



Economic Policy Institute

Report | October 15, 2014

THE MAKING OF FERGUSON

Public Policies at the Root of its Troubles

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Executive summary

In August 2014, a Ferguson, Missouri, policeman shot and killed an unarmed black teenager. Michael Brown's death and the resulting protests and racial tension brought considerable attention to that town. Observers who had not been looking closely at our evolving demographic patterns were surprised to see ghetto conditions we had come to associate with inner cities now duplicated in a formerly white suburban community: racially segregated neighborhoods with high poverty and unemployment, poor student achievement in overwhelmingly black schools, oppressive policing, abandoned homes, and community powerlessness.

Media accounts of how Ferguson became Ferguson have typically explained that when African Americans moved to this suburb (and others like it), "white flight" followed, abandoning the town to African Americans who were trying to escape poor schools in the city. The conventional explanation adds that African Americans moved to a few places like Ferguson, not the suburbs generally, because prejudiced real estate agents steered black homebuyers away from other white suburbs. And in any event, those other suburbs were able to preserve their almost entirely white, upper-middle-class environments by enacting zoning rules that required only expensive single family homes, the thinking goes.

No doubt, private prejudice and suburbanites' desire for homogenous affluent environments contributed to segregation in St. Louis and other metropolitan areas. But these explanations are too partial, and too conveniently excuse public policy from responsibility. A more powerful cause of metropolitan segregation in St. Louis and nationwide has been the explicit intents of federal, state, and local governments to create racially segregated metropolises.

Many of these explicitly segregationist governmental actions ended in the late 20th century but continue to determine today's racial segregation patterns. In St. Louis these governmental policies included zoning rules that classified white neighborhoods as residential and black neighborhoods as commercial or industrial; segregated public housing projects that replaced integrated low-income areas; federal subsidies for suburban development conditioned on African American exclusion; federal and local requirements for, and enforcement of, property deeds and neighborhood agreements that prohibited resale of white-owned property to, or occupancy by, African Americans; tax favoritism for private institutions that practiced segregation; municipal boundary lines designed to separate black neighborhoods from white ones and to deny necessary services to the former; real estate, insurance, and banking regulators who tolerated and sometimes required racial segregation; and urban renewal plans whose purpose was to shift black populations from central cities like St. Louis to inner-ring suburbs like Ferguson.

Governmental actions in support of a segregated labor market supplemented these racial housing policies and prevented most African Americans from acquiring the economic strength to move to middle-class communities, even if they had been permitted to do so.

White flight certainly existed, and racial prejudice was certainly behind it, but not racial prejudice alone. Government policies turned black neighborhoods into overcrowded slums and white families came to associate African Americans with slum characteristics. White homeowners then fled when African Americans moved nearby, fearing their new neighbors would bring slum conditions with them.

That government, not mere private prejudice, was responsible for segregating greater St. Louis was once conventional informed opinion. A federal appeals court declared 40 years ago that “segregated housing in the St. Louis metropolitan area was ... in large measure the result of deliberate racial discrimination in the housing market by the real estate industry and by agencies of the federal, state, and local governments.” Similar observations accurately describe every other large metropolitan area. This history, however, has now largely been forgotten.

When we blame private prejudice, suburban snobbishness, and black poverty for contemporary segregation, we not only whitewash our own history but avoid considering whether new policies might instead promote an integrated community. The federal government's response to the Ferguson “Troubles” has been to treat the town as an isolated embarrassment, not a reflection of the nation in which it is embedded. The Department of Justice is investigating the killing of teenager Michael Brown and the practices of the Ferguson police department, but aside from the president's concern that perhaps we have militarized all police forces too much, no broader inferences from the events of August 2014 are being drawn by policymakers.

The conditions that created Ferguson cannot be addressed without remedying a century of public policies that segregated our metropolitan landscape. Remedies are unlikely if we fail to recognize these policies and how their effects have endured.

How Ferguson Became Ferguson

In 1968, Larman Williams was one of the first African Americans to buy a home in the white suburb of Ferguson, Missouri. It wasn't easy – when he first went to see the house, the real estate agent wouldn't show it to him. Atypically, Mr. Williams belonged to a church with a white pastor, who contacted the agent on Williams's behalf, only to be told

that neighbors objected to sales to Negroes. The pastor then gathered the owner and his neighbors for a prayer meeting, after which the owner told the agent he was no longer opposed to a black buyer.

Williams had been living in the St. Louis ghetto and working as an assistant principal of a school in Wellston, an all-black St. Louis suburb.¹ His wife, Geraldine, was a teacher in a Missouri state special education school. Together, they could afford to live in middle-class Ferguson and hoped to protect their three daughters from the violence of their St. Louis neighborhood. They expected that their children would get better educations in Ferguson than in Wellston because Ferguson could afford to hire more skilled teachers, have a higher teacher-pupil ratio, and have extra resources to invest in specialists and academic enrichment programs.

Larman Williams chose Ferguson because he was vaguely familiar with the town. Ferguson adjoined the very poor, all-black suburb of Kinloch where Williams had once lived (California Congresswoman Maxine Waters and the comedian and activist Dick Gregory grew up there). There was a tiny black section of Ferguson, geographically isolated from the main town, but it was the white Ferguson that Williams had come to admire, although he had been permitted to enter only during daytime. Until the mid-1960s, Ferguson was a “sundown town” from which African Americans were banned after dark. Ferguson had blocked off the main road from Kinloch with a chain and construction materials but kept a second road open during the day so housekeepers and nannies could get from Kinloch to jobs in Ferguson.²

Kinloch and the middle-class white neighborhoods that also adjoin Ferguson were once indistinguishably part of unincorporated St. Louis County, but in the late 1930s, the white neighborhoods formed the city of Berkeley to ensure their schools would remain separate from Kinloch’s. With a much smaller tax base, the Kinloch schools were far inferior to those in Berkeley and Ferguson, and Kinloch took on even more of the characteristics of a dilapidated ghetto. This arrangement persisted until 1975 – several years after the Williams family moved into their white Ferguson neighborhood – when federal courts ordered Berkeley, Ferguson, and other white towns to integrate their schools into a common district with Kinloch.³

Other African Americans followed the Williams family by purchasing homes in Ferguson, but the African American community grew slowly. In 1970, shortly after the family moved to Ferguson, the city’s population was less than 1 percent black. But it had some multifamily buildings that attracted renters from St. Louis. Then, as public housing in St. Louis was demolished in the 1970s, the St. Louis Housing Authority gave relocation assistance to displaced families. It is likely that some of those families moved to Ferguson and other inner-ring suburbs. By 1980, Ferguson was 14 percent black; by 1990, 25 percent; by 2000, 52 percent; and by 2010, 67 percent. Other northern and northwestern suburbs near St. Louis were similarly experiencing an increasing share of black residents during this period. Meanwhile, suburbs beyond the first ring to the south and west of St. Louis have remained almost all white, while the white population share of the city of St. Louis itself has been stable and has even started to grow. St. Louis’s downtown area and neighborhoods west of it to the city border went from 36 percent white in 2000 to 44 percent white in 2010. Within that area, whites are now a solid majority in some neighborhoods for the first time in decades.⁴

The following pages tell the story of how St. Louis became such a segregated metropolis, where racial boundaries continually change but communities’ racial homogeneity persists. Neighborhoods that appear to be integrated are almost always those in transition, either from mostly white to mostly black (like Ferguson), or from mostly black to increasingly white (like St. Louis’s gentrifying neighborhoods). Such population shifts in St. Louis and other metropolitan

areas maintain segregation patterns established by public policy a century ago. Whereas 20th century segregation took the form of black central cities surrounded by white suburbs, 21st century segregation is in transition – to whiter central cities with adjoining black suburbs, while farther out, white suburbs encircle the black ones.

I tell this story with some hesitation. I do not mean to imply that there is anything special about racial history in Ferguson, St. Louis, or the St. Louis metropolitan area. Every policy and practice segregating St. Louis over the last century was duplicated in almost every metropolis nationwide. Yet this story of racial isolation and disadvantage, enforced by federal, state, and local policies, many of which are no longer practiced, is central to an appreciation of what occurred in Ferguson in August 2014 when African American protests turned violent after police shot and killed an unarmed black 18-year-old. Policies that are no longer in effect and seemingly have been reformed still cast a long shadow.

Larman and Geraldine Williams told their story at a 1970 hearing of the United States Commission on Civil Rights.⁵ They were accompanied to the witness table by another middle-class black integration pioneer, Adel Allen, an engineer who came to St. Louis in 1962 to work at the McDonnell Space Center. Mr. Allen was ready to quit and return home to Wichita, Kansas, after no realtor would sell him a suburban home. He was unwilling to live in a small apartment in the overcrowded St. Louis ghetto – apparently his only alternative.

Allen finally succeeded in getting a white friend to make a “straw purchase” (where the true buyer was hidden) of a home in Kirkwood, another nearly all-white St. Louis suburb; a second friend gave him \$5,000 towards the \$16,000 purchase price. Allen didn’t say, but the friend’s funds were probably needed because the Federal Housing Administration would not insure mortgages for African Americans in Kirkwood, and no bank would issue them. Allen’s income at the time was higher than the incomes of the 30 white homeowners on his block – he alone had a college degree – which already had one previously settled black homeowner. Once Adel Allen moved in, “for sale” signs sprung up on neighboring lawns; eight years later, when Allen testified before the Civil Rights Commission, the racial ratio on his block had reversed, with 30 black and two white homeowners.

Adel Allen described life in Kirkwood when he first moved there in 1962:

I don’t know if [the police] were protecting me or protecting someone from me. We had patrols on the hour. Our streets were swept neatly, monthly. Our trash pickups were regular and handled with dignity. The street lighting was always up to par. All of the services were – the streets were cleaned when there was snow, et cetera.

But things had changed by 1970, when Allen’s neighborhood had become an African American outpost in an overwhelmingly (93 percent) white South St. Louis County. Allen testified:

We now have the most inadequate lighting in the city.... Now we have the people from the other sections of town that now leave their cars parked on our streets when they want to abandon them.... What they are making now is a ghetto in the process. The buildings are maintained better than they were when they were white but the city services are much less. Other sections of the city I believe are being forced to take sidewalks, for example. We are begging for sidewalks. Other portions of the city are being forced to get curbs. We can’t even get them to come out and look at the curbs.

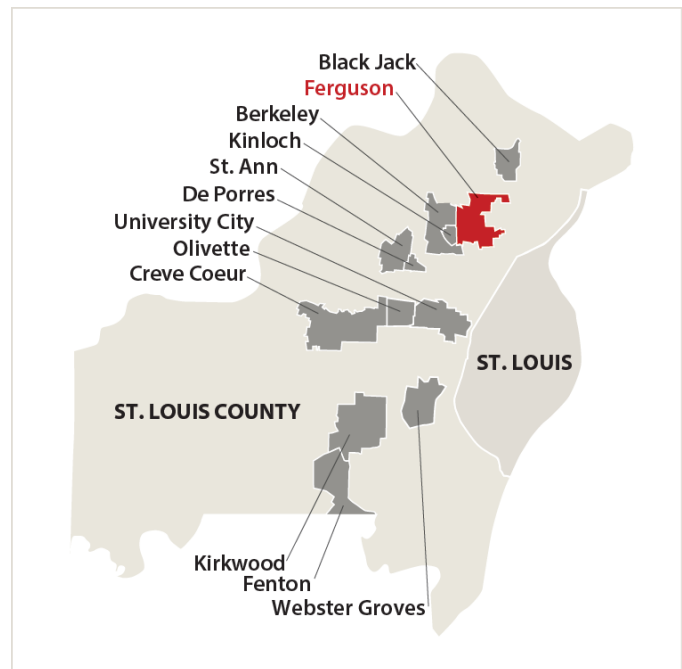
The commission's general counsel then asked Adel Allen if he had ever been stopped by the local police. Allen responded,

Yes. I don't think there's a black man in South St. Louis County that hasn't been stopped at least once if he's been here more than 2 weeks.... There's an almost automatic suspicion that goes along with being black.... There is an obvious attempt toward emasculation of the black man. I've been stopped, searched, and I don't mean searched in the milder sense, I mean laying across the hood of a car. And then told after they found nothing that my tail light bulb was burned out, or I should have dimmed my lights, something like that.⁶

Nearly three years before Larman Williams and Adel Allen gave their accounts, African Americans had rioted in scores of cities. President Lyndon Johnson then asked a group of prominent Americans, headed by Illinois Governor Otto Kerner, to investigate the riots' causes. The Kerner Commission concluded that conditions described by the Williamses and Adel Allen were typical nationwide: discriminatory provision of municipal services, police practices reflecting "attempts toward emasculation of the black man," housing discrimination, and much more. Kerner and his colleagues concluded that the nation was "moving toward two societies, one black, one white – separate and unequal."

