rasmussen (ed.). *The Routledge Handbook of the Ethics of Discrimination*. London; New York: Routledge. pp. 97–107.

Hodgetts D, Stolte O, Nikora LW and Groot S (2012) Drifting along or Dropping into Homelessness: A Class Analysis of Responses to Homelessness. *Antipode* **44**(4), 1209–1226.

Holmen SJ (2024) Hanging out and Sleeping on the Ground: Acoustic Environments, Rationality, and the Minimal Account of Permissible Means of Crime Prevention." In Holmen SJ, Petersen TS and Ryberg J (eds.). *Preventing Crime by Exclusion: Ethical Considerations*. New York: Routledge, pp. 220–240.

Holmen SJ, Petersen TS and Ryberg J (2024) Introduction: Crime Prevention by Exclusion: Setting the Scene. In Sebastian Jon Holmen, Thomas Søbirk Petersen, Jesper Ryberg (eds.) *Preventing Crime by Exclusion: Ethical Considerations*. New York: Routledge, pp. 1–7.

Holroyd J (2017) The Social Psychology of Discrimination. In Kasper Lippert-Rasmussen (ed.) *The Routledge Handbook of the Ethics of Discrimination*. London: Routledge, pp. 381–393.

Izzo VN (2022) Law and Hostile Design in the City: Imposing Decorum and Visibility Regimes in the Urban Environment. *Oñati Socio-Legal Series* **12**(3), 522–539.

Jenkins D and Brownlee K (2022) What a Home Does. *Law and Philosophy* **41**(4), 441–468.

Jensen OB (2020) Atmospheres of Rejection. How Dark Design Rejects Homeless in the City. In Damien Masson (ed.) *Proceedings of the 4th International Congress on Ambiances, Alloaesthesia: Senses, Inventions, Worlds, Réseau International Ambiances, Dec 2020*, pp. 326–331. France: Réseau International Ambiances.

Jensen OB (2021) Urban Mobilities and Power: Social Exclusion by Design in the City. In Nadine Cattan and Laurent Faret (eds.) *Hybrid Mobilities*. London: Routledge, pp. 37–55.

Jensen OB (2023a) Material Pragmatism and Dark Design: Critical Readings of Atmospheres of Rejection and Material Interpellation. *Mobility Humanities* **2**(1), 43–60.

Jensen OB (2023b) The Bench-Exploring Exclusionary Design through Arts Practices. *Applied Mobilities*, **9**(2–3), 206–220.

Kaduszkiewicz H, Bochon B, van den Bussche H, Hansmann-Wiest J and van der Leeden C (2017) The Medical Treatment of Homeless People. Deutsches Ärzteblatt International **114**(40), 673–679. https://doi.org/10.3238/arztebl.2017.0673.

Kettel L (2024) Unequal Streets: Homelessness, Public Space, and Exclusion in the American City. In Löffler P, Peterfy M, Rauscher N and Werner W. *Participation in American Culture and Society*, American Studies, Volume 322. Heidelberg: Universitätsverlag Winter.

Khaitan T (2015) *A Theory of Discrimination Law*. OUP Oxford.

Knight C (2017a) Discrimination and Equality of Opportunity. In *The Routledge Handbook of the Ethics of Discrimination*, 140–50. Routledge.

Knight C (2017b) Reflective Equilibrium. In Blau A (ed.). *Methods in Analytical Political Theory*. Cambridge, UK: Cambridge University Press, pp. 46–64.

Knight C (2023) Reflective Equilibrium. In Zalta EN and Nodelman U (eds). *The Stanford Encyclopedia of Philosophy*, Winter Edition. https://plato.stanford.edu/archives/win2023/entries/reflective-equilibrium/.

Leeuwen B v and Merry MS (2019) Should the Homeless Be Forcibly Helped? *Public Health Ethics* **12**(1), 30–43.

Levin B (2015) Reassessing Laws on Hate Violence against the Homeless. *American Behavioral Scientist* **59**(13), 1715–1728.

Lewer D, Menezes D, Cornes M, Blackburn RM, Byng R, Clark M, Denaxas S, Evans H, Fuller J, Hewett N, Kilmister A, Luchenski SA, Manthorpe J and McKee M Neale (2021) Hospital Readmission among People Experiencing Homelessness in England: A Cohort Study of 2772 Matched Homeless and Housed Inpatients. *Journal of Epidemiology & Community Health* **75**(7), 681–688. https://doi.org/10.1136/jech-2020-215204.

Lippert-Rasmussen K (2013) *Born Free and Equal?: A Philosophical Inquiry into the Nature of Discrimination*. Oxford: Oxford University Press.

Lippert-Rasmussen K (2020) *Making Sense of Affirmative Action*. Oxford: Oxford University Press.

