

Segregation by Design

Local Politics and Inequality in American Cities

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I

Introduction

Fear ruled everything around me, and I knew, as all black people do, that this fear was connected to the Dream out there, to the unworried boys, to pie and pot roast, to the white fences and green lawns nightly beamed into our television sets.

– Ta-Nehisi Coates, *Between the World and Me*, p. 28

City services sustain, prolong, and even save lives. In the latter half of the nineteenth century, urban populations and economies were booming. But so too were their filth, disease, and divisions. By 1900, infectious and parasitic diseases killed nearly eight in every thousand residents, accounting for more than 45% of all deaths (Tippett 2014) and more than 60% of deaths among children (Guyer et al. 2000). In some cities, 30% of babies would not live to celebrate their first birthday (Meckel 1990). But between 1900 and 1940, the overall mortality rate in the United States declined by 35% (Linder and Grove 1947), and the infectious disease mortality rate declined by 75% (CDC 1999, adapted from Armstrong et al. 1999).¹ Estimates indicate that between one-quarter and one-half of this decline can be attributed to the development of public water and sewer systems – systems that were financed, built, and maintained not by the federal or state governments, but by cities.

Across the United States, local public works significantly reduced outbreaks diseases such as cholera, typhoid fever, diarrheal diseases,

¹ Total mortality declined from 17 per 1,000 persons to 11 per 1,000 persons.

and malaria (Cutler and Miller 2006; Troesken 2004).² Over time, the growth of municipal fire and police forces, street cleaning and refuse disposal, childhood vaccination and physical examination programs, regulation of food supplies, and the implementation of building codes all worked to prolong life expectancy (Condran and Cheney 1982; Haines 2001; CDC 1999).

But such benefits were neither inevitable nor universal. Although all major cities would eventually come to provide basic services, development was uneven. Nearly fifty years separated the delivery of publicly accessible water in Philadelphia and Boston (Cutler and Miller 2005). At the turn of the twentieth century, some cities spent as little as \$100 per resident on services, while others spent more than \$900. And, from the beginning, poor and minority neighborhoods received fewer and lower-quality services. They were less likely to be connected to sewers, to have graded and paved streets, or to benefit from disease mitigation programs.³

Today, the quality of public goods in the United States remains highly variable. Some people have access to good schools, well-paved and plowed roads, sewers that rarely overflow, public parks with playgrounds and restrooms, adequately staffed police and fire forces, and clean water. Others do not have access to these resources. As the epigraph by Coates illustrates, the availability of the American Dream for some has, for the entirety of American history, depended crucially on the denial of that Dream to others.

The quality of services one experiences in the United States is largely a function of the neighborhood in which a person resides. When the poor and people of color are concentrated in residential locations apart from wealthy and white residents, we say that a place is segregated. It is segregation that permits unequal access to public goods and services. Yet, the extent of segregation varies from place and to place, and throughout the United States patterns of segregation have changed dramatically over time. This book asks how segregation becomes entrenched and why its form changes. My answer is local politics. I argue that the preferences of white

² It is important to note that the dramatic improvement in mortality from the implementation of water and sewer systems required the development of filtration and treatment techniques, which were not immediately available when the systems were first built.

³ This book explores race and class divisions in local politics and residential locations. There are many ways one might go about defining these groups. As explained in more detail in Chapter 3, I focus on divisions between whites and nonwhites and between homeowners and renters. I use the terms “minority” and “nonwhite” interchangeably. I also use the terms “black” and “African American” interchangeably.

property owners have been institutionalized through the vehicle of local land use policy, shaping residential geography for more than 100 years. In the early part of the twentieth century when cities began their rapid ascent, local governments systematically institutionalized racist and classist approaches to the maintenance of housing values and production of public goods. They created segregation. These institutions persist, narrowing options for residents, and creating and recreating inequality today.

Between 1890 and 2010, the spatial scale of residential segregation along race and class lines increased (Logan et al. 2015; Reardon et al. 2009; Lee et al. 2008). In the late 1800s, whites and people of color, renters and owners, poor and wealthy were separated from each other in small clusters, so that residential segregation occurred on a block-by-block basis. By the middle of the twentieth century, segregation patterns had transformed; residents became segregated neighborhood by neighborhood. Throughout the postwar period, segregation between whole cities arose as the nation suburbanized. In recent decades, this city-to-city segregation has remained remarkably persistent despite decreasing neighborhood segregation. Because political representation is geographically determined, these changing patterns have had profound political consequences, generating opportunities for exclusion and increasing polarization. Local governments have been instrumental in driving and shaping these patterns.

Striving to protect property values and access to high-quality public goods for white property owners, local governments have generated segregation along race and class lines. The result has been stark inequalities in access to good schools, safe streets, clean water, and many other public goods and services. Segregation is *not* simply the result of individual choices about where to live. Neither racial antipathy nor economic inequalities between groups are sufficient to create and perpetuate segregation. The maintenance of property values and the quality of public goods are collective endeavors. And like all collective endeavors, they require collective action for production and stability. Local governments provide this collective action. So, supported by land-oriented businesses, white homeowners have backed a succession of maneuvers to keep their property interests and public benefits insulated from change – even as cities have grown, aged, redeveloped, suburbanized, and adjusted to industrialization. Battles over the control of urban space have always been the primary driver of city politics. At stake is the quality of life accessible to residents and markets available to commercial interests. The result has been *segregation by design*.

CHERRY HILL AND CAMDEN

An example from southern New Jersey is illustrative. Camden and Cherry Hill are similarly sized cities, both just across the Delaware River from Philadelphia. Camden is home to two Superfund (toxic waste) sites; Cherry Hill is home to none.⁴ In Camden only 1.7% of state roads had good pavement in 2004,⁵ compared to 35% in Cherry Hill.⁶ Camden has twenty-two combined sewer overflow outfalls (where raw sewage and storm water may be released to the surface during wet weather), while Cherry Hill has zero. Camden offers no electronic waste recycling and no yard waste collection; Cherry Hill provides both. In 2012, Camden's water supply ran so low that residents were required to boil water for consumption and were prohibited from watering their gardens.⁷ Cherry Hill has a clean, plentiful water supply. Cherry Hill Public Library has more than 400,000 circulating materials, more than 300 adult programs and classes, and 67 public computers.⁸ In 2011, Camden shuttered the doors of its main library and handed control of the remaining two small branches to the county.⁹ Cherry Hill offers sixty-three recreational facilities (parks, art centers, tennis courts, and so on) for its residents and supports thirteen different swim clubs.¹⁰ Camden has twenty-five parks and eight community centers.¹¹ Between 2007 and 2012, Camden's city budget declined by about \$245 per resident, while Cherry Hill's increased by about \$12 per capita. Clearly, living in Camden is unlike living in Cherry Hill. So, how did Cherry Hill and Camden get to be so different?

The story begins with a focus on Camden at the turn of the century. In 1900, Camden had a population of nearly 76,000 residents. The city boasted 55 miles of sewers and 79 miles of water mains, and about 38% of the city's streets were paved – figures that suggest that Camden's development was right in line with national averages. Also similar to other cities were Camden's levels of race and class segregation, which were generally low. By the turn of the century, Camden was home to two

⁴ www.epa.gov/superfund/search-superfund-sites-where-you-live

⁵ www.state.nj.us/transportation/works/njchoices/pdf/camden.pdf

⁶ Personal communication with New Jersey Department of Transportation. The NJDOT provided data from the NJDOT Pavement Management System by email. Available from the author by request.

⁷ www.nj.com/news/index.ssf/2012/06/camden_residents_advised_to_bo.html

⁸ www.chplnj.org/about/documents/2015%20Annual%20Report%20-%20FINAL.pdf

⁹ www.nj.com/news/index.ssf/2011/02/main_branch_of_camden_public_l.html

¹⁰ www.cherryhill-nj.com/Facilities ¹¹ www.ecode360.com/8508679

well-established free black communities: Fetersville and Kaighnsville (Garwood 1999). Established in the 1830s and 1840s, these communities were comprised of small lots and affordable to people of modest incomes, many of whom were African American. One of Fetersville's neighborhood churches, the Macedonia African Methodist Episcopal Church, was a stop on the Underground Railroad. Although the majority of Camden's black residents lived in Fetersville and Kaighnsville, both neighborhoods were predominately populated with white, working-class residents.

According to the 1900 US Census, the wards representing Fetersville and Kaighnsville were about a quarter African American. For a city in which African Americans only comprised 8% of the total population, it is clear that blacks were not evenly spread across the city. But the extent and scale of black segregation would increase dramatically over time, climbing more than 50% in the first half of the twentieth century.

In 1930, Camden was a bustling central city. It had more than 118,000 residents and spent nearly \$950 (in 2012 dollars) per capita on municipal expenditures – well above the national median. Cities with high levels of service provision, such as Camden, were more likely to have high property values, high tax rates, and high rates of homeownership compared to cities with smaller city budgets. And they were much more likely to be early adopters of land use regulations because they were more invested in protecting their high values and good services, ensuring that both were delivered to the residents with the most political power – white property owners. Camden first authorized zoning in 1928 and, like other early zoning adopters, moved quickly to ensure that land use policy was used strategically to “conserve the value of property” and protect the interests of white home-owning residents (Cunningham 1965). Thus, from early in the twentieth century, Camden's segregation was state-sponsored.

Figure 1.1 shows that by 1940, the black concentration exceeded 50% in the central part of the city, even though African Americans only made up 11% of city residents.

After generating this segregated community, Camden's city government proceeded to underprovide services to and locate public nuisances in its black neighborhoods (Helzner 1968a, 1968b; Silvotti 1968).

As was the case for many large cities, the stress of the Great Depression left Camden with an enormous burden of vacant and uninhabitable properties, a disproportionate number located where black residents lived (Allen 1942). And so Camden became one of the earliest recipients of federal slum clearance and public housing funds in the 1930s (Pommer 1978). In 1938, two public housing complexes were erected – one for

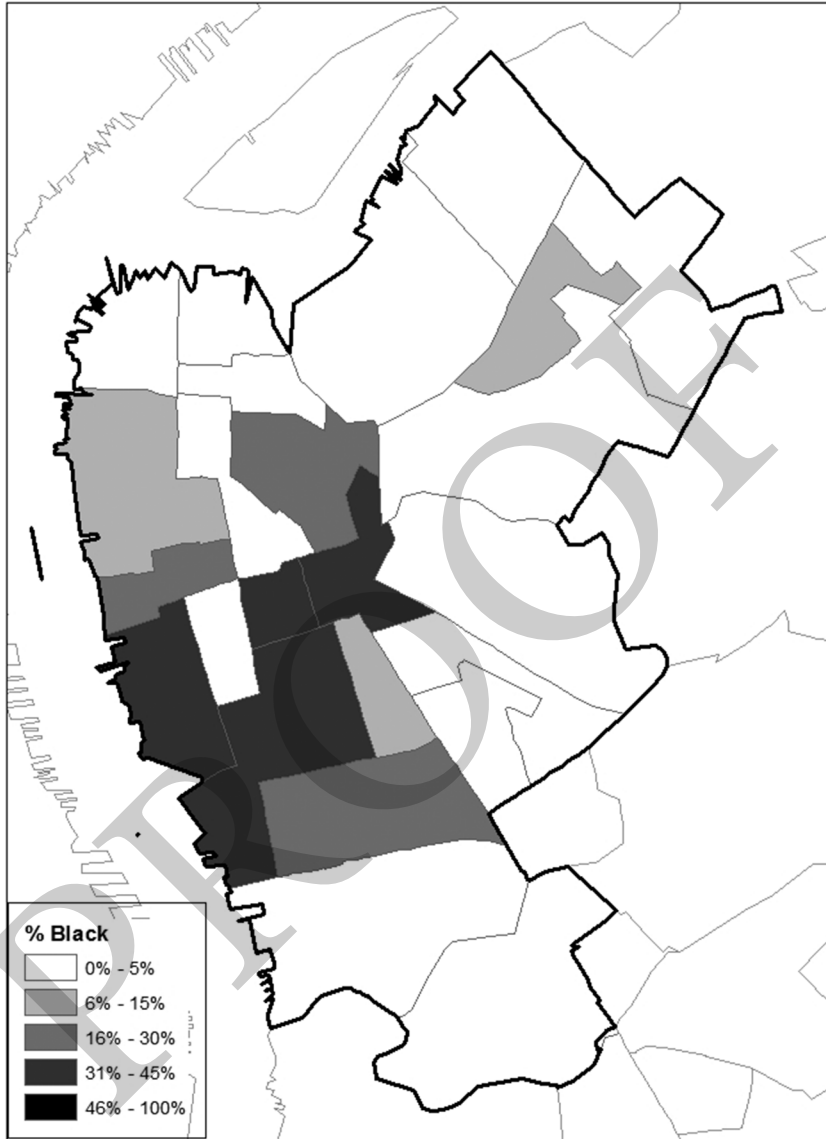


FIGURE 1.1 Segregation in Camden, 1940

whites and one for blacks. When the program was expanded in the 1940s, two more projects were built – also segregated. Unsurprisingly, the projects were placed in communities based on the demographics of their occupants, and the neighborhoods around each became increasingly

segregated (Williams 1966a). Later, when Interstate 95 was run through the city, “an attempt [was] made to eliminate the Negro and Puerto Rican ghetto areas,” destroying parks and homes, and increasing density in the remaining segregated black and Latino neighborhoods (New Jersey State Attorney General report, quoted in Rose and Mohl 2012, p. 108).

So it was that the creation of Camden’s segregated neighborhoods echoed the creation of segregated neighborhoods throughout the United States. Camden city government used zoning laws, the placement of segregated schools and public housing, and slum clearance to create and enforce residential segregation between whites and Africans Americans, as well as between renters and homeowners.

Starting around the time of the World War II, the city faced desegregation pressures on several fronts. As of 1944, no black children attended white elementary schools in Camden, despite a state-level anti-segregation law that was passed in 1881 (Wright 1953; Jensen 1948). When the National Association for the Advancement of Colored People (NAACP) sued the district, officials responded that black parents had simply not requested attendance at their neighborhood schools. So, the NAACP took out ads in the *Camden Courier-Post* to convince parents to do just that. In 1947, hundreds of black children enrolled in previously all-white schools (Wright 1953).

School desegregation was just one of the first of many signs of racial transition in Camden. In 1951, the city witnessed its first biracial contest for city council when Dr. Ulysses S. Wiggins, president of the Camden NAACP branch, was nominated on the Republican ticket (Negro Runs for Camden Council Job 1951). He lost; but in 1961, Elijah Perry became the city’s first African-American city council member (Riordan 1996). In 1954, the New Jersey Supreme Court ordered public housing to be desegregated, and the first black families moved into white buildings in 1966 (Williams 1966a, 1966b). Although contested elections and moves toward the desegregation of public housing represented progress, deep racial disparities in municipal service provisions persisted, and people of color demanded equal treatment from the city government. In 1969 and 1971, the city erupted in violent race riots, touched off by police brutality against black and Latino residents.

The little hamlet of Cherry Hill boasts a much different history. Although Cherry Hill was incorporated as a municipality in 1844, like most would-be suburbs, it remained a small, undeveloped agricultural community in the first few decades of the twentieth century. In 1940, Cherry Hill had a population of just under 6,000 residents, 91% of whom

were white and 9% black (NJSDC 2000; Barnes 1936). Not only small, it was economically weak, having defaulted on its bond obligations and been placed in receivership by the state government during the Depression (*Shay v Delaware* 1939; Cammarota 2001). But after the war, while housing and schools in Camden were integrating, Cherry Hill's population and economy exploded, as was true of suburbs throughout the nation.

Drawn to places like Cherry Hill by the attractiveness of low-cost, federally insured mortgages, the development of new homes and new employment opportunities in outlying communities, and easy commuting along newly built federal highways, the nation's suburbs grew rapidly and homebuyers moved to the periphery (Nall 2018). But, due to a combination of restrictive covenants and racist lending policies in both the public and private mortgage markets, the opportunity to build a life in the suburbs was only made available to whites (Rothstein 2017; Jackson 1987). During the thirty-year period following World War II, Cherry Hill witnessed a tenfold population increase – nearly all white. Meanwhile Camden lost 13% of its residents.

Figure 1.2 shows the share of the total population living in rural areas, central cities, and suburbs over the twentieth century. The graph reveals that the pace of suburbanization increased sharply during the postwar period so that by 1970, a plurality of the population lived in suburbs.¹² The homeownership rate increased at the same time. This latter fact explains the driving force behind exclusionary zoning adopted by suburban communities. White homeowners in places such as Cherry Hill, intent on raising property values and maintaining exclusivity in their public schools, aggressively shaped the future of their residential communities.

