

Under One Roof: Building an Abolitionist Approach to Housing Justice

Sophie House and Krystle Okafor

I. Introduction

This essay invites housing scholars and policymakers to consider how we can learn from the ongoing project of abolition. Abolition here refers to the body of scholarship and advocacy--beginning with the abolition of slavery and extending through contemporary movements for the abolition of prison and the police--that seeks to do away with institutional racism and the relics of slavery in the United States. Recent nationwide protests for racial justice have drawn attention to longstanding inequities and discrimination in housing finance, policymaking, and planning. Meanwhile, despite many activists' visionary contributions, housing policy has remained technocratic and incrementalist, even in response to entrenched and systemic disparities (Bell, 2019; Shelby, 2016). Learning from abolitionists compels housing policymakers instead to imagine and articulate what "housing justice" might look like; the necessary foundational conditions for housing justice; and where

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this suggests that we should direct resources today.

II. Abolition in Historical and Contemporary Context

Although the activism of the Movement for Black Lives has introduced the conception of abolition to a broader audience, it remains widely misunderstood and oversimplified. Contemporary abolitionism finds its roots in the end of chattel slavery. Its intellectual cornerstone is W.E.B. Du Bois's no-

tion of abolition democracy, described in his essay *Black Reconstruction in America*. Du Bois documents the continued disenfranchisement and exploitation of Black Americans following the formal abolition of slavery. After emancipation, white lawmakers thwarted efforts by newly-freed Black citizens to create democratic institutions that would grant Black Americans full economic and social citizenship (Du Bois, 1935; Davis, 2011). Because Du Bois's vision of "abolition democracy" has not been realized, contemporary abolitionists extend his work—and the work

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of countless other abolitionists of chattel slavery—into the present, where abolition now serves as a fulcrum for social movements.

Abolition requires identifying the conditions necessary to “imagine a world without prisons,” considering which structures must be dismantled, fortified, or newly constructed (Kushner, 2019). Prison abolitionists acknowledge that in order to do away with prisons, American social policy would need to be both reconfigured and redoubled. Tying their project to the full abolition of slavery, abolitionists insist that crime prevention requires that all communities have access to the full range of services and institutions that address the roots of criminal behavior. They also recognize that safety requires more than crime prevention: it requires freedom from racism, harassment, and poverty; protection from environmental hazards; adequate food and shelter; and more.

These values are reflected in the ways that abolitionists organize. Central to abolitionist mobilization is opposition to “reformist reforms”—efforts that direct additional resources to the systems that abolition targets. Accordingly, abolitionists oppose expansions of jail and prison systems and mobilize against increasing policing budgets. Broad coalition-building is also at the core of abolitionism. Within this coalition-building, abolitionists seek to be led by, and offer material support to, those most directly affected by the prison industrial complex and by police violence.

Abolitionist theory and practice thus encourage critical reflection and political imagination. Rather than centering pragmatism, abolitionism asks:

pragmatism to what end? As surely as abandoning pragmatism might lead to failure, pragmatism in a vacuum leads—and arguably has led housing practitioners—to sturdy bridges to nowhere. We invite our colleagues in housing to engage in this bold thinking, examining the relics of slavery in housing and questioning incrementalist approaches to systemic disparities.

Housing policy is as implicated as criminal law in the American schema of racialized social control.

III. Building an Abolitionist Approach to Housing Justice

A. Housing Justice in Abolition Democracy

The chauvinism that pervades racial terror and the Great Migration exclusionary zoning and redlining, urban renewal and capital flight, New Deal exclusion, and predatory inclusion is as readily apparent as the chauvinism that pervades chattel slavery, the Black Codes, convict leasing, Jim Crow, and mass incarceration. Housing policy is as implicated as criminal law in the American schema of racialized social control. Since the Reconstruction era, state-sanctioned expulsion, exclusion, and extraction have constrained Black Americans’ housing outcomes. Against historical injustices of this magnitude, a limited focus on “technocratic supply-side and deregulatory solutions” will not do (Roy & Rolnik, 2020). We

must develop new strategies for conceptualizing, studying, and actualizing housing justice.

The late Critical Resistance co-founder Rose Braz explained the importance of naming and claiming prison abolition as a goal: “a prerequisite to seeking any social change is the naming of it . . . even though the goal we seek may be far away, unless we name it and fight for it today, it will never come.” We thus invite housing policymakers to articulate a vision of housing justice for their work, and operate in pursuit of it. Recognizing that people of color and, particularly, Black people in America have been systematically excluded and exploited out of opportunities for homeownership, housing justice—often intertwined with conversations about reparations—might envision the creation of wealth in Black households and communities; abundant quality, affordable housing; “open housing” in amenity-rich areas; or community wealth building and land ownership (Archer, 2019; Taylor, 2019; Kaplan & Valls, 2007). We might call housing justice the rupturing of the link between ZIP Codes and a host of health, economic, and educational outcomes. Or we might emphasize housing stability, imagining a world in which no one faces the threat of losing their home. Looking to the leadership of the Movement for Black Lives, housing justice might entail a guarantee of housing and utilities for all. There are myriad ways to articulate housing justice; what matters is to name and envision them.

B. Foundational Conditions and New Democratic Institutions

What are the foundational conditions necessary to make housing justice a reality? If just housing is safe housing, safety requires freedom not only from crime but from hazards like lead paint and environmental injustice. It also means eradicating domestic violence and child abuse, which in turn requires directing resources towards a variety of social, mental health, and community intervention services

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The Urgent Public Health Need to Extend Eviction Moratoria and Mortgage Forbearance Programs

Gregory D. Squires and Ira Goldstein

The latest Census Household Pulse Survey (October 14–26, 2020) reveals that 1.1 million rental households (13.1%) and 395 thousand owners (4.6%) feel that it is very likely that they will lose their home in the next two months due to foreclosure or eviction. An estimated 3.6 million owner households and 5.5 million renter households have “no confidence” that they will be able to pay their next month’s mortgage or rent. No doubt these fears reflect a widespread understanding of some of the costs, economic and others, of the coronavirus pandemic. Not so widely understood is how the pandemic is, in part, a result of evictions and foreclosures. In other words, the causal arrow goes both ways. The pandemic leads to the loss of homes, but the loss of homes also contributes to the pandemic.

