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Race matters (even more than you already think): Racism, housing, and the limits of *The Color of Law*

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ABSTRACT

As any good American urbanist knows: race matters. But precisely how does it matter? How have the pervasive and enduring modalities of racism (especially anti-Blackness) shaped the American metropolis over the last decades? Several influential attempts to answer these questions have focused heavily on racism's momentous impacts on housing and related spatial practices. Such accounts have garnered intensified attention with the appearance of Richard Rothstein's widely heralded *The Color of Law*. My central contention is that most conventional treatments of how racism impacted mid-century housing and spatial practices (including Rothstein's) are deeply flawed. While almost obsessively centering racism as determinative, they nevertheless underestimate how fundamental it is to America's institutions. I focus particularly on market institutions as they shape residential property values. Doing so reveals both a significant historical rereading of mid-century urban America's highly racialized housing and spatial practices, as well as a more powerful account of ongoing racial dispossessions.

As any good American urbanist knows—almost instinctively—race matters. But precisely how (and how much) does it matter? How have the pervasive and enduring modalities of racism shaped the American metropolis over the last several decades?

To answer this question, several highly influential accounts have focused heavily on racism's momentous effects on housing and related spatial practices, especially patterns of residential settlement (see, for example, Jackson, 1985; Massey & Denton, 1993; Sugrue, 1996). Of late, such accounts have garnered renewed and intensified attention with the appearance of two celebrated retellings of this history—Ta-Nehisi Coates's (2014) widely discussed article “The Case for Reparations,” appearing in *The Atlantic* magazine, and Richard Rothstein's (2017) book, *The Color of Law*, a *New York Times* bestseller longlisted for the National Book Award. Each compellingly presents the story of the disgraceful discriminatory practices perpetrated in mid- (20th) century urban America against African Americans struggling to secure decent homes and suitable living spaces.¹ As such, each has—deservedly—commanded wide readership within the academy and beyond it.

Nonetheless, my central contention in this intervention is that most conventional treatments² of how racism impacted mid-century urban housing and spatial practices—such as those proffered by Rothstein (2017) and Coates (2014)—are deeply flawed.³ While

almost obsessively centering race (and specifically racism) as determinative of these practices, these conventional accounts at the same time—ironically—fail to fully comprehend and properly conceptualize how profoundly fundamental racism is to the very nature of America’s institutions. Race, in short, matters even more than many already think.

To demonstrate this failure, I focus on market institutions, especially as they shape residential property values. In particular, I trace out how a proper understanding of the profound role racism plays in the construction of these values engenders both a significant historical re-reading of mid-century⁴ urban America’s highly racialized housing and spatial practices, as well as a fuller and more powerful account of ongoing racial dispossessions. Special attention is devoted to an interrogation of Rothstein’s work (for example, Rothstein, 2015, 2017, 2018, 2019a, 2019b), as it has commanded the outsized attention of both those attempting to come to terms with these historical practices and, even more significant for my purposes here, those attempting to remedy contemporary injustices.⁵

Prelude: On the social construction of markets and racism

We begin with the well- and long-recognized, though oftentimes neglected, discernment that market institutions, like all institutions, are socially constructed (see, for example, Berger & Luckmann, 1966). As such, they simply reflect the social values and biases from which they are constituted. Consequently, so-called market rationality is, in essence, merely an expression of what is valued or devalued in the collective consciousness of market actors (cf. Blyth, 2002; Storr, 2010). The hegemony of racism in America as conceptualized by critical race theory⁶ offers a particularly stark and salient example. Given this hegemony, such beliefs (of which the most acute modality is *anti-Blackness*; see Vargas, 2018) powerfully infect market values, such that what appears as neutral and objective is, in actuality, merely an expression of racist attitudes, subjectivities, and imaginaries.

Elucidating how this dynamic plays out in regards to market valuations of urban *property*—my central concern—Adolph Reed (1988, pp. 169–170) astutely observed that:

Careful examination of the bantustanization in American cities makes it impossible to distinguish purely racial from purely economic imperatives. . . . [T]he logic of markets is socially and political constructed and . . . race enters into social and economic life in complex and indirect ways. . . . [For example] parcels of land occupied by minorities are underutilized and ripe for redevelopment because the presence of minority populations [itself] lowers market value (also see Tretter, 2016).

More recently, another equally astute scholar of race in America, Keeanga-Yamahtta Taylor (2020; also see Taylor, 2019a), explained the key dynamic this way:

People talk about the free market as this racially neutral, color-blind space within which the invisible hand of supply and demand dictates what does and doesn’t happen. But that’s so incredibly naïve. The market is us. The market is a reflection of our values. And when it comes to property, race is at the very center [and in an adverse way for Black people].

In fact, Reed’s and Taylor’s insights simply remind us of an insidious phenomenon that has been well-understood for quite a long time: racist values negatively impact property values (especially in their residential form). As Scott Markley and his colleagues (Markley et al., 2020, p. 3) recently pointed out, by the mid-1930s “a new theory of residential property that linked neighborhood racial heterogeneity—and specifically the visible

presence of Black residents—to property value decline” had become a “question-begging truism.” Although based on the measurement and aggregation of what were in fact thoroughly racist social values by “early land use economics, appraisal experts, and a rapidly professionalizing real estate industry” (Markley et al., 2020, p. 3; also see Freund, 2007; Tillotson, 2014), this new theory nonetheless proved “true,” in a question-begging way, given the social construction of residential property markets. Or, as Markley et al. (2020, p. 3) perceptively note: it “had been fully transformed into an *essential reality*” (emphasis added). In fact, as far back as the 1950s, housing activist Charles Abrams (1955, p. 158) conceptualized this iniquitous “truth” as the so-called “racist theory of value” where, as Eliot Tretter (2016, p. 49) recently explained: “African American neighborhoods, households, and bodies were [seen as] simply less valuable and desirable [in market terms] than those of whites.”

Rethinking mid-century racialized housing and spatial practices

On one hand this racist theory of value has been recognized and well-understood for decades, and especially of late by those engaged with broader idea of *racial capitalism* (see especially Robinson, 2000).⁷ Yet most conventional accounts of America’s mid-century urban history of racialized housing and spatial practices continue to fail to appreciate its impacts and consequences. Consider, for example, “redlining,” perhaps the most notorious of these practices, where starting in the 1930s the government-sponsored Home Owners’ Loan Corporation (HOLC) drew so-called Residential Security Maps to designate neighborhood lending risks (a practice later embraced by the Federal Housing Administration, or FHA). Properly comprehending and appreciating the connection between racist social values and socially constructed market values in residential property helps us garner a more precise, and fuller, understanding of redlining processes and their attendant evils. To anticipate what is to follow, the reality was that these processes were, decisively, the codification of racist market rationality, a notion the conventional analysis of mid-century racialized housing and spatial practices fails to fully grasp.