As Camden rushed to utilize more than \$30 million in federal redevelopment funds to revitalize its flagging urban center, Cherry Hill was busy implementing zoning restrictions that effectively prohibited the development of low- or even moderate-income housing (Cammarota 2001). These economic zoning practices effectively kept out people of modest incomes, but also maintained the racial homogeneity of the city and schools. In 1975, black residents of Mount Laurel, New Jersey (a suburb close to Cherry Hill both geographically and demographically), along

¹² Rural here refers to populations outside any metropolitan area. A suburb is an area inside of a metropolitan area, but outside the central city. City refers to the central cities of metro areas. www.census.gov/prod/2002pubs/censr-4.pdf, p. 33 www.census.gov/hhes/www/housing/census/historic/owner.html

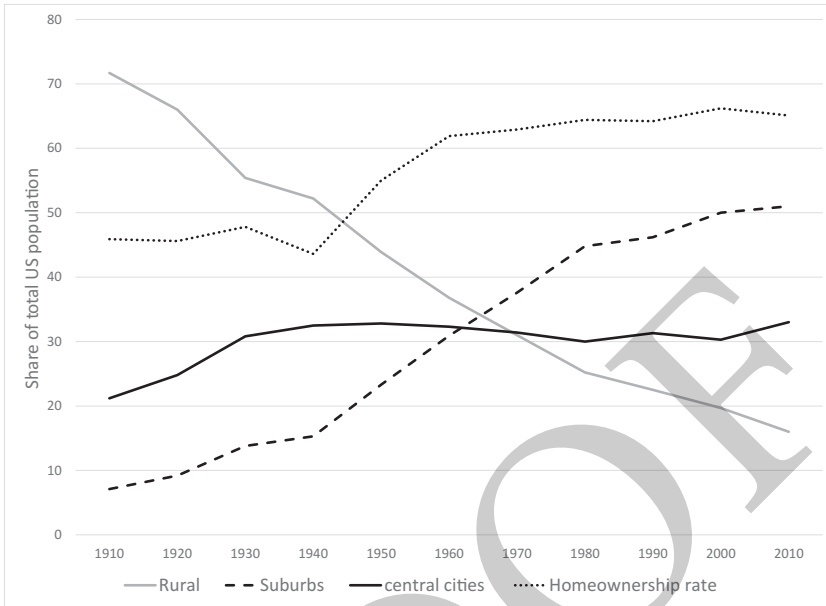


FIGURE 1.2 Share of total US population living in different types of places
 Sources: Demographic Trends in the 20th Century, Census 2000 Special Report; Population Reference Bureau: Reports on America, 2011; Housing Characteristics, 2010 Census Brief

with several local chapters of the NAACP, won a class-action lawsuit challenging Cherry Hill’s type of exclusionary zoning. As a direct result of this decision, Cherry Hill was required by the state to zone for thousands of low-income housing units. The city declined to do so. As of 2015, Cherry Hill continued to face litigation for its failure to zone for affordable housing.¹³ As is true in many places throughout the United States, exclusionary economic zoning cannot be disentangled from race. One activist argued, “[M]any residents carried racist feelings about affordable housing, fearing it would attract poor blacks and Hispanics” (Leonnig 1989, p. 42).

Figures 1.3 and 1.4 reveal how segregation between Camden and Cherry Hill changed between 1970 and 2010.

In 1960, Camden was 76% white. This had declined to 60% by 1970. The maps show that although Camden’s population of color had grown, in 1970 the city still had several exclusively white neighborhoods. These white neighborhoods had *completely* disappeared by 2010. In 2010, a

¹³ www.cherryhill-nj.com/DocumentCenter/View/2562, p. 8.



FIGURE 1.3 Segregation in Camden and Cherry Hill, 1970

greater share of segregation occurs between Cherry Hill and Camden than within them.

For the most part, the people who left Camden during the postwar period and those who moved to Cherry Hill were largely white, middle- and upper-class. As of 2014, about 39% of Camden's population owned their homes, 5% were white, and the annual median household income was \$26,000. In Cherry Hill, 80% owned their homes, 75% were white, and the median household income was \$89,500.¹⁴ In 2012, per capita taxes in Cherry Hill were double Camden's. Camden simply cannot afford to offer the services that Cherry Hill provides.

But it is important to note that no one could have predicted the vast inequality between Camden and Cherry Hill in 1900 or even 1940. Indeed, Camden would have seemed poised to remain a regional economic engine and home to the area's premier amenities. Writing in 1886, George Prowell proclaimed:

¹⁴ www.census.gov/quickfacts/table/PST045215/3410000,3400712280,00



FIGURE 1.4 Segregation in Camden and Cherry Hill, 2010

[C]ould the first settlers upon the site of [Camden] now look upon the industry and energy that have asserted their power in the rumble of ponderous machinery, the whistle of the high-spirited iron horse, the hum and whirl of revolving wheels, the stately magnificence of some of the public institutions, the comfortable homes and beautiful streets and the improvements in the modes of life and living, they would feel gratified that their children's grandchildren ... are so bountifully favored in this land of freedom and independence.

(Prowell 1886, p. 407)

Today's segregation along race and class lines between Camden and Cherry Hill and the resulting inequality in access to public goods was produced by local public policy. It is a pattern that was replicated many times over throughout the United States, driven by white property owners' obsessive concern with property values and public goods, and carried out by local governments.

In the early decades of the twentieth century, homeownership rates in the United States were already much higher than in many other advanced democracies. In 1914, 10% of households in the United Kingdom owned their homes (House of Commons Research Paper 1999). In the United

States the figure was about 45%.¹⁵ Even as of the late 1940s homeownership rates for France and Germany were only about 31% and 27% respectively (Kohl 2014). For most families, the home was (and is) the single largest component of household wealth (Knoll et al. 2014). Not only homeowners, but all property owners, land-oriented businesses (like real estate agencies), and local governments reliant on property taxes, had a strong incentive to protect and enhance the value of property. In a world of limited resources, they also had a strong incentive to politically control the distribution of public goods increasingly offered to city dwellers.

Yet, homeownership and political power were not equally available to all urban residents. In 1900, the homeownership rate among whites was more than double the rate among blacks (Collins and Margo 1999). Chinese and Japanese immigrants were barred from owning property completely in many states, and the vast majority of blacks, Asians, and Latinos across the country were prohibited from voting (Keyssar 2000). Thus, as America became an urban nation, it was white property owners who dictated the policies of local governments. They used their power to pursue segregation. White economic advancement was built on the backs of people of color. By invoking the power of land use regulation and zoning, city governments promoted the generation of property wealth through segregation and unequal allocation of resources, institutionalizing prevailing race and class hierarchies.

In cities across the country, “Chinatowns” (McWilliams 1964, p. 105), Sonoratowns (Torres-Rouff 2013, p. 139), and “Darktowns” (Silver and Moeser 1995, p. 130) were walled-off by public policy and violence condoned by police. Local governments then systematically underinvested in these neighborhoods, denying them adequate sewers, paved roads, garbage collection, or public health initiatives. By the onset of the Second World War, city governments had become proficient segregators. When millions of dollars were spent renewing and rebuilding urban communities, segregation was reinforced and deepened.

The consequences are irrefutable. Segregation causes higher poverty rates for blacks and lower poverty rates for whites, lower high school and college graduation rates among blacks, higher imprisonment rates, and higher rates of single-motherhood among blacks (Ananat 2011; Burch 2014; Cutler and Glaeser 1997). Segregated neighborhoods differ significantly with respect to “crime, poverty, child health, protest, leadership

¹⁵ www.census.gov/hhes/www/housing/census/historic/owner.html

networks, civic engagement, home foreclosures, teen births, altruism, mobility flows, collective efficacy, [and] immigration” (Sampson 2012, p. 6). These differences, Patrick Sharkey (2013, p. 21) explains, are “*not* attributable primarily to factors that lie within the home or within the individual,” but rather to the place itself, passed down from generation to generation.

Neighborhood disadvantage is also causally related to black/white income inequality, lack of employment stability among blacks, and larger gaps in cognitive skills between blacks and whites (Sharkey 2013). Cohen and Dawson (1993) show that neighborhood poverty undermines blacks’ attachment to and involvement in the political system. Chapters in this book reveal that segregation leads to racial political polarization and underfunding of public goods. Cumulatively, these results suggest that both growing up and living in disadvantaged places, while they may not wholly determine one’s fate, leaves little margin for error. “Mobility out of the poorest neighborhoods,” Sharkey (2013, p. 35) says, “may be even less common than mobility out of individual poverty.” Perversely, home ownership for people of color in this environment can serve to limit mobility rather than enhance it. These inequalities, Sampson tells us are, “durable and multiplex but not inevitable or natural” (p. 99). They were created by local policy.

In the first half of the twentieth century, advantaged and disadvantaged neighborhoods resided within the political boundaries of large central cities. In the second half of the century, when the suburbs captured most of the population growth, the physical and – more importantly – political distance between advantage and disadvantage widened. Today, the most advantaged places are located outside of central cities altogether so that disadvantaged residents have no direct role to play in decisions about building affordable housing, expanding public transportation, or diversifying schools. In these advantaged places, development is restricted and residents are politically conservative; they vote at higher rates for Republican presidential candidates, support low taxes, want limited spending, and see inequality as the result of individual failings.

CONTRIBUTIONS TO EXISTING LITERATURE

Several seminal theoretical works in the local politics literature have, simply put, ignored the centrality of race and racism in the generation of local politics, policy, and outcomes. In *Who Governs*, perhaps the founding tome of the field, Robert Dahl (1961) argues that city politics

is inherently pluralistic. Influence in local politics is diffusely distributed and policy outcomes are the result of varied, competing interests. “Whenever a sizable minority . . . is determined to bring some question to the fore,” Dahl claims, “the chances are high that the rest of the political stratum will soon begin to pay attention” (p. 92). In a detailed case study of New Haven, Connecticut, Dahl finds power in the vote. Equality at the ballot box trumps social and economic inequalities. Dahl asserts that, “in comparison with whites, Negroes find no greater obstacles to achiev[ing] their goals through political action” (p. 294). *Segregation by Design* reveals this to be a profoundly untrue statement. Inequality is embedded in the very fabric of cities, and is produced and reproduced through the political process. While Dahl was conducting his research, the New Haven city government was busy shoehorning black residents into segregated neighborhoods. In 2011, New Haven was the still most segregated city in Connecticut.

In his famous treatise on the limits of city politics, Paul Peterson (1981) also fails to analyze the ways in which inequality is baked into the structure of cities. Peterson argues that housekeeping services (e.g., police and fire) are “widely and proportionately allocated” (p. 45). In the neighborhoods where property is more valuable, he says, “[O]ne also characteristically finds lower crime rates, less fire damage, and cleaner streets.” Peterson claims that these disparities are not the result of differential efforts by city departments, but rather the function of “environmental variables influenced more by local government zoning laws” (p. 45). Yet, nowhere in the book does Peterson probe his own claim that local land use policy provides the backdrop for the entire endeavor. As a result, the inequalities that land use policy creates are never interrogated.

Instead, Peterson claims that all city residents share a unitary interest in “maximiz[ing] their economic position” (p. 29). More specifically, Peterson means that “what is good for business is good for the community” (p. 143). Peterson argues that policies that enhance the local economy (e.g., developmental policies) are consensual. He says they are “opposed only by those few whose partial interests stand in conflict with the community interests” (p. 41). Peterson draws on the case of urban renewal to make this point. Indeed, it was the case that more vigorous pursuit of urban renewal increased property values, income, and population in the aggregate (Collins and Shester 2013). But at what cost? Thousands of homes were destroyed. Hundreds of neighborhoods razed. These burdens were not borne universally; they disproportionately impacted people of color and the poor (Anderson 1964; Wilson 1966).

This was not accidental or unintentional. Decisions about which neighborhoods to clear and which to protect were made by the same set of interests, with the same goals, that had designed residential segregation in decades past. In Peterson's telling of the events, when disrupted communities protested slum clearance, it was *they* who acted selfishly, while the proponents of urban renewal acted on behalf of the community.

Peterson is certainly not the first theorist to conflate white property owners' interests with the interests of the whole. In *City Politics*, Banfield and Wilson (1963) argued that conflict in cities was rooted in a fundamental struggle between the "public regarding" Anglo-Saxon Protestants and "private-regarding lower-class" immigrants (p. 329). By their account, when city governments pursued policies for white, native-born residents, it was for the good of the whole; meanwhile, immigrants demand favors and benefits to be enjoyed by *their* group alone. Similarly, the municipal Progressive Reform movement was premised on the notion that reform goals were equivalent to the city's interest (Bridges 1997). Every institutional change (e.g., nonpartisan elections, city manager form of government, at-large elections, etc.) promoted by reformers had an eye toward amplifying the power of those who supported reform and silencing the opposition (Trounstone 2008). Reformers justified their approach by claiming that city politics was a nonideological realm, one in which the needs of the community could be straightforwardly addressed by apolitical public servants. But giving policy-making authority to unelected bureaucrats did not eliminate underlying divisions in municipal politics; it simply served to magnify the voice of some residents over others. Reform rhetoric was a strategic move that legitimized white property owners' claims while delegitimizing the claims of renters, the working class, and people of color. It is no accident that "residents of Anglo, middle-class neighborhoods were both [reform's] beneficiaries and its strongest supporters," (Bridges 1997, p. 11). If city policy were actually universalistic, as Peterson and the reformers claimed, white property owners would have had no need to fortify suburban land use regimes in face of rising black power or school desegregation orders from the federal government as chapters in this book reveal.

Another giant in the field of urban politics, Clarence Stone, brings race front and center in his analysis of coalition politics (Stone 1989). In Atlanta, the site of Stone's research on urban regimes, black votes are needed by politicians to win elections, and so black elites can bargain for desirable policy outcomes. But the real power remains in the hands of those with the private resources to govern: typically the business

community. Yet, Stone fails to consider *why* those with the resources to govern are nearly always white, why they are overwhelmingly owners of property, why those who are constrained to bargain are people of color, and how these regularities are at odds with a political system in which, formally speaking, all citizens are granted the same rights and duties.

Other scholars have written profoundly and extensively about the role of race and class in city politics (e.g., Gosnell 1935; Pinderhughes 1987; Browning, Marshall, and Tabb 1986; Jones-Correa 1998; Kaufmann 2004; Owens 2007; Shaw 2009; Hajnal 2010). What I add to these conversations is a link between the political economy drivers of local politics, as distilled by Dahl and Peterson, and the fundamental role of race and (to a lesser extent) class in animating the choices of residents and political actors. In so doing, I follow in the footsteps of scholars like Adolph Reed (1999) and Lester Spence (2015), who argue that local development imperatives and protections of economic markets have driven social inequalities. My work builds on these approaches by offering broad, empirical evidence that the protection of property values and public goods motivate local land use policy, and generate inequality and polarization.

This book also contributes to a number of dense literatures including work focused on segregation, public goods, attitudes toward outgroups, and political inequality. Although a great deal has been written on each of these topics, very little research engages more than one of these areas. For instance, Tiebout's (1956) seminal article arguing that consumer-voters pick communities that best satisfy their preferences for public goods ignores the role of race, segregation, and inequality in these choices and is silent about the ways in which public goods packages are developed. In order for anyone to vote with her feet, she must first find a place to live. We cannot understand sorting (either to obtain a tax/public goods bundle or avoid other racial groups) until we understand the ways in which housing choices, property values, and neighborhood character are structured by local governments.

Other scholars (Alesina et al. 1999; Hopkins 2009) show that diversity drives down collective investment in public goods, but do not consider the ways that geo-spatial arrangements might affect this relationship. I show that diversity alone does not undermine public goods provision. It is only when cities are also segregated along racial lines that we see this effect. I argue that segregated places are politically polarized places. The gulf between whites and minorities in segregated places makes it less likely that they will find common ground in support of a bundle of taxation and

expenditures, driving down collective investment. It is segregation, not diversity, that contributes to inequality.

Still others have shown that whites' desire for homogeneity has played a role in generating racial segregation between cities and school districts (Reber 2005; Baum-Snow and Lutz 2011; Boustan 2010). However, these works largely ignore the political mechanisms by which such preferences are realized (e.g., the development of zoning policies).¹⁶

Outside of (excellent) case studies focused on one to two metropolitan areas at a time (Danielson 1976; Hirsch 1983; Sugrue 1996; Kruse 2005; Lassiter 2006; Kraus 2000), to date most of the research analyzing the relationship between segregation and public policy has focused on national level programs like the Federal Housing Administration underwriting guidelines (Jackson 1987) or the Home Owners' Loan Corporation neighborhood investment ratings (Hillier 2005).¹⁷ With such far reaching effects, the focus on these programs has been well placed, but has also tended to obscure considerable subnational variation; while the case studies offer invaluable historical detail, they are unable to provide evidence of broader patterns of the effect of local policies on segregation. In short, although scholars have documented changing patterns in racial and class segregation, they have not demonstrated the ongoing role of city politics and local service policy in creating segregation and growing inequality. I show how patterns of local service delivery, zoning laws, and other local policies not only mirrored patterns of segregation, but also drove them – not only in the pre-civil rights era, but also in recent decades.

Although many scholars have suggested that segregation across neighborhoods or between cities and suburbs fosters inequalities in access to public goods (Massey and Denton 1998; Burns 1994; Dreier et al. 2004),

¹⁶ Baum-Snow and Lutz (2011) analyze the effect of school district desegregation orders on suburbanization. So while they focus on the effect of a public policy, they are not concerned with policies that intentionally aided segregationist preferences.

¹⁷ Important exceptions include Rothwell (2011), who analyzes the effect of low-density zoning on metropolitan area racial segregation, and Dreier et al. (2004) who suggest (although they do not provide direct evidence) that zoning and redevelopment affect economic segregation across cities. Cutler, Glaeser, and Vigdor (1999) find support for a theory of "collective action racism" prior to 1970. They show that housing prices for equivalent quality housing were higher for blacks than for whites, implying that whites acted collectively to limit black housing choices. However, the authors do not provide any analysis of the types of collective action in which whites engaged beyond speculating that restrictive covenants and racial zoning may have played a role. Importantly, Cutler et al. do not distinguish between collective actions that occur in the public versus private realm.

very little research offers systematic evidence of this intuition.¹⁸ Other scholars have carefully documented the pernicious effects of segregation on individual level outcomes (Ananat 2011; Cutler and Glaeser 1997), but have not offered a direct link between these outcomes and allocation of public goods. I offer quantitative and qualitative data showing that segregation across both neighborhoods and cities allows governments to disinvest in poor and minority communities, which produces unequal access to public goods. These results help to explain why social mobility is tied to place, as scholars like Sharkey (2013) and Sampson (2012) find, and demonstrate the consequences of public policy and segregation for larger patterns of inequality.

