

Divided by Design: Race, Neighborhoods, Wealth and Schools

Have You Heard sits down with Richard Rothstein, author of [The Color of Law: The Forgotten History of How Our Government Segregated America](#). It's a ground-breaking, mind-changing book, and you should read it, but in the meantime, we've helpfully distilled Rothstein's 10 years of work down to 30+ minutes.

Jennifer Welcome to Have You Heard. I'm Jennifer Berkshire

Jack And I'm Jack Schneider.

Jennifer Jack, today we are talking about zip codes. I am sure that you have heard just about everyone in the education world make some statement to the effect that "*your zip code should not determine the quality of the education you get.*"

Jack It's a pretty hard statement to disagree with.

Jennifer I've heard [Betsy DeVos say that](#), I've heard [Bill Gates say that](#), I've heard [Arnie Duncan say that](#), and [Rahm Emmanuel](#). But, what does it actually mean?

Jack It's hard to disagree with, because the underlying statement is that every kid deserves a good education, right, and that's something that we all agree with. But, there's also a loaded, ideological piece to that [statement] which implies that "*everybody lives where they live*", and currently they have different access to different kinds of neighborhood schools, some of which are highly segregated, and because of that segregation, highly unequal. It [agreement with that statement and its underlying assumptions] then presents a natural choice, which is we should free people from the shackles of neighborhood schools and allow them to go anywhere they want via some school choice mechanism, like charters or vouchers.

Jennifer Our guest today is Richard Rothstein, who is the author of a new book called [The Color of Law](#). What he does in a systematic, devastating, and fairly accessible way, he exposes the underpinnings of the policies that made our zip codes the way that they are. It doesn't just happen that some neighborhoods are poor and segregated, while others are wealthy and inhabited almost exclusively by white people.

Jack I think the historian in me is itching to make a comment here about the importance of history, because Richard makes this really interesting argument that you can't really understand the present and what the present conditions are, what they mean, and what we should do about them, without understanding how we got here.

Jennifer We had the good fortune to be able to sit down with Richard Rothstein while he was visiting Holy Cross, where my co-host Jack Schneider teaches.

And just a quick note on the format of this episode: You may notice that you hear a little less of us this time around. That's because our guest wanted to make sure that you understand exactly how our cities and neighborhoods ended up as segregated as they are today.

Here's Richard Rothstein talking about his book, *The Color of Law*.

Richard The reason I wrote this book was in response to a national myth the reason we have residential segregation in every metropolitan area in this country is because of something that's we've come to call de facto segregation. Something that occurs across the whole country in every metropolitan area [segregation] is the result of private activity, rogue real-estate agents steering white families only to white neighborhoods, and black families only to black neighborhoods. Or it's because of private individuals discriminating and white flight.

All of these causes of de facto segregation are a composite that is very hard to figure out what to do about, because if residential segregation in every metropolitan area in this country is the result of millions of accidental, private decisions, it's very hard to think of millions of accidental, private decisions that can undo it.

But as I did the research for this book, I came to understand the system of residential segregation is the product of very explicit public policy designed intentionally to create residential segregation. [Knowing segregation was intentional], then it's easier to understand that we can do something about it. Because if it was created by public policy, it can be reversed by public policy.

Jennifer Instead of millions of private decisions giving rise to residential segregation, Rothstein identifies just a handful of very specific causes and the first was the government's public housing program.

Richard So, there were two main federal policies that in the 20th century created residential segregation in a form whose effects endure today.

The first is the public housing program. Most people who listen to this podcast think of public housing as I did before I began this research, as a place where poor people live, where minorities live, where single mothers with children and unemployed families live. That's not how public housing began.

The first civilian public housing in this country was created in the New Deal by the Public Works Administration as a program for middle-class, working-class families, mostly white, who were homeless during the Depression. It was also an attempt to stimulate construction employment during the Depression. The government created the first civilian housing programs on a segregated basis, frequently segregating communities that had never known segregation before.

As I describe in my book, *The Color of Law*, Langston Hughes, the great African American poet, talks about how he grew-up in the early 20th century in an integrated Cleveland neighborhood, a working class neighborhood. His best friend, he says, was Polish; he dated a Jewish girl. This was not unusual. Many metropolitan areas had integrated neighborhoods in the mid-early 20th century in a way that we're completely unfamiliar with today. There was much more integration in urban areas than there was now, for the simple reasons that families didn't have automobiles to get to work. So, if workers wanted to get to work in a downtown factory, they had to live close enough to it to walk. So, you had neighborhoods with Irish, Italian, and Jewish immigrants, and African Americans, and rural migrants, working in the same workplaces, and therefore living in the same neighborhood in Cleveland.

