

Toward Ending Segregation in the 1980s

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The conflict concerning desegregation in the 1970s has roots and implications that extend beyond schooling to all aspects of life in metropolitan America. The issue is whether the ghettoization of blacks in areas distinct and separate from protected white enclaves will continue as the vehicle for imposing caste inequality. The challenge for the 1980s is to develop constructive policies and practices in education and training, jobs and housing, and urban development and taxation that will work to end the mutually destructive process of racial segregation across the national landscape. This article explores a number of control, incentive, market, and cooperative approaches to breaching the color line of racial ghettoization.

Racial segregation across the American landscape is the linchpin of racial inequality. It denies many blacks access to jobs, housing, and new enterprises located outside the ghetto. It restricts the chance for blacks to own a home, earn a living, and participate in the public and private business of the metropolitan community. It robs many blacks isolated in economically depressed cores of the incentive even to acquire marketable skills. This geographic segregation also allows most whites to avoid personal contact with most blacks. It permits many in the white majority to blame the black minority for continuing racial inequality. It promotes white belief in the inferiority of the mass of unknown blacks in the dark ghetto and fear of minority invasion of white areas. In sum, ghettoization of blacks within distinct areas apart from protected white enclaves has become the primary engine of racial caste in this country.

Racial segregation also distorts public and private decision making. It wastes energy, as whites working in the professional and financial institutions in the central business district and blacks seeking jobs in the suburban ring commute ever longer distances. It inhibits regional cooperation essential for sensible land use, local taxation, and provision of many public services. It skews investment by stigmatizing much of the expanding ghetto as a deteriorating wasteland and thereby promoting the very decay prophesied. It permits the promulgation of so-called urban policies that support serious structural defects in the metropolis and discount the potential benefits of population decline in many central cities.

Many whites presume that racial segregation is a nonracial phenomenon. Yet even President Nixon, a staunch opponent of "forced integration," conceded that the segregative effects of racially exclusive housing policies and practices still prevail. The administration of President Carter, a sometime

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defender of neighborhood “ethnic purity,” documented that racial discrimination still regularly confronts blacks in the rental and purchase of homes. Even defenders of the “old virtues” of “neighborhood” and “family” like President Reagan concede that exclusion on a racial basis is no longer tolerable. The school and housing cases of the 1970s finally proved to a wary Supreme Court that the causes of racial separation in urban America are neither unknown nor unknowable. Economics, ethnicity, minority choice, and happenstance are not the primary causes. Racial discrimination, past and present, is.

THE COURTS AS CATALYST

In the 1980s, the Supreme Court of the United States, and the highest court of any state, can point the way for others to end racial segregation. Although the power of the courts to force change on an unwilling people may be limited, the judiciary can legitimize and fuel a minority call to end the continuing process of black ghettoization and white protection in urban and exurban areas. Case by case, the court should interpret the core meaning of the Fourteenth Amendment as a shield protecting blacks from any persisting regime of racial discrimination. In this process they should squarely hold that segregation across the metropolitan landscape today is invidious. Its roots can and should be traced by evidence and reasoned judicial opinions through the variety of public and customary acts of discrimination, exclusion, and ghettoization to the same type of racial bias that motivated Jim Crow, the Black Codes, and slavery. The states (and the federal government under the Fifth Amendment) bear the affirmative duty to overcome any continuing caste segregation. Their failure to do so denies to black persons today the “equal protection of the laws” as surely as did their refusal following emancipation to protect blacks from Klan subjugation and from the enactment of segregation statutes.

Under this standard of judicial review, the subjective and objective intent of the public official, body, or agency taking or failing to take action would be relevant. But the history of institutional bias and racial ghettoization would also come under scrutiny. If the public agency in question either has contributed in the past to a system of segregation or now has the power to condemn or cutrail it, then the constitutionality of the agency’s actions must be measured against its affirmative duty.

Examples of official conduct that would not pass muster under this sensitive standard for reviewing the causes and effects of racial ghettoization could include:

- A white enclave refusing to rezone a parcel of land for an integrated housing development, subsidized or not, that meets other legitimate governmental interests.
- A real estate commission licensing agents who steer home seekers on a racial basis into separate neighborhoods.

