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An Analysis of Racialized Housing Segregation in America

Devin Iorio

Trinity College, Hartford, Connecticut

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In 1968, Congress and President Lyndon B. Johnson made history by passing and signing the Fair Housing Act into existence. This massive achievement for the Civil Rights movement prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, or sex. In the immediate wake of Civil Rights leader and icon Martin Luther King Jr.'s assassination, the passage of this bill stood out as a glint of hope and progress for the movement King had died for. According to the written word of United States law, racial segregation in all its forms was no more, and all housing in the country would be made available for purchase to anyone regardless of race. This is the reality of housing segregation as it exists in the eyes of the law established in 1968, and yet now, over a half century later one may find it hard to believe such legislation even exists. Many neighborhoods throughout the nation remain just as segregated today, if not more, than back in the 1960s. This racialized housing segregation is the product of generations of systemic institutionalized discriminatory policies and practices which have perpetuated the oppression and discriminatory treatment of Black individuals since the time of their unwilling arrival. The systematic and intentional methods of historically maintaining the status of Black Americans as second-class citizens has culminated in such a way that continues to financially, academically, and socially benefit White Americans by maintaining the constant barriers to the advancement of America's Black population. Through an examination of the ways in which the actions and policies of the past have directly shaped the country into the complex web of institutional discrepancies which has spawned from the continued existence of racial housing discrimination, it becomes possible to identify many of the core issues facing America's Black population today and the potential solutions available.

In order to properly examine the intricacies of the racial discrimination which has permeated virtually all facets of American society and its role in the maintained existence of housing segregation, it is essential to first hold an understanding of the historic context behind its development. In the immediate wake of the Civil War, a new hope emerged for the Black population which had been restricted by enslavement--the hope to advance as both individuals and a collective group, past the restraints of their previous bondage, and perhaps even upwards in the society which had for so long denied them of their humanity. In the aftermath of a war which devastated the infrastructure and economy of the South, the circumstances seemed to indicate that a time of unprecedented opportunity for radical change had finally arrived. The Reconstruction Era was defined by a pursuit for autonomy and equal rights under the law for the Black community, and in the early stages, this pursuit seemed to be proving successful. In just the first few years of Reconstruction, a series of major legislative advancements were made by the Black population in the form of the 13th, 14th, and 15th Amendments¹. These amendments guaranteed the conditional abolition of slavery, the recognition of American citizenship, and the extension of voting rights, respectively. During Reconstruction, some 2,000 African Americans

¹ "Landmark Legislation: Thirteenth, Fourteenth, & Fifteenth Amendments." U.S. Senate: Landmark Legislation: Thirteenth, Fourteenth, & Fifteenth Amendments, February 11, 2020. <https://www.senate.gov/artandhistory/history/common/generic/CivilWarAmendments.htm>.

held public office from the local level all the way up to the U.S. Senate². While the harsh realities of the lingering effects of slavery were undoubtedly plentiful, these steps indicated that America was progressing towards a position of racial equality.

Unfortunately for the Black population, these incremental policy changes proved to be no match for the institutionalized systems of oppression that are deeply interwoven into all facets of society. The ability of these systems to continuously reimagine themselves to fill its purpose in changing circumstances is both creative and unrelenting. This brief disruption to the social order presented a threat to the social hierarchy which intrinsically works to maintain White superiority over the Black population. Despite the multiple commendable progressive steps taken within the Reconstruction Era, the backlash from White America in the near future proved to be incredibly brutal and lethal to virtually any idea of Black ascension in society. For example, as far as the constitutional extension of voting rights, new forms of oppression were quickly developed and implemented to restrict the ability of Black Americans to actually be able to exercise this right. Formal restrictions were implemented in many states which virtually completely restricted the ability of the vast majority of Black individuals to vote. Practices such as poll taxes and grandfather clause policies were routinely used to exclude Black people³. The enactment of these policies, as well as the work of terror organizations like the KKK, initiated a ripple effect which perpetuated the continued lack of Black representation and consequently the extension of policies which did not reflect the interests of the Black community.