Much of the work investigating the determinants of segregation (both within cities across neighborhoods and within regions across cities and suburbs) argues or assumes that the important driver of racial segregation is prejudice – that is, attitudinal predispositions toward racial and ethnic minority groups. This is an insufficient account. It is insufficient, first, because racial segregation has not declined as precipitously as one would predict given dramatic changes in overt expressions of racism. I argue that the institutionalization of prejudice through local public policy makes segregation more rigid. Second, pure prejudice does little to explain the rise of class segregation. I argue that if we understand segregation as a mechanism to protect public goods and property values, increasing class segregation is predictable. Finally, a pure prejudice account leaves unexplored the basis for these predispositions. I argue that beliefs about the acceptability of different demographic groups as neighbors (e.g., what we might take to be pure prejudice) were influenced by the distributions of public goods and battles over those distributions decades ago.

Contrary to some scholars' conclusion that the core problems of segregation have been alleviated, I show that segregation persists, that segregation has grown across cities, and that local government policies continue to play a central role in perpetuating segregation.¹⁹ White, wealthy Americans are still trying to segregate themselves. And local

¹⁸ An important exception is Troesken (2001, 2004) who provides direct evidence of the relationship between segregation and public goods inequalities. He shows that cities with racial segregation were more likely to generate unequal access to municipal water and sewer connections in the late nineteenth and early twentieth centuries.

¹⁹ Several recent headlines make this claim, such as “Glimpses of a Ghetto-Free Future” (Frey 2014), “Segregation Continues to Decline in Most U.S. Cities, Census Figures Show” (Lee 2015), “The End of the Segregated Century: Racial Separation in America’s Neighborhoods, 1890–2010” (Vigdor and Glaeser 2012).

governments still tend to invest more toward whites and the wealthy. I build this argument through eight substantive chapters, and a conclusion that considers omissions from the book and forecasts the path forward.

CHAPTER SUMMARIES

Chapter 2 provides a framework for the study, describing the theory in detail and clarifying empirical predictions. Then, in Chapter 3, I provide an overview of changes in segregation and public goods spending over the course of the twentieth century. I begin by providing a broad synopsis of spending between 1900 and 1940. It reveals that cities increased expenditures on street paving and lighting, refuse collection, sewers, libraries, health, education, public safety, and recreation, and increased revenue from taxes. During this early period, cities became modern service providers.

Chapter 3 continues on to explore early patterns of race and class segregation. I show that racial segregation increased dramatically between 1890 and 1940, while class segregation increased marginally. It was in the cities with the largest budgets that segregation increased the most. Then, I turn to analyzing fiscal and segregation patterns between 1970 and 2011. I suggest that during this period, white property owners turned to suburbanization as their primary mechanism for protecting property values. After 1970, the dominant trend in both race and class segregation was increasing differentiation between cities. During this period, suburban governments grew more intensely than central cities, so by 2011 central cities accounted for a smaller share of total metro area spending than they had in 1970.

In Chapter 4, I provide the first piece of evidence directly linking the patterns described in Chapter 3 by showing that public goods considerations drove efforts to segregate in the early decades of the twentieth century. Acting in response to white homeowners and land-oriented businesses, local government policy explicitly sought to exclude people of color from white neighborhoods and poor individuals from wealthy neighborhoods. In empirical analyses, I analyze the factors that encouraged the adoption of zoning laws and the role that zoning laws played in the development of race and class segregation. I find that exclusion was most adamantly pursued in cities that had become significant providers of public goods, where property taxes were high (and, so, raising property values was attractive), and where political support for progressive reform was strongest. I supplement this analysis with qualitative evidence that

reveals the many factors local governments utilized to promote segregation, including strategies like the siting of segregated public goods – such as parks and schools. Finally, this chapter reveals that zoning laws had their intended effect: early zoning adopters segregated more rapidly over the next several decades compared to cities without similar ordinances and zoned cities witnessed greater inequalities in housing values.

Chapter 5 documents the unequal provision of public goods that early segregation allowed. Using historical case study evidence, I show that poor and minority neighborhoods consistently received worse public amenities like road paving and health clinics. I draw on detailed ward level data from Baltimore, Boston, Chicago, and Philadelphia to show that sewer extensions were less likely to be built in neighborhoods with higher proportions of African-American and renting residents. As a result, inequality in water and sewer access was greater in more segregated places. I show that these inequalities persisted. Using data on all tracts in all cities in the United States, I provide evidence that whites and minorities (and renters and homeowners) had differential rates of access to public sewers in more segregated places in 1970, 1980, and 1990. I argue that these inequalities in service provision affected the ways in which white and wealthy residents would come to view poor and minority neighbors. Daria Roithmayr (2014) points out, “[W]e see the strongest evidence of continuing discrimination in housing markets” (p. 18). This is because the roots of this bias are whites’ conscious and subconscious beliefs about the effect of nonwhite and renter neighbors on property values and the quality of public goods – beliefs that were fostered by government choices at the turn of the twentieth century.

Chapter 6 provides evidence of municipal policy effects on segregation in the middle of the twentieth century. By 1940, segregation was entrenched, as were the unequal allocations of public goods. But patterns would change in the postwar period. In some places, segregation along racial lines increased, while in others it had already begun to decline (as it would everywhere after 1970). Class segregation began a slow ascent and then leveled off. As was the case in the first time period analyzed, local public policy played a role in these patterns. I provide evidence that cities that more vigorously implemented urban renewal programs grew more segregated along both race and class lines.

The second half of Chapter 6 shows that during the 1960s and 1970s, white homeowners in many cities lost the political power needed to police the borders of their neighborhoods and control the distribution of public goods. I argue that such changes made suburban living a more attractive

option than living in homogenous neighborhoods within cities. I draw on varied evidence to show that the integration of public spaces and residential areas encouraged whites and the wealthy to move to the suburbs during the postwar period, which allowed for more control over political decisions and the distribution of public goods.

Chapter 7 analyzes the negative consequences of segregation within cities. Quite ironically, given early claims that segregation was the best solution to racial discord, I show that segregation is associated with deep race and class divisions that dominate city politics today. Polarization makes cooperation difficult, and I show that segregated cities have smaller city budgets and spend less on individual categories of expenditure such as roads, policing, parks, and sewers. Underinvestment means that city services do not operate well. Focusing on one measurable area of public goods provision, I demonstrate that sewer overflows are more frequent in segregated cities.

Between 1970 and 2000, a major change in segregation patterns occurred between cities. That is, neighborhoods became more racially integrated within cities, but whole cities became more racially homogenous. Class segregation across cities also increased during this period. Chapter 8 offers an analysis of the role of local political control in generating these changes. Using demographic and finance data from all metropolitan areas in the United States between 1980 and 2000, I show that larger budgets, higher spending on policing, and minority mayoral victories are associated with more segregation across city lines. Where whites maintained control, they were less likely to move to the suburbs. Throughout the postwar period, cities and suburbs alike moved away from explicitly racial strategies toward class-based tactics, such as large lot zoning and limiting multi-family developments, to ensure segregation. I show that more restrictive zoning by suburban cities increased both race and class segregation. As a result, suburban communities made decisions that profoundly affected nonsuburban residents while preventing them from participating in the decision-making process. In this context, representative government, policy responsiveness, and political equality became hollow concepts.

In Chapter 9, I focus on the effects of segregation for national level politics. I draw on restricted-access General Social Survey data geo-coded to 1970 Census tracts to show that residents who live in neighborhoods that were whiter than the metropolitan area in 1970 are much more conservative than those who live in more integrated places. I argue that this conservatism is rooted in the battles over integration that occurred in earlier decades.

In the conclusion of the book, I pull the many pieces of evidence presented previously into a single framework and discuss what the future holds. I reiterate my main claim: local governments pursue segregation at the behest of politically powerful interests. This allows politicians to target public goods toward some residents and away from others, resulting in differential access to public goods. Segregation generates unequal political outcomes, which, in turn, reinforces segregation. By linking neighborhood-level segregation to suburbanization, I suggest that preferences for separation have changed in form but not intent over time. Going forward, we can expect additional change. Rather than seeking residential segregation, some individuals will choose to leave the public realm altogether – relying more heavily on private provision of services like education, policing, and park space. We have some evidence that privatization has increased even as many cities have become more integrated. The drive to protect property values, ensure good schools for children, and provide safe streets for families has remained a powerful force. Finally, I consider potential policy solutions to these seemingly intractable problems. I suggest that the one path forward is to utilize lessons from school finance reform (e.g., Lafortune, Rothstein, and Schanzenbach 2016) to guide state governments' approach to producing more equal access to a range of local public goods. Another remedy is to concentrate on YIMBYism (Yes-in-My-Backyard) – that is, urging integration of housing types and increased development. Undoubtedly, such strategies will require intense political will, mobilization, and voice in currently underrepresented communities. This is a tall order, but a more equal future depends upon it.

A Theory of Segregation by Design

Local government policy is a fundamental driver of race and class segregation in America. Through the regulation of land use, local governments manage the use of space. They decide what gets built, what doesn't get built, and where the building happens. Local governments also determine the types of public services provided, along with their amounts and distribution. As a result, local policies affect the value of property. Battles to control space and its attendant value fundamentally underlay and animate local political processes. The consistent outcome of these struggles has been residential segregation, which in turn has generated unequal access to public goods and services. Segregation is not organic or inevitable. Rather, it is a matter of design pursued through the political process, offering spoils to those with political power.

Theoretically, city policy can affect property values in a variety of ways. Most directly, cities can limit new housing or commercial property development, thereby driving up land values in places where demand is high. Alternatively, they can allow for more development. Without a concomitant increase in investment in public goods and services, new property development means that local goods and services are likely to become more congested, and some public services may reach a limit for expansion. Underperforming city services further limit property value growth.

But city policy can affect land values in other, less direct ways too. Cities can invest (or fail to invest) in infrastructure development, like road paving or sewer installations, which can increase (or depress) property values. They can locate public nuisances (garbage dumps, freeways) or amenities (parks) in particular areas, which can lead to decreases or

increases in property value. Policies that decrease (or increase) the quality of city services can also depreciate (or increase) values. For example, reducing the number of firefighters per capita makes fire response times slower, which makes conflagrations more likely. Cities have the authority to determine the staffing levels of fire forces as well as the placement of fire houses. Thus, they can affect the quality of services overall and the quality of services in particular locations, which can affect property values.

Policies that affect the demographic makeup of the community can also affect property values. For instance, cities can zone for more or less multifamily housing, which can affect the average income of residents and the number of families with children. Demographic characteristics like these can affect both the value of property and the cost of service provision. A city that restricts the development of housing that sells or rents at the low end of income distribution (say, by implementing a one-acre minimum lot size requirement) will have a population with higher socioeconomic status and higher property values. Additionally, because parental socioeconomic status is the most important driver of school quality, a higher socioeconomic status will translate into better school quality, which will, in turn, be capitalized into property values.

Policies can also affect the cost of local services by dictating the share of land devoted to uses that generate more service costs than tax revenue, and vice versa (e.g., public housing versus an office park). Finally, policies can affect the look and feel of a community (e.g., by setting height limits or banning billboards), which in turn can affect demand for property.

Obviously, these are all theoretical propositions; offering empirical evidence of causal links is considerably more challenging. However, generally speaking, property owners *believe* that local policy affects the value of their investments (Helper 1969) and the quality of life attached to their parcels, making them keenly attentive to the local political environment (Fischel 2001). Property owners and land-oriented business typically win local political battles because they have the most immediately at stake and the most political power.¹ Thus, the story of local politics and

¹ Of course, at times property owners conflict with each other. Consider a developer who purchases a large parcel of land in a neighborhood of single-family homes. The developer determines that the most profitable use of the land would be luxury condominiums, but the homeowners argue that a tall building will increase traffic, block their views, change the character of their neighborhood, etc. Recent research (Einstein et al. 2017) shows that the winner in this battle will be determined by the ease of filing lawsuits to slow the developer and the ultimate profit to be gained. When lawsuits are easy and profit margins are slim, homeowners will win; otherwise, developers will fight to build.

segregation is one that intimately links development, property values, and homeownership.

Land speculation has long been a core feature of urban development (Warner 1987; Einhorn 1991; Nicolaidis 2002). In the early period of city building (following the end of the Civil War and leading up to the Great Depression), investors everywhere purchased property and pressed local governments to improve services, thereby ensuring the value of their investment (Logan and Molotch 1987). Later purchasers of the land sought to defend those values by improving services and quality of life. Since the earliest period, whites have been able to buy property at higher rates than blacks, and have had much more choice in the location of that property (Collins and Margo 2011). As Nathan Connolly (2014) explains:

Contests over land allowed certain aspects of Jim Crow's culture to become America's culture – politically, economically, and at the level of the built environment. Acceptable governance in Jim Crow America required minimizing the discomforts of white Americans, protecting the political power of property owners, and ensuring that poor people continued to generate other people's wealth. Good governing also meant making "colored people" the principal bearers of difficult or unpopular policy choices.

(p. 4)

This property apartheid generated policy inequities that (re)produce racial discrimination (Conley 1999). Because of the incentives to protect property values, even today many whites are willing to perpetuate inequalities that far exceed their individual expressed racism. The remainder of this chapter describes these processes in greater detail.

THE NEED FOR LOCAL GOVERNMENT

In the late 1800s, as industrialization brought thousands of migrants and immigrants into cities, people of color and the poor were spatially isolated, not by ward or census tract, but by building and street (Logan et al. 2015). What this meant is that although blacks, Latinos, and Chinese residents were unlikely to live next door to white homeowners, they *were* quite likely to live down the street. By 1940, segregation shifted to the neighborhood level (Cutler et al. 1999; Massey and Denton 1998), so that large swaths of many cities had become predominately black or white, and both poor and wealthy residents became increasingly clustered in most places. By the onset of the Second World War, every large city in America had parts of town where people of color lived and parts of town

where the poor lived. Sometimes, but not always, these neighborhoods overlapped. Race and class segregation both increased by more than 50% between 1900 and 1940. These concentrating trends continued at a slower pace throughout the postwar period until 1970, when both race and class neighborhood segregation peaked. Neighborhood segregation by race has declined since 1970, but segregation by class has increased.² During the postwar period, segregation between cities increased and has remained stable since that time (Massey and Hajnal 1995; Farrell 2008; Fischer et al. 2004).

The continued high level of racial residential segregation in America has been tremendously well documented (see Charles 2003, Ross 2008, and Boustan 2012 for extensive literature reviews). A smaller, though still well developed, body of literature is focused on class segregation (see Bischoff and Reardon 2013 and Jargowsky 1996 for reviews). The links between race and class segregation also form a considerable literature. The debate over the fundamental causes of segregation is extensive and nuanced. Scholars have focused on two primary explanations: individual preferences for same race and same income neighbors (particularly among whites and the wealthy), and market explanations (e.g., differences in the socioeconomic status of different racial groups and the ability to pay for quality housing and transportation among the poor).

The roots of these explanations are classic models of individual choice. Thomas Schelling (1971) argued that extreme racial segregation could result from individual decisions about where to live, given even mild preferences for having neighbors of the same race. A small number of racially intolerant white residents can cause a neighborhood to rapidly transition because as each intolerant white resident is replaced with a black neighbor, whites with lower and lower levels of intolerance choose to leave, creating neighborhood-to-neighborhood segregation. Scholars have found support for Schelling's theory. Research on racial segregation largely concludes that white preferences for same-race neighbors are the driving force (Cutler et al. 1999; Bayer et al. 2007; Charles 2006).³ Denton and Massey (1991), Krysan et al. (2008), and Emerson, Chai, and Yancey (2001) find that whites avoid black neighbors *because they*

² The precise pattern of class segregation depends on the measures used to indicate class. Income segregation has increased significantly since the 1970s (though it remains lower than racial segregation), while homeowner/renter segregation has increased by a smaller amount.

³ A small amount of scholarship shows that black preferences for same-race neighbors contributes to segregation (Bayer, Ferreira, and McMillan 2007; Fossett 2006).

are black. Boustan (2010) shows that in northern metropolitan areas between 1940 and 1970, every black arrival from the South was associated with 2.7 white departures to the suburbs. Yet, these scholars do not interrogate the source of these prejudicial attitudes. Reed and Chowkwanyun (2012) argue that placing the cause of segregation in the lap of prejudice “inadequately anchors the story of race and residence within the urban political economy – the drive to accumulate, the relationship among value, race, and space, or the role of property as speculative capital” (p. 157).

Another individual choice scholar, Charles Tiebout (1956), proposed that residents with similar preferences for taxation and public goods provision should sort themselves into cities with like-minded neighbors. To the extent that heterogeneous preferences for tax and spending levels (or ability to pay) overlap with heterogeneous demographics, they will also generate segregation.⁴ Support for Tiebout’s thesis has been more limited. Alesina et al. (2004) show that people are willing to give up economies of scale to avoid being in a jurisdiction with significant income heterogeneity, and Bayer, Ferreira, and McMillian (2007) reveal that households self-segregate on the basis of education. However, many scholars have shown that racial segregation patterns cannot be convincingly accounted for by black-and-white differences in socioeconomic characteristics, such as education, income, wealth, or family structure (Bayer et al. 2004; Erbe 1975; Massey and Denton 1987, 1998; Iceland and Wilkes 2006; Krysan et al. 2008; Emerson, Chai, and Yancey 2001).⁵ Logan (2011) summarizes by explaining that racial segregation for blacks is due to the inability to “translate higher income ... into residential mobility” (p. 15). Ellen (2000), Yinger (1997), Taub et al. (1984), and Harris (1999) argue that whites use black neighbors as a proxy for neighborhood quality. That is, whites do not avoid black neighbors per se, but rather choose what they perceive to be better neighborhood amenities or neighbor characteristics – like wealth.