The August "Troubles" in Ferguson suggest that less has changed since 1968 than many Americans think. Yet the government's response has been to examine Ferguson as an isolated embarrassment, not a reflection of the nation

in which it is embedded. The Department of Justice is conducting civil rights investigations into the death of Michael Brown and into the racial practices of Ferguson's police department. Attorney General Eric Holder was reported to have said that anecdotes he heard on a visit to Ferguson influenced his decision to open the more general investigation.⁷ But aside from reports that the president is considering whether the federal government has armed local police forces too heavily, there has been no suggestion that the administration regards the recent events in Ferguson as reflecting anything broader than unique problems of that community or of the St. Louis metropolitan area.



St. Louis and selected suburbs.

Federal, state, and local policy segregated Ferguson and St. Louis

Efforts of the public to understand the Troubles in Ferguson after the shooting of unarmed black teenager Michael Brown have also been limited. Media reports have explained that suburbs once barred African Americans with private agreements among white homeowners (restrictive covenants), with discriminatory practices of private real estate agents, and with racially neutral zoning rules that restricted outer-ring suburbs to the affluent. Inner-ring suburbs, according to these reports, have flipped from white to black because of "white flight." Modern segregation, in other words, is

attributable to private prejudices of white homeowners who abandoned neighborhoods when blacks arrived, and to the inability of African Americans to afford communities restricted to single-family homes on large lots.⁸

No doubt, private prejudice and suburbanites' desire for homogenous middle-class environments contributed to segregation in St. Louis and other metropolitan areas. But these explanations are too partial, and too conveniently excuse public policy from responsibility. A more powerful cause of metropolitan segregation nationwide was the explicit intents of federal, state, and local governments to create racially segregated metropolises. In the case of St. Louis, these intents were expressed in mutually reinforcing federal, state, and local policies that included:

- Racially explicit zoning decisions that designated specific ghetto boundaries within the city of St. Louis, turning black neighborhoods into slums;
- Segregated public housing projects that separated blacks and whites who had previously lived in more integrated urban areas;
- Restrictive covenants, excluding African Americans from white areas, that began as private agreements but then were adopted as explicit public policy;
- Government subsidies for white suburban developments that excluded blacks, depriving African Americans of the 20th century home-equity driven wealth gains reaped by whites;
- Denial of adequate municipal services in ghettos, leading to slum conditions in black neighborhoods that reinforced whites' conviction that "blacks" and "slums" were synonymous;
- Boundary, annexation, spot zoning, and municipal incorporation policies designed to remove African Americans from residence near white neighborhoods, or to prevent them from establishing residence near white neighborhoods;
- Urban renewal and redevelopment programs to shift ghetto locations, in the guise of cleaning up those slums;
- Government regulators' tacit (and sometimes open) support for real estate and financial sector policies and practices that explicitly promoted residential segregation;
- A government-sponsored dual labor market that made suburban housing less affordable for African Americans by preventing them from accumulating wealth needed to participate in homeownership.

That governmental action, not mere private prejudice, was responsible for segregating greater St. Louis was once conventional informed opinion. In 1974, a three-judge panel of the federal Eighth Circuit Court of Appeals concluded that "segregated housing in the St. Louis metropolitan area was ... in large measure the result of deliberate racial discrimination in the housing market by the real estate industry and by agencies of the federal, state, and local governments." Similar observations accurately describe every other large metropolitan area; in St. Louis, the Department of Justice stipulated to this truth but took no action in response. In 1980, a federal court order included an instruction for the state, county, and city governments to devise plans to integrate schools by integrating housing. Public officials ignored this aspect of the order, devising only a voluntary busing plan to integrate schools, but no programs to combat housing segregation.⁹

Although policies to impose segregation are no longer explicit, their effects endure in neighborhoods segregated by race in the North, South, East, and West. When we blame private prejudice and snobbishness for contemporary segregation,

we not only whitewash our own history, but avoid considering whether new policies might instead promote an integrated community.

Examining the distinct public policies that have enforced segregation

From the Civil War to the early 20th century, the black population of St. Louis was small, but somewhat integrated with white low-wage workers and their families, including European immigrants. There were blocks with greater or lesser concentrations of African American families, but neighborhoods as a whole were integrated; blocks with greater concentrations of African Americans were interspersed with other blocks concentrating various white immigrant and ethnic groups.¹⁰

But then, as elsewhere in the nation, segregationist sentiment and activity increased nationwide, reflected by the presidential election of the Virginia native, New Jersey Governor Woodrow Wilson, who succeeded the more moderate (on racial matters) William Howard Taft. Wilson not only took steps to segregate the federal civil service, but set a tone that encouraged anti-black activities across the land.

Racial zoning

In 1916, the St. Louis Real Estate Exchange, the city's Realtors' association, sponsored an organization to draft and campaign for a ballot referendum to prohibit blacks from moving onto blocks where at least 75 percent of existing residents were white (and whites from moving onto blocks where at least 75 percent were black). The referendum passed, but before it could have much effect, the U.S. Supreme Court overturned a similar ordinance in Louisville, Kentucky. The court's 1917 decision didn't rely primarily on a claim that a racial zoning ordinance violated equal protection principles, but rather that it infringed on property owners' rights to sell to whomever they wished.¹¹

Some other cities, mostly in the South, ignored the court's ruling and continued to enforce racial zoning ordinances, but St. Louis, like many others, took a different approach. Before the court's ruling, it had begun to develop zoning rules that defined boundaries of industrial, commercial, multifamily residential, and single-family residential property. It developed these new rules with racial purposes unhidden, although race was not written into the text of the zoning rules themselves.

St. Louis appointed its first City Plan Commission in 1911 and hired Harland Bartholomew as its full-time planning engineer in 1916. His assignment was to supervise a survey of every building in the city to determine into which of the property types it fell and then to propose rules and maps to prevent future multifamily, industrial, or commercial development from impinging on single-family neighborhoods. A neighborhood filled with single-family homes whose deeds prohibited black residence or prohibited resale to blacks was almost certain to receive a "first residential" zoning designation that prohibited future construction of multifamily, commercial, or industrial buildings.

According to Bartholomew, a St. Louis zoning goal was to "preserv[e] the more desirable residential neighborhoods," and to prevent movement into "finer residential districts ... by colored people." He noted that without a previous zoning ordinance, such neighborhoods have become run down, "where values have depreciated, homes are either vacant or occupied by colored people." The survey Bartholomew supervised prior to drafting the new zoning rules collected, among other information, the race of occupants of each residential building in the city, and Bartholomew estimated the future direction of African American population expansion so that the zoning ordinance could attempt to direct



LOOK At These Homes NOW!

An entire block ruined by negro invasion. Every house marked "X" now occupied by negroes. ACTUAL PHOTOGRAPH OF 4300 WEST BELLE PLACE.

SAVE YOUR HOME! VOTE FOR SEGREGATION!

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A 1916 leaflet promotes a voter referendum to segregate St. Louis. It passed.

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and circumscribe it. The Bartholomew Commission's first zoning ordinance was adopted in 1919, two years after the Supreme Court banned explicit racial zoning, but the St. Louis ordinance, with no explicit mention of race, was apparently in compliance. The new ordinance designated zones for future industrial development if they were in or adjacent to neighborhoods with substantial black populations.

Once the first zoning ordinance was adopted, City Plan Commission meetings were consumed with requests for variances. Race was an important consideration. One meeting in 1919 was devoted to a proposal to reclassify a single-family property from first residential to commercial, because the area to the south had been "invaded by negroes." Bartholomew persuaded the commission to deny the variance because, he said, keeping the first residential designation would preserve homes in the area as unaffordable to blacks, and thus stop the encroachment. On other occasions the commission changed an area's zoning from residential to industrial if black families began to move into it. In 1927, violating its normal policy, the commission placed a park and playground in an industrial, not residential area, in hopes that this placement would draw black families to seek housing nearby.

Similar policy continued through the middle of the 20th century. In a 1942 City Plan Commission meeting, commissioners explained that they were zoning an area in a commercial strip as second residential (multifamily) because it could then "develop into a favorable dwelling district for Colored people." In 1948, commissioners explained that they were

designating a U-shaped industrial zone to create a buffer between black residences inside the U and white residences outside it.¹²

In addition to promoting segregation, zoning decisions contributed to degrading St. Louis's African American neighborhoods into slums. Not only were these neighborhoods zoned to permit industry, even polluting industry, but taverns, liquor stores, nightclubs, and houses of prostitution were permitted to locate in African American neighborhoods, but prohibited as violations of the zoning ordinance in residential districts elsewhere. Houses in residential districts could not legally be subdivided, but those in industrial districts could be, and with African Americans restricted from all but a few neighborhoods, rooming houses sprung up to accommodate the overcrowded black population. Once the Federal Housing Administration (FHA) was established during the New Deal, these zoning practices rendered African American homes ineligible for mortgage guarantees, because FHA underwriting principles considered "inharmonious uses" of neighboring properties to threaten the security of property value. But such homes were eligible a quarter century later for slum clearance with urban renewal funds, zoning practices having made them unfit for habitation.¹³

Urban zoning set patterns for subsequent zoning in the suburbs. Jurisdictions farthest from the city of St. Louis typically zoned for single-family homes with large lots only. Communities closer to the city were more likely to have zones for multifamily residences. Some inner-ring suburbs, like Ferguson, were initially zoned only for single-family homes, though without requirements for large minimum lot sizes that would make them unaffordable to working and lower-middle-class families. During the World War II housing shortage, Ferguson and towns like it allowed some multifamily construction, although when Ferguson revised its zoning ordinance a decade after the war, it eliminated any provision for multifamily units. Other inner-ring suburbs, however, increasingly permitted apartment development because of the increased tax revenue the higher assessment on such properties would bring.¹⁴

Suburban zoning rules were on their face race-neutral, and the communities using them did not have nationally prominent planners like Harland Bartholomew to boast about their racial implications. In a few cases, scholars have unearthed suburban planning documents with similarities to Bartholomew's public pronouncements about race. In 1940, for example, officials in Kirkwood (the town to which Adel Allen later moved) prepared a document referring to "several scattered Negro developments" and recommending that this be "corrected" in the city plan. Urging that ways be found to shift black families back to the city of St. Louis, the planning document stated it was "much more desirable for all of the colored families to be grouped in one major section where they could be provided with their own school and recreational facilities, churches, and stores."¹⁵

A 1963 planning document in Webster Groves, a suburb between the city of St. Louis and Kirkwood, identified commercial and multifamily zones as "100% Negro or very close" and took steps to prevent enlargement of a "developing ghetto" across a rail bed it termed the "Great Divide."¹⁶ Such documents were exceptions to suburban zoning plans that were apparently racially innocuous. But it is difficult to consider St. Louis County's exclusive suburban zoning as merely an expression of economic snobbishness if we keep in mind the racial motivation behind the earliest urban zoning policies, both in St. Louis and elsewhere.