In specific terms, while these conventional analyses see, correctly, redlining as being thoroughly racist, they often do so for the wrong reasons—or, more exactly, they miss the deeper (and structural) causal dynamics that were at work. In particular, conventional accounts locate racism in the process of redlining as manifesting when, for example, the redlining maps themselves (or their informal proxies embedded in local knowledge) assigned areas low grades (e.g., saw them as “hazardous” for investment) *simply because* Black people lived in or even near them, or were likely to do so in the near future (see, for example, Coates, 2014; Jackson, 1980, 1985; Massey & Denton, 1993; Mitchell & Franco, 2018; Perry & Harshbarger, 2019; Rothstein, 2017). Summarizing this account Brookings Institution researchers Andre Perry and David Harshbarger (2019, p. 11) remind us that “the practice of redlining was explicit in its targeting of Black Americans.” While other populations considered risky were also included in redlining—e.g., Latinos, poorer Whites, Catholics and Jews, noncitizens, and even communists—these groups “were not targeted in the same manner as Black residents” (also see Faber, 2020). The racist act in redlining thus was that Black people were singled out as harming property values, undeservedly, simply because of their race rather than any objective market criteria.

The key problem with these conventional accounts is they misunderstand that, as explained above, market values have no autonomous ontological existence (see Beland &

Cox, 2011). Instead, they are reflective of, and constituted by, prevailing social values and biases (which is to say they are social constructions). In this case, anti-Black beliefs *themselves* lower property values, especially in residential property. So, given the prevalent and virulent racism prevailing in mid-century urban America, the practitioners of redlining were not, on purely economic terms, wrong in their assessments. Instead they were simply following the dictates of (perceived) market rationality. Areas where Black people lived were investment risks because they were areas where Black people lived. It was, to apply Reed's (1988, p. 170) insight from above, a case where "the presence of minority [Black] populations"—themselves—"lower[ed] market value" of those "parcels of land." In the case of redlining, then, racism imbued the process in, to quote Reed (1988, p. 170) once again, much more "complex and indirect ways"—ways that were ultimately more fundamental. In short, racism (and especially anti-Blackness) constructed the very notion of redlining's economic rationality.

Thus whereas the conventional account finds redlining racist because Black people were unfairly targeted simply because of their race, it misunderstands that its practitioners, while themselves likely individually racist as well, were largely acting prudentially, given that it was the near-ubiquitous racism that constructed the very market values that redlining practices reflected. Along these lines, in his short but powerful critique of Rothstein (2017), Richard Walker (2019) reminds us that "the FHA regulations that included redlining [were] a means of minimizing risk for lenders and investors" (also see Jackson, 1980). Similarly he reports that, according to Marc Weiss, whose earlier historical research carefully documented these processes (see Weiss, 2002), "since the mandate was to stabilize homeownership and reduce long-term insurance risk from a purely financial and actuarial perspective, *redlining made economic sense*, even if it was immoral as social policy."⁸ By redlining, what the federal government did, then, originally through the HOLC and later the FHA, was to codify this racist market rationality. Or as Kenneth Jackson (1985, p. 213) put it in his seminal *Crabgrass Frontier*, the federal government "embraced the discriminatory attitudes of the marketplace"—attitudes that, in Markley et al.'s (2020, p. 3) conceptualization highlighted above, created the "essential reality" that property values were indeed lowered merely by the presence of Black populations (also see Tillotson, 2014).⁹ In fact, we still see artifacts of this today, as redlined areas where Black people were not as targeted exhibit relatively strong property values. For example, in cities like Denver, Minneapolis, Portland, and Boston, where Black populations were very small in 1940, recent Zillow data show homes in formerly redlined areas are actually now *worth more* than those in areas not redlined (see Grabar, 2018).

Four key implications

Thus, in contrast to the conventional analysis of mid-century racialized housing and spatial practices, a consideration of redlining illustrates how racism played a deeper, more fundamental role as racist social values *constructed* market values (in residential property). Applying this conceptual frame more broadly strongly points to at least four revisions to the conventional account of these racialized (and racist) historical practices.

Locating immorality

A first revision afforded by this conceptual frame sharpens our understanding of the relevant normative transgressions. Specifically, as Weiss appropriately pointed out above,

processes like redlining were clearly immoral, and yet the conventional account commonly misunderstands how so. For example, in his influential analysis of this mid-century history Coates (2014, p. 65) concluded that the American real estate industry of that day “believed [racial] segregation to be a *moral principle*” (emphasis added). Yet, his evidence for this claim is to point to its *economic* impacts: “As late as 1950,” Coates recounts, the code of ethics of the National Association of Real Estate Boards “warned that ‘a Realtor should never be instrumental in introducing into a neighborhood . . . any race or nationality, or any individuals whose *presence* will clearly be *detrimental to property values*” (emphases added). Hence rather than existing as an independently operating moral principle, as Coates’ analysis of mid-century segregation suggests (also see Rothstein, 2017), the reality was somewhat different. Namely, the moral evil of the repugnant discriminatory actions of the real estate industry driving segregative settlement patterns was instead largely rooted in the racist (socially constructed) property market. That is, it was racist (market) rationalities—rationalities that translated the *mere presence* of African Americans into a key cause of corresponding declines in values—that constituted the real immorality. Thus, while the mid-century American real-estate industry was no doubt filled with individual racists, it was also the powerful impact of (racist) market imperatives that impelled the drive to keep the races separate. In short, as Walker (2019) points out, and as highlighted by the racial capitalism thesis as well (see Bonds, 2019; Pulido, 2017; Williams, 2020), by the 1930s it was clear that racial segregation “was good business for an important sector of capital” (also see Taylor, 2019a).

Reducing excessive “state blaming”

Understanding how racist social values constructed residential property values suggests a second revision to the conventional account. Specifically, it leads us to question the excessive degree of (what might be called) “state blaming” in these accounts, or what James DeFilippis (2017, p. 189) perspicaciously identifies as “the over-emphasis on public policies as the cause of segregation and injustices” (also see Jenkins, 2019; Spinner-Halev, 2010). Here the focus needs to be on “over-emphasis,” as DeFilippis appropriately conceptualizes it, given that any adequate reading of this history cannot exonerate the state in a wholesale fashion.¹⁰

Excessive state blaming is common in conventional analyses of racial segregation and related injustices (see, for example, Dreier et al., 2014; Hayward, 2003; for potent critiques, DeFilippis, 2017; Spinner-Halev, 2010, respectively). But it reaches its apotheosis in the work of Rothstein (2017), who attributes essentially all racial injustices to *de jure* (by law) causes—hence the apt title of his book: *The Color of Law*.¹¹

Such excessive state blaming is both normatively suspect and empirically flawed. Regarding the former, Destin Jenkins (2019, p. 170) effectively critiques Rothstein (2017) on this point and asks, appropriately, “what is the ideological work achieved through pinning inequality solely on government?” (also see Katz, 2010). Indeed, not only did *The Color of Law* garner a (mostly) positive review in the strongly libertarian Cato Institute’s house organ, *Regulation* (Henderson, 2017); Rothstein (2019a) himself published his own piece (under the propagandistic state-blaming headline “Washington Forced Segregation on the Nation”) in *Reason*, the self-described “leading libertarian magazine [in the nation].” While fully evaluating the normative attractiveness (or lack thereof) of libertarian ideology is beyond the scope of my analysis here, a plethora of research strongly suggests its highly

problematic nature (for a summary see Kuttner, 2015). In fact, when it comes to remedying the injustices he identifies, Rothstein (2017) himself, in congruence with many other (state-blaming) conventional accounts (see for example, Dreier et al., 2014), distances himself considerably from the tenets of libertarianism.