Richard Well, the Public Works Administration came into that neighborhood in Cleveland and demolished tenement housing where working class families of both races were living and built separate projects, one for African Americans, one for whites, creating segregation in an area where it had never been known before.

Now, I'm not suggesting that Cleveland was an integrated utopia were it not for the Public Works Administration, but the Public Works Administration created a pattern which reinforced whatever tendencies for already existed in Cleveland for segregation, and exacerbated them, and created guidelines for the future. This went on all over the country.

Jennifer During World War II, the government rushed to put up housing for all the workers who flooded into cities to take jobs in the war industry. That housing was also segregated, and it was everywhere, including in some cities we now think of as among our most progressive.

Richard I like to talk in the book about places like San Francisco and Cambridge, Massachusetts, which also had government-created segregation, because I think if people can understand that this happened in places considered the most liberal places in the country, it must have happened everywhere.

Richmond, California, across the bay from San Francisco, was at the center of ship building. There were virtually no African Americans living in Richmond before World War II. There were a couple hundred working as domestic servants for white families. The population of Richmond was less than 20,000 at the beginning of World War II. By the end of World War II, it was 100,000. I don't know if you can imagine what it's like for a community, in four years, to go from 20,000 to 100,000, but clearly, the shipyards couldn't keep working if the government didn't provide housing for these workers.

So the government, in this neighborhood, in this community that had never known segregation—it didn't even have an African American population to speak of—created separate housing for African Americans and for whites. The housing for African Americans designated explicitly—this was not people's choices of where to live—was located along the railroad tracks near the shipyards, in the industrial area of Richmond. The housing for whites was located in the residential area further inland.

It's not that whites happened to pick those units and blacks happened to pick the units in the industrial area, this was explicitly designated. All over the country the government created segregation where if it existed before, it existed in a much less rigid form, or in places like Richmond, where it never existed.

Jennifer After the war, the government vastly expanded its housing program. That housing was segregated, too, and so were the new subdivisions, places like Levittown, New York, that were strictly for whites.

Richard So there's this enormous backlog, and the government vastly expanded its public housing program after World War II. Places like Pruitt-Igoe in St. Louis or the Robert Taylor Homes in Chicago...All of these were built, and remember, we're talking about housing primarily for middle-class and working-class white families. The Pruitt-Igoe towers, the iconic example of public housing, was built as two separate projects. The Pruitt towers were for African Americans, the Igoe towers were for whites.

Richard Shortly thereafter, and by the mid-1950s, all of a sudden there were these enormous vacancies in the Igoe projects, in the white projects, and long waiting lists for housing in the Pruitt projects. This was true over the country: the white projects had large vacancies; the black projects had long waiting lists. That was the result of another federal policy, which is perhaps even more powerful than the public housing program, a program of another New Deal agency, the Federal Housing Administration, which was created in 1934.

[The Federal Housing Administration] subsidized builders of large subdivisions, entire suburbs, to create these suburbs, on condition that no homes be sold to African Americans, on the explicit condition that no homes be sold to African Americans. Perhaps the most famous of these [subdivisions] is Levittown, just east of New York City.

William Levitt, the builder, never could have assembled the capital to build 17,000 homes, which is what Levittown was, on his own. He couldn't have got the capital to do it. He had no buyers; he had nobody to invest in the project. The only way he could get the capital was by going to the Federal Housing Administration, submitting his plans for the development, and then taking those plans, once the Federal Housing Administration approved them, to banks in order to get guaranteed loans for construction.

The condition the Federal Housing Administration placed on Levitt was that no homes be sold to African Americans and further, that every deed in Levittown include a clause that prohibited resale to African Americans. As a result of these policies, which existed all over the country, creating suburbs around every metropolitan area, whites were given an incentive to leave public housing. Remember, these were not poor people...they leave public housing and move into these federally-subsidized developments around the country.

The subsidies were so great that when a family moved from public housing to a place like Levittown, especially if they were veterans with a VA mortgage, but even with a FHA mortgage, a Federal Housing Administration mortgage, they could pay less than their monthly carrying charges than they were paying for rent in the public housing, if they left. Understandably, you develop these enormous vacancies in white designated public housing. Eventually it became so conspicuous that [white] public housing was opened to African Americans as well. [Public housing] became a predominately African American institution.