With only a handful of exceptions (e.g., Rothwell 2011; Pendall 2000), quantitative research on the causes of segregation ignores the context in which it occurs. Local policies and political battles are crucial for

⁴ Banzhaf and Walsh (2010) combine Schelling’s and Tiebout’s insights into a single model that establishes that preferences over public goods and demographics are mutually reinforcing in the generation of segregation.

⁵ Socioeconomic differences do explain a fair amount of the segregation of Latinos and Asians.

understanding *how* and *when* white and wealthy preferences for homogeneity and socioeconomic inequalities are translated into residential patterns.⁶ The backdrop to individual choice is the type and value of housing that is available – factors that are determined by local governments.

More deeply, theories reliant on individual choices are subject to instability in the absence of collective enforcement mechanisms (Oates 1969, 1981; Fischel 1992). That is, for an individual to ensure that her neighborhood remains white and has access to a nice public park, she needs the cooperation of her neighbors. But neighbors may have individual incentives that undermine the achievement of other residents' collective goals. For instance, it can be extremely lucrative for a white homeowner to sell her home to a black buyer. This is especially likely to be the case when black housing options are restricted and the black population is expanding. As Hamilton (1975) explained, individual incentives can also undermine the Tiebout model. It makes fiscal sense for a resident who prefers high-quality public goods but is unable to afford high tax rates to locate the smallest, least expensive home in a wealthy city. The taxes this resident pays do not support the share of the public goods she utilizes, but she benefits from them nonetheless. In Hamilton's tale, this behavior could lead to wealthy residents chasing each other around to try and maintain exclusivity. In the first instance, the collective goal of maintaining the white neighborhood is undermined by sellers seeking the highest sale price. In the second instance, residents who do not pay the full cost of their share of benefits undermine the provision of public goods.

Governments can promote collective action by generating enforcement of collective goals – and here it is *local* governments that play the starring role, because they alone regulate land use. By invoking their powers of control over land and making choices about service provision, local governments can affect the aggregate demographic makeup of communities and the spatial distribution of residents and services, thereby generating and enforcing segregation. From the perspective of

⁶ To be sure, scholars have extensively documented the private mechanisms that affect segregation (e.g., racial steering and mortgage discrimination). But even private mechanisms may be shaped by local policies and political concerns. For example, white beliefs about available amenities in poor and minority neighborhoods are, in part, the product of underprovision of public goods early in the twentieth century. Cutler et al. (1999) find that these beliefs contribute to whites' willingness to pay higher housing prices in whiter neighborhoods.

property owners, the goal of these policy choices is stability (or enhancement) of property values and the protection of public goods quality. Politicians also stand to benefit from segregation (aside from appeasing constituents). When segregation increases property values, city tax rolls also increase. Segregation can also be useful to politicians who benefit from a concentration of voters in a particular geographic location (Trounstine and Valdini 2008).

As North (1990) explains, the relative bargaining strength of different interests in any community will dictate the structure of its rules. Such rules, he tells us, are frequently devised in to promote private rather than public interests (p. 48). The history of local land-use planning and service provision fits squarely within this theoretical perspective. Property owners (and those who derive their livelihood from property, like realtors and lenders),⁷ seek both property value appreciation and protection from losses in value. Because tax levels, service quality, and neighborhood demographics are capitalized in property values (see Hilber 2011 for a review), property owners invest considerable energy into dictating local policy (Fischel 2001; Stone 1989; Logan and Molotch 1987).

In the United States, property owners have always been disproportionately white, and property value has been tied to the race of occupants and neighbors (DuBois 1935; Hayward 2013; Freund 2007; Merritt 2016; Rothstein 2017). Furthermore, as Bradford, Malt, and Oates (1969) argued, the quality of many public goods, like education and public safety, is predominantly affected by the characteristics of the residents themselves rather than inputs from the government. Unsurprisingly, schools are the single most important public good that homeowners seek to protect and enhance. Even owners without children in public school are attentive to school quality because they perceive it to affect their home's value. Although cities do not (for the most part) handle the funding of schools, they play a key role in maintenance of this public good by using land-use regulation to shape who has access to which local public schools. School districts control school finances, but they cannot zone. Together, these circumstances have given property owners a powerful incentive to regulate who lives where since the earliest years of

⁷ Developers, while also obviously earning their livelihood through property, only sometimes have goals that are aligned with homeowners. In some settings, developers prefer fewer regulations on development (allowing them to build smaller homes on smaller lots or denser multifamily structures, for example), but in others they are strong proponents of restrictive mechanisms like large lot zoning and racial covenants.

urbanization. White property owners have long been concerned with excluding certain types of people from their communities.

Americans, particularly white Americans, have long had a racist, classist understanding of property values and who deserves public benefits (Connolly 2014). It was widely accepted that poor and minority neighbors negatively impacted property values and were less deserving of benefits than property owners and whites. Local policies like zoning and redevelopment serve these ends, and the result has been segregation along race and class lines.

The very first laws generating segregation were adopted in the first decade of the twentieth century to protect both property values and public goods exclusivity. Over the course of the next 100 years, when property owners were stymied in their attempts to create exclusivity by demographic shifts, loss of political control, or meddlesome governments seeking to promote equality, they adopted new strategies to achieve segregation, often increasing the spatial scale of exclusivity to achieve their goals.

First, industrialization and then the explosion of wartime economies pulled great numbers of working class people of color to cities. Many black and Latino neighborhoods swelled, threatening to spill into white, homeowner communities. City governments were called upon to use policy levers like land-use regulations and zoning, as well as the placement of thoroughfares and public housing to consolidate, and then circumscribe, minority communities. By World War II, the United States was already a very segregated nation. All large cities had clearly defined neighborhoods inhabited by people of color, and others inhabited by whites (Massey and Denton 1988).⁸ As a result of the economic collapse during the Great Depression and the subsequent material scarcity during the war, the nation faced a severe housing shortage during the 1940s. When increasing numbers of blacks moved from rural areas into cities, and from the South to the North and West, the boundaries of existing black neighborhoods were pushed to their limits. In the Southwest, the Latino population also swelled with wartime employment.⁹ These pressures resulted in explosive social and policy conflicts along racial lines.

⁸ However, on the whole, the United States, both rural and urban, was still overwhelmingly white in 1940. About 10% of the population was black, about 1.7% of the population could be considered Hispanic/Latino, and about 0.1% Asian. www.latinamericanstudies.org/immigration/Hispanics-US-1850-1990.pdf; www.census.gov/population/www/documentation/twps0076/twps0076.pdf

⁹ Hundreds of thousands of Mexican descendants were deported during the Great Depression, so the overall Latino share of the population changed little (Ethington et al. 2001).

Because city governments had the power to zone, to permit development, and locate nuisances – and thus to determine the value of property – these fights were central to city politics. As Self (2003) argues, “the effects of property [valuation] are far-reaching ... They structure all kinds of interactions – from where one can buy a home to where politics is organized, from how police interact with neighborhoods to where children go to school. The struggle for the postwar city was over no less than the power to control and organize space ...” (p. 18).

In response to postwar demographic changes, white homeowners sought to protect their neighborhoods (which they considered to be the reward for their hard work and frugality) from disruption and disorder. In the minds of many, pursuit of these goals required racial exclusivity. Sugrue (1996) reports that in Detroit, as elsewhere, “a majority of whites looked to increased segregation as the solution to [the] ‘colored problem’” (p. 215). Whites, particularly those who owned their homes, believed that they had a right to certain neighborhoods and the public benefits (e.g., schools, safety) associated with those spaces. They believed minority demands for integration and court-ordered desegregation plans undermined this entitlement (Kruse 2005, p. 126). Whites justified exclusion with fiscal arguments, claiming that “since Negroes are so poor and pay virtually no taxes, they are actually not entitled to get more public services than the whites care to give them ...” (Myrdal 1944, p. 336). When blacks *did* receive benefits, it was believed that whites unfairly bore the financial burden of their support. To illustrate this point, Kruse (2005) quotes a segregationist poem that made the rounds in Atlanta in 1957:

Po’ white folks must labor, ‘tween sun and sun,
To pay welfare taxes whilst we has de fun,
We doan pay no taxes, we doan make no goods,
We just raise little niggers, way back in the woods...
(p. 127).

Above all else, whites feared that integration would jeopardize their single largest investment: the value of their home (Helper 1969), as well as the quality of their neighborhood (Kruse 2005). Blacks were seen as undesirable neighbors, in part, because the features of their neighborhoods became associated with individual members of the racial group. Whites came to similar conclusions about Chinese residents in San Francisco and Latinos throughout the Southwest (Shah 2001; Abrams 1955; Torres-Rouff 2013; McWilliams 1964). This was the case despite the fact that people of color and renters experienced poor neighborhood quality due to a lack of low-cost

housing options, paltry municipal services, neglectful landlords, and the overcrowding that resulted from segregation, not from their own doing.

Thus, the tight coupling between property values, public goods, and racial exclusivity was inexorably tied to the racism embedded in the real estate market (Hayward 2013) and the poor public goods that cities had provided to neighborhoods of color in decades past (Myrdal 1944; Torres-Rouff 2013). Kruse (2005) explains that “by the time white homeowners confronted racial transition at their neighborhood’s borders, the American real-estate industry had completely embraced the idea that such racial transition would, without doubt, lead to a devastating decline in property values” (p. 60). Public policies like redlining and expulsive zoning,¹⁰ and private actions like racial steering and white flight, would make this relationship true over the long run.¹¹

Although many whites agreed on the desirability of residential segregation,¹² they were stymied by various hurdles. The Supreme Court had ruled racial zoning (the designation of certain neighborhoods as being inhabitable only by whites) unconstitutional in 1917, so a perfectly direct policy approach to residential segregation was not an option.¹³ Instead, the preservation of white communities required collective action to prevent individual homeowners from selling or leasing to minority residents. As minority populations expanded and white homeownership rates skyrocketed, hundreds of white homeowners’ organizations arose in the 1940s, 1950s, and 1960s (Sugrue 1996; Kruse 2005).¹⁴ These organizations were often created by real estate developers to protect the value of their investment. The protection of property values was a charge taken

¹⁰ Expulsive zoning is the practice of siting industrial, semi-industrial, or other nuisances in neighborhoods of color to both preserve white neighborhoods and induce black movement into particular parts of the city.

¹¹ In the short run, blacks paid much higher prices than whites for comparable housing (Cutler and Glaeser 1997). This fact was what made it so lucrative for individual whites to abandon neighborhood protection and move to the suburbs. In Atlanta, Kruse (2005) analyzes the property values in a neighborhood that transitioned from white to black between 1950 and 1960, and finds that the property values rose 27% over this decade.

¹² In 1964, only 27% of white Americans supported general integration (Schuman et al. 1985).

¹³ Many white neighborhoods also utilized violence to defend their borders (Meyer 2000; Hirsch 1983). Although tolerated (even encouraged) by the police and political establishment of some cities, murders and arson were technically illegal as well.

¹⁴ In some cases, the link between segregationists and homeowners’ groups was direct. For example, the head of Atlanta’s West End Cooperative Corporation got his start in community organizing as the head of Klavern No. 297’s Housing Committee (Kruse 2005, p. 54).

seriously by property owners. These (typically all white) “civic associations, productive associations, improvement associations, and homeowners’ associations” (Sugrue 1996, p. 211) fought public housing developments in their neighborhoods, sought representation on planning boards, and battled open housing laws (Self 2003).¹⁵ Importantly, they relied on racial restrictions in housing deeds (and racism in the real estate market) to maintain neighborhood exclusivity. But the Supreme Court ruled restrictive covenants unenforceable in 1948 (*Shelley v. Kraemer* 1948), and an open housing movement swept the nation. Then, in the 1950s, other tools of segregation came under fire as the court struck down separate-but-equal accommodations in a series of cases.¹⁶

By this time, nearly all cities utilized zoning in some fashion and many invoked the power of eminent domain to shape development through, for example, the permitting of multi-family housing, the razing of slums, and the placement of highways, public housing, and industry. In the past, white homeowners had successfully used these tools to configure residential demography (Nightingale 2006), but they became even more important in the face of new court decisions and the rising civil rights movement.¹⁷ At the same time, racial violence continued to erupt. However, local elites were committed to maintaining peace in their cities (Ogorzalek 2018). So, to convince city governments to defend their turf, white neighborhoods needed to change their approach.

In city after city, white, middle-class homeowners turned away from claims based on racial exclusivity and began to press their demands in terms of rights – a tactic Sugrue (1996) terms “defensive localism” (p. 210).

¹⁵ They also served as social organizations welcoming new neighbors and organizing block parties (Sugrue 1996).

¹⁶ e.g., *Muir v. Louisville Park* 1953; *Brown v. Board of Education* 1954, 1955; *Holmes v. Atlanta* 1955; *Dawson v. Baltimore* 1955; *Rice v. Sioux City Memorial Park Cemetery* 1955; *Gayle v. Browder* 1956; *Burton v. Wilmington* 1961; *Johnson v. Virginia* 1963; *Simkins v. Cone Memorial Hospital* 1962; *Watson v. City of Memphis* 1963.

¹⁷ Throughout this period, neighborhood organizations also sought to maintain the color line using private mechanisms as well. For instance, some organizations raised funds to repurchase homes sold to black families to sell them back to whites. They also pressured real estate agencies and lenders to refuse to sell to black buyers. Additionally, they set fire to homes on the market for black buyers and newly purchased homes by black owners (Kruse 2005; Sugrue 1996). The problem with such tactics is that they were always susceptible to a sort of prisoner’s dilemma. It was incredibly lucrative for a single white homeowner to sell her home to a black family, and this idea made individual white owners skittish about neighborhood transition. Neighborhood organizations constantly urged owners to think of the common good rather than their bottom line, but frequently failed.

White residents fought for the “‘right’ to select their neighbors . . . the ‘right’ to do as they pleased with their private property . . . and the ‘right’ to remain free from what they saw as dangerous encroachments by the federal government” (Kruse 2005, p. 9). Local governments responded with neighborhood protection by pursuing “racial stability through spatial apartheid” (Lassiter 2006, p. 52). In the South, these arguments were the moderate path – a response to violent white supremacy on the right and integrationists on the left (Lassiter 2006; Kruse 2005). The fact that rights-based language gained ground in all regions of the United States meant that it offered a powerful basis for the rise of a national movement.

The discourse had several facets. Subscribers claimed support for racial integration in theory (so as to distinguish themselves from the ugliness of Jim Crow), but angrily opposed government intervention in racial uplift or equalization. In fact, desegregation was typically viewed in zero-sum terms: gains for blacks equated to losses for whites. Government attempts to produce equal outcomes were understood to be an elevation of minority rights above those of the majority, a form of “reverse discrimination” (Lassiter 2006, p. 123). Policy solutions to redress inequality were cast as the work of an insidious, “‘liberal elite’ made up of judges, intellectuals, and government bureaucrats” (Hall 2005, p. 5).

Further drawing on racialized beliefs about the distribution of tax burdens, neighborhood defenders argued that they should not have to pay for public benefits or welfare for those who did not contribute to the public pool. So when people of color demanded, and then the court ordered, desegregation of public spaces and residential communities, white residents demanded that city governments defend their neighborhoods through their land-use powers. In addition, whites urged the city government to eviscerate public budgets, eliminate bus lines, and close pools and public parks (Kruse 2005). Whites voted down bonds for civic improvements, abandoned public schools, and railed against an activist government. In the end, many of these residents would leave the city altogether – packing up their belongings and their newly appropriated ideology to move to the suburbs where they had much greater political control over neighborhood boundaries (Nall 2015; Boustan 2010).

Suburban growth largely happened for market reasons that were unrelated (or, at least, only tangentially related) to racial conflict in cities (Jackson 1985). As Chapter 1 revealed, by 1970, a plurality of the population lived in suburbs, and more than 60% of Americans owned their homes. As the pace of suburbanization and homeownership picked up, arguments surrounding neighborhood defense lost explicit racial designations of who contributed

and who did not, and who had a right to high property values and good services and who did not. As Self (2003) explains, the move away from making overt racial claims was “intended to inoculate segregation and white privilege against charges of racism” (p. 268). This new language offered a “color-blind” approach to the maintenance of neighborhood boundaries. This rhetoric perpetuated the myth that residential segregation was a matter of economics and individual choice. White homeowners came to see segregation as the consequence of “meritocratic individualism” not fostered by public policy or law (Lassiter 2006, p. 1). Those who lived in segregated minority neighborhoods could thus be blamed for their condition, making them undeserving of social assistance.

Maintaining exclusively white neighborhoods in the central city was possible with the help of cooperative city governments. But it was much easier in the suburbs, where a combination of federal public policies and private actions made homeownership only available to white residents (Jackson 1987; Hayward 2013). As independent municipalities, suburbs have the power to regulate land use for all parcels within their borders. Local governments employ land-use regulations to manage the character of their community. Consequently, regulatory environments vary significantly from place to place. Cities are capable of enacting minimum lot sizes so that all development must be located on a certain acreage of land, requiring developers to preserve open space in their development, determining the number of multifamily units that will be allowed within city limits, requiring developers to pay a share of infrastructure improvements associated with new development, offering short/long review periods for zoning changes and building permits, and involving few or many local actors in the approval and planning process. Gyourko et al. (2008) find that there is a strong, positive correlation between different regulations. Specifically, if a city regulates in one area, it is significantly more likely to regulate in other areas as well. Einstein et al. (2017) provide evidence that the accumulation of regulations reduces the supply of multifamily housing by allowing residents opposed to development to delay the process and file lawsuits. Gyourko et al. (2008) also find that community wealth is positively related to regulatory environments. Places with high median home values, more college-educated residents, and higher incomes are most likely to police land use.