On the empirical side Taylor (2019a, p. 10) has recently demonstrated that, “while it is true” as Rothstein (2017) argues “the federal government played a critical role in expanding the logic and practices of residential segregation” in the 1930s and beyond, “government agents did not act in a vacuum, nor did they act alone” (also see Beauregard, 2001). In particular, what Rothstein’s state-blaming excesses profoundly misunderstand is that, as Walker (2019) reminds us, racism is a deeply embedded and long-standing “structural element of US civil society,” salient “since before the founding.” Crucial here is that, as I have explicated, the underlying racist social values constituting this structure *themselves* constructed residential property values. As a result, so-called *de jure* (governmental) actions were often made in line with what market principles (however racist they were) demanded for sound public policy. In accordance, as Jackson (1985, p. 213) documents, the mid-century FHA “concentrated on convincing Congress and the public that it was ... ‘a conservative business operation,’”¹² as the “agency emphasized its concern over sound loans, no higher than the value of the assets and the repayment ability of the borrower would support.” Thus to reiterate Taylor’s (2019a, p. 10) key point, the national state apparatus “did not act in a vacuum;” it acted, instead, within the imperatives of a socially constructed racist housing market.

The folly of excessive state blaming is powerfully captured by Jeff Spinner-Halev’s (2010, p. 110) forthright—and provocative—question. He asks:

If the American state did not put forth residential segregationist policies starting in the 1930s ... would Black and White Americans ... live in the same neighborhoods today? In other words, would the market have allocated housing differently in the United States without state intervention?

Adducing a compelling review of the relevant evidence, his answer: “not by very much.” Indeed Spinner-Halev’s (2010) conclusion is strongly supported by more recent evidence showing that White flight was already a powerful driver of racial segregation during the period from 1910 to 1930—that is, before widespread federal intervention (Shertzer & Walsh, 2019).¹³

There is no doubt that the postwar American government can certainly be blamed for not using its countervailing regulatory and legal authority to curb market allocations of housing that were racially discriminatory, as Rothstein (2017) repeatedly does. Yet, sophisticated social-scientific theories of the liberal-democratic state have shown that, in market-oriented societies, public authority is to a large degree structurally dependent on the productive activities of private (business) enterprise. This dependence is especially acute in regards to the creation of ample jobs and the generation of sufficient governmental revenue, given the centrality of both for securing popular legitimation (see, for example, Lindblom, 1977; Elkin, 1987). And, in the postwar era, there is little doubt that the boom in suburban development laid at the heart of the American capitalist economy’s intensified profit-generating capacities (see, for example, Harvey, 1985). This is not to absolve the racist American state from its many well-documented racially discriminatory actions (see, for example, Katznelson, 2005). It is, instead, to be realistic and hardheaded about the structural

constraints on state power intrinsic to modern capitalist societies. Governmental actions—e.g., the “laws” of Rothstein’s *The Color of Law*—are, in a word, epiphenomenal¹⁴ (in significant ways) to larger structural forces.

Unmasking faulty counterfactuals

A third revision to the conventional account of mid-century racialized housing and spatial practices unmasks plausible but—ultimately—faulty counterfactuals. Rothstein’s highly influential retelling of this history again provides a salient example. Most notably, he speculates that, if only Black denizens of cities could have been able to “escape” to the newly emerging suburbs along with their White counterparts, the deep and enduring racial disparities that continue to plague America today could have been largely averted. He writes:

Nationwide, black family incomes are now about 60 percent of white family incomes, but black household wealth is only about 5 percent of white household wealth. In Baltimore and elsewhere, the distressed condition of African American working- and lower-middle-class families is *almost entirely attributable* to federal policy that prohibited black families from accumulating housing equity *during the suburban boom* that moved white families into single-family homes from the mid-1930s to the mid-1960s—and thus from bequeathing that wealth to their children and grandchildren, as white suburbanites have done. (Rothstein, 2015; emphases added)

The problem here of course is that, because deep societal racism gets imbued in market property values, the presence of Black families (in large numbers at least), in and of itself, causes a decline in the value of residential real estate. Thus if Black people were instead permitted to purchase homes in the suburbs, it is not at all clear that this mid-century “suburban boom” in housing equity would have been as broad-based, reaching as it did well into the upper ends of the White working class/lower middle class. For as Taylor (2018) reminds us, the value generated in these exclusively White suburbs for “upwardly mobile whites was based in large part on their distance from Black neighborhoods and exclusion of Black people” (also see Taylor, 2019a). Illustrative of Taylor’s point is Coates (2014, p. 64) powerful discussion of Daisy and Bill Myers, the first Black family to move to Levittown, Pennsylvania, brutally “greeted with protests and a burning cross.” As he recounts: “a neighbor who opposed the family said that Bill Myers was ‘probably a nice guy, but every time I look at him I see \$2,000 [comparable to about \$35,000 today¹⁵] drop off the value of my house.” And, as Coates (2014, p. 65) correctly points out, the “neighbor had good reason to be afraid. . . . If [the Myers] moved next door,” it was “almost guaranteed that their neighbors’ property values would decline.”¹⁶ Indeed, William Levitt himself observed: “I have come to know that if we sell one house to a Negro family, then 90 to 95% of our white customers will not buy into the community. That is their attitude, not ours” (as cited in Lambert, 1997).¹⁷

Such was the virulent racism of 1957—a racism so deep it significantly dampened the accumulation of real estate market value. It is thus wrongheaded (and “naïve,” to use Taylor’s (2020) fitting characterization quoted above) for Rothstein to assume that the same kind of housing equity boom would have resulted had Black suburbanization occurred—on any kind of large scale—during the mid-century period. More likely the racist theory of value—where value is depressed *because of* the racial inclusion of Black people, and, by extension, enhanced because of Black exclusion—would have greatly repressed it. Quite apropos of this naiveté, Rothstein (2015) lionizes the race-baiter Spiro Agnew,¹⁸ former

governor of Maryland and Richard Nixon's first vice president, who "had it right" for seeing Black suburbanization, rather than the War on Poverty programs of the Johnson administration, as key for addressing racial inequalities.

Case in point here is the strikingly gloomy history of Black suburbanization, which did in fact occur in large numbers after the 1960s.¹⁹ Rather than securing the same kind of housing equity accumulation as White homeowners, the presence of Black people in suburbia over time begat greatly declining property values and increasing poverty rates as substantial White flight ensued (see, for example, Dreier et al., 2014; Johnson, 2014; Kneebone & Berube, 2014; Orfield & Luce, 2013).²⁰ Again we see the racist theory of value continuing to inflict its predation and dispossession as, to reiterate Tretter's (2016, p. 49) formulation from above, "African American neighborhoods, households, and bodies ... [are seen as] simply less valuable and desirable [in market terms] than those of whites." More broadly, an insightful review of this history prompts Kimberly Johnson (2014) to ask, fittingly, whether the process of Black suburbanization epitomized the "American Dream or the New Banlieue?" Engaging this question, she uncovers a plethora of evidence for the latter representation, very little for the former.