While it is certainly true that the blatant racist attempts of individuals and groups to deprive Black Americans of their rights and humanity played a major role in the failure of the Reconstruction Era, it must be understood that the mechanisms of a country which was constructed with a dependency on racialized oppression works naturally in its own right to mandate the maintenance of the processes which maintain said oppression. The perpetuation and evolution of these discriminatory systems, which should and could have been addressed in the post-Reconstruction Era, ensured that the nation which emerged from the turbulent and unstable period was one which continued to benefit White America through the oppression of the Black population. It is only through the addressing of these systemic factors like inequality of wealth, education, and standing in the eyes of the law that we can begin to correct the underlying long-term repercussions of interwoven discrimination. Until the underlying issues and repercussions of past and present racial discrimination are properly addressed in their entirety, there is no potential for equality in this country.

Spawning from the failures of the Reconstruction Era emerged a new system of economic oppression to replace the outlawed system of slavery which the Southern economy had grown dependent on. In another commendable attempt to improve the standing of the Black population in the Reconstruction Era, leaders such as Union General William T. Sherman recommended change in the Special Field Order No. 15, issued on Jan. 16, 1865⁴. His plan proposed that formerly enslaved families receive forty acres and a mule as a form of reparation and step

² History.com Editors. "Black Leaders During Reconstruction." History.com. A&E Television Networks, June 24, 2010. <https://www.history.com/topics/american-civil-war/black-leaders-during-reconstruction>.

³ "Race and Voting in the Segregated South." Constitutional Rights Foundation. Accessed December 15, 2020. <https://www.crf-usa.org/black-history-month/race-and-voting-in-the-segregated-south>.

⁴ "The Truth Behind '40 Acres and a Mule'." PBS. Public Broadcasting Service, September 18, 2013. <https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/the-truth-behind-40-acres-and-a-mule/>.

towards economic equality. While this plan may seem slightly outlandish, if implemented it would have provided formerly enslaved individuals with land of their own and a tool of labor, which could appreciate in value and might begin to level the economic playing field among races moving forward. This ingenious policy proposal would have intervened at a critical juncture in American history and fundamentally altered the course of American race relations.

Unfortunately, as history would have it, President Lincoln's assassination gave way to the Southern sympathetic Johnson Administration which quickly overturned the Order in the Fall of 1865, and in his opinion "returned the land along the South Carolina, Georgia and Florida coasts to the planters who had originally owned it."⁵ By this, Johnson, of course, was not referring to the original Native American inhabitants of the land, but rather the White American population which forced them off it to develop their system of monetary benefit of the land through enslavement. In many ways, this perspective is indicative of a large portion of the driving force behind racial backlash, the pervasive and powerful national White sentiment that this was their country and any efforts to advance the Black population in pursuit of equality was actually detrimental to the mainstream White society, and consequently the nation as a whole. To ensure that the America that they knew and loved--the nation which at its core is structured to benefit some through the subjugation of others--a reimagination of the system was not only seen as unnecessarily harsh towards White Americans, but critically dangerous to the country as a whole, and therefore could not be tolerated.

With the rejection and restriction of Reconstruction policies to improve the economic and social status of Black Americans, the institutionalized systems of oppression were poised to adapt to work around the meek legislative efforts to correct them and inevitably produce the same end result-- White benefit from Black subjugation. Suddenly millions of individuals found themselves as free citizens and endowed with the opportunity to thrive to their fullest possible potential in American society. This being said, White America's actions quickly ensured that this potential was restricted as much as possible. Black Americans were thrown into a society with generally little to no education, no personal wealth, and virtually no skill sets beyond the work of plantations. This lack of resources granted way to the next evolution in the systemic benefit of White Americans through Black subjugation-- sharecropping. This system ensured that the agriculturally dependent Southern economy maintained a captive workforce, and consequently further restricted upward social mobility of the Black community. Sharecropping consisted of a landowner, usually a former slave owner or descendant of one, allowing an individual to rent land on which they could live and raise crops as a means of sustaining themselves⁶. The issues of this system quickly became clear as impoverished Black sharecroppers were forced out of necessity, and lack of alternative, to agree to often outrageous terms of payment, and shares of crop yields. Often lacking the tools necessary to work at all, sharecroppers would frequently be forced to rent equipment at high interest rates that would come from the sharecropper's portion of the yielded crops⁷. Additionally, by nature of entering this system as an impoverished group, Black Americans were effectively sentenced to become victims of the incredibly restricting cycle

⁵ "The Truth Behind '40 Acres and a Mule'."