Pandemic related evictions are not just a hypothetical problem. Princeton’s Eviction Lab estimates that more than 105 thousand households in just 25 cities, some of which had eviction moratoria in place, were subject to evictions since March. At the very same time as the number of COVID-19 cases and hospitalizations are on the rise, many federal, state, and local benefits and protections against eviction are expiring. It is worthy of note that owing to the rise in COVID-19 cases and persistent advocacy, a local Philadelphia court order stays most “lock outs” until December 31, 2020.

As has widely been reported by The COVID Racial Data Tracker and many other sources, people of color are disproportionately affected. Philadelphia is a case in point. Philadelphia’s

COVID-19 test positivity rate has been on the rise for the last two months and the city’s Department of Public Health considers the city in a period of “high risk of community transmission.” In plain language, this means that people are getting sick and trackers cannot even figure out how they got sick. It is worth reminding that while the pandemic has not been good for anyone, racially, Philadelphians have experienced the pandemic very differently. Black and Hispanic Philadelphians have a test positivity rate that is 1.7 times greater than that of Whites. The Black and Hispanic hospitalization rates are 2.6 and 2.0 times that of Whites, respectively. And the Black death rate is 1.4 times that of Whites.

How can we understand these differences? The CDC suggests that housing, in part due to over-crowding and in other part due to racial differences in incomes and job stability, is a contributor to observed racial disparities in COVID-19.

Mortgage foreclosures and evictions in Philadelphia undoubtedly contribute to Philadelphia’s COVID-19 problem as well as the racial disparities plaguing the city. Reinvestment Fund tracks eviction filings in Philadelphia dating back to 2010. Eviction filings peaked in 2011/2012 at around 22 thousand and trended down to 18,141 thousand in 2018, then rose to 18,330 in 2019. Like the COVID-19 data though, these overall rates mask substantial household and neighborhood differences. The Black non Hispanic eviction rate in 2018/2019 is estimated to be 9.0% compared to 6.5% for Hispanics and 2.6% for White non Hispanic renters.

Rising unemployment contributed to these housing downturns. Philadelphia’s number of unemployed rose from 43.6 thousand from February of this year to 85.3 thousand in September and the unemployment rate over that period rose from 5.9 to 11.7 (preliminary estimate for September), off

the peak pandemic rate exceeding 18%.

It is within this economic upheaval that eviction moratoria may well be lifted in the not-too-distant future. Landlords (large or small) cannot serve as the social safety net that historically has been the purview of government. But that doesn’t change the fact that people who are subject to an eviction are likely to end up in households with more people, because of doubling up or a stay in the city’s shelter system or an encampment, and are therefore more likely to encounter other people who are infected. And if they are themselves infected, they will spread the virus to others. A University of Pennsylvania epidemiologist declared that resuming evictions would lead to a significant and substantial number of excess COVID-19 infections.

For many years, several local, national, and even international organizations have advanced the notion that stable housing must be a right, not a privilege. The United Nations, the Right to the City Alliance, among others assert that in addressing the many challenges facing the homeless stable housing is a prerequisite to stable employment, educational achievement, and in this moment, staying safe when there is a deadly virus moving through a community.

When families engage in the legal process of an eviction or foreclosure, they often deal with and encounter lawyers, courts, movers, well-meaning neighbors and others, often including the friends and families with whom they double up. One unintended, though clear, consequence is the increased likelihood of catching and spreading the COVID-19 infection. This is not a time to end renter financial supports, eviction moratoria or mortgage forbearance programs. Keeping people in their homes is a critical component of an effective public health response to the pandemic. ■

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(while ensuring that these interventions do not increase the surveillance and subordination of black communities) (Roberts, 2020).

Likewise, making households safe from the threat of eviction requires rendering eviction unnecessary. Eviction cannot be abolished without developing meaningful alternatives that obviate the need for filing nonpayment cases, calling the police, or engaging an overwhelmed adult protective services system. If we were to drastically reduce the incidence of landlord-tenant disputes, the conflicts that remain might be mediated in arenas that look radically different from today's housing courts, offering dignity and voice to all participants.

Housing justice entails universal access to safe, decent, affordable housing in amenity-rich communities. In a world of housing justice, human flourishing and access to opportunity would not be confined, as they are today, primarily to affluent and majority-white neighborhoods. Bringing this about would require investing in parks and other green spaces, schools, economic development, and community services in a broader range of ZIP Codes. Many of these conditions will, ultimately, depend on reshaping federal, state, and local budgets, achieving housing justice through "budget justice."

C. What Stands in the Way

As Angela Davis explains, abolition is "not only, or not even primarily... a negative process of tearing down" (Davis, 2011). It does, however, seek to render obsolete institutions that have

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proven impervious to reform. Pursuing abolition rather than reform asserts that some conditions (such as the mass incarceration of Black people) are unacceptable. And, having identified a host of justice-preceding foundational conditions that require investment in education, healthcare, and mental health services, abolitionists suggest that resources should be directed towards these ends and away from institutions where reform has failed.

In a housing context, this prompts us to examine institutions that have failed to serve their designated purpose, proven resistant to reform, and instead perpetuate racism and other forms of oppression. One obvious starting point for considering abolition in a housing context is to examine how the criminal legal apparatus operates in housing. Policing plays a role in creating and maintaining segregation (Bell,

2020); segregation also facilitates racially-targeted policing by creating racially concentrated geographies. Involvement with the criminal legal system is used to deny access to housing and to prevent friends and family members from visiting loved ones through background checks, trespass policies, and "crime-free ordinances" (Archer, 2019). Vagrancy laws, anti-panhandling ordinances, and gang injunctions govern public spaces, which are, in turn, shaped by centuries of segregation and exclusion. Research has compellingly linked many of these structures to the legacy of slavery in the United States, and abolishing and replacing them with meaningful alternatives is as much a project for housing as it is for criminal justice.

The emergence of eviction as a crisis during the COVID-19 pandemic has

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Looking to the Future and Learning from the Past: New Deal Housing Policy and COVID-19

Hilary Botein

This short essay focuses on the development of U.S. housing policies in the 1930s and 1940s, and how those discussions can inform a reimagining of housing policies in 2020. As Peter Marcuse and others have described, the “myth of the benevolent state” leads us to believe that the state acts to protect its citizens, when in truth it intervenes to protect the interests of capital (Marcuse 1986). From the perspective of housing policies, these interventions have happened at times of crisis, when capital was at risk. The Tenement House Act of 1901, efforts to house industrial workers during World War I, homeownership and public housing programs created as part of the New Deal, and the legislative and regulatory responses to the housing crisis of 2008 all illustrate this pattern. Crises in public health, the economy, and financial institutions have spurred the state to enact legislation that protects capital.