In advancing the faulty historical counterfactual that—*sans* federal housing discrimination—the mid-century suburban boom in equity would have been broad-based and racially inclusive enough to mitigate current racial disparities in wealth "almost entirely," Rothstein is simply channeling a more hyperbolic version of a common claim central to the conventional account of the contemporary racial wealth gap. In a prominent example, Melvin Oliver and Thomas Shapiro (2006, p. 18) similarly explain in their classic *Black Wealth/White Wealth* that it was "the FHA's discriminatory practices" that "had a lasting impact on the wealth portfolios of black Americans" by keeping them "locked out of the greatest mass-based opportunity for wealth accumulation in American history."²¹ While Black Americans were undoubtedly "locked out" of this opportunity, the conventional diagnosis of this injustice misses the deeper racism that worked to dampen the buildup of housing equity and depress the subsequent accumulation of Black wealth. In essence, its "mass-based" nature could only be mass based if that base excluded masses of Black people. As Taylor (2019a, p. 11) explains, what was at work was not a dual housing market but rather a single one "that tied race to risk, linking both to the rise and fall of property values"—rising values for White homeowners, declining values for Black ones (also see Tillotson, 2014). Quoting Arnold Hirsch, she reminds us that the "'rise of 'second ghettos' in the postwar era and the suburban boom were ... organically linked.'" The latter was predicated on the former (something—once again—strongly suggestive of the idea of racial capitalism).²²

Questioning urban renewal apologies

Finally, an understanding of the deeper, more fundamental role racist social values played in constructing market values raises serious concerns about apologies for the Urban Renewal program, the mid-century policy effort replete with a plethora highly racialized dispossessions.²³ Rothstein (2017, p. 127), again, offers a recent and striking example: During the era of urban renewal, Black communities in urban districts were, he writes, "indeed blighted. In many cases, slum clearance could have been a good idea. Where low-income African-Americans were living in squalor, plans to demolish substandard structures and provide new, decent homes in integrated neighborhoods would have been appropriate." Of course, such homes were not provided, something Rothstein greatly laments. But equally

important the prevailing racist theory of value demands that we also question how “good” an idea the wholesale clearance of Black communities often was, given that the mid-century assessments of what constituted “a slum,” “blight,” “squalor,” “decent,” and “substandard” were all distorted by it (see, for example, Lawton, 2020; Pritchett, 2003; Tretter, 2016).

This history is complex of course, and thus it cannot be fully interrogated here. No doubt, for example, numerous buildings in renewal areas were dilapidated (though perhaps not beyond repair or adaptive reuse), and dwellings often lacked basic plumbing and even electricity. But one of the key lessons of the urban renewal period—one that has only been strengthened over the following half-century—was that external assessments of the viability and livability of many bulldozed neighborhoods were fraught with bias (Gans, 1962; Hirt & Zahm, 2012; Jacobs, 1961; Scott, 1998).²⁴ Later scholars, notably Loic Wacquant (2008), have conceptualized the idea of *territorial stigmatization* to capture this (often highly racialized) dynamic. As Tom Slater (2017, p. 121) cogently explains, the many recent studies of territorial stigmatization clearly show that, rather than rooted in aspects of a neighborhood itself, it is instead “a gaze trained on it” (emphasis in original).

Thus while Rothstein (2017, p. 127) speculates that, given the “many cases” where “slum” conditions prevailed, urban renewal (aka “negro removal”) “could have been a good idea” if those relocated were provided “new, decent homes in integrated neighborhoods,” there is good reason to be incredulous. Specifically, in the face of the racist theory of value and the stigma it casts upon racialized territories, it makes equal sense to conjecture that, in many of those “many cases,” simply renovating and upgrading (much but certainly not all of) the existing built environment would have been most “appropriate.” Such a strategy would have then allowed a considerably more modest program of demolition, displacement, and relocation. Indeed, discerning contemporaneous observers recognized as much at the time (see Gans, 1965).

Upshot: “Colored” property and limits of market access

In sum, then, because the conventional analysis of mid-century racialized housing and spatial practices lacks a proper understanding of the social construction of markets—and in particular how racism itself constructs market values in residential property—it misreads key aspects of this history. Understood in broader terms, while the conventional view focuses almost obsessively on the significance of race (and specifically racism), this view—ironically—fails to comprehend just how deep and fundamental a role racism played. Race mattered, even more than these accounts already think. In particular, by embracing a largely race-neutral perspective on housing valuation—where housing equity accumulates to individuals in a largely color-blind fashion—the conventional view fails to comprehend the idea of “colored property,” as David Freund (2007) titles his significant book on the subject.

Freund concludes his book by quoting what perhaps has been, in scholarly circles, the most influential conventional account of America’s segregative settlement patterns—Douglas Massey and Nancy Denton’s (1993) *American Apartheid*. In doing so, Freund (2007, p. 399) points out that these scholars as well as several others trace many racial inequities to the notion that, “in the case of housing in particular,” Black people (and other minorities) have historically been—in Massey and Denton’s own words—“denied full *access* to a crucial *market*” (emphases added). In this same vein Rothstein’s (2017, p. 172) account similarly highlights the denial of market access as central: In regards to the egregious mid-century exploitation of Black renters and buyers, he writes: “If African Americans had [market] access

to housing throughout metropolitan areas, supply and demand balances would have kept their rents and home prices at reasonable levels.” With the denial of this market access, however, “landlords and sellers were free to take advantage of the greater demand, relative to supply, for African American housing” (Rothstein, 2017, p. 172).

Yet this specification of the problem—as one of market access—erroneously, as Freund (2007, p. 399) nicely encapsulates it, “assumes a model of analysis in which a pure, discrete market for housing exists, a market that operates outside of people’s assumptions about color and property.” Instead, property, especially in its residential form, has been, to use Freund’s fittingly historical denotation, “colored,” not race-neutral (or color-blind)—something that has made market access to it of greatly constrained value for Black people (also see Taylor, 2019a).

Indeed, even today we continue to see this so-called “colored” property and the concomitant constraints it places on market access—for the past, as Faulkner’s famous adage holds, “is never dead. It’s not even past.”

Consider, for example, a recent important study published by the Brookings Institution (Perry et al., 2018). It rightfully builds from a keen understanding of how markets are socially constructed, recognizing that “the value of [market] assets is influenced by implicit societal cues,” such as the implicit biases we all harbor in our subconscious. Applying this insight empirically to United States metropolitan areas, the analysis finds a significant “devaluation of housing assets stemming from racial bias throughout the [housing] market” as “anti-black beliefs [negatively] distort the value of [these] assets” (Perry et al., 2018, pp. 4, 5, 19). Even after controlling for housing quality and neighborhood quality (including school quality), data show that “a square foot of residential real estate is worth 23% less in neighborhoods where half the population is black” compared to those with few or no Black residents (a shocking 50% less in actual values; Perry et al., 2018, p. 15; also see Zonta, 2018). Similarly, in another recent important study of the two counties that encompass the city of Atlanta, Markley and his colleagues (Markley et al., 2020, p. 1) identify a “racial appreciation gap” as a “central feature of urban housing markets.” Even well into the 21st century, and “in an area famous for Black prosperity,” they find that “a neighborhood’s racial composition has a more salient impact on home price change than its income.” Specifically, once an area is “marked as Black,” the result of this “Black presence” might, in itself, depress price appreciation (Markley et al., 2020, pp. 1, 14; also see Flippen, 2004; Charles, 2006; Lipsitz & Oliver, 2010; Lake, 1981).

