Chapter 3

RACISM AS PUBLIC POLICY IN AMERICA'S CITIES IN THE TWENTIETH CENTURY

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Today African Americans remain the most residentially segregated group in the United States, more so than Asians and Hispanics, and to a greater degree than the European ethnics or even the blacks of early twentiethcentury America. Some of the story of how this situation developed is well-known. Federal mortgage insurance policies through the Federal Housing Administration and Veterans Administration that discriminated against all-black or racially mixed neighborhoods prevented a substantial African-American migration to the suburbs and confined this group to inner cities. Federal public policy was accompanied by private decisions of banks, realtors, and neighborhood whites using restrictive covenants to prevent black migration into white areas. Less known is the fact that throughout the twentieth century city governments accepted racism as a basis for policy decisions and used their powers to maintain segregated societies. This essay discusses the role and impact of city policies in residential segregation. Using ordinances, zoning, physical barriers, separate land grants and public housing site and tenant selection, cities as diverse as Chicago, New York, Atlanta, Miami, Detroit and others added an important third force to the federal and private initiatives for segregation.

Segregation ordinances were used in cities as early as 1910 supposedly "to preserve peace, prevent conflict and ill-feeling between the races, and to promote the general welfare of the city." They included a variety of odd stipulations as various city councils passed them into law. New Orleans stated that "members of either race were prohibited from establishing a residence in an area predominantly of a different race, without first securing permission of a majority of the residents." In St. Louis, the 1916 ordinance did not allow "invasion" of a block if the residents were 75 percent of another race. Atlanta had an ordinance in 1931 making it illegal for a member of one race to move into a house previously occupied

by a member of the other race, if the dwelling was "within fifteen blocks from a public school." An earlier ordinance forbade a person moving into a house "where the majority of the residences on the street are occupied by those with whom said person is forbidden to intermarry." Although there were still mixed race streets that were legal in some southern cities, these ordinances were often fortified with restrictive covenants and Klan and other terrorist violence.

Although in *Buchanan v. Warley* (1917) the U.S. Supreme Court declared these racial ordinances unconstitutional since they limited an individual's right to control his own private property, the ordinances still were being passed into the 1930s and effective for years afterward. Some cities such as Norfolk, Virginia just ignored the Supreme Court ruling; others such as Atlanta tried various tactics, e.g., denying moving permits to maintain the spirit of the ordinance.² Furthermore, racial zoning came into use in the 1920s. Atlanta, for example, passed such a plan in 1922 that divided the city into white and black residential areas and racially undetermined commercial and industrial districts. This was racial control on a grand scale signifying race as a land use classification similar to single-family residential or apartment house districts.³

Racial zoning also had a grander design, for it was supposed to regulate black migration in the city and create buffers and barriers between white and black areas. The same process was evident in St. Louis and Chicago. The City Plan Commission in St. Louis set zoning lines with race in mind and in an attempt to control black residential patterns. Often working with realtors and property owners, St. Louis and Chicago city officials applied the zoning regulations to strengthen neighborhood racial covenants. Chicago often pushed its African-American population into areas set aside for industrial or commercial development. City council members did express concern that the industrial fumes and pollution would hurt trees, grass and park space in these areas but saw these same areas as suitable for black housing.⁴

As in St. Louis and Chicago, Atlanta's zoning well into the 1960s was successful in segregating the black community and preventing residential movement into areas that were racially off limits. This practice resulted in vast areas of the city being politically unsuitable for black housing. An Atlanta Housing Resources Committee report in 1967 noted that the amount of land zoned industrial was excessive, especially in relation to finding land for low-income housing. Mayor Ivan Allen and other 1960s city officials acknowledged that an artificial shortage of land for blacks had occurred because the city used zoning to develop racial buffers between black and white areas. "The result was," Allen explained, that "Atlanta city maps were dotted with scores of these unused plots of land" at a time when land for housing was needed. A 1961 housing report concluded that there was an "artificial scarcity of land available for black housing in a community in which there are no natural barriers to geographic expansion

and in which the white community has effective possession of considerable residential acreage which is vacant or thinly occupied."