The COVID-19 crisis presents an opening for expanded housing policies and programs. Certainly, capital is in trouble, and the state is interested in protecting it. Thus far, efforts to support those who suffer disproportionately from the direct and indirect devastation of the virus—who are low income and people of color—have been inadequate. Moratoriums on mortgage foreclosures and evictions postpone the inevitable: the suffering will get worse. Indeed, given the inadequacy of state action, we have seen a spate of private responses to the crisis—from GoFundMe campaigns to pay for hotel rooms for the homeless in NYC, to Saturday Night Live actor Michael Che offering to pay rent for public housing residents in the building where his grandmother lived, to George

Soros’ Open Society Foundations providing grants to undocumented households denied support by the federal government, as well as low wage workers. Mutual aid groups have sprung up in many communities, with their founders stressing their roots in solidarity and the struggle against capital’s disinterest in the needs of those without resources.

In the not so distant past, advocates and policy makers—including the President of the United States—in times of crisis have advocated for a right to housing, which would decommodify housing by removing it from the private real estate market.

How can we learn from the past, and respond in a way that creates enduring change, rather than propping up capital and perpetuating the conditions that will lead to yet another crisis?

In the not so distant past, advocates and policy makers—including the President of the United States—in times of crisis have advocated for a right to housing, which would decommodify housing by removing it from the private real estate market.

After the Great Depression, as policymakers sought to re-start the economy, the 1932 Report of the Committee on Negro Housing, established by the President’s Conference on Building and Home Ownership, found that: “These conditions of Negro housing in our cities are not the result of any willful inhumanity on the part of our society. On the contrary, they merely emphasize the present shortcomings of our individualistic theory

of housing, and the failure which grows out of expecting each person in our highly complex industrial civilization to provide his own housing as best he may” (Johnson, 1932). But the programs and policies enacted by the New Deal reflected a compromise that did not address these findings, and instead established the US social welfare state within which we operate today, including a bifurcated national housing policy, in which public housing for the poor was developed on a trajectory that was entirely distinct from subsidized homeownership programs for the middle class.

The National Public Housing Conference (NPHC), which became the National Housing Conference in 1949, was formed in New York City in 1931 as an outgrowth of the movements for tenement reform, to advocate for a federal public housing program. During the Second World War, the NPHC formulated a comprehensive platform outlining the development and delivery of housing in the postwar United States. Its drafting was coordinated by “houser” Catherine Bauer. Multiple drafts, revisions, and comments circulated among NPHC leaders and advisors during 1943. Core principles espoused by the NPHC remained consistent: public acquisition and ownership of land; expanded authority, independence, and financial support for states and localities; master plans to be developed by localities; public housing for very low income people, as well as for those with higher incomes who could not afford existing private housing, and expanded privately developed housing for others; and land use controls to ensure open space and lower housing densities. The plan argued for the evisceration of bright-line distinctions between public and private housing, by blending public and private funding and supporting a mix of house-

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hold incomes in housing developments. It promoted collaboration between the disciplines of housing and planning. It proposed that eligibility for public housing depend solely on income and local market conditions, and that housing authorities stop investigating applicants' prior housing situations and subjecting them to intrusive "case work." The NPHC platform sought to appeal to the broadest possible spectrum of supporters, with a program "which can integrate traditional liberal support and add to it all groups directly interested in civic welfare and amenity or in a productive building industry," subordinating special interests whenever possible to the common goal (Bauer, 1943). The idea of housing as a right remained valid into the mid-1940s. Indeed, in his 1944 State of the Union address, Franklin D. Roosevelt proposed a Second or Economic Bill of Rights, which would include rights to, among others, "a decent home."

By 1949, however, when the first piece of major postwar housing legislation was enacted, the NPHC advocates argued only for incremental changes within the existing framework. Catherine Bauer had warned against the pitfalls of "a housing movement based purely on hand-outs from the top down," but her cautions went unheeded (Cole 1974). The 1949 Housing Act, which enshrined the distinction between public and private housing introduced in its 1937 predecessor and supported the more destructive aspects of urban renewal, served as the final blow to more progressive housing visions. The Housing Act's passage pivoted on a compromise between supporters of its Title I, which created and funded the urban renewal program, and Title III, which authorized funding and program guidelines for 810,000 new public housing units. By 1949, housing was no longer contemplated as a right—it was now "the goal of a decent home and a suitable living environment" to be accomplished "as soon as feasible." The optimism and willingness to reconceptualize the structure of the housing

market in these manifestos for postwar planning were not to be realized, and were not seen again on a large scale in the postwar period. Housing was one element in an ambitious and unsuccessful blueprint that included plans for universal health insurance, full employment, and an increased minimum wage.

Almost 90 years after the compromises of the New Deal, we have evidence that they have not worked. In terms of housing, even before the crisis of COVID-19, we faced a crisis of housing affordability and availability.

The 1949 Housing Act, which enshrined the distinction between public and private housing . . . and supported the more destructive aspects of urban renewal, served as the final blow to more progressive housing visions.

Now, as the most vulnerable households will fare the worst in the economic devastation of the pandemic, we need a new paradigm. We can use the crisis to re-think our approach to housing in the United States. But the approach must be radically different from the past if we are to address the inequities that COVID-19 has exposed and exacerbated.

Housing under capitalism works for those who control the means of production. We need to decouple housing from the market. If we decommodify housing and turn it into a public good, as was contemplated before and after the New Deal, we have a chance not only to recover from the impact of COVID-19, but to be more resilient in the face of the next challenge, whatever it may be. The Green New Deal for Public Housing Act, proposed by Representative Alexandria Ocasio-Cortez and Senator Bernie Sanders in November 2019, approaches public housing in the U.S. as a critical ele-

ment of our infrastructure, rather than a form of service provision. The investments that the legislation contemplates would improve and modernize that infrastructure, while simultaneously creating high-quality jobs. This is precisely the approach that was contemplated—and rejected—in the 1930s and 1940s.