The key takeaway from the Markley et al. (2020) study is its demonstration of the limits of Black homeownership as a means to reduce the racial wealth gap (also see Darity Jr. et al., 2018). In the aftermath of the housing crash of 2007–2008, Black homeownership rates today stand at just above 40%, compared to 72% for Whites, a level essentially—and remarkably—unchanged over a half century (Markley et al., 2020). Yet, beyond the vast disparity in the rate, Taylor (2020) astutely points to what is perhaps an even more significant racialized disparity at work in regards to homeownership:

[E]ven for the 40 percent of the black people who do come to own their own homes, it doesn’t function in the same way. Property in white hands is valued more than property in black hands. So even when black people own property, it still does not accrue in value in the same way or at the same rate (also see Taylor, 2019a).

Again, property is, as Freund (2007) put it, “colored,” and hence market access (in this case, to homeownership) provides constrained benefits.

One result of this social cancer is how it devitalizes the overall health of Black neighborhoods. Strikingly, Black households earning more than \$100,000 per year reside in neighborhoods more disadvantaged than those occupied by White households earning less than \$30,000 (Sharkey, 2014). In essence, Black families are unable to convert income gains (from market access) into residential quality (see, for example, Woldoff & Ovadia, 2009). Thus in the face of the racist theory of value, Black neighborhoods—constituted by “colored” property—continue to struggle with low property values and the myriad neighborhood disadvantages that result,²⁵ including a continuation of (modern-day) redlining coupled with inflated property tax assessments (Avenancio-Leon & Howard, 2020). Such disadvantages in turn leave them vulnerable to the kinds of predatory wealth extraction practices so blatantly unleashed by the forces of financialization during the subprime mortgage crisis.

We also clearly see the phenomenon of “colored” property and the resultant limits to market access in contemporary processes of gentrification. One salient modality fuels what Cameron Hightower and James Fraser (2020, p. 223) perceptively identify as the practice of “reverse blockbusting.” In their close empirical study of historically Black neighborhoods of North Nashville, they demonstrate how the efforts of developers to “flip” potentially gentrifying areas “pivot, in part, upon a significant number of existing homeowners selling their property” in order to “change the neighborhood’s racialized and classed stigma to attract more affluent populations” (Hightower & Fraser, 2020, pp. 224–225). In essence, then—once again—given the racist theory of value it is the absence of “Black presence” (Markley et al., 2020, p. 14) that generates the value, as Black removal becomes a prerequisite to large housing equity increases. The results of this lag, Hightower and Fraser (2020, p. 224) find, is that the original Black homeowners in gentrifying neighborhoods “are likely to experience only a fraction of the value being produced through gentrification.”

More generally, the conventional view exhibits a mostly positive posture toward gentrification, as exemplified by a recent *CityLab* article pointing to its “hidden winners” (Capps, 2019). Prominent among conventional observers here are those deeply committed ideologically to a certain conception of “fair housing.” As Edward Goetz (2018, p. 60) points out in his excellent book-length study of the issue, many fair housing advocates “have not been particularly guarded in their support for such wholesale change and the community disruption . . . [that gentrification] brings.” In fact, as Goetz (2018, p. 60) adds, such change and disruption is “seen as a positive outcome by fair housers because it changes the income (and often racial) dynamics within low-income, segregated communities.”²⁶ Along similar lines Rothstein valorizes and normalizes gentrification, believing that “every community should be gentrified”²⁷ while seeing it as “just the newest name we’ve given to a process that we used to call urban renewal” (Rothstein, 2018). And this timelessness is matched by its inexorability: “We can try to preserve some housing in . . . [gentrifying areas] for previous residents,” Rothstein asserts, but

the majority of people in those neighborhoods are going to be displaced as a result of this process of gentrification of urban neighborhoods. And the only way to permit all of them to stay is to prevent affluent families from moving in, and there’s no way to do that. (Rothstein, 2018)

Rather than have policy interventions concentrate on what he sees as misguided (and largely futile) anti-displacement efforts, as many of those fighting for housing justice

advocate, Rothstein (2018) instead believes the response to gentrification should emphasize “the question . . . [of] where [the displaced are] being displaced to?” The key for him is to ensure that those displaced, who are usually Black, are able to resettle in affluent, White-dominated “high opportunity communities,” which afford market access (via education, employment, etc.) to the means of upward mobility.

Once again, however, we see how this conventional view, albeit centered almost obsessively on race (and specifically racism), underestimates how powerful a force racism is—by, in particular, failing to understand the socially constructed nature of markets (in this case, market-based opportunity). Demonstrating this dynamic, Goetz (2019) explains how the “opportunity paradigm” (which seeks to move people of color to “high opportunity communities”) understands the “fundamental relationship” backward:

The model suggests that people should follow opportunity, rather than acknowledge that the opposite is actually what happens: opportunity . . . follows people. That is, it follows certain people. White and affluent people do not move in order to occupy favored neighborhoods. Those neighborhoods are favored because the inhabitants are white and affluent.

To see a clear manifestation Goetz (2019) perceptively points out that “all one needs to do is look at how previously favored places lose their ‘opportunity’ when they lose their white residents,” pointing empirically to the histories of both central city neighborhoods and first ring suburbs.

Likewise, Junia Howell’s (2019, p. 433) longitudinal examination of data from the Panel Study of Income Dynamics (PSID) shows how “White residents benefit more from privileged neighborhoods than their Black neighbors,” as these spaces transmit opportunities in racialized ways. Most crucially, it has been estimated that already affluent households, most of which are White, invest the equivalent of approximately \$10 million *per child* in their children’s human capital, *over and above middle-class* (not poor) households (Markovits, 2019; also see Kornrich, 2016; Imbroscio, 2016). Remarkably, a recent study by Raj Chetty and his associates (Chetty et al., 2018), trying to find neighborhoods where young Black males do well, led its lead author to conclude that “there are essentially no such neighborhoods in America” (as cited in Badger et al., 2018).²⁸ More generally, a plethora of research points to the mixed (though largely negative) record of so-called dispersal programs, which, mostly in vain, seek to enhance the economic wellbeing of Black families by dispersing them from high poverty urban neighborhoods to low poverty suburbs (for a comprehensive review, see Goetz & Chapple, 2010; also see Imbroscio, 2008).²⁹ Thus here we see how the phenomenon of “colored” property and the resultant limits to market access attaches to individuals, as Whiteness itself can be understood as a form of property that bestows material advantages upon its “owners” in racially contingent (i.e. exclusive) ways (Markley et al., 2020, p. 3; also see C. Harris, 1993).

On remedies: Some prefatory considerations

In sum, then, given the context of a deep and enduring society-wide racism—with anti-Blackness being its most acute modality—the socially constructed nature of America’s (especially residential) property markets leads to (in Taylor’s apt phrasing from above): “property in white hands . . . [being] valued more than property in black hands” (Taylor, 2019a), a key expression of so-called racist theory of value.