By 1970, neighborhoods (both within central cities and outside of them) that had maintained their whiteness despite the massive demographic shifts over the preceding thirty years had developed a distinctive, conservative approach to politics throughout the nation. Homeowners in these places expected low taxes, they rationalized racial segregation and

inequality as the product of meritocracy, and they conflated white exclusivity with high property values (Self 2003; Lassiter 2006; Freund 2007). They couched their demands in terms of protection of individual property rights. In so doing, they drew on a long tradition of American conservative principles emphasizing economic individualism, limited government, and equality of opportunity, but not outcomes (Feldman 1988; McClosky and Zaller 1984; Kinder 1998). Matt Lassiter eloquently explains “the ascendance of color-blind ideology [was dependent] upon the establishment of structural mechanisms of exclusion that did not require individual racism by [its] beneficiaries to sustain white class privilege and maintain barriers of disadvantage” (2006, p. 4).

Nearly forty years later, these neighborhoods continued to foster distinctive politics. Whether or not new arrivals to defended neighborhoods had been involved in the earlier battles, they came to “accept the politics born out of white flight all the same. They embraced a new middle class rhetoric of rights and responsibilities” (Kruse 2005, p. 245). The Republican Party came to embrace the neighborhood defenders. Starting in the 1960s and throughout the 1970s, Republicans positioned themselves as the party that would help whites to resist social change and impose order in their environments (Hetherington and Weiler 2009; Carmines and Stimson 1989). These ideals held sway in defended neighborhoods, and residents dutifully sorted themselves into the Republican Party.

The arguments appropriated in support of neighborhood defense in the 1950s and 1960s are still visible in politics today. In the 2012 presidential election, Republican nominee Mitt Romney proclaimed:

There are 47 percent of the people who will vote for [the Democratic incumbent] no matter what . . . who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that’s an entitlement. And the government should give it to them . . . These are people who pay no income tax . . . My job is not to worry about those people. I’ll never convince them they should take personal responsibility and care for their lives.
(Corn 2013)¹⁸

¹⁸ More boldly, 2016 Republican nominee Donald Trump’s first wife explained, “I have nothing against Mexicans, but they [come] here – like this 19-year-old, she’s pregnant, she crossed over a wall . . . She gives the birth in American hospital, which is for free. The child becomes American automatically. She brings the whole family, she doesn’t pay the taxes, she doesn’t have a job, she gets the housing, she gets the food stamps. Who’s paying? You and me.” <http://nypost.com/2016/04/03/ivana-trump-opens-up-about-how-she-advises-donald-his-hands/>

Like the homeowners' organizations of the mid-century, Romney's statement invoked a class-centered (not race-centered) view of deservingness. Forty-seven percent of the American public, Romney implies, pay no taxes and rely on government benefits for subsistence. Romney's claim that these noncontributors do not take personal responsibility for their lives recalls the meritocratic arguments white homeowners made in the past about their success and their neighborhoods. It is unsurprising, then, that defended neighborhoods have offered disproportionate support to Republican candidates and conservative policies in recent years.

To say that neighborhoods condition political views and actions is not novel. A great deal of research investigates contextual effects on public opinion and political behavior. A significant portion of this literature focuses on the community's racial composition.¹⁹ Some scholars find that diversity produces tolerance (e.g., racial contact theory)²⁰. Others find the reverse: that large minority populations are related to racial intolerance and lack of support for spending on race-focused or race-coded policies (e.g., racial threat theory)²¹. Scholars also find a negative relationship between diversity and support for taxation, spending, and public goods provision more generally.²² I draw on both of these frames to argue that rights-oriented conservatism was fueled in an environment of racial threat (integration in the 1940s, 1950s, and 1960s), but became entrenched in an environment of racial isolation (whiteness of the neighborhood in the 1970s). Today, white conservatism at the individual level is associated with homogeneity, not diversity, in neighborhoods.

Just as it is not novel to propose that neighborhoods affect political behavior, it is also not novel to propose that modern conservatism and Republican voting are rooted in racial conflict (see Hutchings and Valentino 2004 for a thorough review). Indeed, it is uncontroversial to state that the civil rights movement was a catalyst for partisan realignment, as Southern Democrats abandoned the party championing the rights of

¹⁹ Other work on context analyzes social networks (Eulau and Rothenberg 1986; Zuckerman 2005), partisan contexts (Ceaser and DiSalvo 2006), and economic contexts (Gay 2006; Books and Prysby 1991; Oliver 1999; Oliver and Mendelberg 2000)

²⁰ Allport 1954; Oliver 2010; Sigelman et al. 1996

²¹ Key 1949; Gay 2006; Huckfeldt 1986; Orey 2001; Taylor 1998; Bobo and Hutchings 1996; Blalock 1967; Alesina and Glaeser 2004; Tolbert and Hero 1996; Plotnick and Winters 1985; Enos 2016; Baybeck 2006.

²² Alesina et al. 1999; Glaser 2002; Alesina and Spolaore 1997; Easterly and Levine 1997; Poterba 1997; Habyarimana et al. 2007, 2009; Putnam 2007; Cutler et al. 1993; Goldin and Katz 1999; Hopkins 2009; Vigdor 2004

black Americans.²³ Since the 1970s, scholars have argued that white public opinion shifted mid-century, from a willingness to endorse Jim Crow–style race prejudice and biological racism to subtler, more symbolic expressions of racial resentment.²⁴ Additionally, we know that racial attitudes are strongly predictive of views toward redistributive spending,²⁵ and government policies that have become racially coded²⁶. If an individual holds negative stereotypes of racial minorities, he or she is likely to oppose expenditures on functions like welfare, and even all government spending in some settings (Sears and Citrin 1982).

What I add to these debates is not a link between racial politics, public opinion, ideology, and party identification, but a new perspective on location. The marriage between rights-based conservatism and white perspectives on race was amplified in the crucible of city politics. And white neighborhood defense appears to have played a causal role in the development of a host of conservative political opinions that appear to be “nonracial” (Hutchings and Valentino 2004, p. 6).

THE GEOGRAPHY OF INEQUALITY

Political geography is comprised of nested units: neighborhoods within wards, wards within cities, cities within states, and states within the nation. When residential segregation maps onto political geography, political divisions become fused with race and class divisions. This has two important consequences. First, segregation generates inequalities between race and class groups because in a world of scarce resources, the politically powerful deny public goods to those who are politically weak. Segregation within cities and suburbanization across city lines has meant that the benefits experienced by racial and ethnic minorities and low-income individuals are inferior to the benefits experienced by whites and the wealthy. Second, segregation generates political polarization between race and class groups and, ultimately, inhibits cooperation.

Segregation generates inequalities because it allows political elites to target public goods toward supporters. At one time, public goods were

²³ Frymer 1999; Carmines and Stimson 1989; Miller and Shanks 1996.

²⁴ See for example, Kinder and Sears 1981; McConahay 1982; Sears 1988; Kinder and Sanders 1996; Sears et al. 1997; Bobo 1983; Bobo, Kluegel, and Smith 1997.

²⁵ Bobo and Kluegel 1997; Sears 1988; Kinder and Sanders 1996; Rabinowitz et al. 2009; Federico 2005; Gilens 1999; Quadagno 1994; Luttmer 2001.

²⁶ Winter 2006; Valentino, Hutchings, and White 2002; Mendelberg 2001; Hurwitz and Peffley 1997.

segregated directly, through laws that dictated that whites and blacks (and often Native Americans, Latinos, and Asians) could not attend the same schools; sit in the same areas on public transportation; utilize the same parks, pools, libraries, or hospitals; be incarcerated in the same facility; or be buried in the same public cemeteries.²⁷ The legal segregation of public goods allowed city, county, and state governments to provide unequal funding for black and white schools, black and white hospitals, and black and white playgrounds – thereby generating unequal quality. This meant that, blacks received inferior public goods compared to whites, regardless of where they lived. But by the middle of the twentieth century, public goods inequalities had largely come to be determined by residential segregation instead of racial segregation.²⁸

This transformation occurred in part as a response to the 1896 decision *Plessy v. Ferguson*, which dictated equality in separate facilities. It was cumbersome and expensive to develop separate and equal services in diverse communities. The duplication of schools, parks, hospitals, and cemeteries for black (as well as Asian, Latino, and Native American) and white residents meant higher expenses (Wheildon 1947). Such costs arose not only from the establishment of facilities that would not have been needed if the facilities were integrated, but also from the loss of efficiency that the replication of equipment and personnel entailed.²⁹ Obviously, these costs were minimized when nonwhite facilities were severely underfunded (Myrdal 1944, p. 342), but in the wake of *Plessy v. Ferguson* and successive lawsuits urging cities toward equal (albeit separate) facilities, residential segregation became an attractive alternative. After the many midcentury court decisions striking down any separate facilities (e.g.,

²⁷ Jim Crow laws demanded or permitted segregation in settings far beyond the reach of public goods, including everything from seating in theaters and circuses, to marriage and sex, to the playing of checkers or dominos in private homes (Woodward 1955). Furthermore, laws mandating segregation were but one way in which the rights of racial and ethnic minorities were violated during this period. For instance, various laws barred minority individuals from testifying on juries against white defendants, denied them citizenship status, prohibited their access to certain professions, excluded them from owning land, and of course, prevented them from voting.

²⁸ The choice between segregating public goods directly and segregating public goods via residential segregation was not confined to the South. Leon Litwack (1961) writes of the antebellum North: “legal and extralegal discrimination restricted Northern Negroes in virtually every phase of existence,” (p. 64). More details on Jim Crow segregation in the North are provided in Chapter 4.

²⁹ One study of St Louis’s segregated school system found that 75% of the city’s transportation costs in 1951–2 were spent transporting Negro school children who lived in outlying areas to colored schools in the center of the city (Russell 1954).

Brown v. Board of Education), residential segregation became the only remaining option (Wheildon 1947; Kruse 2005). In addition to being constitutional, residential segregation was also an efficient mechanism for producing inequalities across multiple public goods at once.

A similar transformation occurred in the postwar period, as neighborhood-level segregation was traded for city-level segregation. In 1948, when the Supreme Court ruled restrictive covenants unenforceable in *Shelley v. Kraemer*, white neighborhoods lost one of their most effective means of defense against integration. The 1968 Fair Housing Act further limited white collective action. As technological changes enhanced suburban service delivery and commute possibilities, and as the federal government subsidized homeownership outside of the central city, segregation across city lines rose. Moving outside of city boundaries allowed suburbanites to provide high levels of public goods for their residents without having to pay for services for nonresidents. For the privileged, suburbanization was an even more efficient mechanism of segregation than choosing separate neighborhoods within the city. As Hayward (2009) has argued, suburbs offered the opportunity to “engage in exclusionary zoning practices . . . to opt out of supporting public housing . . . and even opt out of supporting public transportation within the boundaries of their municipalities,” all while allowing suburbanites to “pool their tax monies . . . to provide schooling and other public services.” (p. 149). In addition to offering efficiency, suburbanization also freed residents from having to fight for control of the city government. Indeed, suburban flight was encouraged by a loss of political power in the central city.

In many ways, these inequalities in access to public goods are precisely the goal of segregation’s promoters. But, a second consequence of increasing correspondence between political geography and demographic division is an increase in political polarization. Within cities, segregation generates stark divides between racial groups, leading segregated cities to underprovide public goods. But, even beyond city borders, segregation is consequential. The process of building and defending white homeowner neighborhoods created new ideological commitments to a meritocratic discourse that depicted inequalities as being the result of the free market, and choices made by black and poor residents, rather than the result of actions taken by government or white homeowners. The new ideology that was bred in defended white homeowner neighborhoods took root, growing into a modern conservatism that prioritized protection of property, self-reliance, and individual achievement (Self 2003; Lassiter 2006; Kruse 2005). Over the years, this conservatism has persisted, inculcating new neighbors with the same perspective.

EMPIRICAL EXPECTATIONS

The preceding argument generates several broad predictions, which I test in various ways throughout the coming chapters. First, I predict that some communities will be more likely to generate segregation than others: these are places that have property values and public goods to protect. Such places will be most likely to implement local policies like zoning, urban renewal, and restrictive land-use regulations. When communities seeking segregation are thwarted in their ability to generate exclusivity, they'll seek to change the spatial scale of segregation – moving to exclusive neighborhoods and exclusive cities in order to protect property values and exclusive access to public goods. Second, I predict that these local policies work to generate segregation along race and class lines. Third, I predict that residential segregation generates inequalities in access to public goods. Finally, I propose that residential segregation will cause political polarization in both local and national politics. No chapter or time period contains tests of all of these predictions, but together they tell a compelling story. For more than 100 years, property owners (and those who derive their livelihood from property) have urged local governments to enact policies that institutionalize segregation along race and class lines to protect their property values and control the distribution of public goods; I show that they have been incredibly successful.

I find that segregation along both race and class lines has been promoted by white homeowners and land-oriented businesses since the beginning of the twentieth century. Where these interests dominated city government, segregation grew more rapidly. I also find that as segregation increased, service investment in white homeowner neighborhoods increased. As whites lost control over the distribution of benefits, they moved to the suburbs and continued to expand service delivery. Today, a greater share of public dollars is spent by suburbs than by central cities. Finally, I reveal that in more segregated places political polarization is greater, and poor and minority residents have access to lower quality public goods.

IMPORTANT CAVEATS

Schools

This is a book about segregation, but I do not provide an analysis of racial or economic differences between schools, or the effects of school

segregation on individual outcomes. This will seem a glaring omission to many readers, especially because many pieces of my argument overlap with accounts offered by education scholars. The literature exploring inequality of educational opportunities is extremely dense and well developed (see Reardon and Owens 2014 for an overview). As Stephen Macedo (2003) writes, “Local control, when combined with local funding, and district-based assignment of pupils to schools, has created a geography marked by stark inequalities centered on class and race: a new form of separate and unequal” (p. 743). The arguments that I advance here complement and underscore much of this research. One might view this book as an extension of these arguments to the provision of *all non-school local public goods*.

My focus here is on the various policies that local governments use to generate segregation, and the consequences of segregation for local and national politics. The vast majority of the governments that I study do not play a direct role in the governance of schools or the provision of public education. That is, most cities in the United States do not spend money on educational services, and most public school students (about 85%) attend schools that are governed by school districts, not municipalities. One could approach school district politics as I have done for municipalities – analyzing decisions about the drawing of catchment zones, policies on bussing, and the allocation of resources across schools in the same district. But, this would require vastly different data than what I have gathered.

However, school enrollment and quality plays a major role in individual decisions about where to live, and are an important driver of the generation of exclusive land-use regulations in cities. So, while I do not analyze the politics of school districts, my argument attempts to take school dynamics into account when analyzing the impetus for segregation.

The Intersection of Race and Class

A large body of scholarship probes the intricate relationships between race and class, racism, and classism. *Segregation by Design* does not analyze, in any satisfying way, the intersection of race and class. Rather, racial segregation and class segregation are measured as independent outcomes and causal factors. I find, generally, that I am better able to explain the causes and consequences of racial segregation. In part, this is because the data for measuring racial segregation are available for a

longer time series and at a finer grain of detail than the data for measuring class segregation.

But, the record is also clear that exclusion of other races has been a more powerful driver of these processes than exclusion of the poor. Indeed, I find that policies that produce class segregation are often motivated by a desire to generate racial segregation. As Rothstein (2017) eloquently explains, “[A]n important and primary motivation of zoning rules that kept apartment buildings out of single-family neighborhoods was a social class elitism that was not itself racially biased. But there was enough open racial intent behind exclusionary zoning that it is integral to the story of *de jure* segregation” (p. 48).

Many scholars have shown (e.g., DuBois 1935; Roediger 1991; Bonilla-Silva 1997, 2009; Gotham 2000; Reed 1999; Freund 2007; Soss, Fording, and Schram 2011), we cannot understand the development of class *without* race. In short, poor and working-class whites in the United States have invested in alignment with higher-status whites, rather than aligning with poor and working-class people of color. At the same time, social class is “constructed and reinforced via political institutions” that are “deeply racialized” (Michener 2017, p. 93). The origins of this intersection are as old as the nation itself. W. E. B. Dubois (1935) explains

The political success of the doctrine of racial separation, which overthrew Reconstruction by uniting the planter and the poor white, was far exceeded by its astonishing economic results . . . The theory of race drove such a wedge between the white and black workers that there probably are not today in the world two groups of workers with practically identical interests who hate and fear each other so deeply and persistently . . . It must be remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference and titles of courtesy because they were white. They were admitted freely with all classes of white people to public functions, public parks, and the best schools. The police were drawn from their ranks, and the courts . . . treated them with such leniency as to encourage lawlessness. Their vote selected public officials, and while this had small effect upon the economic situation, it had great effect upon their personal treatment and the deference shown them.

(p. 700)

Whites of all classes have participated in the generation of racial segregation by creating opportunities for white exclusivity in housing. From a political standpoint, this meant that racial segregation always garnered a broader base of support than did class segregation.