- A state allowing all-white towns to impose land use restrictions, to refuse housing projects and subsidies, and to condone customary discrimination in real estate marketing that effectively excludes blacks.
- HUD failing to exercise its authority to provide eligible minority persons with a meaningful opportunity to compete for HUD-sponsored housing throughout the metropolitan area.
- FHA refusing to provide eligible black families today with the same opportunities to purchase homes regularly provided only to eligible white families in prior years.
- Federal lending and regulatory institutions failing to ensure that member banks do not finance new homes and apartments built and marketed on a racially exclusive basis.
- A school district incorporating residential segregation in its schools through neighborhood zoning if other pupil assignment techniques leading to integrated schools are reasonably available.
- A state maintaining school district boundaries as a barrier for isolating black schools from white schools in nearby districts.

The common thread in each of these public defaults is that the agency with responsibility for the decision in question acts in a fashion that perpetuates the continuing segregative effects of historic racial ghettoization. Whether the decision results from the racial bias of the decision maker, fear of private reaction to a contrary decision, inability to cope with the power of an entrenched custom of racial exclusion, or simple neglect, the result is the same: A superficially race-neutral public decision permits segregation across the metropolis to continue. By explaining the racially discriminatory underpinnings and exposing the intentionally segregative consequences of such action, the courts would compel the other branches and levels of government, and the American people, to come to grips with the underlying wrong—the historic process and continuing legacy of racial ghettoization in urban areas.

The antibusing or white protectionist clamor of the moment may well greet the President, the Congress, and the chief executives and legislators of the states. These elected officials will have to make a choice: They must develop a broad program of racial reconciliation as part of a larger domestic agenda, or they will force a constitutional crisis by seeking to obstruct court decrees and to preserve segregation. The country can either move forward together or split apart on a racial basis. In these circumstances, now is the time to plan broadly for integration on a mutually constructive basis in: (1) education and training, (2) jobs and housing, and (3) urban development and taxation.

EDUCATION AND TRAINING

Over the past 40 years, efforts to narrow the disparity between blacks and whites in the average number of years of schooling have not succeeded in closing the racial gap in employment rates, family income, wealth, and

proportion occupying top jobs. This apparent contradiction should not be surprising. Education alone is not usually a stepping stone to earnings, but only an important background characteristic for acquiring work skills that are usually learned on the job. Most schools, except professional and graduate schools, have little connection with entry into the job market. Many schools, however, do link up more directly with higher educational opportunities which in turn can provide a "credential" for many jobs; and some schools do have closer ties with employers and larger social and economic opportunities. These networks provide their students with access to meaningful educational and job ladders, but most blacks (as well as many whites) are excluded. Most black schools are isolated from these networks for advancement. Black youth see few job openings in the ghetto, and the local black schools have few links with employers outside the ghetto; thus there is no visible incentive to achieve in school. At the same time, white students, families, and employers continue to learn, live, and work largely apart in white enclaves.

The answer to this isolation of black youth from job openings, meaningful educational and employment networks, and incentives to achieve in school will not be provided solely by desegregation of elementary, secondary, technical, and higher education. But ending racial segregation in schooling can provide one useful starting point, particularly if education leaders include businesses, unions, and civic institutions in the process. For example, although much has been written about the violence accompanying the initial desegregation of Boston public schools, little has been said about the new links that have been established by secondary schools with local universities, government offices, and corporations both within and without the city. These new connections have allowed an increasing proportion of Boston public school graduates to attend college and to step onto job ladders. Boston schools are also seeking to build new networks with mixed public-private urban redevelopment efforts. As one example, a new technical school specializing in computer technology has been built in cooperation with two computer firms that are locating plants in close proximity. Although the new school and plants are located in a black area, white students are lining up to become a part of this new cooperative.

Such creative efforts to join schools as partners with local civic, business, and higher-education opportunities must be greatly expanded in every community. The unrealized dreams of educational parks can be scaled down to take advantage of the greater opportunities provided by links with nearby industries, offices, shipyards, museums, universities, and the like. Yet these efforts are threatened in cities like Boston because of the isolation of most central city students from white suburban schools and the burgeoning job opportunities along the perimeter expressways.