Segregated public housing

Zoning rules in St. Louis could affect future development, but had little impact on previously integrated neighborhoods. To eliminate these, federal and city officials employed early public housing development to increase and solidify the city's segregation.

At the beginning of the New Deal, Congress adopted a public housing program to simultaneously put Americans back to work and address a national housing shortage. Part of the National Industrial Recovery Act, the Public Works Administration (PWA) housing efforts were headed by a confidante of President Franklin D. Roosevelt, Harold Ickes, who specified a "neighborhood composition rule": Public housing projects could not alter the racial composition of neighborhoods in which they were located. Projects located in white areas could house only white tenants, those in black areas could house only black tenants, and projects in integrated neighborhoods could be integrated. Going further, the PWA segregated projects even in neighborhoods where there was no such previous pattern. As Roosevelt's biographer James MacGregor Burns concluded, cities "in which prewar segregation was virtually unknown ... received segregated housing, starting a new 'local custom' still in force many years later." In its segregation policy, the PWA was consistent with other New Deal agencies. The Works Progress Administration, for example, segregated its work crews in St. Louis and elsewhere in the nation.¹⁷

At first, the PWA attempted to enlist private developers to build federally subsidized but privately owned nonprofit housing. It was not successful because few builders could be induced to provide housing for low-income families, even with subsidies. Only seven of these "limited dividend" projects were built nationwide, one of which, Neighborhood Gardens, was placed in St. Louis. Each of the seven was reserved for whites only, and Neighborhood Gardens was no exception, designed to provide housing for white workers who could walk from the project to jobs in the downtown garment district.¹⁸

Following the failure of nonprofit subsidies to spur a housing boom, the PWA changed its approach to publicly financed and publicly owned housing. In 1934, the city of St. Louis proposed to raze the DeSoto-Carr area, a racially integrated low-income tenement neighborhood on the near-north side whose population was about 55 percent white and 45 percent black. The city said it would construct in DeSoto-Carr a whites-only low-rise project for two-parent families with steady employment. When the PWA objected to the city's failure to accommodate African Americans, St. Louis proposed an additional blacks-only project removed from the white one, but also in the previously integrated area. This met the federal government's conditions, insisted upon by liberals and civil rights leaders, for nondiscriminatory funding.¹⁹

Bureaucratic obstacles delayed construction until 1940. During the interim, public housing needs grew as thousands of rural black and white workers flocked from the Ozarks to take jobs in St. Louis's rapidly growing armaments industry. War workers packed themselves into already crowded tenements in central St. Louis, subdividing apartments, converting them to rooming houses, or simply taking in boarders. In some cases, the federal government placed segregated Quonset huts near defense plants as dormitories for workers. The apartment vacancy rate in St. Louis during World War II fell below one percent.²⁰

The city revised its public housing plans and designated the DeSoto-Carr project (renamed Carr Square Village) for African Americans only, with the separate project designated for whites (called Clinton-Peabody) moved south of down-



Members of a segregated black Works Progress Administration work unit in St. Louis pose for the camera.

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town. The area cleared for Clinton-Peabody was also integrated, but with fewer African Americans than the DeSoto-Carr area had contained. The segregated projects were opened in 1942 with initial preferences for war workers and then, later, for veterans.²¹

With a continuing critical nationwide civilian housing shortage after World War II, newly elected President Harry Truman proposed a massive public housing effort. Republican opponents of the bill proposed a “poison pill” amendment to prohibit racial discrimination in public housing. They knew that if their amendment were adopted, southern Democrats who otherwise supported public housing would kill the legislation. Liberal proponents, led by Illinois Senator Paul Douglas, had to choose between enacting a segregated public housing program or no program at all. On the Senate floor, Douglas said: “I should like to point out to my Negro friends what a large amount of housing they will get under this act.... I am ready to appeal to history and to time that it is in the best interests of the Negro race that we carry through the housing program as planned, rather than put in the bill an amendment which will inevitably defeat it.”

The Senate and House each then considered and defeated the poison pills and the 1949 Housing Act, with its provisions for federal finance of public housing, was adopted. It permitted local authorities to design separate projects for blacks and whites, or to segregate blacks and whites within projects. The federal government did not require segregation, but neither did it require integrated projects. It financed each, respecting local policy.²²

St. Louis then applied for and received federal funds for segregated public housing under the new program. In 1952, a second project for whites only, the John J. Cochran Garden Apartments, was opened on land that, like Carr Square and Peabody-Clinton, had been cleared of both black and white residences.²³

As Joseph Heathcott, a scholar of the St. Louis urban landscape, has observed (referring to Carr Square Village and Clinton-Peabody), “The City Plan Commission, the St. Louis Housing Authority, the mayor’s office, and the Board of Aldermen conspired to transform two multiethnic mixed-race neighborhoods – one on the north side and one on the south side – into racially homogenous projects.”²⁴

Several African American World War II veterans (with other low-wage workers) sued the St. Louis Housing Authority when they were denied placements solely because of their race in the more desirable whites-only Clinton-Peabody and Cochran Garden apartments. In 1955, a federal judge concluded that the conspiracy to segregate public housing extended beyond these local officials: “The limitation of the Clinton-Peabody Terrace Project and the John J. Cochran Project to white occupancy was approved by the [federal government’s] Public Housing Administration, conditioned upon the provision of [separate] facilities for non-white occupancy.” The judge ordered the St. Louis Housing Authority to cease segregating its projects by race and to admit qualified black families to the two white projects.²⁵ But the ruling came too late. By the 1950s, federal policy to move working-class whites to homeownership in the suburbs was in full swing. Clinton-Peabody and Cochran Gardens gradually increased their share of African Americans as white residents departed, many with mortgages guaranteed by the FHA or Veterans Administration (VA), for suburbs from which blacks were excluded.

In the early 1950s, St. Louis began construction of the Pruitt-Igoe towers and other high-rises to house the African American poor. Pruitt had been intended for blacks and Igoe for whites, but by the time the projects opened in 1955–56, few whites were still interested in urban public housing; there were so many inexpensive options for them in south St. Louis and in the suburbs. Igoe then filled with black families as well.²⁶

By the 1960s, Pruitt-Igoe became a national symbol of dysfunctional public housing, high-rise towers packed with welfare-dependent families, frequently headed by single mothers. Youth gang activity was pervasive. The Housing Authority’s neglect of maintenance and facilities exacerbated matters. The Pruitt-Igoe vertical ghettos discredited the entire national public housing program, giving the lie to Senator Douglas’s promise that it would be in the “best interests of the Negro race that we carry through” with a segregated housing program. The combination of deteriorating social conditions and public disinvestment made life in the projects so untenable that the federal government evicted all residents and dynamited the 33 towers, beginning in 1972.²⁷

Restrictive covenants

When St. Louis leaders developed zoning rules to control black population movement in the second decade of the 20th century, private real estate agents and individual white homeowners began to attach clauses to property deeds and adopt



Explosives bring down the Pruitt-Igoe public housing towers in St. Louis in 1972. Some former residents got housing assistance to settle in Ferguson and other inner-ring suburbs.

Photo obtained from Wikipedia Commons

neighborhood contracts to prevent African Americans from moving into their environs. Called “restrictive covenants,” the first in St. Louis was recorded in 1910.²⁸ Later, covenants were promoted nationwide by the National Association of Real Estate Boards, which provided model language. In St. Louis, the Real Estate Exchange provided a “Uniform Restriction Agreement” for neighborhood associations to use. By 1945, about 300 neighborhood covenants were in force.²⁹

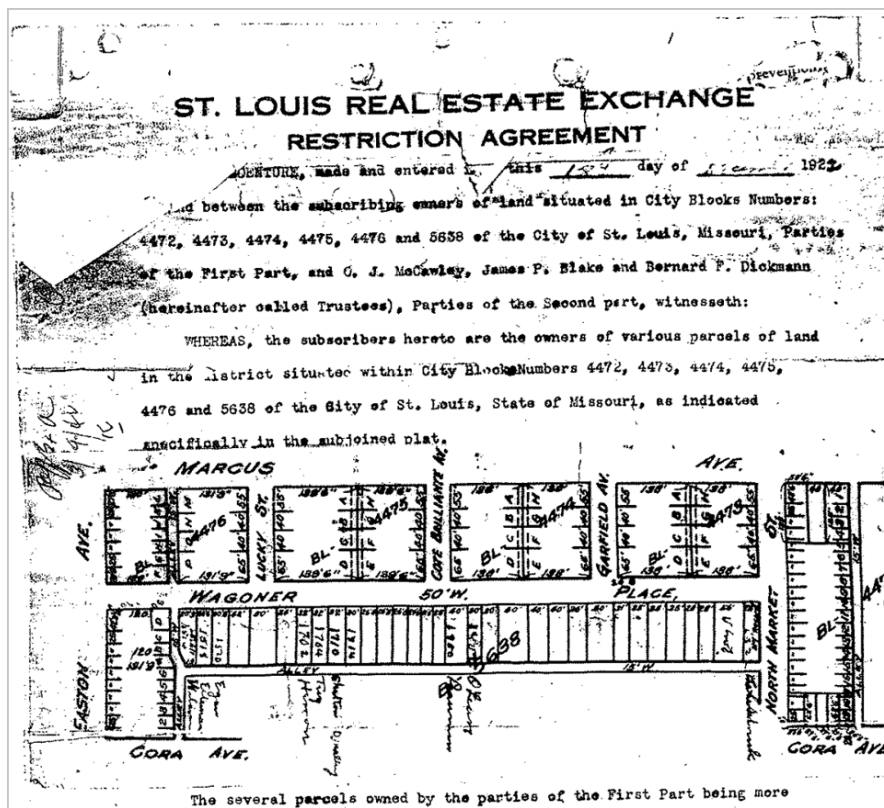
The legal instruments took two forms. In one, homebuilders attached clauses to property deeds committing the first and subsequent buyers of a house never to sell that property to an African American or permit the property to be occupied by one. Exceptions were typically made for live-in domestic servants. In the other, associations of homeowners in particular neighborhoods signed mutual agreements that no member of the association would sell to, or permit occupancy by, an African American – again, with a similar exception. The second form was easier to enforce, because any signatory had standing to compel compliance. The Real Estate Exchange itself was typically a signatory, and it frequently initiated litigation to prevent a breach.

Courts in Missouri and elsewhere supported this segregation by consistently ordering the cancellation of sales made in violation of such agreements. But if initial sales in an all-white neighborhood proceeded without challenge, courts frequently refused to prohibit subsequent sales because the all-white character of the neighborhood had already been lost, and the intent of an association to preserve segregation could no longer be fulfilled by enforcing the covenant. This legal theory required the Real Estate Exchange and other white activists to be perfectly vigilant, something rarely achieved. Once sales to African Americans proceeded without challenge, neighborhoods bordering overcrowded ghetto areas quickly flipped from white to black.

Public policy was deeply entangled in restrictive covenants, and not only because Harland Bartholomew's City Plan Commission considered their existence to be a factor supporting a neighborhood's first-residential classification.³⁰ The federal government also became entangled in racial covenants because so many of them were promoted by institutions subsidized by the government with tax exemptions and tax deductibility.

As the U.S. Supreme Court found in an unrelated case in 1983, the Internal Revenue Service has the power to revoke the tax favoritism of institutions practicing racial discrimination.