Liu CY, Chai SJ and Watt JP (2020) Communicable Disease among People Experiencing Homelessness in California. *Epidemiology & Infection* **148**, e85. https://doi.org/10.1017/S0950268820000722.

Mercier C and Picard S (2011) Intellectual Disability and Homelessness: Intellectual Disability and Homelessness. *Journal of Intellectual Disability Research* **55**(4), 441–449. https://doi.org/10.1111/j.1365-2788.2010.01366.x.

Moran P and Atherton F (2018) *The Philosophy of Homelessness: Barely Being*. New York: Routledge.

Moreau S (2010) What Is Discrimination? Philosophy & Public Affairs, **38**(2), 143–179.

Moreau S (2017) Discrimination and Freedom. In Kasper Lippert-Rasmussen (ed.) *The Routledge Handbook of the Ethics of Discrimination*, 164–73. London: Routledge.

Moreau S (2020) *Faces of Inequality: A Theory of Wrongful Discrimination*. New York, USA: Oxford University Press.

Nagel S (2007) Disputes about the Prohibition of Begging – The Example of Hamburg. In Dearbhal Murphy (ed). Homeless in Europe, pp. 11–13. Brussels: FEANTSA.

Nagel T (1973) Equal Treatment and Compensatory Discrimination. Philosophy & Public Affairs, **2**(4), 348–363.

Newman O (1977) *Defensible Space: People and Design in the Violent City*. Repr. London: Architectural Press.

Nielsen CH (2024a) Ekskluderende Design – Når Design Skaber Eksklusion. Department of Architecture, Design, and Media Technology: Aalborg University.

Nielsen CH (2024b) Typologization of Exclusionary Design: An Exploration of Design Interventions Excluding Unhoused People from Urban Public Spaces. Design Studies 93–94. https://doi.org/10.1016/j.destud.2024.101264.

Nielsen CH (2025) "We Are Simply Being Pressed out, Slowly but Surely" – *Unhoused Peoples' Experience with Exclusionary Design*. Ethnography. https://doi.org/10.1177/146613812513155.

Nielsen E (2021) Hostile Streets: Designing for Inclusive Public Space. Revue YOUR Review *(York Online Undergraduate Research)*.

O'Connell JJ (2005) *Premature Mortality in Homeless Populations: A Review of the Literature*. Nashville, TN: National Health Care for the Homeless Council 2016.

Ong J (2020) Bars, Dividers Make Spaces Less Welcome to Homeless: Observers. *The Straits Times*, November 30, 2020. https://www.straitstimes.com/singapore/politics/bars-dividers-make-spaces-less-welcome-to-homeless-observers.

Otte J (2023) Suella Braverman Says Rough Sleeping Is 'Lifestyle Choice.' *The Guardian*, November 4, 2023, sec. Society. https://www.theguardian.com/society/2023/nov/04/suella-braverman-says-rough-sleeping-is-lifestyle-choice.

Pallet (2022) "Hostile Architecture and Its Impact on Unhoused People." *Pallet Shelter* (blog). https://palletshelter.com/blog/hostile-architecture-and-its-impact-on-unhoused-people/.

Parfit D (1998) Equality or Priority. In Andrew Mason (ed.) *Ideals of Equality*. Oxford: Blackwell, pp. 1–20.

Perrett C (2021) The New York City MTA Sparked Backlash for Saying It Removed Benches from Subway Stations to 'Prevent the Homeless from Sleeping on Them'. Business Insider. 2021. https://www.businessinsider.com/nyc-mta-removed-benches-to-prevent-homeless-from-sleeping-2021-2.

Petersen TS (2025a) Hostile Design and the Resource Diversion Argument. In Thomas Søbirk Petersen (ed.) *Ethics and Situational Crime Prevention*. New York: Routledge, pp. 73–88.

Petersen TS (2025b) Hostile Design: Four Moral Objections. In Thomas Søbirk Petersen (ed.) *Ethics and Situational Crime Prevention*, pp. 51–72. New York: Routledge.

Petty J (2016) The London Spikes Controversy: Homelessness, Urban Securitisation and the Question of 'Hostile Architecture.' *International Journal for Crime, Justice and Social Democracy* **5**(1), 67.

Phelan J, Link BG, Moore RE and Stueve A (1997) The Stigma of Homelessness: The Impact of the Label 'Homeless' on Attitudes toward Poor Persons. Social Psychology Quarterly, **60**(4), 323–337.

Pleace N and Hermans K (2020) Counting All Homelessness in Europe: The Case for Ending Separate Enumeration of 'Hidden Homelessness.' European Journal of Homelessness **14**(3), 35–62.

Rasmussen KB (2020) Implicit Bias and Discrimination. *Theoria* **86**(6), 727–748.