According to Weaver (1946), although residential restriction against people of color originated in middle-income neighborhoods, over time

“low income groups, in direct proportion to their insecurities, [became] more vehement in their opposition to the entrance of colored families” (p. 96). This is evidenced today by the fact that many neighborhoods contain a mixture of homeowners and renters, as well as varied income levels – even when they are dominated by a single racial group. As a result, statistically speaking, racial segregation has always been higher than class segregation. However, today, local policies that generate class-based exclusion are generally upheld by courts, while race-based exclusion is not. Additionally, income inequality has increased in recent decades. As a result, class segregation has risen and will likely continue to rise, even while racial segregation stagnates.

Data Hurdles

The data that I use to reveal the patterns described earlier in this chapter differs in important ways from previous research. Most scholars who analyze the determinants of segregation focus either on metropolitan-level segregation (e.g., Dreier et al. 2004; Jackson 1987) or neighborhood segregation (e.g., Massey and Denton 1998),³⁰ and on racial segregation (e.g., Charles 2003) or class segregation (e.g., Bischoff and Reardon 2013); however, these types of sorting are intricately linked. Class segregation and racial segregation are correlated, but they are not identical. Determining both the causes and consequences of segregation requires taking these linkages into account. The data that I have collected measure segregation both within and across cities, account for both race and class divisions, and cover city expenditures on a wide range of services during the entire twentieth century. This required the encoding of archival data, the generation of new spatial data using GIS, and the compilation of thousands of digitized observations from the United States census. The comprehensiveness of the data allows for a more complete picture of the patterns of segregation over time and allows for an analysis of the factors that give rise to this variation.

Throughout my empirical analyses, I face profound causal challenges. In some cases, my analysis is plagued by reverse causality: did white residents move to the suburbs because the central city elected a black mayor, or did the relocation of white residents make it possible for a black

³⁰ Fischer (2008), Reardon, Yun and Eitle (2000), Fischer et al. (2004), and Rhode and Strumpf (2003) are notable exceptions. However, none of these authors analyze the political causes or consequences of segregation.

Important Caveats

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mayor to get elected? In other cases, my analysis suffers from an inability to disentangle selection from treatment: does living in a homogenous white neighborhood make people more conservative, or do people with conservative views move to homogenous neighborhoods? In still other cases, my argument would be aided by evidence of strategy on the part of local elites, but none exists: zoning generates greater segregation, but could this have been an unintended consequence?

In each chapter, I describe the hurdles presented by the (lack of) data and my strategies for overcoming them. Generally, I seek to build a case for my argument using both detailed qualitative evidence and quantitative evidence from hundreds, or even thousands, of places. I often draw on the timing of events for evidence of causality and, where I am able, I utilize instrumental variables to underscore my findings. In the end, I hope that readers will find the combination of approaches persuasive as a whole, even if they fall short individually.

PROOF

Engineering Enclaves

How Local Governments Produce Segregation

The last chapter revealed that segregation along both race and class lines grew in tandem with the growth of cities. Race, ethnic, and class enclaves developed as urbanization brought white migrants, African Americans, and immigrants to cities (Teaford 1979; Meyer 2000). At the turn of the century, the predominant pattern of segregation occurred building-by-building, block-by-block, and, sometimes, several blocks-by-several blocks, but typically not by neighborhoods (Logan et al. 2015; Meyer 2000). Many cities featured multiple racial, ethnic, and class enclaves (Kellogg 1982; Rabinowitz 1978). In Philadelphia, for instance, about 40% of the black population lived in central city wards (fourth, fifth, seventh, and eighth), but there were significant clusters of black homes in the fourteenth, fifteenth, twentieth, twenty-second, twenty-sixth, twenty-seventh, twenty-ninth, thirtieth, and thirty-seventh wards too (DuBois 1899). In Atlanta, blacks lived in “Shermantown, Mechanicsville, Hell’s Half Acre, Bone Alley, and Pigtail Alley,” as well as “Darktown . . . Peasville . . . and Jennings town” (Rabinowitz 1978, p. 106). By 1940, neighborhoods had become much more homogenous. So, while the residential locations of people of color and the poor were nearly always restricted, the pattern of segregation changed during the years leading up to the Second World War. In this chapter, I argue that local governments played a key role in producing this change. Governments adopted zoning and other policies that created or reinforced segregation in service to business elites and white, property-owning constituents who were demanding a larger, more active city government.

In the very large social science literature on the causes and maintenance of race and class segregation, the contributions of local government are

given limited attention.¹ Boustan (2012) concludes, “[T]he most important [factor in the generation of residential segregation] appears to be individual choices of white households” (p. 318). Hayward (2013) agrees, arguing that restrictive covenants were “a more significant mechanism of racial segregation” than local government activities (p. 59).² Other scholars combine private and public actions into a single theoretical construct. For example, Cutler et al. (1999) provide evidence of “collective action racism,” which involves “specific policy instruments such as racial zoning or restrictive covenants prohibiting sales to blacks, or organized activities such as threatened lynchings or fire bombings that discourage blacks from moving into neighborhoods” (p. 476). Similarly, Dreier et al. (2004) associate racial zoning laws with biased real estate codes of ethics, racial steering, insurance redlining, and white violence, concluding that “racial segregation thus stems from the routine practices of the private real estate industry” and the spontaneous choices of urban residents “as well as from government policy” (p. 120).

The role of government was important. Using the state to promote restrictive collective action is qualitatively different than arranging segregation privately. Marshalling the power of city government institutionalizes prejudicial behavior and denies victims recourse. As Abrams (1955) explains, “[P]assions and prejudices . . . unsanctioned by government . . . exhausted themselves” (p. 206). But when democratically elected local governments developed policies promoting segregation, they became “instruments of oppression against minorities” (p. 207).

It is tempting to explain state sponsored segregation as the inevitable result of racist attitudes among white residents. Troesken and Walsh (2017) offer an eloquent rebuttal to this argument:

There are, however, at least two problems with this simple, preference-based answer. First, to the extent that anti-black sentiments were widespread and generally held among white voters, an exclusively-preference-based answer suggests that laws promoting residential segregation would have been ubiquitous. Yet, the available historical evidence suggests that demand for formal segregation laws varied over time and across space . . . Second, any answer to the question

¹ The contributions of the federal government, on the other hand, are well covered (Jackson 1987; Massey and Denton 1998).

² Of course, restrictive covenants required government action for enforcement. However, they could be generated without government involvement.

“why do we have laws promoting residential segregation” that relies solely on white preferences ignores the underlying economic processes that shaped demand for such laws.

(pp. 2–3)

Understanding where and when local governments worked to create segregation along both race and class lines helps to clarify where segregation was likely to become entrenched and where it was more fluid, as well as provide insight into the factors that generate consequential local policy decisions.

In this chapter, I explore the factors that contributed to the adoption of zoning laws. I argue that zoning was enacted by political elites seeking to manage the distribution of public goods to their core supporters. To present that argument, I first offer a historical narrative detailing the adoption of zoning laws by municipal governments. Then, I present a quantitative analysis of these adoptions. I find that cities with higher property taxes and larger budgets (where more was at stake), where Republicans (who led the municipal reform movement) had greater support, and where political participation was low (and thus more likely to be heavily skewed toward middle-upper class, native, white voters), zoning ordinances were more likely to be adopted. Finally, I analyze the effect of zoning adoption on future levels of segregation. I show that cities that were early adopters of zoning went on to become more segregated along both race and class lines than similarly situated cities without early zoning plans.

The dawn of the twentieth century was an exciting time for local government. Populations exploded as the Industrial Revolution took hold. In this environment, the limited, caretaker approach to city governance became suddenly and profoundly insufficient for maintaining health, order, and property. Monkonnen (1988) explains, “[C]ities could have chosen to ignore sewage, crime, unschooled children, and slow transportation by simply tolerating higher disease rates, offense rates, illiteracy rates, and traffic tangles” (p. 4). But city governments did not take that path. Instead, city governments worked aggressively to shape their social and economic environments. As Chapter 3 revealed, between 1890 and 1940, cities became modern – providing services like clean water, fire protection, police patrol, and road paving. It was in this environment that cities also began to seek control over space and residents’ use of space through zoning and city planning. The end goal of this control, as was true of most Progressive Era reforms, was to improve the lives and opportunities for businesses and residents – more specifically, US-born Anglo residents (Tretter 2012; Woodward 1955; Toll 1969; Brownwell 1975).

As Monkkonen indicates, it was far from obvious that cities would assert control over their environments, but the rapid spread of slums, worries about skyscrapers blocking natural light, fears of conflagration, and concern about public health threats provided early inspiration for cities to invoke their policy power of regulation over nuisances (Toll 1969).³ Reformers debated the correct policy solutions for these ills, recommending, for example, density restrictions (Woodbury 1929), stricter building codes (Power 1983), the removal of alley dwellings (Silver 1997), or policies, including increased public transportation, that would encourage suburban homeownership for the working class (Baar 1996). In many cases, typically at the urging of local chambers of commerce, city councils chose to pursue zoning – regulating the use, height, and area of buildings and land (Brownwell 1975).

Early on, zoning was frequently combined with general development plans for the city. Planners like Daniel Burnham and Frederick Law Olmsted (leaders of the City Beautiful Movement) sought to improve the squalid conditions in industrial cities by reducing densities and creating garden settings with tree-lined streets, wide boulevards, and central open spaces (Robinson 1916). To achieve these goals, planners advocated for local zoning measures that would allow for the restriction of tenement housing, the separation of housing from factories, and the building of public parks. But, while zoning became wildly popular, planning did not. The decoupling of zoning from planning was viewed negatively by some leaders of the early planning movement who thought the creation of homogenous neighborhoods would be likely to reinforce social divisions and inequality (Toll 1969). Of course, this was often precisely the goal of zoning supporters.

The rise of social Darwinism contributed to the attraction of zoning as a solution for burgeoning problems. Social Darwinists argued that the evolution of humanity would follow a process of natural selection in which the environment played a defining role. As a result, controlling the environment was of utmost importance (Toll 1969). A related body of literature came to understand race and the differences between racial and ethnic groups as biologically rooted – hence, immutable (Hayward 2013). According to this doctrine, the inherent inferiority of blacks and other

³ A number of important court battles ensured that zoning would be constitutionally allowed for the promotion of health, safety, welfare, and morals, and did NOT constitute the deprivation of life, liberty, or property (see Hayward 2013 and Toll 1969 for overviews).

people of color (Native Americans, Chinese, Japanese, Mexicans, etc.), along with the preservation of “race purity,” demanded “segregation and discrimination in recreation, in religious service, in education, before the law, in politics, in housing, in stores, and in breadwinning” (Myrdal 1944, p. 58). Additionally, scientific and medical experts, as well as politicians, believed that the unsanitary habits and homes of the poor and people of color spread epidemic disease (Shah 2001, p. 6). In combination, these new theories offered a convincing rationale for the creation of special districts to quarantine offending groups. By 1930, about half of all large cities in the United States had adopted comprehensive zoning plans.

Political leaders often used threats to public safety as a rationale for legislating segregation. New York’s 1916 zoning law, the first comprehensive zoning ordinance in the nation, sought to limit the health threat posed by skyscrapers that blocked natural light, and contributed to the spread of tuberculosis (Toll 1969, p. 154). Because immigrants and blacks were viewed as disease carriers, segregating them was a typical goal of zoning. In San Francisco, the first city to segregate explicitly on the basis of race, whites had grown increasingly paranoid that Chinese residents were spreading diseases like smallpox and tuberculosis, and, in 1890, enacted an ordinance that required all Chinese residents and their businesses to move, within sixty days, to the section of town that had been set aside for “slaughterhouses, tallow factories, hog factories, and other businesses thought to be prejudicial to the public health or comfort” (McClain 1996, p. 224). In Baltimore, segregationists agreed that “blacks should be quarantined in isolated slums in order to reduce the incidents of civil disturbance, to prevent the spread of communicable disease into nearby white neighborhoods, and to protect property values among the white majority” (Power 1983, p. 301).

The belief that zoning would create stability in property values was widely held and generated strong support from land owners, commercial organizations, bankers, realtors, and developers (Abrams 1955; Brownell 1975; Weiss 1987). Boston’s first height restriction was passed in 1892 at the behest of downtown property owners who feared that the new skyscrapers would lead to an oversupply of office space and drive down property values (Kennedy 1992). In some places, this view had to be cultivated. In Los Angeles, for example, some developers were opposed to the city’s 1908 zoning law because they worried it would inhibit growth (Weiss 1987). In other cases, builders and speculators objected to any limit on their liberty to earn profits from their land (Aoki 1992). To

combat such reservations, early supporters of zoning made sure to argue that their proposals would “enhance, not detract from property values,” (Toll 1969, p. 150). Zoning could easily have been invoked to improve the quality and health of working- and lower-class neighborhoods and limit land speculation (as some of the early reformers argued it should); however, “political pressures from those less inclined toward broad civic improvement” won out (Silver 1997, p. 24). As Burnham and Bennet wrote in 1909, “the greater attractiveness” produced by municipal land use control “keeps at home the people of means and taste, and acts as a magnet to draw those who seek to live amid pleasing surroundings. The very beauty that attracts him who has money makes pleasant the life of those among whom he lives, while anchoring him and his wealth to the city” (p. 189).

As zoning practices spread through the 1920s, emphasis on the enhancement of property values became the dominant argument; almost universally, it was believed that the wrong sorts of people residing, or even working, in an area could negatively impact property values. Abrams (1955) quotes an early real estate text that argued, “. . . [P]roperty values have been sadly depreciated by having a single colored family settle down on a street occupied by white residents”; another text claimed a similar effect of “unassimilated aliens.” Both prescribed “rigid segregation” as a solution, “no matter how unpleasant or objectionable the thought may be to colored residents” (p. 159).

Aside from adding wealth to property-owning and voting residents, city governments had a separate reason to protect and enhance property values – taxes (Lees 1994). An advertisement run by Fifth Avenue merchants in the March 5 and 6, 1916, editions of *The New York Times* argued that failure to support the city’s new zoning plan would lead to “vacant or depreciated property,” which would lead to “reduced taxes, leaving a deficit made up by extra assessment on other sections” (p. 5). Rising property values allowed municipal governments to grow without increasing tax rates. When property values declined, municipal officials faced the unwelcome task of raising tax rates or cutting the budget.

As municipal governments began to spend vast sums on improving the lives and environments of residents, ensuring that the right (white, wealthy) residents benefited from the new city services became of utmost importance. This goal was clear to observers at the time. Booker T. Washington (1915) explained that “the negro objects to being segregated because it usually means that he will receive inferior accommodations in return of the taxes he pays.” Such objection stemmed from the

belief that segregation would ensure that “the sewerage in his part of the city will be inferior; that the streets and sidewalks will be neglected, that the street lighting will be poor; that his section of the city will not be kept in order by the police and other authorities, and that the ‘undesirables’ of other races will be placed near him.” Thus, Washington concluded, “[W]hen a negro seeks to buy a house in a reputable street he does it not only to get police protection, lights and accommodations, but to remove his children to a locality in which vice is not paraded” (pp. 113–114). Frequently, white elites made arguments that taxing whites to pay for black public goods (like schooling) was “an indignity.” One delegate to the Louisiana Constitutional Debate in 1864, incredulous at the proposition, asked, “Shall we tear the slave away from his master and then force the master to educate him?” (Louisiana Constitutional Debate 1864). As a result, in many cities (see Chapter 5), black areas lacked municipal services, such as “paving, water, sewerage, lighting and garbage removal,” (Knight 1927, p. 53; also Myrdal 1944).

Given that zoning was viewed as a way to both increase property values and maintain exclusivity in the distribution of public goods, it is unsurprising that southern cities made early use of zoning to hem in expanding black neighborhoods and create clear dividing lines between white and black residential areas. Of course, the development of racial zoning in the South was part of a much larger process of reconfiguring race relations after the Civil War. During the period of Reconstruction and Redemption, whites subordinated, exploited, and killed blacks; but, even in this context, the legal segregation of the races was not a foregone conclusion (Woodward 1955).⁴ In fact, although Jim Crow laws were widespread, most southern cities did not legislate residential segregation directly.⁵

Blacks being able and willing to live in white neighborhoods was a necessary (although not sufficient) condition for the enactment of legislation. Baltimore passed the first racial zoning law directed at blacks in 1910 following the violent response of white residents as black migrants moved into previously all white areas. Baltimore’s ordinance prohibited whites and blacks from moving into city blocks occupied by a majority of

⁴ One vivid example of the ways in which Jim Crow changed existing practice comes from New Bern, North Carolina. In 1913, the city aldermen passed an ordinance that required that all “colored bodies” buried in the public cemetery be dug up and moved to a segregated location (www.newbernsj.com/article/20140209/Opinion/302099914).

⁵ Rabinowitz (1978) argues that the picture was different with respect to schooling. Here, segregation was immediate and unchanging after the end of the war.

members of the other race. Quite aware of the requirements of the Fourteenth Amendment, the Baltimore council argued (and the Maryland Supreme Court agreed) that because the ordinance placed the same limitations on both racial groups, it was not discriminatory (Racial Zoning by Private Contract 1928).⁶ The vote of the city council fell along party lines, with all of the Democrats in support and all of the Republicans opposed.⁷ Republicans were joined in their opposition by the entire community of black residents, white homeowners who lived in integrated neighborhoods, and some of the city's real estate brokers (Power 1983). Democrats were not just responding to their white voters in their promotion of segregation. Limiting black residential location also bolstered Democratic political power by ensuring that blacks would be packed into certain wards, thereby reserving the rest of the city for Democratic control (Rabinowitz 1978).