In contrast, school desegregation in the state of Florida began in 1970 in relative quiet and, with a few exceptions (notably Miami), has proceeded considerably more thoroughly over the past decade in countywide systems that include entire metropolitan areas. The relative stability and success of this desegregation effort prompt even some local chambers of commerce to brag about their schools to prospective new businesses and families as

much as some of their northern counterparts do about all-white suburban schools. Viewed from the perspective of overall community strength, desegregated schools certainly have not hampered Florida's remarkable growth nor have segregated schools in the Northeast and Midwest protected many parts of these regions from relative decline. Unfortunately, instead of using school desegregation as a lever to break the process of racial ghettoization in all aspects of community life, Florida school officials have ordered that new schools be built in areas of virtually all-white residential expansion furthest from historic black population centers. This practice leads to calls for a return to "neighborhood schools" as the bus rides become longer and new enclaves are created that seek whites-only protection.

Yet the very fact of areawide school desegregation in Florida has altered to some extent the continuing process of racial segregation in housing. A common technique for marketing segregated housing is no longer in evidence. The names of school districts and schools, invariably all-white, that formerly appeared in advertisements of homes for sale, are omitted in those areas that have no identifiably black or white schools. Although real estate agents may substitute other clues for racial steering, areawide school desegregation removes the incentive to choose a home based on the racial identity of the "neighborhood school." In the process, white families have returned to previously aging and decaying bay peninsula areas in Tampa and have enrolled their children in the desegregated schools that blanket all of Hillsborough County. Local school officials encouraged this return by converting the nearest grade center into a walk-in, desegregated elementary school to serve this integrating neighborhood. Without such effective school desegregation, families who move closer to central business district jobs may only live in new whites-only enclaves and send their children to exclusive private schools.

Louisville-Jefferson County provides another example of areawide school desegregation offering opportunities to integrate housing. The Kentucky Human Relations Commission works with local school officials, central city and suburban leaders, and federal housing authorities to assist black families who want to move closer to the expanding suburban housing and job opportunities. Each such integrating move is rewarded by a guaranteed walk to the nearest, but still thoroughly desegregated, school. School authorities also modify the areawide plan of pupil reassignments to provide walk-in schools for stably integrated neighborhoods. The message is clear: Wherever a family lives in Jefferson County, the children attend a desegregated school; but if a family, white or black, wants its children to attend a walk-in school, it can do so by remaining in a mixed neighborhood or by moving to an opposite-race or integrating area.

Areawide school desegregation alone can remove only one aspect, albeit important, of the multifaceted and entrenched process of racial ghettoization in metropolitan areas. But if schools also link up with networks of economic opportunity and include incentives for the development of integrated neighborhoods closer to suburban and central city jobs, then school desegregation can become a potent weapon for attacking the total process of racial segrega-

tion. This is even true for larger and older metropolitan areas where the long distance between some white enclaves and black areas may make complete desegregation of all public schools impossible. Incentives can still be provided for "majority-to-minority" school and housing transfers; linkages can be created between schools attended by blacks and the advancement opportunities throughout the metropolis; rewards can be offered for new suburban-ring developments that include blacks and for central city revitalization efforts that proceed on a multiracial basis; and requests for new classrooms can be denied to any historic white enclave or new exurban development that refuses to open wide its door to minorities. If a substantial portion of the interconnected metropolitan area can be included in the plan of actual school desegregation and the entire area covered by such penalties and rewards, school integration even in the largest urban areas can be a constructive force in ending the areawide process of racial ghettoization.

In contrast, school desegregation efforts limited to particular neighborhoods involving only a small portion of the total metropolitan area offer substantially less promise. Such limited efforts may on occasion provide a few islands of stable integration in a sea of segregation. But such minor tinkering usually guarantees a few "mixed" schools and neighborhoods only for a short period of time as the black ghetto expands and the whites-only areas continue to shift to new ground. In these circumstances, efforts to limit minority participation by putting a maximum ceiling on the number or proportion of blacks in particular schools or neighborhoods should be viewed skeptically. In addition, the fear of "too much blackness" that usually motivates such caps smacks of white supremacy stigmatizing blacks as inherently inferior. Any upper limits on minority participation should be accepted only in overall plans that increase the total opportunities for minorities throughout the metropolitan area and only as flexible guidelines, not rigid caps.