⁶ Wilkerson, Isabel. "The Long-Lasting Legacy of the Great Migration." Smithsonian.com. Smithsonian Institution, September 1, 2016. <https://www.smithsonianmag.com/history/long-lasting-legacy-great-migration-180960118/>.

⁷ "Sharecropping." PBS. Public Broadcasting Service. Accessed December 15, 2020. <https://www.pbs.org/tpt/slavery-by-another-name/themes/sharecropping/>.

of poverty. Any misstep, bad yield of crops, unfortunate weather, or slip by a sharecropper would almost certainly plummet them into levels of debt which were virtually inescapable. In this manner, Black individuals were once again tied to the land of White Americans and coerced through the systems that exist to maintain their seemingly unavoidable subjugation. Recognizing this rebranding of slavery and the ways in which it functioned as a crucial juncture point in the perpetuation and expansion of generational Black poverty is critical to understanding the deeply historic and institutionally ingrained factors that perpetuate issues like housing discrimination today.

The invisible American demand for a system of exploitation to continue benefiting those for whom the system was designed to benefit ensured that the practice remained in place so long as it was possible to do so. As circumstances in society changed however, the nature of the ever-evolving structure of maintained subjugation naturally followed suit. In 1915, ninety percent of all Black Americans were living in the South and subjected to the financial damnation of sharecropping, the brutal terror of organizations like the KKK, the violent repression of their rights, and the bleak absence of hope for improvement⁸. In the coming decades, this concentration would dramatically decrease as millions of Black Americans engaged in what has come to be known as the Great Migration. This migration occurred in conjunction with the major growth of urban areas in the North and West and the expansion of industry⁹. Suddenly, opportunity for a better future and hope for social advancement became possible for those bound to the same systems of servitude since the dawn of slavery. By making this migration to the North, Black Americans would obtain greater access to exercising their right to vote and consequently, a potentially greater representation of their interests. These types of pull factors, combined with the outrageously oppressive and cruel reality of living as a Black person in the South, sparked what would become one of the largest racially cohesive migrations in American history.

Although inarguably superior to the conditions of the South which drove them away, Black Americans certainly were faced with a great deal of new systemic and discriminatory challenges in the North. It would be misguided to say that acts of blatant racial violence and oppression did not occur in the North because they certainly did, but in a general sense the subjugation of Black individuals became slightly, and increasingly, more covert than the overt methods of the South. One of the clearest examples of the ways that the nation's relentless pressure to benefit White Americans by disadvantaging Black people was the racial housing restrictions which shaped the layout of regions and proved to have expansive consequences for years to come. With the influx of Black Americans into urban centers came the flight of White Americans to neighboring suburbs and communities. Along with this shift came the

⁸ Wilkerson, Isabel. "The Long-Lasting Legacy of the Great Migration."

⁹ "City Life in the Late 19th Century: Rise of Industrial America, 1876-1900: U.S. History Primary Source Timeline: Classroom Materials at the Library of Congress: Library of Congress." The Library of Congress. Accessed December 15, 2020. <https://www.loc.gov/classroom-materials/united-states-history-primary-source-timeline/rise-of-industrial-america-1876-1900/city-life-in-late-19th-century/>.