Conventional analysis conceives of the racist theory of value as a so-called “segregation tax” (Rusk, 2001), attributing it to the existence of segregated spaces created by the pervasiveness of anti-Black racism. This racial segregation, in turn, lowers demand for Black property as White people avoid purchasing homes in predominately Black neighborhoods (see, for example, Charles, 2006; Quick & Kahlenberg, 2019; Shapiro, 2004; Shapiro et al., 2013). Yet, as explicated above, it is (socially constructed) racist market rationalities that lie at the root of these behaviors. But rather than attacking racist property markets head-on, the conventional view’s remedy is instead to integrate Black people sufficiently into White spaces so that essentially no areas continue to be, to use Markley et al.’s (2020, p. 1) conceptualization, “marked as Black” due to an inordinately high Black presence (see Rusk, 2001).³⁰ In fact, rather than condemning the market as a racist social construction, to a substantial degree the conventional remedy seeks to employ market processes as a curative. Most notably, it deploys policy measures to prevent discriminatory actions by a variety of actors (governments, the real estate industry, private individuals) and also ensure residential choices are made under considerations of fuller information, with the aim of both being the correction of market imperfections and distortions (see, for example, Charles, 2006; Ellen, 2000; Krysan & Crowder, 2017; Massey & Denton, 1993; Rothstein, 2017).

This conventional remedy at first glance appears quite normatively attractive. Ending housing discrimination is undoubtedly a critical policy goal and, more broadly, a fully integrated society clearly appeals to our deepest moral and ethical intuitions (see Anderson, 2010). In practice, however, integrative efforts almost always unfairly burden Black people, making integration largely a “one way street” (as Goetz, 2018, p. vii, quoting Stokely Carmichael, appropriately puts it; also see Pattillo, 2014; Markley et al., 2020; Smith, 2010). More generally, while the complete erasure of Black spaces would certainly go a long way to extirpate the racist theory of value, as there would no longer be any basis to trigger it, such a path hauntingly evokes the old aphorism about destroying the village in order to save it. Moreover, it appears that integration must be rather extreme; for example, homes lose a significant portion of their value once a neighborhood becomes more than just ten percent Black (D. Harris, 1999; Hanks et al., 2018; also see Massey, 2016). Such extreme levels seem to make even a staunch integrationist like Rothstein (2017, p. 223) morally uncomfortable, who in response to the ten percent threshold vociferously declares that “integration can’t work if we try it only where African Americans remain invisible, or nearly so.”

Even if the erasure of Black spaces is considered to be normatively desirable, the tenaciousness of anti-Black racism would seem to make achieving it highly unlikely. As Massey (2016, p. 4) points out, even well into the 21st century segregation continues to be the “linchpin of racial stratification” and, except in areas where Black residents make up a small share of the metropolitan population and are comparatively affluent, continued high segregation levels are likely to persist. Likewise, reporting on a study from the Brookings Institution, a recent *CityLab* headline emphatically reminds us that “Black Cities Ain’t Going Nowhere” (Mock, 2019). In fact, the number of majority Black cities has grown tremendously, rising from 460 in 1970 to 1,262 by 2017 (Harshbarger & Perry, 2019; also see Lichter et al., 2015). Myron Orfield and Will Stancil (2018, p. 232) similarly point to “the alarming rapidity with which suburban segregation is growing.” Between 1980 and 2009 non-White census tracts in the suburbs grew (in number) by a whopping 218%. Given the prevailing rates of resegregation, Orfield and Stancil estimate that “the half-life” of an integrated suburban neighborhood is only about 20 to 25 years, as White people flee or fail to enter racially mixed areas. And, they add: “once resegregation has arrived, there is

little hope of return” as a “neighborhood or city has maybe one chance in 100 of becoming integrated again” (Orfield & Stancil, 2018, p. 232). Moreover, what is true of suburbs is also true of cities, just in reverse: When White avoidance subsides as gentrification takes hold, often the result is drastic (even if not complete) racial transition, especially in cases where neighborhood reinvestment levels are extreme (see, for example, Hyra, 2017; Richardson et al., 2019; Sutton, 2020).

Reflecting on this reality, in a forcefully straightforward insight DeFilippis (2017, p. 192) reminds us that: “Yes, there are odd neighborhoods here or there, in which integration and something approaching equity can be observed. . . . But in general, when have White people in this country wanted to live with Black people?”³¹ Thus the conventional view’s remedy for the racist theory of value via the erasure of Black spaces seems, in a word, chimerical, while its normative desirability is at least in serious question.

What then is to be done in regards to what for America is an existential quest for racial equity and justice? Until the scourge of anti-Black racism can be vanquished, or at least significantly abated, enhancing market access would, as discussed above, seem to be of limited utility. While, based on survey data, some claim such an abatement is being realized, even in the face of retrograde trends in American politics (Hopkins & Washington, 2019), more probing and sophisticated analysis strongly suggests otherwise (see Goetz et al., 2020).³²

Among nonmarket remedies a major program of racial reparations such as trumpeted by Coates (2014) is an obvious public policy choice, and one endorsed by many who of late have carefully studied aspects of the racist theory of value (see, for example, Darity Jr. et al., 2018; Hightower & Fraser, 2020; Markley et al., 2020; Ray & Perry, 2020; Taylor, 2019b). While the debate over reparations is wide-ranging and complex, it is clear that this policy option faces significant political and technical obstacles, especially if the effort is serious and consequential (see, for example, Reed, 2000). A key analytic point among reparations critics is that, although historic harms were highly racialized, that reality itself does not necessarily imply the appropriate remedies must be race specific. What is usually advocated, instead, is a robust, *universal* social-democratic program of redistribution, which aids Black people disproportionately because they make up a disproportionate share of the disadvantaged population (see Taylor & Reed, 2019).

Yet traditional “after-the-fact” redistribution (that is, efforts to change the underlying pattern of inequality after “basic income flows have been generated” by the corporate capitalist system) is also beset with a number of significant political and normative problems (Alperovitz, 2011, p. 19; also see Elkin, 2006; Imbroscio, 2013; Hacker, 2011; O’Neill & Williamson, 2012; Baker, 2011). Rather than redistribution, it is thus superior to think in terms of “predistribution,” where structural changes in the economic system abate sharp inequalities before they are generated in the first place. There are many means by which to do this predistribution, but altering the nature of capitalist *property* ownership, especially via the broadening of its dispersion, is perhaps most efficacious. This entails building what empirically-grounded political theorists Martin O’Neill and Thad Williamson (2012), following Nobel laureate James Meade (1965), call a *property-owning democracy*. Since, as we saw above, residential property is so “colored,” property dispersion must extend well beyond homeownership to include the widespread ownership of *capital* more generally (see, for example, Alperovitz, 2011). For as the renowned economist Thomas Piketty (2014) has

so powerfully shown, it is this force—capital—that, in its present form, engenders the preponderance of our contemporary inequalities (also see Bruenig, 2017).