Systemwide school desegregation within a central city that possesses much of the total wealth of the metropolitan area may provide an important wedge into the areawide process of segregation. But if the city has already been hemmed in by suburban school districts that have captured much of the money, power, and population in the area, school desegregation limited to the central city does not even begin to address the areawide process of black ghettoization and whites-only expansion. In these situations, there has been strong disagreement about whether city-only school desegregation (1) increases "white flight" to the suburbs, (2) should be tailored to cater to the fears of the remaining white families, (3) should be limited to desegregating only the white schools in the city, or (4) should be targeted to a few mixed areas in transition on the edge of the ghetto. All these arguments miss the point. The basic wrong is the areawide process of segregation; therefore any meaningful remedy must be of the same scope.

The object of school desegregation is to begin to overcome one entrenched system of discrimination, racial ghettoization. Care must be taken in the desegregation process to ensure that the racial minority is not relegated to new forms of discrimination. For example, racial grouping in separate academic classes and racial subjugation or exclusion in extracurricular

activities should be terminated at once. Desegregation should not be subverted into a new process for labeling minority students as deserving of separate and inferior treatment. Every school desegregation plan should include measures for guarding against such racial mischief, for ensuring a transition to a genuinely integrated system, and for involving minority parents and students actively in the business going on at each school. The end of one system of racial caste must not be allowed to give rise to another.

There remains a critical need to develop new connections with work apart from school. One attractive suggestion is a national youth service chartered by Congress as a public corporation but headed by leaders from the private sector. Whether voluntary or compulsory, such a program could be coordinated with the activities of public and private employers to meet important service, construction, and production needs in the United States and abroad. For at least 1 year following secondary or higher education, young adults could join this national youth service. In time, it could develop into a unique opportunity for multiracial cooperation, training, and work by enlisting a representative cross section of American youth, engaging in constructive projects, and operating cooperatively with a wide range of public agencies and private businesses willing to provide relevant job-training experience. Such meaningful internships and apprenticeships could establish an ongoing job network for youth of all races.

In addition, a substantial portion of federal employment training funds could be used to assist private and public employers in white enclaves in including minorities in their work forces. As the private sector and some suburban jurisdictions are the likely sources of most employment growth in the 1980s, such a program is critical to blacks who are now represented heavily in those portions of the federal and central city public sectors that will face relative decline in the years ahead.

JOBS AND HISTORY

Jobs, like schools, may also serve as a lever to break the color line in housing. For example, whites working in the professional cores and blacks already working or seeking employment in suburban job centers would be encouraged to live near their workplaces because of increasing energy costs and new tax incentives. Similarly, energy-integration tax incentives could be provided to any employer who reduces the commuting costs of employees provided the company includes at least one-half the percentage of blacks in the labor pool in its workforce. Once a substantial minority presence is established, effective enforcement of existing employment nondiscrimination laws should keep new jobs and promotions open to minorities.

To make these relocation incentives for integration of jobs and housing effective, the search costs for interested firms and minority workers must be substantially reduced. For example, it does little good to provide a relocation incentive if the prospective black worker faces the higher dollar and human cost of discrimination in seeking a home or job in a traditionally white area. To prevent such effective exclusion, a marketing and counseling organization

should be created to solicit interested blacks and to search for available jobs and housing. This group would then assist in matching minorities with the available jobs and homes. Such a "project Access" could be formed in each metropolitan area with seed money from foundations and corporations. Each Project Access could be supervised by a multiracial coalition of local business, labor, real estate, civic, civil rights, and community leaders. Such an active clearinghouse could overcome the substantial barriers to minority participation in jobs outside the ghetto and provide minorities with effective access to housing opportunities in the suburban ring.

A similar access project could be developed on a national basis to give black and white workers a chance to relocate to new areas on an integrated basis, particularly when plants or entire industries close. With cooperation from employers and real estate firms in developing areas, such a national Project Access could match potential workers from declining areas with jobs and housing in expanding areas. To counteract the process of segregation for these new migrants, relocation subsidies could be provided to workers who choose to live near their new jobs and for the expanding employers who implement effective affirmative action programs for hiring, training, and promoting minorities. Both the local and national access projects would help minorities participate on an integrated basis in the migration of people, capital, and jobs to the suburban and exurban rings, to newer and smaller metropolitan areas, and from parts of the Northeast and Midwest to parts of the South and West.