At the same time, jobs, industries started to leave the cities where the public housing was located and moved to the suburbs where the white workers now were. People in the public housing became poorer and poorer, more and more unemployment, and then we had the public housing were now familiar with today.

Well, this history was once well-known. Policy makers in the mid-20th century described [what happened in public housing] as the federal government has created a white noose around African American neighborhoods in white areas.

Jennifer Okay. So there you have it: That is the foundation of what happened. So, how does this history continue to create and define residential segregation that we have today?

Richard When families moved to places like Levittown, and there were hundreds of them around the country—all of California was developed in this way, with Federal Housing Administration requirements that no African Americans be admitted to suburbs, places like Lakewood, south of Los Angeles, or Panorama City, any of those—when those families moved in, those homes sold for about \$9,000 or \$10,000 apiece. They were small homes, 750 sq. ft. in Levittown. In today's dollars that's about \$100,000 or \$90,000, about twice national median income, a little bit less than twice national median income.

Those homes were affordable to working-class families, a working-class family can afford to buy a home for twice national median income, especially if there's no down payment required, as the Veteran's Administration provided. Today those homes in Levittown or in Daly City, south of San Francisco, or Lakewood, or Panorama City, or any of the hundreds of hundreds of suburbs like that, they sell for \$300,000 to \$500,000 which is 6 to 8 times national median income. Those homes are unaffordable to working class families of any race.

So, we passed the Fair Housing Act in 1968, so this Fair Housing Act said in effect *"Okay, African Americans, you're now free to move Levittown or free to move to any of these other suburbs."* But that was an empty promise because the families who could have moved into those homes, can now no longer, their descendants can now no longer afford to do so.

The white families who moved into those homes in the mid-20th century gained, over the course of the next 2 or 3 generations, a half-million dollars in equity, maybe a little bit less but a lot of equity. The black families who were required to live in rented apartments, either in public housing or private housing in urban areas, gained no equity. The result is today, nationwide, African American incomes, on average, are about 60% of white incomes, but African American wealth is 7% of white wealth. That enormous disparity—a 60% income ratio, a 7% wealth ratio—is entirely attributable to unconstitutional federal housing policy practiced in the mid-20th century.

It's because of those policies that residential segregation is so locked in today, because it became tied to differences in wealth, differences in appreciation of homes that determine people's housing choices today. So African Americans can't take advantage, generally.

We've had some integration since the 1968 Fair Housing Act; I'm not minimizing its importance. Levittown is now about 2% African American in a metropolitan area that's 12% African American. So, it's not like there's been no progress whatsoever, but the basic patterns of residential segregation that we have everywhere in the country were created by federal policy in the mid-20th century, and their effects persist today.

Jennifer At the very end of Rothstein's book, he has this little section where he responds to some of the questions he gets over and over again as he travels around and he speaks about his book to groups, like the students he talked to at Holy Cross. People want to know things like, *"Do you support reparations?"* They have the same sorts of questions that we do, right?

We want to know: *"You've written this great book, you've laid out decades upon decades of federal policies that created these problems. Now, tells us in short order how you're going to fix it."*

Jack It seems to me that's actually a sign that his book was very successful. If the reactions that people have to the book is to immediately begin trying to sort through potential policy solutions, that means that there is a broader goal that can be achieved here by sharing this history with other people who perhaps are not itching to leap into action right now.

Jennifer And that's the point that he's about to make. Until we have some national consensus about the nature of the problem...But I think what is really satisfying about his book is he has produced an explanation that is definitive.

Richard I don't talk much about specific remedies. I have to some because everybody asks this kind of question, but the fundamental problem we face now is to change the national understanding of how this [residential segregation] happened. That's going to take a while. It's putting the cart before the horse to start to advocate specific remedies. Unless there's a national consensus, or at least a consensus among policy makers, that we do in fact have de jure segregation, not de facto segregation, it becomes impossible to talk about remedies because any remedies we talk about will seem wildly unrealistic and impractical.

["The Supreme Court," said a well-known cartoonist at the beginning of the 20th century, "follows the election returns."](#) The Supreme Court is not going to issue a de jure segregation decision about housing until there's a much broader understanding.