The task of fully detailing what a *property-owning democracy* might look like cannot be undertaken here, of course. But perhaps the best place to begin to find ideational inspiration and guidance is the Democracy Collaborative.³³ In particular, over the last two decades this research center has undertaken the heroic task of documenting hundreds (if not thousands) of the on-the-ground workings of (what it identifies as) *community wealth building strategies* (see Guinan & O’Neill, 2020)

The central aim of these strategies is to gradually transform the nature of capital ownership via a variety of bottom-up alternative ownership structures (notably including cooperatives, public and community financial institutions, community land trusts, worker-owned companies, and public/community owned business enterprises of various sorts). While technically race neutral, many of these strategies explicitly center vulnerable racial minorities, including, notably, efforts to decommodify land and housing in ways mitigating the pernicious effects of the racist theory of value (see Green & Hanna, 2018; Mironva & Morse, 2019). Similarly, these strategies share a deep affinity with many elements of the policy platform recently promulgated by the Movement of Black Lives.³⁴ Moreover, in regards to one key community wealth building strategy—cooperatives—the work of political economist Jessica Gordon Nembhard (2014, p. 1) reminds us of the largely forgotten history of Black Americans and “cooperative ownership in the face of market failure and racial discrimination.” This, Nembhard’s work shows, is a history that might be fruitfully regenerated to overcome that failure and the more general limits to market access still confronted by Black people today. The recent efforts to build worker cooperatives in poor Black-majority cities like Cleveland, Ohio, and Jackson, Mississippi, are suggestive of the possibilities (see Conder, 2019).

In sum, what the above discussion reveals as most obvious is that, given the immensity of the problem rooted in centuries of racial dispossession and plunder, none of these potential remedies—whether in the conventional form emphasizing integration, or a serious program of reparations, or universalistic redistribution, or the predistributive changes in capitalist ownership structures—are likely to be won without decades upon decades of committed struggle. While here is not the place to attempt to adjudicate among them, what is clear from taking a hard, sober look at each is how fanciful they all seem. So perhaps great pessimism is warranted—and America is doomed to never overcome its disgraceful legacy of racial oppression. But it is our abiding moral obligation to fight like hell to ensure that wretched destiny is not ours.

Coda: Rothstein redux

Moving forward, what then are we to make of Rothstein’s (2017) exceedingly influential account of the racialized housing and spatial practices of the mid-20th century, especially as it relates to our quest to better comprehend—and perhaps begin to remedy—contemporary injustices? The first thing to underscore is that Rothstein’s *The Color of Law* is just the popularized version of what I have conceptualized as a broader *conventional view* occupying the mainstream of much of the discourse both within and beyond the academy. (This is a popularization, I should add, that has been wildly successful, as perhaps thousands of recent journalistic chronicles of racial inequality have drawn upon it as a definitive source).

The conventional view channeled by Rothstein (2017) is most fundamentally marked by its deep roots—both ideologically and philosophically—in a liberal perspective, as opposed to a more critical one (see, for example, Brenner et al., 2012; Davies & Imbroscio, 2010; Delgado & Stefancic, 2017). And it is this critical perspective that provides the necessary theoretical and conceptual insights for understanding how the historiography of housing and related spatial practices in American cities might be alternatively constituted, with an eye on combating ongoing racial dispossessions. Or said more directly: What do conventional accounts like *The Color of Law* get wrong or leave out, and what, instead, is really going on? That is, on what basis should future analysis of a more serious nature be built?

Let me briefly point to four major correctives.

First and foremost, as I have emphasized, the conventional view that Rothstein (2017) channels, while almost obsessively centered on race (and specifically racism), conceptually and theoretically undervalues racism as a causal force, especially in its anti-Black modality. In short, race matters even more than he (and they) already think. As explicated above in regard to the racist theory of value, racism has powerfully (socially) constructed—and been constitutive of—America’s key institutions since before its founding (see C. Harris, 1993; Walker, 2019).

Second, the causal impacts of the political-economic system—i.e., capitalism—need to be absolutely central to the story. The racist theory of value stems, at least in part, from the role that differential valuations based on race play in facilitating capitalist accumulation—i.e., racial capitalism (see, for example, Robinson, 2000). Similarly, no credible account of the liberal-democratic state and its actions can be advanced without understanding its structural dependence on capital (see, for example, Lindblom, 1977). The absence of this analytic frame stands as a major lacuna in both Rothstein’s *The Color of Law* and the conventional view more generally. Capitalism, like race, matters—a lot.

A corollary of the first two correctives is a third: The racial and the political-economic matter more than the spatial. The conventional view, as well as Rothstein’s popular expression of it, tends to fetishize space as if it is the cause of racial injustices rather than the effect. Rothstein’s (2017) emphasis on Black families hindered from “escaping” to the suburbs during the mid-century period and the conventional view’s broader fixation on White-dominated and White-controlled “opportunity communities” is especially telling. The key mistake is their failure to understand that the highly racialized place-based disparities that disfigure and stain United States metropolitan areas reflect, for the most part, the workings out in urbanized social space of a venomous anti-Black racism married with a ruthless neoliberal form of capitalism (see, for example, DeFilippis, 2017; Slater, 2013; Smith, 2010). Space is a *process*:³⁵ not where things occur, or their container, it is their occurrence. Thus changing the spatial pattern entails changing the process of its production wrought by the broad and deep societal inequalities that plague contemporary urban America.

Fourth and finally, and a bit more abstractly, a biased understanding of (social) reality—or, more precisely, a biased social ontology mars both Rothstein’s (2017) book and the conventional view it channels. These biases, and their concomitant epistemic structures and normative valuations, arise at least in part from particular racial and class-based standpoints (cf. Williams, 2020). A classic case in urban studies is Jane Jacobs (1961) critique of the hyper-rationalism of modernist planners (also see Hirt & Zahm, 2012; Scott, 1998), who only saw chaos and dysfunction where, in reality, there was a different kind of order and

functionality at work (Imbroscio, 2019). A similar critique applies to Rothstein's (2017) account as well as the broader conventional view, which view the social world, especially Black spaces, from privileged positions of race and/or class, that is, from what is often a distant gaze.³⁶ At the deepest level it is this biased social ontology that, more than anything else, leaves them unable to understand why market access—and its actualization in the form of (ostensibly meritocratic) social mobility (see Imbroscio, 2016)—remains hopelessly wanting as the medium for realizing racial justice.