In some places, black political power slowed or inhibited the enactment of segregation ordinances (Rice 1968). In St. Louis, an effort to pass a segregation ordinance failed because it was opposed by a significant number of city elites (including most of the city's leading Republicans, labor interests, religious leaders, and newspapers). The National Association for the Advancement of Colored People (NAACP) and the Knights of Pythias lobbied the St. Louis city government tirelessly, and ultimately convinced twenty-one of the twenty-eight aldermen and the mayor to vote against it. In 1912, the city went so far as to station five police officers at the house of a black family to protect them from "possible attack by whites who resent what they term a 'Negro invasion' in their residential district" (The Ghetto 1912, p. 272). In a low turnout election in 1916, supporters of the segregation ordinance won a city referendum, and the city immediately began mapping the race of each city block. (Meyer 2000, pp. 19–21). In Kansas City, Missouri, blacks had a modest amount of political power due to their ties to the Democratic Pendergast machine. Despite support from a significant segment of the city's white population,

⁶ Although the Court agreed with the city's reasoning about the Fourteenth Amendment, it ultimately declared the ordinance unconstitutional because its provisions were retroactive, thereby representing a taking by the government. (*State v. Gurry* 121 Md. 534 [1913]).

⁷ Republicans were generally (tepidly) supportive of black rights in Baltimore, and between 1890 and 1931, six black Republicans served on the Baltimore city council (Greene 1979). Over the course of their careers, these councilors led the city council to provide significant contributions to Baltimore's black community, but none were able to defeat the segregated housing legislation.

a racial zoning ordinance never made it past the lower chamber of the city council (Meyer 2000).

Bacote (1955) reports that throughout the late 1800s in Atlanta, black support was frequently courted by white factions. For instance, in the 1891 election, black candidates were nominated for council positions in the first, fourth, and sixth wards on the Citizens' ticket (an antiprohibition faction of the Democratic Party). White factions did this when they were in danger of losing the election; in 1891, the antiprohibition Democrats were worried about a Populist victory. To prevent white factions from seeking black support in the future, the Democratic Party adopted the white primary in 1892, and the state of Georgia enacted a new constitution in 1908 that included a character requirement, a literacy test, and made property ownership a condition for registration (Bayor 1996). These changes severely restricted black participation, ensuring that white factions would rely only on white votes. The evisceration of the black electorate and black representation opened the way to the city's enactment of segregation ordinances (Key 1949; Kousser 1974; Woodward 1955).

Atlanta enacted a racial zoning ordinance on the heels of a violent race riot in 1906. The riot erupted after local newspapers reported four alleged (but never substantiated) assaults upon white women by black men. According to Garrett (1969), the riot was ignited by the sight of black passengers riding next to whites on streetcars. A white mob killed and beat dozens of black Atlantans over the course of three days. A concerted organization effort among the city's African American population followed. White elites and politicians denounced the riot, and a public/private relief fund was even established for families of the murder victims (Garrett 1969). However, the riot also led many whites to conclude that "separation of the races is the only radical solution of the negro problem in this country" (*Charleston News and Courier*, quoted in *The New York Times*, September 30, 1906). Following the passage of the ordinance in 1913, all blocks in the city were assigned racial designations based on the race of the majority of current residents (Silver 1997).

Fighting racial zoning was one of the early nationwide causes to be adopted by the NAACP (Rice 1968; Meyer 2000), and due to the organization's work, in 1917, the Supreme Court ruled racial zoning unconstitutional in *Buchanan v. Warley*. In the *Buchanan* decision, the justices did not seek to protect the rights of black property buyers or to prohibit "amalgamation of the races," but rather to protect the right of white owners to "sell or lease their lands and houses to whomsoever they

pleased” (Racial Zoning by Private Contract 1928, p. 531).⁸ Nonetheless, the *Chicago Defender* (U.S. Supreme Court Kills Segregation Laws 1917) declared that the “hydra-headed monster of segregation . . . was killed by the Supreme Court,” and argued that the “decision [was] a direct slap in the face to white southern oligarchy.” According to Rice (1968), it was also a “victory for moderate whites and Republicans” (p. 197).

Following *Buchanan*, many cities sought to enact constitutionally defensible racial zoning plans by turning to comprehensive city plans (Silver 1997).⁹ In 1914, a racial zoning ordinance was proposed in Birmingham while the *Buchanan* case was already moving through the court. A group of black attorneys convinced the Birmingham city council that they could face a costly legal battle if the Supreme Court ruled against Louisville’s ordinance. To prevent this, and to appease white demands for segregation, the council chose instead to adopt a comprehensive zoning plan in 1926 that included racial designations for different city zones (Connerly 2005). Atlanta’s 1922 revision of the zoning ordinance combined zoning categories of land use and building regulations with racial designations. For instance, the city’s master zone map noted that “unless otherwise designated on this map, all areas designated as dwelling house districts are also class H1 height districts and white race districts.” Other areas were designated as “colored district and an apartment house district,” or “colored district and dwelling house district.”¹⁰ In 1929, the zoning code was again revised, this time including a prohibition on occupying a home on a street where the majority of residences were occupied by persons whom the resident was forbidden to marry by law (Meyer 2000). Eventually, the court ruled against these ordinances, and by the 1930s segregationists had dropped the racial designations in favor of comprehensive zoning.

As the court struck down plans that endorsed outright racial segregation, the case for other forms of zoning had been building. A series of

⁸ The Court found that the ordinance improperly restricted the rights of property owners to dispose of property. It did not challenge the separate-but-equal doctrine that was in place as a result of the 1896 *Plessy v. Ferguson* decision.

⁹ San Francisco was the first city to utilize a form of use zoning for a racial purpose. In 1885, the city enacted a set of regulations for laundries operating in residential areas in an attempt to keep Chinese residents (who owned nearly all of the laundries and typically lived above them) from white neighborhoods. The law was invalidated by the Supreme Court in the 1886 case *Yick Wo v. Hopkins*, in which the Court found that a law that is race neutral on its face may still violate the Fourteenth Amendment if administered in a prejudicial manner.

¹⁰ cityloci.files.wordpress.com/2014/07/6-atlanta-19291954.pdf

judicial decisions established the bounds of permissible approaches to regulating the uses and size of buildings. For instance, the court determined that exercise of police power (e.g., the authority to regulate behavior and enforce order) “must be reasonably adapted to the purpose of protecting some interest of the community” (C.C.S. 1925, p. 417), and that nuisance regulation and other use restrictions “must bear a substantial relation to the public health, safety, morals or general welfare” (Monchow 1928, p. 323).

In many places, the debate over the adoption of zoning centered on the trade-off between limiting the rights of land owners to do with their land as they pleased and the goal of maintaining the “health, safety, moral and general welfare of the community” (Proposed Zoning System 1923, p. 13). This legality of zoning was settled by the Supreme Court’s decision in *Euclid v. Ambler Realty Company*. In this 1926 case, the Court determined that comprehensive zoning would not require cities to compensate owners for losses in prospective land values, and zoning ordinance spread rapidly after this ruling.

Zoning adoption was also propelled by the Republican-led federal government. In 1922, under the direction of Secretary of Commerce, Herbert Hoover, the Department of Commerce issued a template for state enabling laws in the Standard State Zoning Enabling Act. The act was published in 1924, and a revised edition was released in 1926. Thus, while Republicans tended to oppose zoning in the South, they were frequently the drivers elsewhere. In Boston, Republicans were shut out of city government by the powerful Democratic organization, leaving them to pursue zoning laws through the Massachusetts state legislature instead (Kennedy 1992, p. 113).

The arguments surrounding the adoption of comprehensive zoning were broad but imbued with municipal Progressivism’s race and class prejudices (Bridges 1997; Trounstine 2008). Zoning supporters argued that it was the most effective mechanism to protect “private restrictions in deeds,” and “make the established character of any locality permanent” (Objects of Zoning Explained 1923, p. 35). Comprehensive zoning supporters highlighted benefits such as the “adequate provision of light and air,” “stabilization [sic] and protection of property values,” “protection and maintenance of the home and home environment,” “to apply the most up-to-date methods of sanitation and hygiene,” “simplifying the problems of street traffic regulations,” and the prevention of congestion (Holliday 1922, p. 217). By separating industrial, commercial, and residential uses into separate districts – each with standard regulations

regarding the use, height, and area of buildings – zoning would make “every town, city or village a more orderly, convenient, economic and attractive place in which to live and work,” (Holliday 1922, p. 218). One key to ensuring high-property values and orderly living arrangements was the ability of zoning ordinances to prevent noxious uses from polluting residential neighborhoods (Fischel 2001). Apartment buildings constituted one such noxious use.

In *Euclid v. Ambler* (1926), Justice Sutherland explained that the apartment house is often a “mere parasite, constructed to take advantage of the open spaces and attractive surroundings . . . interfering by their height and build with the free circulation of air and monopolizing the rays of the sun . . . depriving children of the privilege of quiet and open spaces for play enjoyed by those in more favored localities . . . until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed. Under these circumstances, apartment houses, which in a different environment would be not only entirely unobjectionable but highly desirable, come very near to being nuisances” (p. 394–395).

In allowing the protection of single-family home neighborhoods, *Euclid* laid the groundwork for the long-term shift from a country segregated by race to one that became increasingly segregated by income. In the early twentieth century, race and income were so strongly overlapping that denying apartment buildings in a neighborhood of single-family homes would also largely prohibit blacks and many immigrants from residency. Making this point, Bruno Lasker (1920), editor of *Survey Magazine* asked:

Why, in this country of democracy, is a city government, representative of all classes of the community, taking upon itself to legislate a majority of citizens – those who cannot afford to occupy a detached house of their own – out of the best located parts of the city area, practically always the part with the best aspect, best parks and streets, best supplied with municipal services and best cared for in every way? Why does it deliberately ‘segregate’ the foreign-born who have not yet become sufficiently prosperous to buy or rent a home under building regulations which preclude the possibility of inexpensive development and construction?”

(“Unwalled Towns,” *The Survey*, Volume 43, 1920, p. 677).

Lasker suggested that the answer to his question was the dominance of politics by wealthy property owners who sought to employ “public power for the purpose of protecting sectional interests” (“The Issue Restated,” *The Survey*, Volume 44, 1920, p. 278). Segregation enforced via zoning was a means to accomplish this end. In cities like Chicago, Kansas City,

and Los Angeles, some of the most powerful voices in support of zoning were homebuilders and real estate boards who stood to gain monetarily from segregation (Gotham 2000). Between 1924 and 1950, the National Association of Realtors' code of ethics stated, "A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood" (Article 34 of Part III).¹¹ This perspective led to general support for the power of land-use regulation and zoning among real estate interests. Writing in 1924, Herbert Flint, a town planner from Cleveland, Ohio, explained that zoning plans should be developed by local planning commissions, populated with "those well-positioned in real estate, the law, banking, manufacturing and transportation; also representative citizens who would safeguard the interests of the homeowners" (*What a Zoning Law Is and What It Does* 1924, p. 44).

UNDERSTANDING THE ADOPTION OF ZONING

With such wide-ranging positive effects for powerful interests, it is easy to see why zoning became so popular. Yet, by the close of the 1920s, many cities had not yet adopted zoning plans. I have argued that zoning was a tool that enabled elected officials to increase property values and make it easier to target public goods to certain constituencies, and that it was successfully implemented where zoning supporters had political power. To provide more systematic evidence of this argument, I collected data on all of the cities that enacted zoning ordinances between 1900 and 1930. I gathered racial zoning information from several reports, including Rice (1968), Connerly (2005), Silver (1997), and numerous issues of the NAACP's *Crisis Magazine*. To encode general zoning plans, I drew on an article published in *The American City* by Norman Knauss in 1929, which listed the years that zoning ordinances were enacted. Knauss reports sending a survey to all municipalities with the authority to enact zoning. His list includes 768 municipalities that reported having an ordinance. I coded the city year in which zoning was enacted as a 1, and years leading up to that date as a 0. Cities exit the analysis once they enact zoning. Cities that were included in the census but had no zoning law by 1929 are coded 0 for the entire time period. Zoning is my

¹¹ www.scribd.com/document/86952803/1924-Code-of-Ethics-of-the-National-Association-of-REALTORS

dependent variable. To these data, I merged city spending and demographic data culled from the census (which are described in Chapter 3).

My primary independent variables are per capita total *expenditure* and *property taxes*. I log the total expenditure variable because the data have a strong rightward skew. I expect both variables to be positively correlated with zoning. Where spending and property taxes were higher, local officials would have a greater incentive to protect the existing distribution of public goods and the total tax revenue. I argue that schools are the most important public good for homeowners to protect. So, in an additional analysis, I replace property taxes with local expenditures on *education*. Early censuses did not distinguish between education spending by cities and by school districts, so this measure represents combined spending for all local government entities. It is highly correlated with the property tax measure, and so I add it separately. I include two additional political variables: the county-level *Republican presidential vote share* (linearly interpolated for nonelection years), and county level *turnout* of age-eligible voters.¹² Republican vote share is a rough proxy for the degree of support for regulatory policy, of which zoning was an example. I expect that greater Republican support will be associated with a higher likelihood of implementing zoning – except in the South. A range of voting restrictions was in place throughout the time period under consideration (Keyssar 2000), and I include the turnout of the age-eligible population to capture the permissiveness of the electoral environment. This measure is preferable to including state-level laws, like the poll tax or literacy test, because it allows for substate variation in the electoral setting. Generally, higher turnout is associated with greater participation of the poor and people of color (Hajnal 2010); populations that both tended to be opposed to zoning plans and stood to lose from their implementation. Thus, I expect that where turnout was higher, the likelihood of enacting zoning was lower.

A wide range of alternative explanations for the adoption of zoning were proposed by contemporary observers and later analysts of the movement, many of which are correlated with the political factors I seek to test. Writing about racial segregation laws, Woodward (1955) argues that the economic depression at the end of the 1890s led to “aggression against the minority race” (p. 81). To account for this possibility, I include a measure of the share of the total population that was

¹² This denominator includes men over the age of 21 until 1919, and both women and men over the age of 21 in 1920 and later elections.

unemployed, linearly interpolated from the Census of Population and Housing. Fischel (2004) claims that zoning adoption followed the invention of trucks and buses, which made it feasible for businesses and apartment buildings to be built in residential and suburban areas, away from rail lines. I include per capita spending on *roads*, which include street paving, street cleaning, and street lighting to capture differences in vehicular accessibility. In the “History of Zoning,” Gordon Whitnall (1931) explains that “the practice of zoning began . . . when the concentration of population in cities began to be pronounced” (p. 2). The “urge for zoning,” he goes on to say, “has arisen from the desire and the necessity to bring some order out of the chaos that has resulted from the anarchistic development of our cities.” I include the *10-year rate of change* in total population and population *density* (persons per acre) to capture urbanization. To measure threats of disease and conflagration, I include per capita spending on *health care* and *firefighting*.

As described above, contemporary supporters of segregation ordinances often asserted the protection of white, single-family neighborhoods as the primary goal. To measure the social threat of black and foreign populations, I include the share of the population that is *black*, and *foreign born*. To measure the threat of lower-income (apartment-dwelling) populations, I include the share of the population *renting* their homes. To capture the presence of noxious industry that might be better contained in a zoned city, I include the share of the employed population working in *manufacturing*. This variable also captures an argument presented by Connerly (2005): industrialists preferred to maintain segregated cities to dampen the threat of union organizing across racial lines.

Many scholars (e.g., Woodward 1955; Myrdal 1944; Blumer 1958) understand segregation as a mechanism to bolster hierarchical racial control, as social distance may preserve the relative status advantage of whites. For instance, Wade (1967) argues that segregation was “rooted in the white’s need for discipline and deference,” and that it “provided public control to replace dwindling private supervision of the master over his slave” (p. 278). If this is the case, we should expect that cities with existing patterns of segregation would be most likely to institutionalize the practice. It is also possible, however, that cities with high levels of segregation would have had no need for legislation (see Silver 1997 on Roanoke). To adjudicate between these two possibilities, I include a dummy variable coded 1 if the city had *segregated schools*. This variable is encoded from Johnson (2015), who characterizes states as requiring segregation, permitting segregation, prohibiting segregation, or with no

segregation statutes. My variable is coded 1 for states that require segregation, 0.5 for states permitting segregation, and 0 for all others. Bobo, Kluegel, and Smith (1997) argue that the political institutionalization of Jim Crow ideology was driven by the needs of the southern economy, particularly the exploitation of black agricultural labor. On the other hand, Godsil (2006) suggests that whites with a significant stake in retaining a large black laboring class may have opposed racial zoning, as such ordinances might lead black workers to leave the city. To account for either possibility, I include the share of the workforce employed in the *agricultural sector*. If the theory put forth by Bobo et al. applies to zoning, we would expect a positive relationship between agricultural dominance and zoning. We'd expect the inverse if Godsil is correct.

My observations represent 4293 city-years from 240 cities.¹³ Column 1 shows the base model with no controls. Column 2 replaces property taxes with school spending. Column 3 includes all of the above-described controls. In Column 4, I change the dependent variable to focus on racial and comprehensive zoning. Here, the dependent variable is coded 1 when the city adopts either race zoning or comprehensive zoning, and is coded 0 otherwise. In this analysis, I present an interaction between Republican vote share and region to show how party politics differed in the South. These results are presented in Table 4.1, and summary statistics are available in Table A4.1 in the appendix.

Table 4.1 offers strong support for my claim that cities with greater public goods expenditures and more property tax revenues were more likely to implement zoning ordinances. With all else equal, shifting from the minimum per capita expenditure (about \$4) to the maximum (about \$476) changes the probability of adopting a zoning ordinance from 0.004 to 0.15. Similarly, cities with the lowest property taxes per capita (about \$2) rarely adopted zoning ordinances, while those with the highest taxes (\$67 per person) had around an 18% chance of implementing zoning.