As the Atlanta Bureau of Planning stated in 1965, "it should be remembered that there would be more than enough land for construction of Negro housing ... if it were not for the restrictions inherent in our community customs." Zoning in Atlanta, as one expert concluded, "is utilized to preserve the status quo and to segregate the white and nonwhite populations." While none of these ordinances and zoning laws in any city remained legal, they did effectively separate the races, set the city's racial residential divisions into the future, and as historian Christopher Silver writes of Richmond "legalized and codified the city's strong inclinations toward apartheid."

Throughout the twentieth century, the attempt to fortify segregated black areas or ghettos continued. Unlike the walls of European ghettos, the American style was to use less obvious barriers to maintain separation, although in three cases, in the Detroit area in 1941, Miami in 1946 and Atlanta in 1962, walls were built to separate whites and blacks and to prevent black movement into a white area. The Detroit wall, "eight feet high and a half-mile long," was built at the urging of the Federal Housing Administration (FHA). The developer agreed since the FHA refused to provide mortgage insurance unless the races were separated. In Miami, in the Coconut Grove section, the planning board allowed the housing authority to build low-rent dwellings for blacks but only with the construction of a wall and buffer area to separate the races. Sections of the wall are still visible.⁷

The Atlanta wall was an interesting case of official white intransigence and overreaction. This case developed in 1962 when a black doctor tried to buy a house in the upscale white Peyton Forest subdivision on the city's west side. The white residents protested to the board of aldermen who responded with the closing and barricading of parts of Peyton and Harlan Roads. These roads led into the white subdivision south of the barriers. Mayor Allen approved the concrete and steel barriers as racial roadblocks. Although Atlanta had a long history of maintaining residential segregation, this was the first time a wall had been built to do so. The mayor justified his action by stating that the wall benefited both whites and blacks—by calming the whites and allowing the eventual rezoning of some land north of the barricades for black use. This land, which had been zoned commercial to prevent the building of black housing and to serve as a racial buffer, could possibly be reclassified once whites in the Peyton Forest neighborhood felt racially secure due to the wall.

Black opposition to the wall was intense. As the Student Nonviolent Coordinating Committee (SNCC) stated in 1962: "In past years, city officials have attempted to block Negro expansion by using parks, cemeteries and expressways as artificial buffer zones between whites and Negroes. The metal barricades represent the first instance of blocking roads to stop

Negro housing advances." Black leaders threatened political retaliation if the mayor and other city officials did not reconsider. This opposition had important implications for a mayor elected with strong black support. Finally, court rulings and the national embarrassment to the city which was always claiming that it was "too busy to hate" led to the wall's dismantling. In another case, in North Memphis in the 1950s, the city commission required "developers to erect a steel fence to separate" black and white neighborhoods. 9

However, American cities were more likely to zone and plan their cities with segregation in mind. As such, highways were often planned and constructed to deal not only with traffic flows and commerce but also with race. In Gary, Indiana, the post–World War II interstates served as barriers between the blacks in the northern part of the city and whites in the south. In Memphis, the highways "served as boundaries to the black community." Richmond's downtown expressway was planned to "form a barrier" between neighborhoods becoming black and "established middle-class white neighborhoods." Kansas City, Missouri's three radial parts of its highway system "entering the city from the east, north, and west followed curiously winding routes, each of which eliminated a black neighborhood enclave" and pushed blacks into the main ghetto. Miami saw the 1950s building of I-95 through the black Overtown area thereby destroying much of that community and pushing black residents out and into other black areas—a move that white commercial and political leaders had desired since the 1930s. 10