Housing organizers who advocate to #CancelRent and #Halt Debt Collection and support a #Homes Guarantee are seeking the kind of broad-based structural reform that acknowledges that the private housing market is not able to meet the housing needs of many people and communities. They want to shift housing from an individual responsibility to a communal responsibility. We can do so by taking the path that has been rejected previously in favor of compromise and incremental change. ■

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Monopolizing Whiteness: An Interview with Erika Wilson

Phil Tegeler (interviewing for PRRAC): We're speaking today with Erika Wilson who is a law professor at the UNC School of Law. Erika's article "Monopolizing Whiteness" will be published soon in the *Harvard Law Review*. In the article, Professor Wilson addresses the limitations of federal constitutional law in addressing school segregation, and suggests a new framework for analyzing the school segregation issue, based on antitrust law. We asked her to join us today to answer a few questions about this really innovative piece of work. Welcome Erika!

Erika: Thank you for having me.

Phil: There's been a lot of attention paid lately to the contribution of white parents to school segregation and inequitable school resources—for example, the "Nice White Parents" podcast that the *New York Times* released. Your work seems to shift the focus from the personal choices made by white parents to the legal structures that facilitate those choices. Can you explain what you think those structures are? And why are you using an antitrust law frame as a way to analyze those structures?

Erika: Well I'll start off by saying that I think it's good that the conversation has shifted to examining both the personal choices that white parents are making and, as I do, the structures that facilitate those choices. I think in a lot of ways, maintaining segregated schools is a choice. And not only do we continue to make that choice, but it's a matter of law to structure our distribution of public schools in ways that facilitate choices that exacerbate segregation. So the primary legal structure I look to is school district boundary lines. The reason I look into school district boundary lines is, as you know, a lot of the segregation that is occurring now is between

rather than within district boundaries. I thought it was really important to examine what school district boundary lines are doing to reinforce segregation. And so in the article, I particularly focus on places where school districts are drawn so that they're coterminous with municipalities rather than a large territorial base like a county or a region. And so the reason I'm specifically interested in that legal structure is because of the realities of residential segregation when you draw

[I]t's good that the conversation has shifted to examining both the personal choices that white parents are making and the structures that facilitate those choices. I think in a lot of ways, maintaining segregated schools is a choice.

school district boundary lines around municipalities rather than regions or counties. It's more likely that the segregation that exists in a municipality will be extrapolated into the school district—and so I use my own example of where I live: I live in Durham, North Carolina, and where I work is down the road in Chapel Hill, North Carolina. But Durham is about 50 percent white and maybe 50 percent black and Latinx, whereas Chapel Hill is 72 percent white. Both cities have their own school districts, and so you can imagine that the districts reflect those demographics. Not only do the districts encapsulate the residential segregation that exists, but another really important point that I try to make in the article is that the boundary lines serve a recruitment function. You talked earlier about the "Nice White Parents" podcast and the idea that white par-

ents are making choices that exacerbate segregation—well the school district boundary lines enable them to locate themselves in places where they know that there are more children who are likely to come from the same backgrounds in terms of race and socioeconomic status, and with whom they would feel comfortable having their children attend school. Put simply, there are more likely to be similar numbers of middle-class and affluent non-white children in these districts in large part due to social impediments—discrimination in housing and racial wealth gaps that limit who can actually locate themselves like a place like Chapel Hill. The boundary lines facilitate a recruiting function where the same kinds of parents, usually white, more affluent with greater social and political capital can locate themselves in these particular districts. And as we know *San Antonio vs. Rodriguez* tells us that is constitutional for schools to rely on local property tax and financing schemes to fund schools even though we know that whiter, wealthier and more affluent municipalities are able to tax at lower rate and raise more money be-

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Robert Garcia

This issue of *P&R* is dedicated to the memory of Robert Garcia, who passed away earlier this year. Robert was a passionate advocate for civil rights, environmental justice, and the people of his home town of Los Angeles. As visionary director of the City Project in L.A., Robert placed a special emphasis on the importance of green space in low income communities and was instrumental in the creation of new parkland in and around the city.

cause they have a more ample tax base to draw from—and so there is the combination of the recruitment facilitation of school district boundary lines and the legal autonomy given to them in terms of them being able to raise money only for the students within their districts. And then, as we know from *Milliken vs. Bradley*, the idea that district school boundary lines are unlikely to be abrogated to desegregate schools. All of these things, I argue, facilitate the kinds of segregation we see today. I think one of the new arguments that I make in the piece that I'm probably most excited about is discussing the ways in which the idea of "whiteness" itself has a gravitating force that will allow school districts that are characterized as predominately white have an advantage for not only greater funding as I talked about, but to draw resources like teachers. There's good social science research that shows that high quality teachers, teachers with the highest levels of certification, etc, are more likely to gravitate to districts that are whiter and more affluent and that even raising salaries does not negate that reality. So it essentially becomes a feedback loop where you have these districts not only to be able to raise more money but they are drawing in more teachers, and drawing in a population with greater social and actual capital. And so all of those things come together to create higher quality schools for those particular districts, districts which often have a substantial majority white enrollment. The last thing I'll say about this question is that you know we focus a lot on the deprivation that is faced by students of color, but a flip-side of the monopolization is what happens to white students when they are able to position themselves in these districts, where they are drawing upon all these resources and where the boundary line cannot be abrogated. That monopolization harm was one that I think needed to be articulated clearly.

The reason why I specifically chose to try to frame the problem in an anti-trust lens is because not only is equal

protection doctrine not well suited to recognize monopolization as a harm, but in many ways it also facilitates the monopolization through cases like *San Antonio vs. Rodriguez* and *Milliken vs. Bradley*. These cases give these boundary lines so much authority and makes it hard to abrogate them. Anti-trust law is the one area where we already have frameworks set up for dealing with the problem of monopolization. And so I wanted to use the existing frames in

[J]ust as antitrust law is used to protect the competitive processes that spur a good and efficient economy, we need an analog that will protect or mitigate the monopolization harms that occur when white students are situated in these predominantly white districts. And this harm, I argue, is a harm to democracy as a whole.

antitrust law in order to highlight how this is relevant—how some of the solutions in anti-trust law might stretched or extrapolated in the school context.

Phil: Very interesting—and how exactly, how does that antitrust analysis or analogy, how does it go? You talk about social closure and essential infrastructure, what is the actual anti-trust argument here?