Although that case involved a seemingly tangential aspect of the institution's mission and practice (Bob Jones University



And, WHEREAS, it is to the mutual benefit and advantage of all of the parties of the First Part to preserve the character of said neighborhood as a desirable place of residence for persons of the Caucasian Race and to maintain the values of their respective properties, and to that end they desire to restrict the use and disposition of their several said parcels of land for the benefit of all parties of the First Part, their heirs, successors and assigns, in the manner hereinafter set forth; and,

WHEREAS, the St. Louis Real Estate Exchange, a corporation, of which said Trustees are respectively the President, Treasurer, and Secretary, is organized to promote the interests of the property owners of the City of St. Louis, and is, therefore, in thorough sympathy with said purpose, and desires to cooperate in the establishment of said restrictions; and,

WHEREAS, it is the desire and intention of the parties of the First and Second Parts to also provide for the enforcement of said restrictions;

Each of the parties of the First Part covenants and agrees and does hereby create, establish and attach to his, her or its lands hereinabove described, or his, her or its interest therein, the following restrictions upon the use, occupation and enjoyment, sale, alienation (voluntary or by operation of law), encumbrance and descent of said lands, or any part thereof, or any interest therein, and does agree that neither he, she or it, or his, her or its heirs, successors or assigns, owner or owners, grantee or grantees, or their heirs, successors or assigns, or any of them shall or will at any time within the period hereinafter mentioned:

Second: Sell, convey, lease or rent to a negro or negroes, or deliver possession to or permit to be occupied by a negro or negroes (no matter how the right to occupancy or title shall be attempted to be acquired) any of the said parcels of land belonging to parties of the First Part and hereinabove described, or any part thereof or any interest therein.

Typical restrictive covenant language in this 1923 document covers streets a half mile from the St. Louis house whose sale *Shelley v. Kraemer* upheld. The streets have since been renamed Dick Gregory Place and Dr. Martin Luther King Drive.

Photo reproduced with permission from the Colin Gordon, University of Iowa

banned interracial dating by its students), the court found this sufficient to justify the IRS revocation. The court did not reach the question of whether the IRS is compelled by the Constitution and law to withhold tax exemption from institutions that are heavily involved in promoting racial discrimination, but such an interpretation seems to follow. The court observed that the Internal Revenue Code intends that “an institution seeking tax-exempt status must serve a public purpose and not be contrary to established public policy.”³¹ IRS regulations specifically authorize charitable deductions for organizations that “eliminate prejudice and discrimination” and “defend human and civil rights secured by law.”³²

Inasmuch as the right of African Americans to purchase residential property without discrimination had been secured by law since 1866,³³ it follows that granting tax-exempt status to churches or other institutions promoting restrictive covenants constituted improper federal support, as it violated established public policy. The government, however, never questioned the prominent involvement of tax-exempt churches, hospitals, and universities in enforcing segregation. If church leaders had to choose between their tax-exemptions and racial exclusion, there might have been many fewer covenants blanketing white St. Louis and other cities.

Although the Supreme Court had upheld the legality of covenants themselves in 1926, it found in 1948 that state courts could not enforce them without violating the 14th Amendment to the Constitution. The decision came in Detroit and St. Louis cases (although many similar cases had been pursued elsewhere, in Los Angeles with the greatest frequency) and the decision has come to be known by the St. Louis case, *Shelley v. Kraemer*.³⁴ And this case was particularly interesting because of the role played by tax-exempt institutions.

The case arose from the objections of a white St. Louis homeowner, Fern Kraemer, to the purchase of a home near hers by the African American Shelley family. The area had been covered by a restrictive covenant organized by a neighborhood group, the Marcus Avenue Improvement Association. The association, including 2,000 property owners, was sponsored by the Cote Brillante Presbyterian Church, whose trustees provided funds from the church treasury to finance Ms. Kraemer’s lawsuit to enforce the covenant. Another church, the Waggoner Place Methodist Episcopal Church South, was also a signatory to the covenant; its pastor had defended the covenant in court in an earlier (1942) case.³⁵

Restrictive covenants also became an expression of public policy when, in the early New Deal, the Federal Housing Administration subsidized suburbanization and made the existence of racial covenants an important condition of mortgage insurance. Beginning in 1934, and continuing thereafter, FHA underwriting manuals stated that “protection against some adverse influences is obtained by the proper zoning and deed restrictions that prevail in a neighborhood” and elaborated that “the more important among the adverse influential factors are the ingress of undesirable racial or nationality groups.”³⁶ As public housing helped define the north side of St. Louis as black, and the south side as white, this FHA policy began a half-century of federal government effort to move St. Louis’s white families to newly growing exclusively white suburbs.

Subsidization of suburban development for whites only

The FHA not only insured individual mortgages of white homeowners. Perhaps even more important, it effectively financed the construction of entire segregated subdivisions by making advance commitments to builders who met FHA construction standards for materials used, lot size, setback from street, and location in a properly zoned neighborhood

that prohibited industry or commercial development threatening home values. Aware that the Supreme Court had prohibited explicit racial zoning, the FHA took the position that the presence of African Americans in nearby neighborhoods was nonetheless a consideration that could threaten FHA insurability and that racial exclusion in the insured subdivision itself could be accomplished if deeds in the subdivision included mutually obligatory clauses prohibiting African Americans from residence.³⁷

Subdivision developers who obtained such commitments could use them to persuade bankers to issue low-interest construction loans. Developers could then also assure potential (white) buyers that their homes were FHA-approved and that FHA (and later VA) mortgages would be available at low interest rates and with no or limited down payments. The FHA's policy was to prefer homebuilding priced for lower-middle- to middle-class buyers.³⁸

At its peak in 1943 when civilian construction was limited, the FHA financed 80 percent of all private home construction nationwide. During the postwar period, it dropped to one-third.³⁹ But even when subdivisions were not built with advance FHA commitments, individual homebuyers needed access to FHA or VA insured mortgages, so similar standards for new construction pertained. Subdivisions throughout St. Louis County were developed in this way, with FHA advance commitments for the builders and a resulting whites-only sale policy.

The FHA's suburban whites-only policy continued through the postwar housing boom that lasted through the mid-1960s. In 1947, the FHA sanitized its manual, removing literal race references but still demanding "compatibility among neighborhood occupants" for mortgage guarantees. "Neighborhoods constituted of families that are congenial," the FHA manual explained, "...generally exhibit strong appeal and stability."⁴⁰ This very slightly sanitized language suggested no change in policy, and the FHA continued to finance builders with open policies of racial exclusion for another 15 years.

These practices of the FHA were once well known, but have now mostly been forgotten, although their effects persist. In 1959, the United States Commission on Civil Rights' annual report summarized how the suburban landscape, by then firmly established, was created:

Nonwhite home buyers and renters have not, however enjoyed the benefits of FHA mortgage insurance to the same extent as whites. According to testimony given before this Commission, less than 2 percent of the total number of new homes insured by FHA since 1946 have been available to minorities. Most of this housing has been all-Negro developments in the South....

Although the relatively low participation [of] nonwhites has in part been due to their lower incomes, FHA bears some responsibility. Of great significance in this respect are FHA's policies with regard to the discriminatory practices toward Negroes of real estate boards, home builders and lending institutions.

For the first 16 years of its life, FHA itself actually encouraged the use of racially restrictive covenants. It not only acquiesced in their use but in fact contributed to perfecting them. The 1938 FHA *Underwriting Manual*, which contained the criteria used in determining eligibility for receipt of FHA benefits, warned against insuring property that would be used by "inharmonious racial groups," and declared that for stability of a neighborhood, "properties shall continue to be occupied by the same social and racial classes." The Manual contained a model restrictive covenant which FHA strongly recommended for inclusion in all sales contracts. Furthermore, FHA

instructed land valuers that among their considerations should be a determination as to whether “effective restrictive covenants are recorded against the entire tract, since these provide the surest protection against undesirable encroachment and inharmonious use. To be most effective, deed restrictions should be imposed upon all land in the immediate environment of the subject location.” [Footnote: ...Many housing experts believe that while FHA did not invent the restrictive covenant its official sanction played a large role in the spread of racial restrictions, particularly in newly developed areas.]

FHA continued this practice of encouraging racially restricted housing developments until 1950, despite mounting pressure from civic organizations, State and local antidiscrimination commissions and other groups to abandon the practice. The only change made by FHA during this period was a softening of the wording in the *Underwriting Manual* in 1947. This change in language amounted to no real change in policy, however....

While the unenforceability of racial restrictive covenants [following the Supreme Court’s 1948 *Shelley* ruling] has undoubtedly increased Negro participation in FHA’s insurance programs by making available to them additional existing housing, it has done little in the way of new housing or of apartment units in suburban and outlying areas. There the discriminatory practices of the real estate business, home building industry, and financial institutions continue for the most part unabated. FHA insurance remains available to builders with known policies of discrimination. With the help of FHA financing, all-white suburbs have been constructed in recent years around almost every large city. Huge FHA-insured projects that become whole new residential towns have been built with an acknowledged policy of excluding Negroes.⁴¹

In the St. Louis metropolitan area as well as elsewhere, the FHA and VA continued to promote racial restrictions in their loan insurance programs until the 1960s.⁴²

The FHA seal of approval guaranteed that a subdivision was for whites only. Advertisements for suburban subdivisions like those from 1952 featured here were commonplace in St. Louis (and nationwide). The two advertisements were among those collected in a booklet for home seekers, published and distributed by the Home Builders Association of Greater St. Louis. By marketing an “FHA Financed” subdivision in Ferguson, and an “FHA approved” Peaseway subdivision in Kirkwood, these ads signal the development’s whites-only character.

Watch For Opening Presentation . . .

FERGUSON HILLS



A Subdivision of Beautiful Brick and Frame Homes

Subdivision Located on North Florissant Road (800 N.) in City of Ferguson.



Floor Plan

A PERFECT LOCATION . . .
Close to Modern Schools, Churches, Shopping . . .
Surrounded by Fine Homes in a Healthy Suburban Atmosphere.

FHA FINANCED

JOSEPH H. VATTEROTT
1500 S. FLORISSANT ROAD Terryhill 6-3540
Our Office ¼ Mile North of Subdivision

18

Peaseway homes



946 N. Geyer . . . 2 Blocks South of Manchester, At Mistletoe Lane.

These “New-Design” homes are big news in the home-building market. They’re designed by three of the nation’s leading contemporary architects. The Peaseway Eastwood, Crestwood and Archwood are 2, 3, and 4 bedroom homes. They offer quality, durability, livability, and easily-cared-for spaciousness. Peaseway homes are FHA approved. In addition to the Crestwood, Archwood and Eastwood, many other designs and dozens of exterior variations are available ranging in price from \$8,100 up.

HOWARD S. GODWIN CO.
CLAYTON CAbany 7111

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1952 advertisements for Ferguson and Kirkwood subdivisions assure buyers that they are “FHA Financed” or “FHA Approved” (and thus for whites only).

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Other advertisements in the booklet tout a “Veterans’ Preference” subdivision called Woodson, located in Overland (a few towns south of Ferguson); and “FHA terms” for houses in Webster Groves.⁴³

In that era, the St. Louis-area builder with the most liberal attitudes on racial matters was Charles Vatterott, a devout Catholic (and brother of the Ferguson subdivision builder in the advertisement reproduced here). Charles Vatterott obtained FHA guarantees for St. Ann, a subdivision (later an incorporated town) he started building in 1943. Vatterott intended for St. Ann to be a community for lower-middle-class Catholics, particularly returning war veterans, although he did not prohibit sales to non-Catholic whites, but only to blacks, as the FHA expected. As was conventional for FHA-financed subdivisions in St. Louis County, deeds on St. Ann homes stated that “no lot or portion of a lot or building erected thereon shall be sold, leased, rented or occupied by any other than those of the Caucasian race.”

Vatterott’s limited liberalism was expressed in an insistence, over residents’ opposition, that the golf course he built as part of the St. Ann development be open to nonresident African Americans. And he built a separate, lower-quality subdivision for African Americans – De Porres in the town of Breckenridge Hills, a few miles away (but not adjacent to) St. Ann. The buyers had incomes and occupations – from truck drivers to chemists – similar to those of St. Ann buyers. Had they been permitted to do so by the FHA and its merchant builders, they could have purchased homes in St. Ann or in any of the many other subdivisions that were built for whites in St. Louis County in the postwar period.