implementation of explicitly racially restrictive regulations in particular neighborhoods¹⁰. This practice was not merely the result of disgruntled and racist individual housing associations, but was rather an endeavor promoted and perpetuated by The Federal Housing Administration (FHA)¹¹. Government surveyors of the time graded neighborhoods in 239 cities, color-coding them from green, being the best, to red, which was labeled “hazardous.” These grading scales correlated with the presence and proportion of minority individuals living in the zone, with majority Black communities being designated as red. The FHA determined that these zones were considered high-risk investment sites and therefore refused to insure mortgages in and near Black neighborhoods¹². These blatantly discriminatory practices were justified through the claims of protecting property value. The argument followed that if a neighborhood was to be permeated by minorities, it would appear less desirable and therefore lower the value of the community's property. Effectively, this practice prohibited Black entry into areas considered lower-risk and designated them to remain confined to the low-valued neighborhoods as they have been defined. Given the drastic racial wealth disparity that existed as a result of the discriminatory practices of the past, these policies kept many Black Americans restricted to the poorest of housing available or to be excluded from property ownership entirely and pushed into renting affordable housing, which again was limited to these same areas. As stated by John Taylor, president and chief executive of the National Community Reinvestment Coalition, “Homeownership is the number-one method of accumulating wealth, but the effect of these policies that create more hurdles for the poor is a permanent underclass that’s disproportionately minority.”¹³ These restrictions have proven to be so powerfully persistent in maintaining the existing structure that researchers have found that 91 percent of areas which were classified as green when the original designations were made, remain predominantly white and middle-to-upper-income today. The same researchers found the opposite pattern to be true in areas originally labeled red, where the vast majority are still classified as low-income and predominantly minority¹⁴. The generational effects of being, once again, discriminatorily prohibited from securing greater financial standing for themselves and their families through home ownership and property appreciation can absolutely not be overlooked in the pursuit of addressing the root factors of the problems which persist today.

While the economic repercussions of these policies and the role those repercussions play in maintaining the racial wealth gap are both immense and incredibly important to examine, it is equally as important to acknowledge that historic housing discrimination plays a major role in a perpetuation of many issues Black communities are forced to face today. Today’s racial housing segregation is a byproduct of a history of generations of evolving systems of oppression and

¹⁰ Gross, Terry. “A 'Forgotten History' Of How The U.S. Government Segregated America.” NPR. NPR, May 3, 2017. <https://www.npr.org/2017/05/03/526655831/a-forgotten-history-of-how-the-u-s-government-segregated-america>.

¹¹ Gross, Terry. “A 'Forgotten History' Of How The U.S. Government Segregated America.”

¹² Gross, Terry. “A 'Forgotten History' Of How The U.S. Government Segregated America.” NPR.

¹³ Jan, Tracy. “Analysis | Redlining Was Banned 50 Years Ago. It's Still Hurting Minorities Today.” The Washington Post. WP Company, April 27, 2019. <https://www.washingtonpost.com/news/wonk/wp/2018/03/28/redlining-was-banned-50-years-ago-its-still-hurting-minorities-today/>.

¹⁴ Jan, Tracy. “Analysis | Redlining Was Banned 50 Years Ago. It's Still Hurting Minorities Today.”