Erika: So the antitrust argument...I have to be careful here because when people hear "antitrust," their eyes glaze over, but oddly when I was in law-school, antitrust law was one of my favorite classes, and so that that's one reason why I connected the dots between school segregation and antitrust law. The way the analysis works is that in antitrust law, the Sherman Act is there to protect the competitive processes that spur an efficient good

economy. The goal of the Sherman Act is not to protect individual competitors, but to protect the competitive process. And in terms of white students in these predominately white school districts, there is not an equivalent public law doctrine that specifically aimed at protecting a "process." In this context I'm thinking about the process of how we district public school access. Instead it's very much tied up with individual parent decisions about where they live. By tying public school distribution to individual parental choice in where their family will live, we forego any careful systemic analysis of how those individual choices about residential location are both limited and shaped by systemic racism. We then claim that modern school segregation is an individual parent choice issue for which courts have no authority to fix—at least through the equal protection doctrine. But the reality is that those individual parent decisions in the aggregate have systemic effects, or systemic harms that must be addressed. And so just as antitrust law is used to protect the competitive processes that spur a good and efficient economy, we need an analog that will protect or mitigate the monopolization harms that occur when white students are situated in these predominantly white districts. And this harm, I argue, is a harm to democracy as a whole. Education is situated as the great equalizer and in America, the one place where it doesn't matter how much money you have, at least in theory, but at least you can get a good education and become whatever you want to be. But that's not happening anymore, and I suggest that there are significant harms to our democracy that occur when you situate quality education with a narrow subset of people. The second part of the analogy suggests that is important for us to understand why white student segregation occurs and that's where "social closure" comes in. And so as I mentioned earlier, school segregation today is often framed as the product of individual parent choices about where they want to live. White parent choices in particular are not analyzed

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From Grenfell to Granby: Challenging Spatial Injustice through Collective Alternatives to Public Housing

Matthew Thompson

In June 2017, a catastrophic fire in London's Grenfell Tower killed 72 of its inhabitants and made many more homeless. This 24-storey tower block, like many managed by borough councils across the capital, was home to the largely black and brown urban working class, people on low wages often servicing the lifestyles of the super-rich living only a few streets away. Many of their ancestors would have hailed from what were once British colonies in Africa—colonies in which millions were massacred by the likes of Field Marshal Francis Wallace Grenfell, the colonial commander whose legacy was memorialised in the naming of the Grenfell Tower upon its completion in 1974.

This deeply tragic and ironic concatenation reveals the striking interconnections between Britain's violent colonial-capitalist legacy, enduring racial inequalities, urban segregation and the privatisation of public housing. Grenfell Tower, like all post-war housing blocks built by British local authorities, was constructed with fire-proof concrete walls and internal doors. But following decades of marketisation and outsourcing of council housing management to under-regulated profit-making firms, Grenfell's new cladding was cheap and highly combustible, enabling the fire to spread extremely fast externally, engulfing the building before many could escape (Hodkinson, 2019).

From Grenfell to Granby

Across the other side of the country, in Liverpool—once the preeminent

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port city of the British Empire and nerve centre of the North Atlantic slave trade—Britain's most established black community has been subject to a far less dramatic, though no less traumatic, war of attrition. Whilst no slave ever set foot in Liverpool—despite the fact that one in five African captives were carried across the Atlantic in Liverpool-built slave ships—thousands of seafarers from around the world travelled through the city and many settled in neighbourhoods near the docks, such as Granby.

Unlike other areas of Liverpool facing similar conditions of mass unemployment, Granby's decline was exacerbated by racist urban policy.

By the 1960s Granby was by far the most multicultural area of Liverpool, enriched by waves of migration from the Caribbean, West Africa, Somalia and Yemen, Pakistan, India, Malaysia and China—alongside the Irish population largely descended from refugees fleeing the Irish Potato Famine caused by British colonial plunder—with shops, cafes, bars and clubs lining its streets, abuzz with life. Yet through the 1970s and 1980s—as Liverpool's maritime economy was devastated by global economic restructuring, shedding jobs and losing close to half its population—Granby went into a spiral of decline.

Unlike other areas of Liverpool facing similar conditions of mass unemployment, Granby's decline was exacerbated by racist urban policy. By 1981, some 40% of men in Granby were jobless—a figure as high as 90% for black teenagers—condemning

Granby as Liverpool's ghetto (Merrifield, 2002). Coupled with longstanding institutional racism, this had severe repercussions in 1981 when rioting erupted in reaction to police brutality. The so-called Toxteth Riots—or what locals prefer to call the 1981 Uprising—resulted in street combat with police, cars set alight, buildings burned down, and violent repression from the state with the unprecedented use of teargas upon citizens of mainland Britain.

In the decades since, Granby residents have felt "punished" for the riots—as I document in my historical study of Liverpool's contentious urban politics (Thompson, 2020). Deeply damaging discriminatory practices of 'redlining'—in which banks excluded ethnic minorities from accessing affordable finance especially for mortgages on houses—conspired with the city council's wilful neglect and failure to provide adequate public services such as street lighting and rubbish collection. This left the neighbourhood without the continued investment required to maintain its remarkable architectural heritage or its once bustling economy and close-knit community. The trauma inflicted on Granby can be likened to what Mindy Thompson Fullilove (2004), writing about comparable experiences in the US, describes as 'root shock'. In this article, I tell the story of how local activists combatted root shock to grow a collective alternative from the grassroots.

Resisting Root Shock

With intensifying territorial stigma combining with Liverpool City Council's unofficial policy of 'managed decline', Granby was effectively left to rot. By the turn of the millen-

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nium, housing dereliction and neighbourhood abandonment necessitated state intervention, or so it was claimed. In 2003, the £2.3 billion Housing Market Renewal Pathfinders—a ‘mixed communities’ regeneration programme inspired by its predecessor HOPE VI in the US (Bridge, Butler, & Lees, 2012)—sought to clear and redevelop urban areas facing what its architects described as ‘housing market failure’ in nine cities across the north of England. For many remaining residents of Granby, however, market failure was not so much a natural outcome of neighbourhood decline as a willed objective of public policy. By forcing people out of their homes, and boarding up properties, the policy helped materialise the very symptoms of decline it was intended to resolve.

Huge surpluses were to be made out of attracting large government grants to compulsorily purchase properties at deflated prices, consolidate empty homes into sufficient parcels for sale at a mark up to private developers who then built higher value suburban homes in place of the old Victorian terraces—thereby securing greater tax revenues for the local authority. This political

coalition of local authorities, housing associations and commercial house-builders—the ‘grant regime’—clearly had skin in the regeneration game. Financial incentives trumped public interest.