Notes

1. Rothstein's (2017) *The Color of Law* recounts how America's high level of racial residential segregation (and racial inequality more generally) was the result of explicit government actions (*de jure*, or by law) rather than other forces. Coates (2014) article, focusing mostly on the city of Chicago, advances a similar account of racial inequality that builds to an argument for governmental compensatory measures to address past racial injustices (especially in area of housing).
2. By conventional I mean those accounts considered to be in the mainstream of popular and academic discourse. Ideologically, such accounts are, generally, "liberal" in the American political sense of the term, as well as rooted philosophically in liberal theory more broadly. In epistemological and ontological terms, inquiry is heavily focused on readily observable empirical phenomena rather than deeper structures. Accordingly, conventional accounts are best understood as juxtaposed against those of a more "critical" nature (see, for example, Brenner et al., 2012; Davies & Imbroscio, 2010; Delgado & Stefancic, 2017).
3. Two prominent examples of other major conventional accounts are Massey and Denton (1993) and Oliver and Shapiro (2006).
4. Roughly the period from the mid-1930s to the mid-1960s.
5. As of summer 2020 Rothstein's (2017) book has been cited well over 1,000 times in the three short years since its release (according to Google Scholar).
6. Critical race theory (CRT) understands racism to be *normal* (or quotidian) in American society, not an aberration (or accident). Racism is seen as deeply embedded (and structural) in ways that reproduce White supremacy. CRT thus sees many claims to objectivity (or neutrality) as being specious (Smith, 2010); more generally see, for example, Delgado and Stefancic (2017). For applications to urban studies, see Goetz et al. (2020), Taylor (2019a), and Smith (2010).
7. For some key recent writings on racial capitalism, see Melamed (2015), Pulido (2017), Bonds (2019), and Williams (2020). While the idea of *racial capitalism*—that capitalist accumulation depends decisively on racialized inequalities—is broader in scope, the racist theory of value can be seen as a constitute part of it, as "differences in value become critical in the accumulation of surplus—both profits and power" (Pulido, 2017, p. 527).
8. As quoted in Walker (2019), emphasis added.
9. As explained below, the evidence for the racist theory of value is strong, as in city after city anti-Black prejudices drove property values in Black neighborhoods lower (see, for example, Flippen, 2004; Perry et al., 2018; D. Harris, 1999). Rothstein (2017, p. 94), however, suggests the new presence of Black residents in the 1940s and 1950s did not (at least initially) always cause property values to fall in formerly all-White neighborhoods. But he also notes that this effect was likely caused by exploitative FHA policies that left middle-class Black families with "few other housing alternatives" and hence "they were willing to pay prices far above fair market values" for formerly White-owned homes. Outright "blockbusting" also caused a similar, temporary dynamic. As Rothstein (2017, p. 96) explains the "full [blockbusting] cycle" happened like this: when neighborhoods were originally integrated "property values increased" as Black homebuyers needed "to pay higher prices for homes than whites." But

shortly after “property values fell once speculators had panicked enough white homeowners into selling at deep discounts.”

10. See Beauregard (2001) for an appropriately nuanced view.
11. A title that also cleverly plays on the older legal principle of acts done “under the color of law.”
12. The quote is from the first FHA administrator, James Moffett.
13. As Shertzer and Walsh (2019, p. 416) summarize: their results suggest “that segregation would likely have arisen even without the presence of discriminatory institutions as a direct consequence of the widespread and decentralized relocation decisions of white individuals within an urban area.”
14. I thank Rich Schragger for this astute framing of the key dynamic at work.
15. Estimate is adjusted for both inflation and the increase in housing costs as a percentage of household budgets.
16. Note that Coates (2014, p. 65) vaguely attributes this decline to “housing policy,” not the racist property market more generally, but without explanation.
17. On this point, Rothstein (2017, p. 266) speculates that the 90–95% figure is “exaggerated,” mostly based on the shortages of housing in the postwar period. Yet, as the suburbs rapidly built out with massive increases in housing construction during the 1950s, such shortages abated (see von Hoffman, 2012). Similarly, Rothstein (2017, p. 267) also speculates that, “if the FHA had made nondiscrimination a condition of all developments,” White homebuyers “would have had few, if any, options” but to purchase in an integrated Levittown. This claim is belied, however, by the many decades of White flight from integrating suburbs *after* nondiscrimination laws were in force (see below).
18. As a recent piece in the *New York Times* concluded of Agnew: he “heralded a new kind of virulent racial politics in America, one that pretends to moderation and equality but feeds on division and prejudice—one that, 50 years later, we are still unable to move beyond” (Risen, 2018).
19. Whereas “only 18% of African Americans lived in suburbs in 1970 . . . the percentage rose rapidly in the ensuing decades with little sign of slowing down,” reaching 40% by 2010 (Massey & Tannen, 2018, p. 1599).
20. Edsall (2019) recently reported a particularly stark example: “the 36 suburban jurisdictions of South Cook County, Illinois [suburban Chicago] . . . went from 10.7% black in 1970 to 55.4% black in 2017. . . . As the black share of South Cook’s population rose, the area began to fall sharply behind Chicago and other suburbs of the city. . . . Median home values fell steeply. . . [for example], from roughly \$151,903 in 2000 to \$116,778 in 2017 . . .”
21. The number of conventional accounts embracing this proposition is considerable. For examples, see Lipsitz and Oliver (2010), Shapiro et al. (2013), Coates (2014), and Hanks et al. (2018).
22. On racial capitalism, see especially Robinson (2000). Also see Pulido (2017), Bonds (2019), Markley et al. (2020), Melamed (2015), and Williams (2020).
23. For some notable apologies, see Peterson (1981) and Collins and Shester (2013). Of the multitude of extant discussions of the dispossessions, see Fullilove (2004) and Elkin (1987).
24. For more recent discussions of this same phenomenon applied to the HOPE VI program, see Greenbaum (2015) and Goetz (2013).
25. As Turner et al. (2009, p. 88) report, “very few predominantly African American communities fully meet the definition of an opportunity community.” Among the 100 largest United States metropolitan areas, *only one percent* of predominately minority census tracts “are low poverty and have a substantial number of middle- or high-income households.”
26. For a stark example, see Polikoff (2006); for an updated version, see Ellen and Torrats-Espinosa (2019).
27. As quoted in the reportage of Sulaiman (2017), in regards to a Webinar held in Los Angeles, CA on Rothstein’s (2017) book, *The Color of Law*.
28. This finding is especially notable because the work of Chetty is so often marshaled in favor of the “opportunity paradigm” (see Goetz, 2018). Moreover, Chetty’s national studies on U.S. mobility rates (e.g., Chetty et al., 2018) also show the incredible power of race: “areas with large black population shares are the areas where black individuals experience particularly low levels of economic mobility,” demonstrating “the striking relationship between the spatial

distribution of the black population and the economic mobility of that population” (Hardy et al., 2018, p. 2). What Chetty attributes to racial segregation other researchers more parsimoniously attribute simply to the large size of the Black population in most areas with low mobility rates (see Cohen, 2014), something that any look at the map of low mobility rates vis-à-vis the map of high Black concentration clearly evinces.

29. One widely cited study by Chetty et al. (2016) did find some gains to those who moved to low poverty neighborhoods when young (under age 13) but the gains were modest, and stand out not in absolute terms but rather in contrast to the dismal conditions experienced by those living in high poverty neighborhoods—the difference between being “very poor instead of extremely poor” (Vale & Kelly, 2016).
30. While sharply critical of this remedy, Markley et al. (2020, pp. 14–15) explain the needed dynamic this way: “. . . Black households must constantly be prepared to move to non-majority Black neighborhoods. Further, those neighborhoods must *remain* non-majority Black” (emphasis in original). Also see Goetz (2018).
31. See, for example, Shertzer and Walsh (2019) who show that White flight took off in a major way almost as soon as Black Americans arrived in northern cities during the early decades of the 20th century.
32. On the other hand, as I write—during the uprisings of summer, 2020—seemingly dramatic political shifts in response to the killings of George Floyd and Breonna Taylor are lending hope to the idea that anti-Black racism might finally diminish. Yet, while many keen observers are cautiously optimistic, others remain incredulous (see Edsall, 2020).
33. See <https://democracycollaborative.org/>
34. See <https://democracycollaborative.org/learn/blogpost/movement-Black-lives-policy-agenda>
35. I thank Bob Lake both for this point as well as this particularly sharp construction of it.
36. In contrast, for more grounded, ethnographic accounts, see Shelby (2017) and Manzo et al. (2008).

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