discrimination, and is, of course, problematic in its own right as a continuing blatant reminder of the social prioritization of America's citizens. Beyond this however, the endurance of housing segregation is also uniquely positioned as a roadblock to the dismantling of institutionalized discrimination as a whole. One of the lingering and most detrimental effects of housing segregation is the effect on public schooling and disproportionate budgeting. As it is structured today, the majority of public-school funding is dependent on homeowner taxes from those who live within designated school district zones¹⁵. This system is inherently flawed when examined in practice due to the nature of housing segregation, and the concentration of minority individuals in low-income communities which consequently results in common underfunding of schools in these areas. One painfully clear example of this issue played out in reality can be seen in the extensively segregated communities of Long Island, New York. Long Island remains one of the most racially segregated regions in the country and much like the general trend of the country at large, low-income communities such as Brentwood have remained mainly occupied by minorities, while more affluent neighborhoods like the Hamptons continue to be overwhelmingly white. In turn, Brentwood's annual school budget is constantly far lower per student than the Hampton's school districts¹⁶. Since it has been established that minority groups have been historically and institutionally restricted to lower value neighborhoods, it follows that minority rich communities often have some of the lowest funded schooling systems per child. This trend results in an educational and opportunity gap which disproportionately favors white individuals. Given the long-term advantages that a high-quality education grants in today's society, the effects of this inequality are compounding and inevitably contribute to the continued racial gap in higher education, financial literacy, employment, and overall opportunity which eliminates some driving factors of crime. In 1954 the Supreme Court determined that the racial segregation in schools was unconstitutional on the basis that "separate but equal" facilities are inherently unequal and violate the protections of the Equal Protection Clause of the Fourteenth Amendment¹⁷. Additionally, the Court stated that the segregation of public education based on race "instilled a sense of inferiority that had a hugely detrimental effect on the education and personal growth of African American children." This decision was passed down over half a century ago, and yet the issue which brought forth the case in the first place has still yet to be effectively dealt with by the leaders of the nation. Just as the recognition of Black American's constitutional right to vote was rendered null through the neglect of the correction of voter suppression efforts, the recognition of a constitutional right to desegregated schools also fails to correct the issue without addressing the racial housing segregation which continues to perpetuate it today. This is an unacceptable reminiscence of shameful and racist policies of the past which unfairly benefit White Americans and have yet to be corrected.

Another unfortunate byproduct of housing segregation which once again disadvantages members of the Black community is the trend of heightened police presence and action in low-income minority neighborhoods. Black and low-income neighborhoods have been the target of excessive police occupation for generations. Policies, such as those implemented by Presidents

¹⁵ Chang, Ailsa, and Jonaki Mehta. "Why U.S. Schools Are Still Segregated - And One Idea To Help Change That." NPR. NPR, July 7, 2020. <https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/07/07/888469809/how-funding-model-preserves-racial-segregation-in-public-schools>.

¹⁶U.S. Census Bureau QuickFacts: Hampton Bays CDP, New York; Brentwood CDP, New York.

¹⁷ "Brown v. Board of Education." oyez, 1954. <https://www.oyez.org/cases/1940-1955/347us483>.

Richard Nixon and Ronald Reagan, and expanded by Presidents such as Bill Clinton, culminated in a militaristic assault of Black neighborhoods in the thinly-veiled name of preventing lower-level crimes from escalating¹⁸. This tactic proved to be incredibly detrimental to the Black population, particularly Black men who were arrested at far higher rates than their White counterparts. Although Black Americans account for less than 13 percent of the U.S. population, they are killed by police at more than twice the rate of White Americans. The US incarcerated population is 56% African Americans and Hispanics and includes an illicit drug offender population which is 33% Black.¹⁹ When considering these statistics, it should also be noted that on average the occupational force of police officers in these low-income neighborhoods has a far higher police to population ratio than in wealthier areas such as suburbs²⁰. Given that research has indicated that minority individuals commit crimes and abuse drugs at similar rates to White Americans, this trend is highly indicative of an implicit bias which shapes who is being targeted and policed in the first place.²¹ The combination of this systemic internalized bias and the circumstantially forced concentration of minorities into these areas creates an intensely discriminatory system which brutally impacts the Black population in both the short and long-term. These effects include not only the division of Black families and the physiological detriment of being overpoliced by a discriminatory occupational force, but also the financial pitfalls of becoming involved in the criminal justice system such as legal fees and post-incarceration housing and public assistance restrictions. Much like those of the education system, these effects of the over-policing of low-income neighborhoods contribute to the maintained financial and social subjugation of Black Americans as perpetuated by the segregated nature of the country.

Having examined the multitude of ways in which racialized housing discrimination continues to disadvantage Black Americans, one is left to wonder what can be done to correct such a deeply institutionalized issue with so many extensive ramifications? In order to begin to address the systemic problems branching from the segregation of housing, the underlying factors which perpetuate this segregation must be effectively addressed. Black Americans have been restricted to particular communities due to the financial wealth gap which has been created and expanded through past generations of discriminatory policies. The reason that these low-income communities in particular are the ones which Black individuals have been perpetually segregated to is precisely because they are where the low-income housing is located. The nature of this financial, and consequently racial, segregation exists in such a way that it cyclically maintains the low property values of its original designation and therefore attracts those with resources too limited to live elsewhere. While there have been some steps taken throughout the country by local and state governments to expand affordable housing across the nation, these steps have been largely ineffective in creating the systemic change necessary to reverse this persistent

¹⁸ “Broken Windows Policing and Institutionalized Racism.” Institute of Contemporary Arts. Accessed December 15, 2020. <https://archive.ica.art/bulletin/broken-windows-policing-and-institutionalised-racism>.

