

Housing Apartheid, American Style

By THE EDITORIAL BOARD

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The riots that erupted in Baltimore last month were reminiscent of those that consumed cities all over the country during the 1960s. This rage and unrest was thoroughly explained five decades ago by President Lyndon Johnson's National Advisory Commission on Civil Disorders, also known as the Kerner Commission. The commission's report was released in 1968 — the year that the assassination of the Rev. Dr. Martin Luther King Jr. touched off riots in 125 cities — and contains the most candid indictment of racism and segregation seen in such a document, before or since.

The commission told white Americans what black citizens already knew: that the country was “moving toward two societies, one black, one white — separate and unequal.” It linked the devastating riots that consumed Detroit and Newark in 1967 to residential segregation that had been sustained and made worse by federal policies that concentrated poor black citizens in ghettos. It also said that discrimination and segregation had become a threat to “the future of every American.”



A protest against housing discrimination in Chicago in 1966.

As part of the remedy, the commission called on the government to outlaw housing discrimination in both the sale and rental markets and to “reorient” federal policy so that housing for low- and moderate-income families would be built in integrated, mixed-income neighborhoods, where residents would have better access to jobs and decent schools.

Soon after the King assassination, Congress passed the Fair Housing Act, which banned housing discrimination and required states and local governments that receive federal housing money to try to overcome historic patterns of segregation and to “affirmatively further” federal fair housing goals. But the effort was hampered from the beginning by local officials who ignored or opposed the goal of desegregation and by federal officials, including presidents, who simply declined to enforce it.

A growing body of evidence suggests that America would be a different country today had the government taken its responsibility seriously. For example, [a Harvard study](#) released earlier this month found that young children whose families had been given housing vouchers that allowed them to move to better neighborhoods were more likely to attend college — and to attend better colleges — than those whose families had not received the vouchers. The voucher group also had significantly higher incomes as adults.

But little of the promise of progressive-sounding laws was truly realized. The government’s failure to enforce the fair housing law can be seen throughout much of the country; metropolitan areas with large black populations have, in fact, remained highly segregated.

The Nixon Approach

George Romney served as secretary of Housing and Urban Development under Richard Nixon. He set out to dismantle segregation and what he described as a “high income white noose” formed by the suburbs that surrounded black inner cities. Under his Open Communities initiative, he instructed HUD officials to reject applications for sewer and highway projects from cities and states with segregationist policies. He believed that ending residential segregation was “essential if we are going to keep our nation from being torn apart.”

As Nikole Hannah-Jones reported in a 2012 [investigation](#) for ProPublica, Nixon got wind of Romney’s plan and ordered John Ehrlichman, his domestic policy chief, to shut it down.

In a memo to his aides, Nixon later wrote: “I am convinced that while legal segregation is totally wrong that forced integration of housing or education is just as wrong.”

He understood the consequences of his decision: “I realize that this position will lead us to a situation in which blacks will continue to live for the most part in black neighborhoods and where there will be predominately black schools and predominately white schools.” Nixon began to ostracize Romney and eventually drove him out of his administration. Over the next several decades, presidents from both parties followed the Nixon example and declined to use federal muscle in a way that meaningfully promoted housing desegregation.

Preserving the Status Quo

Ronald Reagan was openly hostile to fair housing goals, as the sociologists Douglas Massey and Nancy Denton have shown in their book, “American Apartheid: Segregation and the Making of the Underclass.” The Justice Department under President Reagan challenged the ability of civil rights activists to sue for fair housing violations. The administration also conspired with the National Association of Realtors to undermine HUD’s already feeble enforcement authority.

Bill Clinton tried to bring pressure to bear on states and localities to further integration. But the bureaucracy at HUD resisted these efforts, and, as usual, the politics of the issue became treacherous.

Mr. Clinton’s second HUD secretary, Andrew Cuomo, tried in 1998 to retrace the path that George Romney had walked exactly 30 years earlier. He proposed rules that would have denied federal housing money to communities that flouted fair housing laws. This drew outrage and opposition from local governments that were accustomed to getting billions of dollars from HUD with no preconditions attached. Weakened by scandal and impeachment, Mr. Clinton lacked the political capital for a big fight over fair housing.

In the absence of strong federal leadership, the task of securing fair housing has largely fallen to housing and civil rights groups, which have routinely taken cities and counties and the federal government itself to court for failing to enforce anti-discrimination laws. Their lawsuits have changed the lives of many citizens who were once trapped in dismal neighborhoods.

The Obama administration has proposed [new fair housing enforcement rules](#), which should be finalized soon, that make states, cities and housing agencies more accountable for furthering fair housing.

But for these rules to be meaningful, the federal government will have to restructure its own programs so that more affordable housing is built in low-poverty, high opportunity neighborhoods. Federal officials must also be willing to do what they have generally been afraid to do in the past — withhold money from communities that perpetuate housing apartheid.

Given what we now know about the pervasive harm that flows from segregation, the country needs to get on with this crucial mission.