Hundreds of owner-occupiers and tenants—largely ethnic minorities—were either dispossessed or evicted from their homes and forced to move to other parts of the city or even further afield. Britain’s oldest black community was broken up. Only a few homeowners—many of whom, ironically enough, managed to buy their council homes through Thatcher’s Right to Buy policy—remained to contest the demolition of their neigh-

Community land trusts (CLTs) are an innovative not-for-profit form of collective ownership of land for affordable housing and other community uses, first developed in the 1960s American Civil Rights movement.

bourhood. The bulldozers were faced down by brave residents blocking the streets with cars and their own bodies. They painted doors to properties earmarked for demolition with anti-vandal paint in a pointed signifier of the ‘civic vandalism’ being perpetrated by the grant regime.

Amongst those most active in the struggle were women like Dorothy Kuya. Born and bred in Granby, Dorothy was actively involved in race equality and black cultural history throughout her life, becoming Liverpool’s first Community Relations Officer in the 1960s and seen as the city’s greatest fighter against racism. She was also a lifelong member of the Communist Party and a tireless campaigner for the Granby Residents Association—her house was amongst those she was fighting to save from demolition.

Growing Granby from the Grassroots

Sadly, Kuya passed away in 2014, a few years too early to see the community’s anti-demolition vision bear fruit. While the area was under threat, resistant residents, almost all women, began transforming the streets from neglected dereliction into a horticultural commons. They set about clearing up rubbish, painting walls with colourful murals, growing climbing plants up buildings, cultivating food and flowers in planters and bringing garden furniture into the street to create a revitalised public space. These green-fingered activists ran a monthly street market selling everything from everyday essentials to art and craft, with home-cooked food and live music, attracting hundreds of people from across Liverpool.

Such ‘guerrilla gardening’ formed the foundations for an alternative community-led vision for rehabilitation of the last four streets still standing. In 2011, residents established the Granby Four Streets Community Land Trust as a vehicle to take on the ownership of empty homes and restore them for community use. Community land trusts (CLTs) are an innovative not-for-profit form of collective ownership of land for affordable housing and other community uses, first developed in the 1960s American Civil Rights movement for black empowerment, and imported to the UK in the 1990s to address rural affordability problems.

Granby Four Streets is amongst the first British CLT to adapt the model to urban regeneration, pioneering for tackling contexts of decline and disinvestment. The democratically-governed trust structure of a CLT is underpinned by an ‘asset lock’, which means that all surpluses generated by rents are reinvested for community benefit and that no assets held by the CLT can be sold off into the market. This means that any housing taken into CLT ownership is made permanently affordable and under community control.

In the very same year as the founding of the CLT, the Housing Market

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November, 2020

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Philip Tegeler
Executive Director

Renewal Pathfinder programme (England's HOPE VI) was prematurely terminated; the era of austerity heralding the withdrawal of funding for large-scale regeneration generally. Consequently, Liverpool City Council began looking for alternatives to expensive demolition. A trial of the council's 'homesteading' model, in which dilapidated homes were sold for a nominal £1 to newcomers to do up properties through sweat equity and personal savings, was never going to be sufficient alone. So the council began taking the CLT vision seriously.

Assembling Trust

The deal was sealed in 2015, when Granby Four Streets CLT won the prestigious national art award, the Turner Prize—the first architectural or housing regeneration project ever to do so, causing quite a stir in the art world. The award recognised the creative work of the architectural collective "Assemble" in bringing residents together in a democratic do-it-yourself

rehabilitation process—what they call 'community homesteading'. Assemble's vision takes the logic of the council's self-help homesteading approach but applies it more socially to draw on and build up community capabilities.

Notwithstanding its success, the choice of "community homesteading" as a label conjures up problematic connotations. Influenced by the barn-raising traditions of North America and the homesteading of settlers going west, this sits uneasily within Granby's historical context as a multicultural inner-city neighbourhood in which indigeneity is claimed by various ethnic groups arguably subject to a new kind of settler-colonialism. Indeed, there are now concerns that the project has been so successful as to make arts-led gentrification—once unthinkable in Granby—a very real possibility, as artists, entrepreneurs and young professionals are attracted by the media publicity generated by the Turner Prize victory.

Crucially, the Community Land Trust provides just the institutional

mechanisms for negotiating these tensions. CLT membership is open to anyone living or working in the area; its structure promotes open democratic governance, with an elected board drawn from member-residents, the wider community, and other stakeholders, enabling broad-based popular participation for long-term place stewardship and wider community benefit over resident-member benefit alone. The local Men and Women's Somali Groups each have board representation, as does the Steve Biko Housing Association, established in 1982 to provide local black people access to social housing in the context of racial discrimination, now helping develop and deliver the CLT housing allocations policy.

Significantly, the CLT prioritises the allocation of its newly refurbished homes to precisely those former residents forced out of the area by racist urban policies—as a partial reparation. For residents who viscerally feel that their homes and community had been "stolen" from them by the state, the

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CLT represents a powerful reappropriation of collective ownership.

Reconstructing Public Housing on Stronger Foundations

Acting alone, however, Granby's CLT has neither the resources nor skillsets to draw upon to effect the kind of widespread transformation required of Liverpool's housing crisis—let alone the broader national and transatlantic housing crises around homelessness, empty homes, gentrification, tenant exploitation and foreclosures created by the commodification of housing to generate unearned wealth. Indeed, Granby Four Streets CLT relies on a number of external sources of finance and support, from various philanthropic funders to the local authority gifting public assets into community ownership, and even from the central state. So despite its troubling complicity in colonial-capitalist practices of accumulation by dispossession, racial segregation and social exclusion, here and elsewhere, the state remains an important and powerful institutional support for the replication and expansion of such community-led alternatives.

Figuring out how collective housing alternatives—from CLTs to cooperatives and co-housing—can be replicated, scaled-up and eventually institutionalised as a more socially just mainstream form of public housing is the subject of my new open access book *Reconstructing Public Housing* (Thompson, 2020). In bringing to light the relatively undocumented and unknown history of collective housing alternatives in Liverpool, my aim is to make visible the struggles of communities like Granby Four Streets to transform their neighbourhoods through collective action and institutional experimentation in the face of destructive and exclusionary urban policy. I aim to draw out lessons for how to make such extraordinary practices an ordinary feature of housing manage-

ment and regeneration—to reconstruct public housing on more democratic and cooperative foundations.