Atlanta's highway system, including access roads, was specifically designed to protect white neighborhoods. To secure the white neighborhoods of Center Hill and Grove Park on the west side, an access road was planned as a racial dividing line. This road, which the city proposed, was designed to convince whites to stay in the area, an assurance that their property would not be subject to racial transition. In 1960, the Atlanta Bureau of Planning, in another case, stated that "approximately two to three years ago, there was an 'understanding' that the proposed route of the west Expressway would be the boundary line between the White and Negro communities" in the Adamsville neighborhood. The city marked out the road's route in the area: south of the road for whites and north for blacks. The city also blocked an effort by black developers to build south of the road. As the planning bureau noted, the city had "obligations to the Adamsville citizens to adhere to the expressway route boundary." Other cities that engaged in the use of highways as racial barriers were Charleston, West Virginia; Flint, Michigan; and Indianapolis, Indiana.¹¹

Other barriers used were cemeteries, industry, commercial strips, and parks. Also decisions regarding road paving became part of city racial policy. In Atlanta's west side Mozley Park neighborhood in the late 1940s and early 1950s, the city, acquiescing to white demands, set the north side of Westview Drive as the southern boundary for black expansion. Black

developers were only allowed to build up to 100 yards of Westview Drive. Streets that went from the black housing to Westview Drive over the 100 yards were left unpaved. In another case, to prevent black movement into a white area, the city decided to dead-end a through-street so that it would be impossible to travel from the black area into the white neighborhood. Part of this road (Willis Mill Road) was left abandoned and remains so today. In similar fashion, some roads were paved so as to give black residents access to their neighborhoods without going through white areas. To cross any of these boundaries meant trouble—either in the form of violence, or as in Miami in 1945 when two black couples bought houses across the unofficial racial boundary line, they "were harassed by county health, zoning and police officials and were eventually jailed for zoning violations." 12

African Americans, confined to their overcrowded ghettos, had great difficulty securing residential property. Property was sometimes secured by using sympathetic whites to buy land and then reselling it to blacks. But this would not stop white harassment. One way to avoid problems was to secure city government approval for property acquisitions. In Atlanta, in the late 1940s, the city privately approved six expansion areas for the black community. Working with the Atlanta Urban League, the Atlanta Housing Council, set up by black leaders, selected the land as suitable for peaceful black development. All the areas were near sections of black housing and most were already owned by black landowners. The city and Metropolitan Planning Commission eventually publicly endorsed the concept of the expansion areas in 1952. These lands were considered "safe" for black migration and occupancy. Since the migration to this territory did not threaten any white neighborhoods, it was considered suitable. However, in one situation "white objectors as far as two miles away had to be placated."13

The attempt to control black migration was evident in other cities as well, such as Miami. As historian Ray Mohl reports about Miami, "any shifts in black residential patterns were usually dictated by public policy decisions." One 1930s Miami plan that was discussed for years although not implemented involved the Dade County Planning Board. The board laid out a "Negro resettlement plan" that, with Miami city officials' aid, was to force the movement of the whole central black ghetto out of downtown Miami to three resettlement areas or black towns on the outskirts of the city. Part of this plan, the development of a public housing project for blacks outside the city, built with federal funds and designed to relocate people out of the central ghetto, was accomplished in 1937. 14

There are a number of issues involved in these Atlanta and Miami plans. Part of the black support for the 6 sites in Atlanta came from a desire to avoid white violence and to secure needed space. The white support was somewhat based on the desire to prevent violence also, but city and county officials were clearly trying to control black residential

migration to suit the long-term segregation plans of the city. In essence, what was being created were reservations for African Americans—an official attempt to separate the races in an apartheid policy reminiscent of South African black townships.