The results for school spending are even more powerful. At the minimum education spending level (about \$0.57 per capita), cities had 0 probability of adopting zoning. This rises to a 28% probability at the highest level of school spending (\$21/capita). Where turnout of the voting age

¹³ All spending data are inflation adjusted and linearly interpolated. Census data are linearly interpolated as well. I run logistic regressions with errors clustered by city. I include fixed effects for region, which means that these comparisons are all within the same area of the country. That is, the regressions analyze the effect of city expenditures on the adoption of zoning in each of four regions: West, North, Midwest, and South.

TABLE 4.1 Effect of local political factors on zoning adoption, 1902-37

	Model 1			Model 2			Model 3			Model 4 Race and comprehensive zoning only		
	β	Std. error	P > z	β	Std. error	P > z	β	Std. error	P > z	β	Std. error	P > z
Expenditure, \$ per capita (logged)	0.787	0.295	0.008	0.728	0.272	0.008	1.221	0.313	0.000	1.329	0.363	0.000
Property taxes, \$ per capita	0.052	0.014	0.000	0.237	0.031	0.000	0.047	0.018	0.009	0.071	0.020	0.000
Education expend, \$ per capita				0.237	0.031	0.000						
Presidential turnout	-2.094	0.753	0.005	-2.576	0.807	0.001	-2.803	0.817	0.001	-2.268	0.989	0.022
Republican vote share	5.133	0.671	0.000	4.421	0.688	0.000	5.306	0.808	0.000	10.808	3.28	0.001
% Foreign born							-5.043	1.767	0.004	-6.076	1.921	0.002
% Black							-0.870	1.966	0.658	-2.344	2.214	0.290
Highways \$ per capita							-0.280	0.143	0.051	-0.256	0.144	0.076
Health \$ per capita							0.251	0.327	0.443	-0.305	0.475	0.520
Fire \$ per capita							0.197	0.175	0.262	-0.063	0.171	0.715
Density							-0.004	0.014	0.768	-0.007	0.015	0.629
% Renters							1.970	1.537	0.200	5.573	1.689	0.001
% Employed in manufacturing							3.073	1.557	0.023	3.713	1.513	0.014
% Employed in agriculture							6.047	1.539	0.000	7.135	1.645	0.000

(continued)

Table 4.1 (continued)

	Model 1			Model 2			Model 3			Model 4 Race and comprehensive zoning only		
	β	Std. error	P > z	β	Std. error	P > z	β	Std. error	P > z	β	Std. error	P > z
10-year pop. growth rate							-1.477	0.622	0.018	-2.363	0.679	0.001
School segregation							1.108	0.667	0.097	1.015	0.705	0.150
% Unemployed							5.319	2.738	0.052	5.548	3.164	0.080
Midwest	-0.621	0.265	0.019	-0.200	0.275	0.467	-1.401	0.368	0.000	0.148	2.364	0.950
North	-0.883	0.187	0.000	-0.391	0.252	0.122	-1.620	0.436	0.000	1.748	2.304	0.448
South	0.313	0.335	0.349	0.917	0.393	0.020	-1.573	0.816	0.054	4.023	2.386	0.092
North *Rep. vote share										-4.418	3.549	0.213
Midwest *Rep. vote share										-0.400	3.631	0.912
South *Rep. vote share										-7.896	3.574	0.027
Constant	-8.436	1.28	0.000	-9.004	1.305	0.000	-8.522	1.586	0.000	-15.411	2.619	0.000
N	4,293			4,286			3,514			3,701		
R ²	0.123			0.154			0.173			0.170		

Note: Logistic regressions; Robust Standard Errors clustered by city; DV is adoption of zoning ordinance in given year.

population was higher, zoning was less likely to be adopted. This result supports Toll's (1969) claim that "the demand neither for zoning nor for planning had grown out of any widespread outcry in the cities of the United States" (p. 199). Zoning adoption appears to have been led by the Republican Party, except in the South, where Republican voting strength limited the likelihood of adoption of comprehensive and racial zoning ordinances.¹⁴ In additional analyses, I find that dominance by a municipal reform organization (Trounstine 2008) also significantly increased the likelihood of zoning adoption. These data fit the historical narrative presented above well.

In addition, many of the control variables suggest interesting patterns. For instance, there is no evidence that larger racial and ethnic minority populations drove zoning adoption. This point should be underscored: the adoption of zoning was not driven by the threat or presence of immigrants or people of color. Nor did greater threats to public health or conflagration increase the likelihood of zoning. Contrary to Fischel's prediction, zoning was not more common in cities with more spending on roads. Economic factors appear to have played a more important role. Zoning adoption was more likely in cities with higher unemployment, and with greater shares of the workforce employed in manufacturing and agriculture. It was also more likely in cities with more renters (particularly in the case of comprehensive and racial zoning). This conclusion is bolstered by a secondary analysis in which I add a measure of renter segregation in 1900 for 42 cities. Where renters were more segregated from homeowners, zoning was much more likely to be implemented. This finding suggests that homeowners were more supportive of zoning measures when they lived in more defined neighborhoods they wanted to protect. It is also clear that zoning ordinances were much more likely to be enacted in places that already had school segregation in place. Where segregated schools were the law, cities were more likely to adopt zoning. In additional analyses, I find that cities with marked segregation at the turn of the century, particularly in the South, were also more likely to adopt zoning. These results support the contention that zoning was a mechanism used to reinforce existing racial hierarchies. In the next section, I provide evidence that this was precisely its effect.

¹⁴ Cities with reformed institutional structures were not more likely to adopt zoning. In fact, nonpartisan cities were somewhat less likely to adopt. This effect is largely driven by cities in the South, where nonpartisan laws may have advantaged Republicans.

ZONING GENERATES SEGREGATION

As Chapter 3 revealed, race and class segregation existed prior to the introduction of public policy measures that would separate residents and land uses. The history of private mechanisms producing segregation is well understood (e.g., Jones-Correa 2000; Meyer 2000; Burgess 1994). Blacks, immigrants, and the poor tended to live in areas that were removed from native, white, middle-class residents for a variety of reasons. Rabinowitz (1974) explains, “[S]ome of the housing segregation was voluntary: Negroes sought proximity to their jobs, welcomed the freedom from white surveillance, and enjoyed the company of other blacks” (p. 98). More important was “black poverty, which limited housing options” and “white pressures to keep blacks out of their neighborhoods” (p. 98). Restrictive covenants – clauses written into property deeds specifying restrictions on the use of the property – were widely used to bar undesirable neighbors from occupying properties starting in the late 1880s (Fogelson 2005). Mortgage discrimination and real estate steering were institutionalized in the early 1900s (Helper 1969). However, Hayward (2013) explains that the problem with relying on black poverty or restrictive covenants to maintain segregation was that the market was susceptible to encroachment, requiring coordination and constant vigilance against potential violators (Brooks 2002; McAdams 2008). Marshaling the power of municipal governments to restrict land use offered developers and property owners the promise of a protected investment.

Evidence indicates that zoning adopted in the early 1900s followed patterns created by private actors (Burgess 1994; Tretter 2012). Writing in 1929, M. T. Van Hecke explained, “[Z]oning programs are frequently influenced by restrictions in deeds. Where a very substantial area has been set aside for a high type use through the medium of deed restrictions, and that area is sufficiently large and geographically distinctive, zoning officials ordinarily recognize the character of the development and classify that section accordingly, so that the objectives of the statutory and deed restrictions are the same” (p. 420). Both supporters and opponents of zoning argued that the new laws would simply reinforce patterns produced by the market. Supporters, like Robert Whitten, creator of Atlanta’s post-*Buchanan* comprehensive zoning plan, claimed that zoning would serve to lessen racial antagonism and economic loss by making the future of development more predictable, as it enforced existing segregation patterns (Toll 1969, p. 262). Opponents suggested that zoning would add unnecessary (and, some argued, unconstitutional) regulations

while restrictive covenants were perfectly suited to the job of preserving neighborhoods and property (Racial Zoning by Private Contract 1928, Ellickson 1973, Hayward 2013, Denzau and Weingast 1982, Berry 2001).

Aside from freezing private decisions in public policy, zoning also had the potential to generate race and class segregation through implementation. Ostensibly, zoning is undertaken in the interest of the city as a whole, but this “depends entirely upon the way in which the work is done” (Van Hecke 1929, p. 414). This is because zoning, as an administrative task, requires innumerable small decisions by municipal officers who may, consciously or unconsciously, bias outcomes toward some groups and away from others. E.T. Hartman (1925) explains, “[C]hief among the problems are the granting or refusal of permits in accordance with the law, the decisions of the board of appeals in appealed cases, and appeals from either or both by interested parties” (pp. 162–163). As is true of any regulation, zoning serves political purposes (Denzau and Weingast 1982). The discretion inherent in applying zoning laws meant that local officials could deny permits to builders who sought to house nonwhite or poor families, and/or make exceptions for developers serving white and upper-class residents (Bayor 1996; Meyer 2000). Abrams (1955) explains, “[T]hose who build for whites can get a modification pro forma. But the moment an unwelcome group appears, the officials stand firm” (p. 210). Until 1949, the Federal Housing Administration officially encouraged the use of zoning to generate race and class segregation (Stearns 1962). Valuers were instructed that “the best artificial means of providing protection from adverse influences is through the medium of appropriate and well-drawn zoning ordinances” (Federal Housing Administration 1936, *Underwriting Manual*, Part II, paragraph 227). Zoning was understood to protect locations “against declines in value or desirability” (Section 306[2]) by preventing the “infiltration of business and industrial uses, lower class occupancy, and inharmonious racial groups” (paragraph 229).

As Berry (2001) notes, providing evidence of the effects of zoning on segregation has proved challenging because zoning is ubiquitous today.¹⁵ But, as the first section of this chapter revealed, in the first decades of the twentieth century, zoning adoption was variable. I use this variation to

¹⁵ Berry (2001) takes advantage of the lack of zoning laws in Houston and their presence in Dallas to show that private controls – particularly covenants – produce the same outcomes as zoning laws.

show that early zoning adopters became more segregated cities – even accounting for the degree of segregation that existed when zoning laws were adopted. My dependent variables in these analyses are *change* in the level of *race* and *class segregation* between about 1900 and 1970. More specifically, I subtract the level of segregation at the earliest point in my dataset from the 1970 segregation of non-Hispanic whites and renters. The earliest measures for racial segregation are from 1890, 1900, or 1910. For renter segregation, the earliest measure is 1900 for most cities.¹⁶

My primary independent variables are drawn from the data described for Table 4.1. I expect that racial segregation will be most closely linked to racial zoning and comprehensive zoning (as the historical discussion indicated), while class segregation will be tied to all forms of zoning. In the analysis of racial segregation, my independent variable is a dummy variable noting whether a city adopted either a race-based or comprehensive zoning ordinance in the period between 1900 and 1930. These *early zoning adopters* are coded 1, and cities that did not adopt racial or comprehensive zoning are coded 0. In the analysis of renter segregation, cities are coded 1 if they adopted any type of zoning ordinance between 1900 and 1930, and 0 otherwise. I control for the *change in city population* between the earliest point of measurement for each city and 1970. I do not add any additional controls because I have very few observations over the long time span. Table 4.2 presents these results.

The results in Table 4.2 are striking: cities that were early adopters of zoning ordinances grew more segregated over the next fifty years, compared to cities that were not early adopters. Around 1900, cities that adopted zoning had very similar racial segregation rates to non-adopting cities (0.265 for adopters and 0.287 for non-adopters). By 1970, cities that adopted early zoning ordinances had segregation levels about 10 points higher on average (0.489, compared to 0.390). Zoning also exacerbated renter segregation. Cities that were not early adopters saw about a 4% increase in renter segregation between 1900 and 1970, compared to an 8% increase in cities with zoning.

Furthermore, zoning had significant consequences for property value inequality (as its promoters had hoped). To measure property value

¹⁶ I have data in 1900 for forty-nine cities. To increase the number of usable observations, I include the level of renter segregation in 1940 for fourteen additional cities. The correlation between renter segregation in 1900 and 1940 is .8676. The results are nearly identical (though less precise), using only the data from 1900.

TABLE 4.2 Zoning’s effect on race and class segregation, 1900–70

	Change in racial segregation 1900–70		Change in renter segregation 1900–70	
	β	P > z	β	P > z
Early zoning adopter	0.133	0.001	0.036	0.061
Change in city population	0.000	0.002	0.000	0.000
Constant	0.057	0.103	0.026	0.181
N	88		63	
R ²	0.198		0.222	

Note: OLS Regressions; DV is change in segregation between 1900 and 1970.

inequality, I created a *property value gini index* built from median home values at the census tract level in 1970. Cities in which all census tracts have very similar 1970 median home values have a low score on this measure, while cities that witness inequality in property values from neighborhood to neighborhood have a high score. Regressing the property gini on the dummy variable for early zoning adoption, including state fixed effects, produces a coefficient of 0.09 (SE = 0.003). Cities without early zoning had an average 1970 property gini of 0.04, compared to 0.13 among early zoning adopters. This difference is greater than a standard deviation on the gini index. Zoning led to significantly more inequality in home values.

Of course, zoning was not the only mechanism available to local governments to promote race and class segregation. One of the most successful strategies of directing residential locations without force was the placement of segregated amenities. Austin, Texas, was a pioneer in this practice. The city’s 1928 comprehensive zoning plan found that “the Negroes are present in small numbers, in practically all sections of the city, excepting the area just east of East Avenue and south of the City Cemetery. This area seems to be all Negro population” (Koch and Fowler 1928, p. 57). So, the plan recommended that “all facilities and conveniences be provided the negroes in this district, as an incentive to draw the negro population to this area.” This strategy would “eliminate the necessity of duplication of white and black schools, white and black parks, and other duplicate facilities for this area” (Koch and Fowler 1928, p. 57). Soon after the adoption of the plan, Austin’s city council pursued this approach, providing a park, school, and sewer connections for African Americans only in this one section of the city. The council went on to duplicate the strategy for Latinos (Tretter 2012). In the 1940s and 1950s

(as I discuss in Chapter 6), the siting of segregated public housing followed a similar pattern.

Another tactic cities used to shape minority residential patterns was the use of eminent domain and the placement of public improvements. Abrams (1955) reports, "Sites abutting Negro developments have been acquired for railroad stations, incinerator dumps, urban redevelopment, public housing projects, roads, and similar improvements. These improvements sometimes tend to cut off the minority area from the rest of the city and stem the expansion of its living space" (p. 212). Such decisions became increasingly frequent as the federal government provided funds for redevelopment. As I show in Chapter 6, cities that spent more urban renewal dollars also became more segregated.

Cities also engaged in several strategies that enhanced and protected private decisions generating segregation. Chief among these was the refusal to deploy police forces to protect blacks from white violence when blacks sought to buy or rent homes in white neighborhoods. In many places, police routinely prevented the poor and people of color from setting foot in wealthy white areas at all (Meyer 2000; Myrdal 1944).¹⁷ In some places, city governments took action to aid the effectiveness of private deed restrictions (Hirsch 1983). For example, the mayor of Baltimore established a special Committee on Segregation to help coordinate deed restrictions in white neighborhoods. The committee included the city's building inspector, representatives from the health department, real estate agents, and neighborhood improvement association members (Meyer 2000).

CONCLUSION

This chapter has provided the first pieces of quantitative evidence, along with qualitative historical references, to suggest that local governments influenced patterns of segregation by taking into consideration public goods provision, as well as the wishes of wealthy business elites and white property-owning constituents. Local governments institutionalized prejudicial behavior and promoted segregation through the use of zoning ordinances.

¹⁷ As was the case with zoning, the use of police to support segregationists was variable. For instance, Meyer (2000) reports several examples of police providing support for black residents in New York City, St. Louis, and Baltimore.

Political elites enacted zoning ordinances to generate growth and stability in property values and control the distribution of public goods in the city. They justified zoning and segregation legislation with the argument that the poor and minorities had habits that were harmful to public health. These policy goals were promoted by politically influential residents: white property owners who sought to defend their neighborhoods and commercial areas from those who could decrease the value of their investments. Local governments benefited from rising property values, as well, in the form of increased tax receipts.

Zoning was used as a tool to generate segregation along race and class lines. When cities restricted land use and the location of specific buildings, this created areas that were homogenous, leading to the reinforcement of inequality and social divisions. In 1917, the Supreme Court ruled racial zoning ordinances unconstitutional. In response, many cities turned their attention to comprehensive zoning plans and other forms of zoning that did not make racial segregation an obvious goal. New comprehensive city plans were fueled by continuing race and class prejudice, and influenced the long-term shift from racial segregation to segregation by income level.

The historical references presented in this chapter support the argument that local government politicians used zoning as a mechanism to control the distribution of public goods toward their supporters and away from others, as well as create and maintain high property values in their cities. Zoning was implemented effectively in areas where those in favor of zoning had political power to turn racial and class prejudice into legislation. Cities that were early adopters of zoning ordinances grew to be 10% more segregated over the following fifty years than did cities that were not early adopters. The results also illustrate that zoning ordinances doubled the amount of renter segregation. In these early adoption cities, property values would also become more unequal by 1970.

Local governments used zoning ordinances as a mechanism to solidify, through institutionalization, existing racial hierarchies and prejudice, and this practice has had long-lasting effects. When cities could have used zoning to enhance the life of all residents, local government officials catered to the private interests of their supporters and utilized policy tools – including the placement of segregated amenities, public improvements, eminent domain, and redevelopment funds – to protect and increase property values. The consequence of these practices was a generation of long-standing race and class segregation and prejudice.