Historical Connections and Future Prospects

In particular, *Reconstructing Public Housing* traces the historical place-based connections between Liverpool's growing CLT movement—of which Granby is but one successful example, alongside Homebaked on the other side of the city—and previous movements for collective alternatives. It explores how Granby's four remaining Victorian streets were originally saved from an earlier, post-war round of comprehensive redevelopment in the

In neoliberal Britain, half of all publicly-owned land and assets have been privatised since 1979—representing a shocking 10% of the total land mass, worth an estimated £400 billion.

late 1960s by a pioneering participatory regeneration project led by the homelessness charity Shelter. Shelter's Neighbourhood Action Project—or SNAP—pioneered practices in community engagement and holistic neighbourhood rehabilitation that would inform the nascent community development movement.

Moreover, SNAP activists helped set up Liverpool's first rehab housing co-ops in and around Granby in the 1970s, which in turn led to the flourishing of a housing cooperative movement across the city region, with around 50 co-ops still owning housing in common today. Liverpool's so-called 'co-operative revolution' or 'Co-op Spring' was ignited by Weller Street, the country's first new-build co-op to be designed, developed, owned and managed by its working class member-residents, who were previously tenants

of council housing. Importantly, the movement flourished only through generous state subsidies and professional support from secondary development agencies—a supportive infrastructure which was quickly dismantled by hostile neoliberal reforms following Thatcher's rise to power in 1979, leading to the movement's termination.

Setting collective housing alternatives like co-ops and CLTs apart from direct state provision is their renewed focus on democratic governance for a much closer connection between living in and managing housing for tenants otherwise alienated by distant, bureaucratic, absentee public landlords. At the same time, creative use of common property rights protects community-owned land and assets from the depredations of inflation, speculation, gentrification, aggressive acquisitions and other incursions of capitalist markets.

In a political system which places so much weight on property rights, these legal mechanisms also protect housing far more effectively than can the state, whose assets remain vulnerable to political attack. In neoliberal Britain, half of all publicly-owned land and assets have been privatised since 1979—representing a shocking 10% of the total land mass, worth an estimated £400 billion (Christophers, 2018)—significantly accounted for by the privatisation of council housing under the popular Right to Buy programme and through large-scale stock transfer to housing associations.

Such processes of privatisation—part of the neoliberal assault on the public sector—were arguably the true culprits of the Grenfell Tower disaster (Hodkinson, 2019). During the fire, residents were advised to 'stay put' in their flats—the standard fire procedure for high-rise buildings in the UK—authorities not realising that the building's design safety features were fatally compromised by the privatised outsourcing of its maintenance. A bitter irony inheres in the fact that in London, the epicentre of financialisation, residents of public housing estates are more usually forced to leave their

homes than asked to stay put— rehoused often hundreds of miles away in the name of regeneration, in what many critics denounce as state-led gentrification (Bridge et al., 2012).

Activists in London are now using the CLT model as a tool in the fight against estate renewal and its violent displacements of public tenants. CLTs articulate in legal form the ‘right to stay put’ as advocated by Chester Hartman (1984), the first director of the Poverty and Race Research Action Council. While we are still a long way from seeing CLTs and other collective housing alternatives mainstreamed in the UK, this growing movement has certainly planted seeds for the democratic renewal of public housing. ■

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Look out for our next issue: PRRAC’s 30th Anniversary

PRRAC Board members and staff reflect on the past and future of civil rights and the policy challenges facing the next administration.

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(UNDER ONE ROOF: Cont. from page 4)

also drawn attention to how the eviction process disproportionately harms low-income people of color. Tenants of color are overrepresented in the eviction process, which is both a trauma in and of itself and a predictor of outcomes such as homelessness and future hospitalizations. Tenants have little bargaining power to negotiate the leases that they can be evicted for violating, and evictions are adjudicated in court proceedings where landlords are substantially more likely than tenants to be represented by lawyers. Research has shown that landlords in some cities treat eviction as a debt collection mechanism, while vital protections for tenants are under-utilized in housing court. By and large, these proceedings reproduce, rather than level, power imbalances between landlords and tenants. Taking an abolitionist approach thus recommends divesting resources away from structures like housing court and towards strategies, like social housing, that would make housing court an unnecessary recourse. Instead, abolition could make way for a new institution that serves

as an alternative to eviction: housing that is decommodified, permanently affordable, democratically controlled, and rooted in social equity, not stigma.

Housing policy has, of course, undertaken many efforts to address segregation, housing instability, and homelessness. But in many instances it has operated in a piecemeal rather than transformative fashion. Much of this incrementalism comes from worthy motivations, such as a commitment to evidence-based policymaking and to consensus building. But in other cases, perhaps housing policy has treated pragmatism as the end rather than the means—and we may have reasons to question the reformist project.

Grassroots movements offer many instructive “freedom dreams” for housing (Kelley, 2002). Low-income women have long asserted their dignity through bold action and rights-based claims on the state. In Philadelphia, “welfare mothers” squat in underutilized subsidized housing, municipal offices, and tent cities to demand sustenance and shelter. Women in Baltimore public housing mount campaigns for better neighborhoods, redefining livability to center habitabil-

ity and community safety instead of complete streets and pocket parks. These women organize for material conditions befitting full citizens, not those reserved for supplicants. Movements articulate a vision for dignified housing beyond the confines of existing systems of social provision.

IV. Conclusion

Going forward, our hope is that researchers, practitioners, and policy makers can be emboldened to speak forthrightly about economic and racial injustice by acknowledging past harm and highlighting its regeneration in contemporary institutions. Technocratic rigor and objectivity need not elide interrogations of inequity. Abolitionist thinking should compel us to problematize approaches that entrench the power of city fathers or legitimize stratification. A commitment to abolition in housing is a commitment to principled struggle—deepening our collective understanding and co-conceiving solutions through honest and compassionate critique. ■

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in the aggregate and as the Nice White Parents podcasts aptly illustrates, segregation is couched as an unfortunate as a process that occurs passively and inadvertently as a result of individual parental choices rather than actively and intentionally as a result of group based behavior and systems that enable that group based behavior. I wanted to articulate a framework on could help us to see why white students clustered together like this, why white student segregation occurs, in a more systemic group-based way. And so social closure is a process whereby a group, not individuals, monopolizes advantage by closing off opportunities to others—and so social closure is likely to occur when there is any type of competition for scarce resources—and so I situate high quality schools as a scarce resource that might incentivize this kind of group behavior to cut off others, in this case the others being students of color, and argue that the end result of social closure is the monopolization that I talked about earlier. And so I suggest that from an anti-trust perspective the antidote is conceptualizing high quality schools as a form of essential infrastructure. I talked earlier about the democracy harms and the importance of public education to our democracy. If we situate high quality schools as a form of essential infrastructure, there is a doctrine in antitrust law that deals with essential infrastructure, called the Essential Facilities Doctrine, that suggests that when a competitor has a piece of infrastructure that is necessary for others competitors to use in order for them engage in the competitive process, the competitor has to open up access to that piece of infrastructure. So the analog here is with high quality schools that we have to find ways to open up access to that particular piece of infrastructure, in order to mitigate the harms of white student segregation and the harms to our democracy.