Vatterott could not get FHA financing for De Porres because it was intended for African Americans. As a result, many of the homes were rented, and Vatterott set up a special savings plan by which residents could put aside money towards a purchase of their homes without an FHA or VA mortgage. The De Porres development for African Americans also lacked the full community facilities – parks and playgrounds – that Vatterott had built into the St. Ann subdivision.⁴⁴

As noted earlier, the federal and local governments in 1952 were still operating public housing projects restricted to lower-middle-class white families. The option of these families to remain in public housing was an impediment to suburban home sales. The Home Builders Association booklet denounced public housing (because it “shackles private builders who can’t compete with the government’s half-price product”) and included a barely disguised racial appeal: “IN YOUR OWN HOME you can pick your own neighbors, IN PUBLIC HOUSING ... the government picks them for you.”⁴⁵ On its face, the claim was clearly false – homeowners could not pick their own neighbors because they had no control over the identities of those buying homes nearby. The only way in which they could pick their neighbors was to purchase their homes in subdivisions that, with government approval, excluded a class of buyers, specifically, African Americans.

The Home Builders’ 1952 warning was accurate that the government picks one’s neighbors in public housing, so there was always the threat that the St. Louis Housing Authority would end its segregation policy and assign African Americans to white projects. In fact, as noted earlier, only three years later, a federal court ordered the authority to do so. The only plausible explanation for the Home Builders’ warning about the government picking neighbors is that if families remained in public housing, they might experience racial integration.

Each of the subdivisions in the advertisements described here is in St. Louis County. The farther south and west in the county a suburb is, the more distant it is from the north St. Louis black ghetto. The suburban developments in the advertisements were all-white, with FHA approval, when constructed; by the 2010 census, Ferguson was only 29 per-

cent white, and then, going south and west, Overland was 73 percent white, Webster Groves was still 90 percent white, and Kirkwood was 89 percent white.

This governmental policy of segregation, though now more than a half-century distant, has had enduring consequences. It contributed mightily not only to our present-day residential segregation, but to all aspects of black-white economic inequality. For example, as shown in the Kirkwood subdivision advertisement, homes were marketed as selling to white FHA buyers for “\$8,100 up” in 1952. In that year, such home prices were about twice the national median family income of \$3,890, and easily affordable to lower-middle or middle-class African Americans, especially to veterans if they could have benefitted from VA mortgage guarantees. A decade later, when assistant principal Larman Williams and engineer Adel Allen were looking for homes in integrated middle-class suburban neighborhoods, those homes were still affordable. Today, however, houses in Kirkwood sell for about \$400,000, more than six times national median family income, and mostly unaffordable to working- and middle-class families.⁴⁶ But for whites permitted to buy in Kirkwood 50 years ago, the advantages they’ve been able to bequeath to their children have been considerable, relative to those of blacks who were denied similar opportunities.

Even accounting for home improvement investments that owners of these homes have made since 1952, the capital gain for white homeowners, and their heirs, endures. The federal government’s support for residential segregation in the mid-20th century is largely responsible for the fact that while the median family income of African Americans is now about 60 percent of whites’ income, the median household wealth of African Americans is only about 5 percent of whites’ wealth.⁴⁷ This enormous difference translates into differences between blacks and whites in the security and comfort of retirement (and in the obligations of adult children to divert their incomes to support elderly parents), in the ability of young people to attend college, and in the selectivity of the colleges they can afford to attend.

In small ways, local government also worked closely with private agencies to encourage whites to leave the city and move to suburbs to escape proximity to African Americans. A 1947 pamphlet of the Social Planning Council of St. Louis and St. Louis County, a federation of public and private social welfare agencies, rated every neighborhood by, among other characteristics, the “presence of negroes” and concluded, “People Who Can, Move Away.”⁴⁸ Of 70,000 housing units built in the city of St. Louis and in St. Louis County between 1947 and 1952, fewer than 35 were available to African Americans, whether because of FHA policy, restrictive covenants, or the policy of the real estate industry.⁴⁹

Denial of adequate municipal services in ghettos

As restrictive covenants and zoning rules barred the growing African American population from most areas of the city and county in the early and mid-20th century, black ghettos formed on the north and northwest sides of the city, becoming increasingly hemmed in, overcrowded, and run down. City services like trash collection, street lighting, and emergency response were less adequate than in white neighborhoods. African Americans paid higher rents than whites for similar space – about 25 percent more, according to one postwar estimate – because their demand for apartments, relative to supply, was greater and because less adequate city fire protection led to higher insurance rates for landlords. With FHA mortgages mostly unavailable, families bought homes with mortgages having very short repayment periods, or with contracts that permitted no accumulation of equity. Late installment payments could trigger repossession.⁵⁰ To make the higher rent or contract payments, black families took in boarders, or subdivided and sublet their homes or apartments, exacerbating the overcrowding. With higher housing costs, African Americans with good jobs were less able

to save than were whites with similar incomes – reduced savings made leaving the ghetto for better surroundings more difficult.

Whites observed the black ghetto and concluded that slum conditions were characteristic of black families, not a result of housing discrimination. This conclusion reinforced whites' resistance to racial integration, lest black residents bring slum conditions to white communities.⁵¹ Thus, to the extent we attribute segregation of the contemporary St. Louis metropolitan area to white flight, government policy bears some responsibility for creating conditions that supported the racial stereotypes fueling such flight.

Annexation, spot zoning, expulsive zoning, incorporation, and redevelopment

White jurisdictions deterred the possible integration of their neighborhoods in myriad ways. This can be seen in the fate of several isolated clusters of black residents in suburban St. Louis County in the early and mid-20th century.

In some cases, white communities surrounding black neighborhoods devised methods to expel their black populations, sometimes with barely disguised racial motivation. In other cases, white towns adopted new zoning rules, brazenly designed to prevent African Americans from settling. And in yet other cases, towns annexed unincorporated land or incorporated it independently to maintain segregated housing patterns.

One tool used nationwide by suburbs pursuing segregation was invoking eminent domain – the power to condemn and seize land for public purposes. In 1959, Howard and Katie Venable, an African American couple, purchased a residential lot in the mostly white St. Louis suburb of Creve Coeur. The Venables applied for, and the town approved, the necessary permits to build a home, and construction had begun when town residents discovered that the purchasers were black. A hastily organized citizens committee raised contributions to purchase the property, but could not pressure the couple to sell. The city then condemned the property for use as a park and playground. The couple challenged the condemnation, but a Missouri appeals court ruled that courts could not inquire into the motives for a condemnation, provided its purpose was for a public use, which a park and playground surely were.⁵²

Fifteen years later, Creve Coeur again forestalled the possibility of integration when it ousted its one small black neighborhood, characterized by small homes on small lots that had been deeded before the city's zoning law required much larger ones. The city harassed the homeowners with code violations and denied building permits for remodeling. The city itself even bought up lots in the neighborhood through a straw party, as the Creve Coeur mayor allowed that he "personally did not want any colored in there." The neighborhood was razed and is today the Malcolm Terrace public park and neighborhood, one of the more affluent in Creve Coeur.⁵³

In 1969, a Methodist church-sponsored nonprofit organization proposed to construct a racially integrated and federally subsidized development for moderate- and low-income families in Black Jack, an all-white suburb in unincorporated St. Louis County. In response, Black Jack rapidly incorporated and adopted a zoning ordinance prohibiting more than three homes per acre, making development of new moderate-income housing impossible (although some already existed within the new city boundaries). Several African American residents of the city of St. Louis sued. They claimed they had been unable to find decent housing outside the ghetto and therefore had little access to employment that was increasingly suburban. The incident attracted national attention, and the Nixon administration deliberated for many months about whether to file its own suit to enjoin the zoning ordinance.⁵⁴

Eventually it did, and a federal appeals court ordered Black Jack to permit the development to proceed. The court observed that opposition to the integrated development was “repeatedly expressed in racial terms by persons whom the District Court found to be leaders of the incorporation movement, by individuals circulating petitions, and by zoning commissioners themselves.” The court continued: “Racial criticism of [the proposed development] was made and cheered at public meetings. The uncontradicted evidence indicates that, at all levels of opposition, race played a significant role, both in the drive to incorporate and the decision to rezone.”

Citing similar cases from elsewhere in the country, the court concluded that Black Jack’s actions were “but one more factor confining blacks to low-income housing in the center city, confirming the inexorable process whereby the St. Louis metropolitan area becomes one that ‘has the racial shape of a donut, with the Negroes in the hole and with mostly Whites occupying the ring.’”⁵⁵

However, by the time the court order was obtained, the Methodist group had lost its financing, interest rates had climbed, and, according to urban historian Colin Gordon, the federal government was “lukewarm” about proceeding with the integrated development. The lawyers for the integrated project said that, despite the court ruling, “no developer in his or her right mind” would proceed with the project in the face of such hostility. It was never constructed.⁵⁶

In 1981, an almost identical series of events transpired in Affton, a white suburb south of the city of St. Louis. A religious order offered to sell a parcel of land to a developer who planned to build low-density subsidized housing. Groups that had originally formed to protest court-ordered school busing for racial integration flooded a meeting of the St. Louis County Planning Commission. The groups demanded that the parcel be rezoned to prohibit multifamily housing. A councilman who was one of the leaders of the rezoning proponents, probably with Black Jack in mind, admitted that “I think we’ll get sued” for this rezoning, but the county council nonetheless voted 6 to 1 to ban multifamily construction.⁵⁷ There were no lawsuits, however, perhaps because the lesson of Black Jack was that winning a lawsuit is not the same as winning the fight for integration.

As years have passed, public officials and citizens generally have learned to be less explicit about racial animus. Other predominantly white areas in southern and western St. Louis County have incorporated to adopt exclusionary zoning ordinances, but support was expressed in terms of desires to keep out low-income families and to preserve uniform single-family lots throughout the communities, not in terms as racially explicit as the court found in Black Jack.

Nationwide, beginning in the 1970s, public housing authorities have demolished their physical projects and substituted subsidies to eligible families for rental of privately owned and operated housing. The subsidies, now known as “Section 8” vouchers, permit low-income families to rent market-rate apartments that would otherwise be unaffordable. The vouchers could, in theory, be used to promote integration, although this would not be possible in communities with exclusionary zoning ordinances. But in the St. Louis County suburbs and unincorporated areas where working class whites were living in multifamily units, the likelihood of housing Section 8 voucher recipients increased as the city of St. Louis demolished more of its projects.

To forestall this growing threat, in 1995 alone two white suburban areas in St. Louis County incorporated to be able to adopt zoning ordinances preventing multifamily buildings accessible to Section 8 voucher holders. One, Wildwood, encompassed all the unincorporated area in western St. Louis County, an area equal in size to the city of St. Louis itself.⁵⁸ As of the 2010 census, this new city remained 92 percent white and less than 2 percent African American. It has

managed to prevent development of housing affordable to most African Americans. Wildwood's median family income is over twice the national median and its poverty rate is less than 2 percent. The other, Green Park in southern St. Louis County, also incorporated to prevent the construction of apartments that could house Section 8 voucher holders.⁵⁹ It remains 93 percent white and 1 percent African American, despite its solidly middle-class character. Green Park's median family income is close to the national median, while the town's family poverty rate is also less than 2 percent.

Urban renewal and redevelopment programs

In 1950, Olivette in St. Louis County annexed a portion of the adjacent unincorporated community of Elmwood Park. Twenty years later, the chairman of the Olivette Land Clearance and Redevelopment Authority asserted that the annexation was needed simply to "straighten" the city's boundaries. Olivette was an all-white, solidly middle-class community where nearly two-thirds of residences were single-family; apartment dwellers in the balance were socioeconomically similar. Adjacent Elmwood Park, in contrast, was very poor, African American, with 37 dilapidated homes, subject to frequent flooding from the River Des Peres, and without paved roads or sewers. Elmwood Park had been settled after the Civil War by laborers, formerly slaves on nearby farms.