I know your focus is on education, so let me give you an example of one place we should start. In the course of writing *The Color of Law*, I examined every high school textbook that was widely used in American high schools today. This part of my research was done in 2012; maybe it's changed by now, but I doubt it. [Every one of the textbooks I examined lied about this history or misstated it \[true cause of residential segregation\].](#)

For example, the most widely used American history textbook 5 years ago was *The Americans*. Kids have to lug around 1,200 pages in their backpacks. In those 1,200 pages, it had one paragraph devoted to what it called "segregation in the North." Within that one paragraph, there was a single sentence devoted to housing segregation, and the sentence read as follows: "*In the North, African Americans found themselves forced into segregated neighborhoods.*"

Passive voice sentence. No description of who forced them. They "found themselves." They sort of woke up one day and looked out the window and said "*Hey! We're in a segregated neighborhood.*"

And that's what we're teaching young people today. So, the first thing I think we need to do is address the way in which we're teaching this history in high schools. It's not just changing the textbooks, it's developing alternative curricula to teach this history, since the textbooks don't do it. It's developing individual lessons that address this history. It's going to progressive teacher organizations like the Zinn Education Project or Teachers for Change or other groups like that are developing alternative curricula because unless we do a better job teaching the next generation about how all this happened, they're going to be in as a poor position to remedy [de jure segregation] as our generation has been.

Richard We need a massive public education program, not just in high schools, but among the general public, to explain to the American people how this all happened. Unless we have an understanding of the fact that residential segregation is as unconstitutional as we know school segregation was unconstitutional before, early 1954--residential segregation is no different—we're not going to be in a position to remedy it.

Jennifer Well, obviously the solution to burdening kids with these 1,200 page textbooks is...

Jack Add a new chapter.

Jennifer Or preload them on their personalized learning devices.

Jack You know, I can't help but observe that there's an implicit critique about the argument you hear around the history curriculum, that the history curriculum should celebrate the American past, rather than focusing on a critique of the U.S. This is something you hear quite frequently around the history and social studies curriculum.

[Richard] highlights how important it is to understand the fullness of the past, and perhaps especially in its darker elements, because however you understand our path to the present is going to shape whatever you think policy solutions are normal and natural.

To give an example about the pat story that gets told about American public schools, if you understand the history somewhat falsely as being one in which American public school were created in the image of factories in the late 19th, early 20th century, then that doesn't make sense anymore, because instead of Model Ts we're driving Teslas, and instead of communicating through switchboards, we've all got smartphones in our pocket.

Jennifer Someday, we will release the blooper outtakes from this interview, and people can hear me starting off the interview by referring to Rothstein's book, *The Color of Law*, as a grim book.

[Here] Rothstein explains why reckoning with that history is so important and also points the way forward.

Richard This is actually a very polarized period in terms of talking about race. We have had the exposure of white supremacist minority in this country that was always there, but has now been empowered and enabled by President Trump. That's very frightening. But on the other hand, we have much, much more discussion about the legacy of slavery, the legacy of Jim Crow, the obligation that the country has to address its racial problems and to create equality that we've ever had before.

When I started working on this book, which was ten years ago, I did it because I'm a policy writer, and that's what policy writers do: they write about policy. I never thought that this book would get any attention, because nobody was talking about race at the time. It was what people thought of as a post-racial society. And then, since Ferguson, since the death of Michael Brown at the hands of a policeman, and subsequent instances in other cities, there is a national awakening to the fact that we have never addressed the legacy of slavery, the caste system that we've created in violation of the Civil War amendments, and we have a national discussion about it.

- Richard Whether the national discussion we're having in this very positive way will overcome the negative empowering of white supremacist forces, I can't predict. But, we're certainly in a lot better position now that we're confronting it—not only with my book, but with many others, as you say—than we were before when we were silent about this issue.
- Jennifer So, *The Color of Law* isn't primarily a book about education. It's a book about segregated neighborhoods and how we got to where we are today. But, as you told me earlier, Rothstein's previous work has focused on education
- Jack. Yeah. It's interesting to think about how he got to this topic. I'm thinking of a book he wrote with another previous guest of ours, Rebecca Jacobsen, and Tamara Wilder, and it is called [Grading Education](#). In that book, one of the things they found was Americans broadly believe in a pretty comprehensive vision of public education, that the schools should do many things for kids. Of, course, that's not what we currently see.
- We currently see accountability mechanisms, in many cases, are narrowing the educational experience, and narrowing the vision of education for students in schools where test scores are not what policy makers would like them to be.
- I see a very strong connection here. One of the ways you restore the fuller mission of education is by having an equal mix of powerful, well-resourced parents in every school advocating for what they believe in and what they want for their kids.
- Jennifer We framed this episode as "*A look at the zip code debate.*" We have a history of how we got to where we are.
- One of the questions that we put to Richard Rothstein is one of the key questions that divide the current conversation about education: "*Can you have quality public schools in neighborhoods that are intensely segregated?*"
- As you'll hear, Rothstein has no patience for that question.
- Richard I think that's a very complicated question, because fundamentally, my argument is that we can't have good schools, unless we have integrated neighborhoods. So whether people are misperceiving good schools in segregated neighborhoods is a question that I think is not really the most important one.
- The question is, "*How can we integrate neighborhoods so that every school has a mix of low, moderate, and affluent families—income—is integrated?*"
- We don't measure school quality well, today. We consider schools good if they have a lot of white, middle-class children who are well-prepared to succeed and who the schools simply have to pass through; they come in successful, and they leave successful.
- We consider schools bad if they have a lot of disadvantaged children who come to school with serious economic social problems that interfere with their learning.
- We consider those bad schools because the children come in at relatively low levels [subject-specific or socio-cultural knowledge]. They leave at, perhaps, higher levels than they came in with, but still at lower levels than middle-class schools.