Racism as an entrenched city policy did not end with ordinances, barriers, highways and separate land. The urban renewal period of the 1950s and 1960s provided an enormous opportunity to direct and control racial migrations and to reinforce the black ghetto. This goal was accomplished either through public housing tenant selection based on race or by destroying black neighborhoods through renewal and rebuilding and sometimes relocating the ghetto into huge public housing projects. Segregated public housing was evident as early as the 1930s. New York's La Guardia administration in the 1930s and 1940s had the opportunity to break up the ghetto and create a dispersed public housing plan for the city. Instead, the choice was to keep the projects in the ghetto area, especially in Harlem, and to enlarge that area, as one historian has noted, into "a racial preserve." Separate public housing application offices for whites and blacks and the New York City Housing Authority's relocation of most blacks into all-black housing during the 1930s set the city's racial patterns. 15

Chicago was cited in federal court in the late 1960s for "fostering segregation by systematically constructing public housing in black neighborhoods." Ghetto placement and control were part of the massive renewal and public housing project plans of that city. Black residential mobility was manipulated to maintain and expand the ghetto. Arnold Hirsch, the historian of Chicago's renewal experience, writes that "government powers under the guise of 'urban planning' [were used] in order to reshape the local environment and control the process of [racial] succession." Efforts to protect white neighborhoods such as Hyde Park from racial transition led to the systematic removal and relocation of black residents not only in this city but in others. In Hyde Park, for example many whites uprooted from the neighborhood due to urban renewal were relocated back in this section. Few blacks were so allowed. 16

Philadelphia saw similar city actions. In that city, spot clearance in an area of southeast Philadelphia "removed every house occupied by a black household," although there were also some efforts in this city to support integrated public housing in the 1950s. In "Baltimore County, Maryland, some suburban black enclaves were zoned for nonresidential use even though adjacent white areas were zoned residential." This tactic would remove blacks from that section. In Miami's Overtown area, the city used home inspections and long-forgotten code violations to push black residents out, beginning in the late 1940s. Detroit was faced with blighted white as well as black areas but chose to demolish the black section in their renewal. Furthermore few plans were made for rehousing the displacees. When city officials wanted to manipulate population movements, for whatever reason, it was easy to do so.¹⁷

Atlanta also saw removal of black residents according to a plan to maintain segregation. The renewal decades of the 1950s and 1960s fit in with a long-standing use of public power to shift and confine the black population to certain parts of the city. The most extensive plan was suggested in the all-white Metropolitan Planning Commission's *Up Ahead* plan of 1952 which laid out a widespread removal of the central city black population, including the elimination of the main black business area along Auburn Avenue and the shifting of the black business center to the western part of the city. This avenue had been for decades the center of African-American life in Atlanta. It was not a low-income section and contained well-built cottages and established businesses. The decision, which the black community strongly opposed, would have kept this group out of any expansion or improvement of the downtown business section, and thereby out of the economic boon coming to the city.

While the city's plans to demolish the Auburn Avenue block were never fulfilled, the surrounding area was deeply affected by renewal and a north-south highway cut through the avenue which respectively diminished the area's customer pool and divided the business center. Auburn Avenue never rebounded from this destructive planning. By 1968, 95 percent of those removed by renewal were black. Essentially African Americans were displaced out of the central business district to public housing projects in other parts of the black community. The ghetto was not demolished by renewal but simply moved, reshaped and fortified. The National Committee for the Advancement of Colored People (NAACP) commented in 1967 in regard to Atlanta that "the pattern was established and continues through the past twenty-five years or more where all available housing for Negroes, publicly aided or not, has been done either in the ghetto or adjacent to it." Using public housing site selection, separate application offices for blacks and whites, and segregated white or black housing projects, city officials maintained a segregated city. Other cities saw urban renewal destroy black businesses. In Detroit, as one study stated, renewal devastated many small black-owned businesses. "Very often the city's lack of sufficient reimbursement to businesses for their property and for relocation left these merchants without a livelihood and the community without needed commercial enterprises. 18

There was also an effort in Atlanta to disperse public housing and break up the ghetto. Black leaders supported a dispersal of this housing with special attention to fringe neighborhoods, where the housing would attract black and white tenants. The reasoning for this was simple. The west side, where most of the projects were built, was becoming overcrowded. Schools and city services were strained by the excess of population. Mayor Ivan Allen, faced with an angry black constituency and a federal government insisting that no more public housing be built in majority black areas, worked with the Housing Resources Committee to study low-income housing needs. The committee recommended the

dispersal of low-income projects to all parts of Atlanta. Faced with opposition from the white business community if he supported dispersal and anger from the black leadership if he did not, the mayor rejected a general dispersal plan and said he would consider individual sites one at a time. The only low-income housing developed from that point on was either in outlying areas or in sections earlier determined as areas for black expansion. Attempts to place public housing in white areas failed.