The area was bisected by railroad tracks; Olivette annexed the portion north of the city and south of the tracks, creating a physical boundary between the expanded city and unincorporated Elmwood Park. Olivette was under no legal obligation to notify affected Elmwood Park residents of the annexation, and it did not do so. After the annexation, Olivette provided no services to its new Elmwood Park neighborhood and erected a barbed-wire fence between the neighborhood and the nearest white subdivision. (Even after 1954 when schools were integrated, school buses did not come into the annexed neighborhood, so black children had to walk around the perimeter of the white subdivision, rather than taking a direct route across it, to board their school bus.) Olivette did mail tax bills to the newly annexed residents, but few Elmwood Park homeowners apparently understood the implication of these bills. Most were not aware of the annexation until 1955, when Olivette began to auction off their homes for nonpayment of taxes and other fees.

The actual aim of Olivette officials was almost certainly not to "straighten boundaries" but to force Elmwood Park residents to abandon their homes (or have them seized) so the area could be redeveloped with industry, both to increase Olivette's tax revenue and to reinforce the barrier between Olivette and the remaining African American community in unincorporated Elmwood Park.

By 1960, however, a decade after the annexation, Olivette had not succeeded in driving most Elmwood Park residents away. Most had scraped up enough money to pay their back taxes. So Olivette applied for and obtained federal urban renewal funds, enabling it to condemn the land and attract industrial development. Olivette then informed Elmwood Park residents that their homes were too dilapidated to rehabilitate and would be demolished. It rezoned Elmwood Park as industrial, condemned the African American residents' properties, and began charging them rent to live in homes they had previously possessed clear of mortgages.

Although federal urban renewal policy required Olivette to relocate the displaced residents within Olivette, the federal government initially refused to enforce that requirement, and Olivette instead offered housing either in a public housing project being constructed in unincorporated Elmwood Park or in the city of St. Louis. Responding to protests, the government eventually required Olivette to build 10 residential units in the industrial zone, which the city separated from its middle-class areas by a park.⁶⁰ Most of the original residents of the annexed neighborhood relocated to St. Louis,

to the all-black suburb of Wellston, or to a black neighborhood in another suburb, University City. Once constructed, Olivette's new public housing development in the industrial zone was also all-black, separated from the rest of the city.⁶¹

Meanwhile, St. Louis County also declared the unincorporated area of Elmwood Park a redevelopment zone. The homes of 170 black families there were razed in the early 1960s and the county developed industry and more expensive housing, unaffordable to the former residents. The displaced families were given small relocation allowances, inadequate to purchase comparable housing. Many scattered to other black pockets in the county, or to the city of St. Louis's ghetto. A grand jury later concluded, too late to reverse the hardship, that because of its racial impact, the urban renewal program was "an evasion of responsibility" and nothing more than a "race clearance program."⁶²

While suburbs with clusters of black residents were designing redevelopment projects that forced African Americans to seek public housing back in the city, St. Louis itself was pursuing urban renewal and redevelopment that forced black residents into nearby suburbs and attracted white middle-class suburbanites back to the city. Beginning in the 1950s, the city's urban renewal projects condemned and razed slum housing occupied mostly by African Americans and constructed monuments and other institutions in place of those homes. Neighborhoods were razed for the Jefferson National Expansion Memorial (which includes the Gateway Arch), a museum, a sports stadium, interstate highways (including ramps and interchanges) to bring suburban commuters into white-collar city jobs, new industry and hotels for the city, university expansion, and middle-class housing that was unaffordable to former African American residents of the redeveloped areas.⁶³

Mill Creek Valley, the community at the heart of St. Louis's African American life, was demolished beginning in 1959, displacing 20,000 residents, 95 percent of whom were black. Some 40 churches were razed as their parishioners scattered to developing ghettos in inner-ring suburbs. The Mill Creek acreage was then used for an expansion of St. Louis University, an expressway, a private market-rate housing project, and a subsidized public-private project.⁶⁴

In some cases, as was true elsewhere in the country, after African American neighborhoods were demolished, planners' designs for redevelopment never materialized, and the cleared land remained vacant. One early St. Louis venture, the Kosciusko Urban Renewal Project, demolished an African American neighborhood of 70 blocks and 221 acres in the early 1960s, with plans for attracting new industry. Much of it still remained vacant or with paved-over lots, 50 years later.⁶⁵

Some federal urban renewal laws required that displaced residents be provided with new housing, but others did not. But even for those laws with such requirements, only about half of the African Americans displaced by urban renewal in St. Louis were offered any relocation assistance. Displaced families, whether on their own or with assistance, mostly relocated to public housing or to apartments adjoining their former ghetto that were as substandard as those from which they had been displaced.⁶⁶ Soon public housing itself became unavailable, and the St. Louis Housing Authority issued Section 8 rent supplement vouchers to eligible families. From 1950 to 1980, St. Louis assigned 7,900 family residential units either to public housing or to subsidized apartments. Of these, 94 percent were in census tracts where more than 75 percent of the residents were African American.⁶⁷ As black families moved repeatedly to stay ahead of the urban renewal bulldozers, space in the city itself disappeared, and a wholesale movement to the northern and northwestern suburbs began.



Cleared land along St. Louis's riverfront, once home to a mostly black community that was leveled for redevelopment, awaits construction of the Gateway Arch and other memorials.

Photo reproduced with permission from the Jefferson National Expansion Memorial archives

A 1970 staff report of the U.S. Commission on Civil Rights faulted the conduct of the U.S. Department of Housing and Urban Development (HUD), concluding that:

Federal programs of housing and urban development not only have failed to eliminate the dual housing market, but have had the effect of perpetuating and promoting it.... HUD has failed to carry out [its] affirmative obligations [to prevent discrimination] and has permitted its programs to be operated in a discriminatory manner in the St. Louis metropolitan area.... As long as HUD continues to condone the discriminatory activities of the local housing and home finance industry – public and private – there is little hope of relief for black families from the existing system of separate and unequal housing conditions.⁶⁸

Regulatory support of policies in the real estate and financial sectors that promoted segregation

Government regulators at the local, state, and federal levels failed to halt, indeed they endorsed, discriminatory practices of the real estate and financial sectors that played significant roles in the segregation of housing in St. Louis and nationwide.

Blockbusting

Real estate speculators assisted the conversion of inner-ring suburbs from white to black by creating panic among white homeowners with the message that unless they sold quickly, their property values would deteriorate. In a systematic fashion, these real estate agents “blockbusted” neighborhood by neighborhood as African American refugees from urban renewal moved north and northwest. The blockbusting contributed to the transformation of inner-ring suburbs like Ferguson from all-white communities that excluded African Americans to today’s deteriorating nearly all-black (or becoming all-black) suburbs.

In St. Louis, blockbusting began as the ghetto expanded, and then proceeded to inner-ring suburbs when St. Louis itself could no longer absorb its growing (and later, displaced) African American population. The practice was not unique to St. Louis. It was commonplace nationwide. Typically, an African American family like the Williamses or Allens found housing in a lower-middle-class neighborhood just outside the ghetto. Frequently a blockbusting real estate agent arranged this initial sale, perhaps subsidizing it himself. Once the family moved in and was visible, real estate agents solicited nearby homeowners to sell quickly before an imminent influx of black buyers caused their homes to lose value. Sometimes the agents supported their predictions by hiring black youth to drive around the neighborhood blasting music, by placing fictitious for-sale advertisements in African American newspapers (and showing copies to white homeowners), or by hiring black women to push baby carriages around, or engaging in other similar tactics.⁶⁹ While it was not usually necessary for real estate agents to be as flamboyant as this, such tactics were employed more than occasionally.

A 1995 St. Louis newspaper report alleged that in some cases, speculators did not have initial African American buyers but instead bought homes in neighborhoods they anticipated turning into African American communities, and let the empty houses deteriorate to depress the value of others nearby.⁷⁰ After neighbors were sufficiently panicked, speculators bought properties at reduced prices and then resold them at inflated prices to African Americans in desperate need of housing. Agents made large profits in this way. Once a block or neighborhood had been “busted” in this fashion, agents would proceed to the next block or neighborhood, using similar tactics. Some agents did not resell homes, but subdivided and rented them to black families.

Adel Allen described how, soon after he moved into his new home, “for sale” signs went up on his block in Kirkwood (the town that zoning officials tried so hard in 1940 to keep white and where the advertisement featured earlier shows that the FHA had approved whites-only development in 1952). Allen did not mention a conspicuous role of real estate agents, but they likely were involved in his neighbors’ panic selling.

The problem was serious enough that some St. Louis suburbs, and St. Louis itself, attempted to legislate against blockbusting. But violations were and still are hard to prove, and creating a sufficiently precise definition of blockbusting for statutory purposes was and remains challenging. In 1969, St. Louis adopted ordinances prohibiting solicitation of list-

ings by real estate agents and the placement of “open,” “for sale,” or “sold” signs in specific designated zones considered subject to sudden racial change. A subsequent amendment permitted such a sign if a private individual, not a real estate agent, obtained a permit from the city’s Human Relations Council that could be granted only after the council made a determination that the neighborhood was not subject to rapid racial change.⁷¹

In the late 1960s, the western suburb of Vinita Park adopted an ordinance prohibiting all solicitation of listings by real estate agents.⁷² Blockbusting in another suburb, University City, began as early as 1962; the suburb also banned “for sale” signs and adopted an antiblockbusting ordinance.⁷³ University City remains uniquely integrated, although within the city, black and white neighborhoods are mostly distinct. Other suburbs also took action against blockbusting, but without much impact. The only effective control over blockbusting would have been disciplinary action by the Missouri Real Estate Commission, the state agency charged with regulating the industry, but this was not forthcoming.

Racial steering

Real estate agents’ practices and state action to create and support racial segregation were inseparable in St. Louis and elsewhere. Overlapping with zoning rules adopted by Harland Bartholomew’s City Plan Commission in 1919, the St. Louis Real Estate Exchange surveyed its members in 1923 to define zones in which property could be sold to African Americans. City government worked hand-in-glove with the exchange, providing it with data on changing racial residential patterns so the exchange could adapt its restrictive practices accordingly. By 1930, the City Plan Commission estimated that 80 percent of the city’s African American population was contained within the zones established by the Real Estate Exchange. These boundaries were revised substantially in 1941, and continued to guide real estate practice afterwards.⁷⁴

The Real Estate Exchange adopted a code of ethics in the mid-1920s, with language taken verbatim from the 1924 code of National Association of Realtors that stated: “A realtor should never be instrumental in introducing into a neighborhood ... members of any race or nationality ... whose presence will clearly be detrimental to property values in that neighborhood.”⁷⁵

Both the St. Louis Real Estate Exchange and the Missouri Real Estate Commission deemed sales to African Americans in white neighborhoods to constitute professional misconduct that could result in loss of license. It could also lead to expulsion from the national as well as the local association, making it difficult for real estate agents to stay in business because they would no longer have access to multiple listing services.⁷⁶

In 1950, the national association amended its code so that integrating a neighborhood was no longer explicitly unethical, instead prohibiting sales that would be “detrimental to property values.” real estate agents nationwide continued to interpret this rule (as it was doubtlessly intended) as prohibiting sales to African Americans in white neighborhoods and continued practices of promoting and enforcing segregation. The revised code suggested no positive obligation of nondiscrimination.⁷⁷

Making explicit that the revised code, despite its sanitized wording, implied no change in race policy, the St. Louis Real Estate Exchange sent this notice to all members in 1955: “No Member of our Board may, directly or indirectly, sell to Negroes ... unless there are three separate and distinct buildings in such block already occupied by Negroes.... This rule is of long standing [and is our interpretation of] the Code of Ethics of the National Association of Real Estate Boards.”⁷⁸

In 1969, a year after enactment of the Fair Housing Act, a St. Louis real estate agent boasted to an investigator, “We never sell to colored. When they ask for a specific house, we tell them there is already a contract on that house.”⁷⁹ At that time, St. Louis real estate agents still asserted they would lose their licenses if they sold homes to African Americans in white neighborhoods.⁸⁰

A 1953 survey by the FHA found that St. Louis had 80,000 African Americans with stable working-class and middle-class jobs who could have afforded to buy their own homes and participate in the postwar suburban boom.⁸¹ But few were permitted to do so (in considerable part because of the FHA’s own policy) and instead were forced either to rent ghetto apartments in the city or settle in the few lower-class black enclaves (like Kinloch) in the suburbs. As Larman Williams and Adel Allen later found, until passage of the Fair Housing Act and to some extent afterwards, real estate agents openly steered black home buyers away from white neighborhoods, helping to prevent the emergence of a solid black lower middle class that could have integrated into socioeconomically similar white suburbs.