Richard But that's not a judgement on the schools, that's a judgement on the social conditions that children come to school with.

Nonetheless, if a middle-class parent is thinking of a school to send his or her child to, they don't want to send their child to a school where all the other children are low achieving, because it's true that their child may not get as good an academic education. They may get a better social education, but they're not going to get as good an academic education in a school where all the children are low achieving, even though it might be very good school, given the problems that is dealing with.

But fundamentally, we're not going to solve this problem by choosing schools. We're going to solve this problem by enforcing the neighborhood school concept, and integrated neighborhoods.

Jennifer That was Richard Rothstein, the author of *The Color of Law*.

Jack, since Rothstein's book came out earlier this year, [it seems like one study after another has confirmed what he just explained to us: that there's this huge racial wealth gap in this county, and it has its origins in housing discrimination, and it continues to constrain what's possible for African Americans.](#)

Well, not long after we sat down with Rothstein, [I came upon yet another study, and this one was about misperceptions of the racial wealth gap.](#) It turns out that whites, and especially, wealthy whites, vastly underestimate the racial wealth gap. As the researchers put it, "*they have a delusional view of economic progress.*"

I started thinking about what a problem it is that so much of educational policy realm is overseen by wealthy white people. We started out talking about the "zip code frame", that your zip code shouldn't constrain your education opportunities, but if the people driving the policy don't think there's a problem, they don't understand the nature of the problem, that seems like a problem.

Jack It also seems to me [wealthy white people] to be a prerequisite for believing that good schools can create broader social and economic equity.

If you believe that we have largely moved past historical inequalities, and that any differences in wealth and income, if they exist at all, are minor and will soon be past us as well, then it's quite easy to believe the last challenge is simple to free people from the shackles of their bad, local public schools, and allow them to attend high quality schools anywhere.

The story becomes very different if you recognize the role of history continues to shape the way that people are experiencing the present.

Jennifer There's a section in his [Richard Rothstein's] book we didn't get to in the interview that's so powerful. He actually looks at exactly what you just described, through the experiences of some families, based on the kind of options that were available to them.

You see how generations later, the opportunities available to the people who were shut out of the suburbs and forced into segregated neighborhoods, how constrained their choices still are. It means a couple years of community college versus a four-year college. It means their relationship to student debt is completely different.

Jack And, of course, all of these things are self-perpetuating; that's the other part of this problem. Not only do you have historical policies that radically limited opportunity, but did so in a way that perpetuates over time, that creates feedback loops.

People who have no wealth, for instance, are far less likely to earn a college diploma, which makes them far less likely to accumulate wealth over time.

Conversely, people who have wealth are more likely to move successfully through the educational system, acquiring credentials along the way that open doors for them, many of which provide economic opportunity, and lead them and their children to further educational and economic prosperity.

Jennifer I have to say I found Rothstein's book to be one of the most eye-opening accounts of contemporary American history and policy, and the way that policy shapes and constrains the lives of people today.

But it's also made me really, really impatient with people who continue to trot out the [bromide] "*Your education shouldn't be determined by your zip code.*"

Jack It almost feels like what you're asking is for our listeners to come up with an alternate phrase that could be used as a hashtag in response to that pat line, whenever it gets trotted out.

Jennifer Well, listeners, I hope you're up to that challenge.

Until next time, I'm Jennifer Berkshire.

Jack And I'm Jack Schneider.

Jennifer And just a reminder: If you like what you hear on "Have You Heard", leave us a review on iTunes. That will help us realize our long running plan for global domination.

Jack We want to go to scale.

Jennifer Thanks for listening to "Have You Heard".