¹⁹ N. (2020, July 10). Criminal Justice Fact Sheet. Retrieved December 01, 2020, from <https://www.naacp.org/criminal-justice-fact-sheet/>

²⁰ Weitzer, Ronald. “Policing Different Racial Groups in the United States.” *Cahiers Politicstudies*, n.d. <https://sociology.columbian.gwu.edu/sites/g/files/zaxdzs1986/f/downloads/Weitzer%20%26%20Brunson%202015%20.pdf>.

²¹ Criminal Justice Fact Sheet.

issue²². The limited legislative efforts that have been made to mandate expansion have often been too weak and included loopholes which have allowed communities to simply implement greater levels of elderly housing to meet the legal requirements, or have allowed them to pay off penalty fees to place the affordable housing into lower-income neighborhoods.²³ In order to correct this problem there must be a cohesive effort among national, state, and local public officials to set appropriate and proportional requirements for affordable housing with severe and proportional penalties which would be levied to ensure implementation. Further, a legal distinction between these requirements and those of elderly affordable housing must be drawn to require the two separately and eliminate this commonly used loophole. Additionally, legislative steps should be taken to immediately repeal regulations nationwide which restrict formerly incarcerated individuals from affordable housing facilities. Beyond the immediate legislative steps that should be taken to begin to expand the availability of affordable housing to all neighborhoods, there must be some sort of financial aid granted to those who have been systematically disadvantaged financially and restricted by virtue of circumstance. The implementation of these policies would begin to address both the racial wealth gap which has bound minority individuals to low-income neighborhoods for generations, as well as create a system in which the financial status of an individual does not dictate the severity to which they are disadvantaged by our various systems, like academics and policing, to the extent it does today.

The decisions of America's past are shameful and inexcusable. Examination of history reveals that the realities of today are the products of intentionally racist and discriminatory policies which existed for the sole purpose of maintaining Black individuals as a subjugated group for the benefit of the White race. The nation has had opportunity after opportunity at critical junctures of American history to take a stand against the constantly adapting systems which perpetuated the same generational disparities that existed immediately following abolition. Had Reconstruction efforts been permitted to be effectively implemented, perhaps the issues of the past wouldn't have been able to reach the much more abstract and complex discrepancies of today. But alas, those efforts did fail and Black Americans have been forced to continuously suffer from the unaddressed ramifications of the horrific and unjust policies of the past and the evolving legacies of those problems to this day. Today, however, can be a new juncture in American history. It is time for the leaders of the nation, as well as the population as a whole, to take advantage of the opportunity to thoroughly examine the transgressions of the past and begin to undo the generational abuse of Black Americans. This is not a matter of a simple policy shift and by no means will the addressing of housing discrimination alone correct the ramifications of centuries of transgressions, but it will finally address one of the core factors which has restricted Black advancement in virtually all facets of society. The careful and calculated implementation of these policies has the potential to break down walls for Black advancement which have stood since the birth of the nation.

²² III, Sam Fulwood. "The United States' History of Segregated Housing Continues to Limit Affordable Housing." Center for American Progress. Accessed December 15, 2020. <https://www.americanprogress.org/issues/race/reports/2016/12/15/294374/the-united-states-history-of-segregated-housing-continues-to-limit-affordable-housing/>.

²³ "Affordable and Subsidized Housing on Long Island, NY." Affordable Housing-Long Island. Accessed April 30, 2018. <https://www.bestguide-retirementcommunities.com/affordablehousing-LongIsland.html#Bro>.

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