To address racial steering, the federal government had levers that it declined to use. For example, one St. Louis County employer was the Mallinckrodt Chemical Works, a government contractor that sold medical supplies to the Veterans Administration. At the same 1970 hearing of the Civil Rights Commission at which the Williamses and Adel Allen testified, Charles Swartout, vice president for personnel of Mallinckrodt, said he had difficulty attracting black professional, technical, and administrative employees to the company’s suburban facility because the recruits were unable to find housing in the area. The company maintained a list of real estate agents to which it referred employees it recruited. The commission’s general counsel asked Mr. Swartout whether the company might ask real estate agents on the list to agree not to discriminate. No, he replied, “I don’t think we would [ask that] any more than we do [for] suppliers of chemicals or equipment.”⁸² This testimony occurred two years after adoption of the Fair Housing Act making discrimination unlawful. The federal government was apparently unwilling to require its contractors to refer prospective employees only to real estate agents who agreed to obey the law.

Federal acquiescence also played a role in the case of McDonnell Douglas, a major suburban St. Louis defense contractor. The company maintained separate housing lists for white and black recruits so that employees of each race could be referred to their respective segregated communities. It merged its lists in the late 1960s, but this had little effect.⁸³ By 1970 the company employed nearly 3,000 nonwhite workers. The previous year alone, some 650 new hires at the plant were nonwhite. Yet when these employees, with good and stable jobs, sought housing, real estate agents still routinely referred them to the black Kinloch suburb, avoiding the many available homes in working-class white suburban communities nearer the plant. Unlike Adel Allen, many were not in jobs paying well enough to enable them to break into a middle-class suburb like Kirkwood. In these cases, real estate agents steered African American workers away from lower-middle-class suburbs. Often these workers could find housing only far away in the St. Louis ghetto, resulting in long commutes and excessive absenteeism when carpooling arrangements failed. With public transportation, the commute took as much as two hours each way.⁸⁴ Black workers at other industrial plants, increasingly located in the suburbs, faced similar challenges.

Heavily regulated industries as agents of the state

Should the actions of real estate agents contributing to the racial segregation of the St. Louis metropolitan area be considered private or state action? As noted above, the conventional understanding of conditions that led to the recent conflicts in Ferguson emphasizes the white flight of homeowners from inner-ring suburbs once African Americans arrived.

But white flight spurred directly by real estate industry practices that were sanctioned, even encouraged, by state regulators calls for remedial public actions that account for government's role in Ferguson's transformation.

Almost every industry in the United States is regulated by government to some extent, so it would be foolish to consider the mere fact of regulation to justify a public remedy. Yet few industries are as regulated as real estate. Obtaining a real estate license in Missouri and in other states requires extensive study, testing, and recertification. Regulations cover detailed aspects of real estate practice, including not only who can show a home or how escrow funds should be handled, but the personal behavior of real estate agents in their private lives. Until late in the 20th century, however, it almost seemed that the sole area of real estate practice not subject to regulation was racial discrimination, except to the extent that real estate agents were subject to discipline if they did *not* discriminate. Racial steering by real estate agents had been unlawful since 1866, but Missouri's and the nation's real estate ethics rules required it.⁸⁵

Blockbusting on its face was a flagrant violation of the Real Estate Exchange's and the Missouri Real Estate Commission's prohibition of introducing black families into white neighborhoods, but the commission did not deem blockbusting inappropriate until 1970, two years after federal law reiterated its illegality, and even after that, enforcement was weak or nonexistent.⁸⁶

Insurance and banking are two industries that are even more regulated than real estate, and these also played important roles in segregating St. Louis and the nation. Until the 1960s, insurance companies openly practiced "redlining" – refusing casualty or title insurance in black neighborhoods, or making it available only at premium rates.⁸⁷ The nation's leading insurance companies became developers themselves – of segregated apartment complexes.

For most of the 20th century banks also routinely and openly practiced redlining and refused mortgages or home improvement loans to African Americans in predominantly white neighborhoods. Federal and state regulators rarely took notice. In one recent case, however, the Department of Housing and Urban Development pursued a complaint that the First National Bank of St. Louis had avoided making loans in predominantly minority neighborhoods. As part of its settlement of the case, the bank promised the federal government that it would open a branch in Ferguson to remedy its past failures. The branch opened in March 2012.⁸⁸

Public labor market policy contributing to segregation

This report has described the public – federal, state, and local – housing policies that contributed to the residential segregation of Ferguson and the entire St. Louis metropolitan area. Without these policies, we would not be confronted with the racial inequality and conflict we continue to experience today. While it is beyond the scope of this report to fully explore the nonhousing public policies contributing to residential segregation, labor market and employment policy has had such a direct impact on housing that it warrants brief mention here.

If state-sponsored labor and employment discrimination reduced the incomes of African Americans relative to whites in St. Louis, the ability of African Americans to afford housing in middle-class suburbs would have suffered, even in the absence of specific housing discrimination. And, indeed, public labor and employment policy did play such a role.

Defense plants like McDonnell Douglas were, by the 1970s, mostly welcoming to black workers, but this was a relatively late development. During World War II, St. Louis was the site of a large arms and ammunition industry. The St. Louis

Small Arms Ammunition Plant alone employed 40,000 workers.⁸⁹ At first, this federally controlled plant would not hire African Americans except as janitors, landscape gardeners, or other service workers, but after civil rights demonstrations at the plant in 1942, the plant agreed to hire blacks for production work – but only on a separate, segregated production line. In 1944, the plant finally agreed to integrate its production lines, but by then, the war was nearly over.⁹⁰



In 1942, demonstrators protest the refusal of the St. Louis Small Arms Ammunition Plant to hire black workers.

Photo reproduced with permission from the St. Louis Post-Dispatch

The federal government also had a role in other industries' treatment of black workers. For example, while the United Auto Workers union at the Chrysler plant in the St. Louis suburb of Fenton was unusually hospitable to black workers, unions in other industries denied membership and thus jobs to African Americans. In St. Louis (and elsewhere) these whites-only unions nonetheless were recognized as exclusive bargaining agents by the federal government. This had an especially big impact in the construction trades, which offered numerous jobs during the suburban housing boom but excluded African American workers. Eventually the National Labor Relations Board concluded that it was violating the Constitution when it certified unions that denied membership to black workers, but it did not make such a ruling until the suburban housing boom was mostly complete.

The lower incomes of African Americans today cannot be understood in isolation from the history of pervasive housing segregation. By keeping black families out of the better-off suburbs, segregation not only deprived them of the opportunity to build wealth through rising home equity, but contributed to (and was reinforced by) what urban scholars term the “spatial mismatch” between the neighborhoods where African Americans mostly lived, and the better suburban jobs they had difficulty accessing. After World War II and accelerating in the 1950s and 1960s, industrial corporations nationwide relocated facilities from city to suburb, or established new suburban plants. This phenomenon can be seen in the trajectory of employment opportunities in the city of St. Louis. From 1951 to 1967, the number of jobs in the city of St. Louis declined by 20 percent, while those in suburban St. Louis County increased by 400 percent.⁹¹

For black workers who were able to commute to work in the suburbs, higher commuting costs reduced incomes relative to incomes of whites. From 1959 to 2009, Chrysler operated its assembly plant in suburban Fenton. Black workers living in the St. Louis ghetto and unable to live near the plant spent up to an hour, each way, commuting. But many more black workers were simply unable to take jobs at the Chrysler plant because they could not get there. In the 1960s, Chrysler made a special effort to recruit black workers for a training program for production jobs. The program’s retention rate was only 40 percent, mostly because of absenteeism due to transportation difficulties.⁹² Today, the town of Fenton remains 96 percent white, less than 0.5 percent black.

We now understand that, for both races, intergenerational income mobility – the ability of adult children to do better than their parents – is quite limited, which means we are still paying a price for these labor market practices. Contemporary conditions in Ferguson are but one illustration.

In conclusion: Understanding segregation’s causes suggests remedies

Once rules of residential segregation were firmly in place, other, race-neutral, public policies had and still have a disparate impact on African Americans, reinforcing the segregation. For example, the federal income tax system, permitting the deduction of home mortgage interest, subsidizes those who move to single-family homes in white suburbs and thus imposes a relative penalty on those who remain renting in urban African American neighborhoods.

The federal highway system routed highways through urban areas often to eliminate black neighborhoods that were close to downtowns. And the generous financing of interstate highways relative to efficient public transportation facilitated the commutes of white suburbanites to office jobs in the city while making it harder for African Americans restricted to urban neighborhoods to obtain good industrial jobs in the suburbs.

But the disparate impacts of the mortgage interest deduction and transportation priorities should not distract us from the underlying reality. These policies would have had no racial impact if African Americans had been permitted to suburbanize along with whites.

A century of evidence demonstrates that St. Louis was segregated by interlocking and racially explicit public policies of zoning, public housing, and suburban finance, and by publicly endorsed segregation policies of the real estate, banking, and insurance industries. These governmental policies interacted with public labor market and employment policies that denied African Americans access to jobs available to comparably skilled whites. When these mutually reinforcing public policies conspired with private prejudice to turn St. Louis’s African American communities into slums, public

officials razed those slums to devote acreage to more profitable (and less unsightly) uses. African Americans who were displaced then relocated to the few other places available, converting towns like Ferguson into new segregated enclaves.

The pattern – in St. Louis and other U.S. metropolitan areas – of white middle-class suburbs surrounding black ghettos cannot easily be explained without taking account of the myriad public policies that, with race-conscious intent, encouraged and supported this particular distribution of population by race. After all, as historian Colin Gordon has noted, in Europe, the opposite pattern prevails – middle-class whites reside in the center cities, and low-income immigrants settle in the suburbs, where public housing is located.⁹³ Today, as whites in St. Louis and elsewhere find gentrifying urban neighborhoods more attractive, and displaced African Americans relocate in heavy concentrations to specific suburbs, we may be replicating segregation on the European model.

As the federal court observed more than 30 years ago, school desegregation requires housing desegregation.⁹⁴ Several elementary schools in Ferguson today are 90 percent African American and no elementary school is less than 75 percent African American; educational performance in such racially isolated settings is inadequate. As the tragic death of Michael Brown shows, the interaction of black men and youths with police has much in common with Adel Allen's experiences 50 years ago, and the reaction in Ferguson (though comparatively mild) is reminiscent of the 1967 race riots that the Kerner Commission investigated.