To allow blacks to take full advantage of such opportunities, HUD, FHA, VA, federal lending agencies, and federally regulated banks could set aside a portion of their housing funds, home insurance, and loan guarantees to assist blacks of all income levels to buy or rent houses. The effective exclusion of blacks for years from federally assisted, insured, or regulated home mortgages has long denied even middle-income blacks an equal opportunity to buy a home and participate in the accumulation of wealth. For example, an otherwise eligible black family excluded from an FHA-insured mortgage in 1950 has lost over the past 30 years about \$30,000 in capital accumulation, the ownership of a house with a paid-off mortgage, and the substantial write-off of interest payments from income taxes. In addition, such whites-only federal home ownership programs explicitly promoted racial exclusion and restrictive covenants for years. Their contribution to the growth of protected white enclaves in metropolitan areas has been substantial. To remedy the massive, continuing effects of such past discrimination, a portion of federally controlled home mortgage loans should be set aside for eligible blacks generally and provided at a discount to minority participants in any Project Access for housing and jobs.

In the construction of new housing and the rehabilitation of old housing, assisted by federal or state funds, subsidies, or guarantees, or financed by federally regulated lenders, priority should be given to any development that agrees to set aside and affirmatively market units for at least one-half of the metropolitan-area percentage of qualified blacks. This set-aside could be maintained for 180-360 days to give developers a strong incentive to find qualified minorities in order to minimize carrying costs. Foundations could

also join with insurance companies, pension funds, mortgage lenders, large corporations, and other sources of capital for housing development to invest in new and rehabilitated housing that also sets aside a portion of new units for affirmative marketing to qualified minorities. With constructive action by private, regulated, and public sources of housing funds, an integration ethic could be created among the otherwise highly fragmented building and real estate industry. Such substantial set-asides and affirmative marketing would also allow blacks to move into traditionally white areas without being the lonely pioneers to brave the racial divide. Once the set-aside is filled, there is every reason to expect that effective fair housing enforcement can then keep the affected development and nearby housing genuinely open to interested minority homeseekers. For the first time in the country's history black demand would be freed to flow throughout the metropolitan area rather than contained within black and changing areas. The end of the racially dual housing market would be in sight.

URBAN DEVELOPMENT AND TAXATION

Yet uncontrolled "sprawl" threatens to build new, gas-guzzling white enclaves out of vital agricultural and recreational land. As a result, any public subsidies and tax breaks for projects on the urban fringe should be limited to developments that act affirmatively to include minorities, that do not gobble up irreplaceable agricultural land stocks, and that promise a compact mix of housing, jobs, and stores. While thus limiting urban sprawl, public subsidies for the resulting "in-filling" of the already urbanized area should also be withheld from whites-only developments. For example, tax exemptions for interest on new state, municipal, and school bonds could be denied to any jurisdiction that refuses to recruit and market for minorities in its local housing, jobs, and schools. As another example, the state-local tax structure could be reformed so that exclusive white residential enclaves would not be allowed to raise more local tax dollars per capita nor to impose the higher public service costs of providing for low-income persons and other land uses on neighboring communities. Public tax structures should not permit public towns and villages to operate virtually as whites-only, private fiscal clubs. Such reforms would guarantee that traditional and expanding white areas would be open to interested minorities.

At the same time, many central city areas need special assistance. Area-wide school integration, linking schools with advancement opportunities, set-asides for recruiting interested minorities for housing and jobs, energy-integration relocation incentives, breaking up the racially dual housing market, and limitation of both urban sprawl and the fiscal advantages of exclusionary suburbs will together form a working foundation for efforts to vitalize the urban core. Additional federal and state aid to cities should be targeted to promote projects that will employ large numbers of people. Without an ongoing job base, no community can long survive. With a job base, central cities can take full advantage of the other integration incentives and sanctions to build a diverse, energy-efficient and much less segre-

gated and densely populated hub for work, living, learning, and play. Urban Development Action Grants, enterprise zones, and joint investment ventures spurred by corporations, foundations, and community groups can often provide the margin of difference necessary to make center-city projects attractive to a wider range of capital. In conjunction with opening the entire metropolis to minorities, this can even permit many older central cities to emerge, in time, as vital regional subcenters even while most continue to lose population.

These programs for education and training, for housing and jobs, and for urban development and taxation represent the type of mutually constructive action that can be taken to end the mutually destructive process of racial segregation in America. Every program suggested does not need to be enacted for any individual program to work; and others may be substituted as economic circumstances warrant and personal invention and collective ingenuity permit. The only real precondition for any successful campaign is the will to fight a caste system of segregation that isolates most blacks in ghettos and preserves separate enclaves for most whites.

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