Rawls J (1971) *A Theory of Justice*. Cambridge, MA: Harvard University Press.

Rea J (2023) Social Relationships, Stigma, and Wellbeing through Experiences of Homelessness in the United Kingdom. *Journal of Social Issues* **79**, 465–493.

Rosenberger R (2017) *Callous Objects: Designs Against the Homeless*. Minneapolis: University of Minnesota Press.

Rosenberger R (2020a) Hostile Design and the Materiality of Surveillance. In Heather Wiltse (ed.) *Relating to Things: Design, Technology and the Artificial*. London: Bloomsbury Visual Arts, pp. 135–150.

Rosenberger R (2020b) On Hostile Design: Theoretical and Empirical Prospects. *Urban Studies* **57**(4), 883–893. https://doi.org/10.1177/0042098019853778.

Rosenberger R (2023) A Classification Scheme for Hostile Design. *Philosophy of the City Journal* **1**(1), 49–70.

Rossem A (2022) *Hostile Architecture and Its Effect on Public Space in Nijmegen: A Case Study at the Central Station of Nijmegen*. Radboud University.

Savić S and Savičić G (2014) Unpleasant Design. Designing out Unwanted Behaviour. In Coletta C, Colombo S, Magaudda P, Mattozzi A, Parolin LL, & Rampino L (eds.) *Proceedings of the 5th STS Italia Conference: A Matter of Design. Making Society through Science and Technology*, pp. 975–988.

Savičić G and Savić S (2013) *Unpleasant Design*. Belgrade: GLORIA.

Schindler SB (2014) Architectural Exclusion: Discrimination and Segregation through Physical Design of the Built Environment. Yale LJ 124, 1934.

security.org (2023) Homelessness in America 2023: Statistics, Analysis, & Trends. *Security.Org* (blog). 2023. https://www.security.org/resources/homeless-statistics/.

Segall S (2012) What's so Bad about Discrimination? *Utilitas* **24**(1), 82–100.

Segall S (2013) *Equality and Opportunity*. Oxford: Oxford University Press.

Slavny A and Parr T (2015) Harmless Discrimination. *Legal Theory* **21**(2), 100–114.

Smith N and Walters P (2018) Desire Lines and Defensive Architecture in Modern Urban Environments. *Urban Studies* **55**(13), 2980–2995.

Southworth S and Brallier S (2023) *Homelessness in the 21st Century: Living the Impossible American Dream*. New York: Taylor & Francis.

Swithinbank T (2001) *Coming up from the Streets: The Story of The Big Issue*. London: Earthscan.

Taylor O, Loubiere S, Tinland A, Vargas-Moniz M, Spinnewijn F, Manning R, Gaboardi M, Wolf JRLM, Bokszczanin A, Bernad R, Kallmen H, Toro P, Ornelas J and Auquier P (2019) Lifetime, 5-Year and Past-Year Prevalence of Homelessness in Europe: A Cross-National Survey in Eight European Nations. *BMJ Open* **9**(11), e033237. https://doi.org/10.1136/bmjopen-2019-033237.

To MJ, Brothers TD and Van Zoost C (2016) Foot Conditions among Homeless Persons: A Systematic Review. Edited by Hajo Zeeb. *PLOS ONE* **11**(12), e0167463. https://doi.org/10.1371/journal.pone.0167463.

Tosi A (2007) Homelessness and the Control of Public Space-Criminalising the Poor? *European Journal of Homelessness* **1**, 225–236.

Tsai J, Lee CYS, Byrne T, Pietrzak RH and Southwick SM (2017) Changes in Public Attitudes and Perceptions about Homelessness Between 1990 and 2016. *American Journal of Community Psychology* **60**(3–4), 599–606. https://doi.org/10.1002/ajcp.12198.

U.S. Census Bureau (2023) QuickFacts: United States. 2023. https://www.census.gov/quickfacts/fact/table/US/PST045222.

Van Leeuwen B (2022) What Is the Point of Urban Justice? Access to Human Space. *Acta Politica* **57**(1), 169–190.

Waldron J (2006) Mr. Morgan's Yacht. In Christine Sypnowich (ed.). *The Egalitarian Conscience: Essays in Honour of GA Cohen*. Oxford University Press on Demand, pp. 154–176.

Wells K (2022) Homelessness and Freedom. *Critical Review of International Social and Political Philosophy* **27**(7), 1111–1130.

Willemsen P, Degn SS, Olier JC and Reuter K (2024) 'Wrongful Discrimination' – A Tautological Claim? An Empirical Study of the Evaluative Dimension of Discrimination Vocabulary". In *Proceedings of the Annual Meeting of the Cognitive Science Society*. Vol. 46.

Wolff J and de Shalit A (2023) *City of Equals*. Oxford: Oxford University Press.