In one case, in 1972, a white north side site that a federal courtappointed housing committee recommended for public housing was quickly rezoned by the Atlanta Board of Aldermen for commercial development, even though the board had turned down two earlier requests for this rezoning. The neighborhood civic association that had earlier opposed commercial zoning for this property now supported this action. Furthermore, housing torn down was not always replaced with new housing. Atlanta built both a stadium and a civic center on land that had once served low-income blacks. Black displacement was extensive on both sites. On the stadium site, the initial intention was to build housing but for the middle class. Failing to interest developers, city officials planned a housing project for whites. At a time when there was a housing shortage for black Atlantans, the city saw the land as a good buffer against black encroachment on downtown rather than a place to provide housing for those displaced by renewal. The final decision to locate a baseball stadium on that site served the purpose of still constructing a buffer while providing the city with a good commercial enterprise. The only ones to suffer for this decision were the former residents of this renewal area. The civic center plan, also to be a racial buffer on the city's eastside, was scaled down after the federal government insisted that more pubic housing be built.19

In Chicago, efforts to prevent the construction of more public housing in the mid-1960s in majority black areas led to a court decision to build the projects elsewhere in the city. The federal court found that 99 percent of the Chicago Housing Authority's family housing was filled by blacks and that "99.5 percent of its units were in black or racially changing areas." The court ordered "that the next 700 units built by the housing authority had to be placed in white areas." The city's response was to stop the further development of such housing over the next ten years even though there was a housing shortage in the city, particularly among minorities.²⁰ For public housing in Chicago that did contain both black and white tenants, segregation still was often the norm. In the Jane Addams Homes, the Chicago Housing Authority limited the black tenants to the number that had resided on that property before the project was built. Within the project, black tenants were relocated to a certain part of the project. In contrast, in Atlanta there was little pretense regarding integrated housing. During the 1950s, for example, white-only projects were built in order to serve as racial buffers or barriers in black-white fringe neighborhoods.²¹

Other cities saw the same scenario. In Norfolk, Virginia, twenty-one out of the twenty-two housing projects in the city were placed in black neighborhoods and had only black tenants. In Yonkers, New York, a federal judge charged the city with 40 years of intentional segregation in its public housing site selection and ordered the building of low-income public housing in various white neighborhoods. Yonkers had placed 90 percent of its projects in one part of the city. This case was decided in 1986 after five years of litigation, but it was 1991 before construction began. In the interim, the mayor and city council refused to comply even when faced with large fines. After \$12 million in legal fees and \$450,000 in fines, the housing was built. However, the new housing did not affect the segregation patterns of the city since the judge had ordered the construction of only 200 housing units. They were built on eight sites in white areas. The intransigence of this northern city even extended to its earlier refusal to accept a \$2.8 million federal aid package for the city because it also meant accepting the public housing.²²