Litigation has revealed that in the 2000s, federally supervised banks marketed exploitative subprime loans to African American communities like Ferguson, expecting that African Americans (particularly the elderly) were too gullible to resist false promises. When the loans' exploding interest rates combined with the collapse of the housing bubble, it compounded the devastation of black neighborhoods.⁹⁵ Half of Ferguson homes today are underwater, with owners owing more than their homes are worth.⁹⁶

Many practical programs and regulatory strategies can address problems of Ferguson and similar communities nationwide. One example is to prohibit landlords from refusing to accept tenants whose rent is subsidized – a few states and municipalities currently do prohibit such refusal, but most do not. Another example is to require even outer-ring suburbs to repeal zoning ordinances that prohibit construction of housing that lower- or moderate-income residents – white or black – can afford. Going further, we could require every community to permit development of housing to accommodate a “fair share” of its region's low-income and minority populations – New Jersey, for example, has taken a very modest step towards this requirement.⁹⁷

But we won't consider such remedies if we remain blind to how Ferguson became Ferguson. It is impractical to think that the public and policymakers will support remedies to problems whose causes they don't understand. We flatter ourselves that the responsibility is only borne by rogue police officers, white flight, and suburbanites' desire for economic homogeneity. Prosecuting the officer who shot Michael Brown, or investigating and integrating Ferguson's police department, can't address the deeper obstacles to racial progress.

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Acknowledgements

When the Troubles in Ferguson began in August, I put other work aside to delve into the background of how an inner-city suburb of St. Louis had become segregated. Without much previous familiarity with St. Louis, I relied extensively on scholars with expertise in this history. Without their generous help, I could not have produced this report.

First among them is Colin Gordon, a professor at the University of Iowa and author of *Mapping Decline*, who did not tire of answering my frequent questions. Others who provided extensive help include Peter Acsay (professor, University of Missouri-St. Louis); Margaret Garb (professor, Washington University, St. Louis); Dan Mandelker and Kimberly Norwood (professors, Washington University School of Law), Cornelia Sexauer (professor, University of Wisconsin-Marathon County), and John A. Wright (former superintendent of schools in Kinloch and author of several illustrated books on the history of African Americans in St. Louis).

I am also grateful to Lawrence Mishel, president of the Economic Policy Institute, who reviewed the draft of this report; Jason Stratman, assistant librarian, reference, at the Missouri History Museum Library and Research Center, who promptly responded to my frequent requests for documents in the museum's collection; Alyssa Davis, a researcher at the Economic Policy Institute, who gathered census data for this report; editorial staff of the *American Prospect* who helped prepare [an article version of this report](#) for the magazine's Fall 2014 issue, including Robert Kuttner and Paul Starr, co-editors, and Katherine Downs, Justin Miller, Mary Parsons, Adele Stan, and Amanda Teuscher; and to the communications staff members of the Economic Policy Institute who edited this report and prepared it for publication and dissemination, including Elizabeth Rose, communications director, and Donte Donald, Lora Engdahl, Dan Essrow, Chris Roof, and Eric Shansby.

Endnotes

1. Throughout this report, the terms “all-white” and “all-black” are employed loosely to describe communities whose populations are close to but not necessarily precisely 100 percent white or black. For example, population counts of many “all-white” communities include live-in black domestics working for white families. Some “all-white” communities contain small clusters of black residents, usually originating with domestic servants.
2. Wright 2000, 39, 128; Wright 2005, 115–117; Wright 2014; Gordon 2008, 146. Suburban Avenue was the blocked-off thoroughfare. The smaller Carson Road remained open. The barricade on Suburban Avenue was removed in April 1968 after a demonstration by Kinloch residents in the wake of the assassination of Dr. Martin Luther King, Jr. USCCR 1970, 610. “Sundown towns” were once commonplace across the entire United States. They are described in Loewen 2005, with more detail online at Loewen online web project.
3. Wright 2000; Wright 2014; Loewen 2005, 349.
4. Data, from the U.S. Census Bureau's American Community Survey, are for zip codes 63101, 63103, 63104, 63108, 63110, and 63112. Whites are now a majority in 63108 and 63110.
5. USCCR 1970, 301–314.
6. USCCR 1970, 306.
7. Apuzzo 2014.

8. New York Times Editorial Board 2014; Vega and Eligon 2014.
9. United States v. City of Black Jack, Missouri, 1186 (#7); Liddell v. Bd. of Ed. of City of St. Louis, Mo., 354 (#12d); Orfield 1981, 3–4, 9, 14.
10. Heathcott 2005, 708.
11. Heathcott 2005, 714–716; Gordon 2008, 70–71; Buchanan v. Warley.
12. Flint 1977, 49–50, 93, 103, 114, 119, 207, 345–347, 352–353, 355; Gordon 2008, 122–124.
13. Flint 1977, 355–357, 394; Gordon 2008, 125–128.
14. Gordon 2008, 134, 137–138, 144–145.
15. Gordon 2008, 146–147.
16. Gordon 2008, 147.
17. Hirsch 1983, 14; Hirsch 2000, 209; Radford 1996, 89–91; Burns 1970, 466; Heathcott 2005, 712.
18. Radford 1996, 93, 97; Heathcott 2011, 87–88. Two of the whites-only limited dividend projects were in New York City (one in the Bronx and the other in Queens). The other four (in addition to Neighborhood Gardens in St. Louis) were in central Virginia (near Roanoke); Euclid, Ohio (near Cleveland); Philadelphia; and Raleigh, North Carolina.
19. Heathcott 2011, 89–90, 94.
20. Heathcott 2008, 222, 224.
21. Heathcott 2011, 89–90; Davis v. St. Louis Housing Authority, 354–355.
22. Davies 1966, 108; Julian and Daniel 1989, 668–669.
23. Heathcott 2011, 89–90; Davis v. St. Louis Housing Authority, 354–355.
24. Heathcott 2011, 99.
25. Davis v. St. Louis Housing Authority, 355.
26. Orfield 1981, 37–38; Gordon 2008, 99.
27. Gordon 2008, 12, 176.
28. Tobin 1982, 20.
29. Gordon 2008, 71, 75, 79; Gordon online web project, Documents, doc1.
30. Flint 1977, 352–353.
31. Bob Jones University v. United States, 586.
32. Coleman 1982, 67, citing Treas. Reg. § 1.501(c)(3)-1(d)(2).

- 33.** In 1968, the U.S. Supreme Court in *Jones v. Mayer* affirmed that the 1866 Civil Rights Acts had properly enforced the 13th Amendment by prohibiting discrimination in private housing sales. However, the Civil Rights Acts did not provide an enforcement mechanism for this prohibition, so the only recourse for African Americans claiming private discrimination was an individual civil lawsuit. The Fair Housing Act, passed by Congress also in 1968, provided for limited enforcement of a ban on racial discrimination in the private housing market.
- 34.** *Shelley v. Kraemer*.
- 35.** Cote *Brilliant Presbyterians Church* n.d.; Gordon 2008, 79; Wright 2002, 77; Long and Johnson 1947, 82. The earlier case (1942) arose from the attempt of African American attorney Scovel Richardson to purchase a home in the neighborhood. Fifteen years later, Richardson was one of the first African Americans appointed to the federal judiciary.
- 36.** FHA 1934.
- 37.** Clark 1938, 111–112; Jackson 1985, 238.
- 38.** Jackson 1985, 207–208, 238; Radford 1996, 193–194; Weiss 1987, 145–147, 152–154, 156.
- 39.** Weiss 1987, 154.
- 40.** FHA 1947.
- 41.** USCCR 1959, 463–465.
- 42.** Tobin 1982, 55–56, 103.
- 43.** Home Builders 1952, 18, 19, 27, 28.
- 44.** Sexauer 2003, 180, 199, 211, 215, 226–228, 232.
- 45.** Home Builders 1952, 39.
- 46.** U.S. Census Bureau Current Population Survey Annual Social and Economic Supplement.
- 47.** Mishel et al. 2012, Tables 2.5, 6.5.
- 48.** Gordon 2008, 22.
- 49.** Gordon 2008, 86.
- 50.** Sexauer 2003, 220–221.
- 51.** Heathcott 2005, 716.
- 52.** USCCR 1961, 135–136; *State ex rel. City of Creve Coeur v. Weinstein*; Sexauer 2003, 215–216.
- 53.** Gordon 2008, 213; Gordon 2014.
- 54.** Rosenthal 1971a; Rosenthal 1971b.
- 55.** *United States v. City of Black Jack* (quotations at 1185 [n. 3], 1186 [#7]).
- 56.** Herbers 1970; Ayres 1971; Gordon 2008, 147–150; *Park View Heights Corporation v. City of Black Jack*.

57. Orfield 1981, 85.
58. Judd 1997, 235–236; Gordon 2008, 43.
59. Judd 1997, 236.
60. The U.S. Department of Housing and Urban Development increased its requirement to 24 units if the greater number were needed for relocation of former Elmwood Park residents. However, because most residents had moved away to other black communities when their homes were demolished, the additional requirement of 14 units was not implemented. USCCR 1970, 392–393, 564–565.
61. Dubrow 1975, 254–264; USCCR 1970, 384–410.
62. Gordon 2008, 212; USCCR 1970, 569–570.
63. Orfield 1981, 50; Gordon 2008, chapters 4–5.
64. Smith 1995; Sweets 1997.
65. Allen 2011.
66. Orfield 1981, 50; Gordon 2008, 25, 168.
67. Orfield 1981, 63; Gordon 2008, 100.
68. USCCR 1970, 576–579.
69. Glassberg 1972; Hayes 1969, 691. Literature on blockbusting in Chicago contains the most graphic descriptions of these tactics. See, for example, McPherson 1972, Seligman 2001, and especially Satter 2009, 111–116.
70. Gross 1995.
71. Hayes 1969; Jerome L. Howe et al. v. City of St. Louis.
72. Hayes 1969, 687–688, 709, 714.
73. Orfield 1981, 87; Sorkin 2011.
74. McEntire 1960, 244; Gordon 2008, 84; Heathcott 2005, 717.
75. Gordon 2008, 83.
76. Weaver 1948, 1967, 216–217; Sugrue 1993, 112; Gordon 2008, 84.
77. McEntire 1960, 242–243, 246; Mohl 1997, 65; Glassberg 1972, 146 (n.3)
78. Gordon 2008, 86.
79. Gordon 2008, 87.
80. USCCR 1970, 202.
81. Sexauer 2003, 219–220.

82. USCCR 1970, 51–53.
83. USCCR 1970, 203–204.
84. USCCR 1970, 51, 63, 112, 656; Gordon 2008, 87.
85. *Jones v. Alfred H. Mayer Co.*
86. Gordon 208, 103. In view of the overcrowded conditions in which African Americans were forced to live as a result of their exclusion from most neighborhoods, blockbusting played the positive function of rapidly expanding the space available for black occupancy. If African Americans were to be segregated into ghettos, they would be better off in larger than in smaller ghettos.
87. Tobin 1982, 58–59; Gordon 2008, 111.
88. The Bank of St. Louis’s settlement agreement with the federal government contains a clause stating that the Bank does not admit that it has violated the law. Sullivan 2010; HUD 2010; Risch 2013.
89. Whelan et al. 1997, 198.
90. Two years later in December 1944, shortly before the war ended, production lines at the plant were integrated. O’Neil 2010.
91. USCCR 1970, 471.
92. USCCR 1970, 33, 78–81.
93. Gordon 2008, 35.
94. See note 9 above, referring to the discussion of the federal judge’s order in the St. Louis school desegregation case.
95. Rothstein 2012.
96. Goldstein 2014.
97. Massey et al. 2013.

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This report has been published online at <http://www.epi.org/publication/making-ferguson/>, containing hyperlinks, where easily available, to references cited below.

Note: Colin Gordon’s *Mapping Decline: St. Louis and the Fate of the American City* (2008) is a comprehensive summary of many of the incidents described in this report. In many cases, the endnotes in this report cite Gordon 2008 as confirmation of evidence provided in other sources. Nonspecialist readers seeking further discussion than this report can provide should consult Gordon 2008 and Gordon’s “Mapping Decline” online web companions to the book, listed below.

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