One final scenario reveals the role of city racism in developing private housing that had a public component. A good example comes from New York City and relates to the construction of Stuyvesant Town, a middleincome housing development built in the mid-1940s. Supported by the La Guardia administration and its master builder Robert Moses, Stuyvesant Town was a public-private enterprise built by the Metropolitan Life Insurance Company. The goal was a worthy one: to clear a slum area and replace it with needed housing. The city provided tax breaks, city-owned land and its eminent domain powers to the company but also one other factor. The city agreed that Metropolitan would be allowed to bar black tenants. The company, claiming the need to protect property values and their investment, insisted on control of tenant selection, which included its racist policy. La Guardia acquiesced to this policy because the city needed housing and needed private companies that would be interested in rebuilding New York. Whatever the rationale—and there were always many—the city had furthered the development of segregated housing and established it as a policy. To make amends to the black community, La Guardia in 1944 convinced Metropolitan to build the Riverton housing project in Harlem. But the effect of this gesture was simply to maintain and expand the Harlem ghetto. Also, La Guardia secured the passage of a bill in 1944 which prevented racist tenant selection in future publicprivate housing. However, this bill did not deal with Stuyvesant Town. Although Stuyvesant Town was eventually integrated in the 1950s due to city actions, its tenant selection policies reveal that even in a city run by progressive mayors, racism could become an aspect of official policy.²³

Many American cities have used racism as a public policy and either directly created or helped to create the segregated cities that stand today. In that way, cities became what they had been planned to become. The process of maintaining segregation and using zoning, renewal and other

tactics to ensure it, was a purposeful policy. Had the cities enacted policies that encouraged integration, the racial dynamics would be different today. These policies could have involved placing public housing on the borders of white and black neighborhoods thereby encouraging integration in the projects, developing highways strictly on traffic flow and topographical information, rather than racial considerations, and allowing zoning to correctly designate areas as industrial or residential rather than forcing these designations for racial purposes. While city officials might claim that housing would have sorted out in a racial way regardless of city action due to income levels, various studies indicate that income explains only a part of the segregation pattern. For example, in Atlanta in 1967, the U.S. Civil Rights Commission's research division noted in hearings that "segregated housing patterns ... have increased since 1940, although the economic justification for them has diminished." By 1960, more then two-thirds of the residential segregation could not be explained by differences in economic status between the races.²⁴

Since racism through private, federal and city action has played such a major role in residential segregation, how can the cities remake their neighborhoods into more open housing areas now? The federal government, beginning in 1962 with President Kennedy's Executive Order 11063, first took a clear stand against housing discrimination in regard to "federally supported housing."25 But like the court decisions, the president's order meant little unless failure to comply led to some form of punishment. Although there was some punishment outlined in the order for violators, it was not enforced. As Douglas Massey and Nancy Denton write in American Apartheid: "At nearly every level, the federal bureaucracy resisted a broad application of Kennedy's order." Efforts to deal with housing discrimination through congressional action also met great resistance. Opening up housing and permitting ghetto dwellers to secure the housing of their choice was not something many whites in Congress supported, even during the 1960s when other civil rights legislation was passed. Nonetheless, various events including the 1968 Kerner Commission report detailing the racial problems the country faced and the role of housing discrimination within it and the assassination of Dr. Martin Luther King, Jr., spurred Congress to pass a housing measure. The 1968 Fair Housing Act further put the government in support of open housing, but it too was not always carried out effectively. The enforcement provisions of the act were very weak. For the individual facing residentialhousing discrimination, there was still no way to punish those who discriminated and thereby no way to discourage this practice. As Massey and Denton state: "Investigations carried out during the 1970s revealed that only 20% to 30% of complaints filed with the Secretary [of Housing and Urban Development] ever reached formal mediation, and nearly half of the complaints that did so remained in noncompliance after conciliation efforts had terminated. Moreover, HUD made virtually no effort to follow

up or to monitor compliance in the conciliation agreements it reached." However, amendments passed in 1988 provided stricter enforcement and higher penalties and gave the legislation a chance of succeeding.²⁶

Given the long history of institutional racism, the process of dismantling the ghetto will be arduous. Bank mortgage policies, attitudes of landlords and real estate agents, the process of public housing site selection and the slow bureaucratic response to discrimination must all change before open housing is a reality. The city government's role in maintaining segregation has diminished particularly as black mayors have been elected. But the decades of city policies based on racism have left these mayors with divided cities as a legacy.

Notes

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- 20. Hirsch, Making the Second Ghetto, 265-66.
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