Phil: So this approach identifies the harm as the harm to democracy, versus the traditional way of thinking of

harm in terms of the harms to low-income children of color assigned to poor, racially isolated school districts, or even to some extent the harms for isolated white students. This theory doesn't really look at those kinds of harms, it looks to democracy as a whole. That's a very different way looking at this issue, and I can see the value of that.

Erika: That's exactly right, I think the article does acknowledge the harm both to low-income students, to the

Most of the litigation around those clauses, when it comes to adequacy for example, focus on whether there are enough resources to provide an adequate education. But what if we reframe the way we thought about what adequacy meant and what it looks like.

districts that they are situated in, and to the white students as well as you noted. But the greater contribution that I think the article makes is to try and take this away from an individual analysis and look at the harms to us collectively. One of the things I point out in the article is that there are real costs to not adequately educating all our citizens equally and that we're ignoring those costs and kicking the can down the road so to speak on those costs. But they can and will come due, so it's important that we frame the problem in a more collective sense.

Phil: Okay, but it isn't actually legally possible right now to apply this antitrust law approach to public entities like school districts and state governments, right? So does this antitrust approach have practical applications, would be my question.

Erika: Yes, that's the question I get the most! So where's the "there" there?

What do we do with this? I do think it has some practical applications both on the legislative front and in terms of terms of thinking how we fashion litigation strategies and how we might interpret state and federal equal protection clauses. So, on the legislative front, I will say one of the points I make in the paper is that states have plenary authority for how they draw district boundary lines. So one of the very practical uses of this framework is to help potential state legislatures to see the harms in the way they are drawing district boundary lines, the laws around things like school district consolidation for example, or school district secession, the two things that have been really popular of late. So this framework gives a lens through which state legislatures can draw from to understand the full impact of their boundary line decisions. One of the things that I also think you can do is to push for state legislatures to do this kind of analysis and include essentially what would be racial impact studies in any changes or refusal to make changes to boundary lines to understanding fully the harms. The other place where I think that litigators in particular might be more creative is thinking about how we might interpret our state constitutional right to education clauses. Most of the litigation around those clauses, when it comes to adequacy for example, focus on whether there are enough resources to provide an adequate education. But what if we reframe the way we thought about what adequacy meant and what it looks like. I think other scholars have started down this road as well, I'm thinking about Derek Black and his piece on middle income peers as a resource. The hope is that this work can contribute to that line reasoning in terms of pushing the envelope on how we define some of these terms. I think the same can be true in terms of how we think about even the federal equal protection claims or clauses. There was that great sixth circuit opinion in Gary B, that students do have rights to literacy under the federal constitution. I think this analy-

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sis can also be helpful in pushing the envelope on that front as well.

Phil: What about traditional civil rights law? You know, in theory, we still have the ability to seek a remedy for discriminatory impact in Title VI of the Civil Rights Act of 1964, in an administrative complaint process. And as you know, the House recently passed the “Equity and Inclusion Enforcement Act”, and we don’t know yet what is going to happen in Congress next year, but some day they are going to overrule the Sandoval case, and you’ll be able to go to court again with a Title VI disparate impact claim. Would your theory be transferrable to a kind of discriminatory impact traditional civil rights analysis?

Erika: I think it could be, and I think one of the other contributions that the article makes is to help us suss out and understand how to see what is causing these disparate impacts. I think one of the problems with modern iterations of school segregation law, as far as district boundary lines are concerned, is that there are so many overlapping factors that ultimately contribute to the disparate impact. I think if we can, for example, focus specifically on the ways in which boundary lines contribute to disparate impact that could give us a stronger footing in showing a particular source for that disparate impact and thinking about how the impact might be different if we made different choices in terms in the way we situate boundary lines. When I think down the road, another one of the another places this framework can be useful in traditional civil rights law is in the housing context. Where you draw boundary lines is definitely intertwined with patterns of housing segregation. I think there could be some creative advocacy around that point, in terms of show-

ing, because of the feedback loop of schools and housing segregation, showing a disparate impact in the housing context in terms of in the way that district boundary lines are drawn.

Phil: Traditionally we have in fair housing law the “perpetuation of segregation” basis for disparate impact liability under the Fair Housing Act—but of course that was taken out of the HUD disparate impact rule recently by the Trump administration, I guess we’ll take care of that later.

[G]iven the realities of the way whiteness has operated and continues to operate in the United States of America, it’s not systemically possible to produce high quality education without integration.

Erika: Yeah, knock on wood!

Phil: Ok well finally, and more fundamentally, I know your article leans heavily on recent research on the benefits of school integration, especially these democracy benefits. But how do you respond to people who still argue that, given the difficulty of achieving real desegregation, students and communities might be better off if we focus on improving conditions in districts that serve primarily low-income children of color. How do you respond to that argument?

Erika: There are two ways to respond to that. The first is that the kind of analysis I present gives us an opportunity to really examine the lived experiences of students of colors. I think there is an aspirational idea if we spend more money than we don’t need integration. But I think, what we can see about the way structures act, par-

ticularly district boundary lines, it’s just not possible or true in terms of some of the intangible things I’m talking about like the recruiting function that boundary lines play. In terms of the intangible aspects of education, more money doesn’t get us there in terms of what draws the highest quality teachers to certain places or a more diverse set of peers which we know there is value in having for purposes of giving students the highest quality education. More money doesn’t get us there. In terms of the overall efficacy of trying to integrate schools, I’m sure some people will take issue with this conclusion, but given the realities of the way whiteness has operated and continues to operate in the United States of America, it’s not systemically possible to produce high quality education without integration. You can of course have pockets of it, but I’m talking about this systematically. It just won’t happen.

The last thing I want to say is that I’ve gotten a lot of feedback about using a market-based analogy in order to frame this particular problem. One of the things I want to point out is that the way I have done this does not beg for a neoliberal intervention, in fact I think it does the opposite. It uses the market-based analogy for more government intervention to highlight the ways in which the lack of government intervention creates a substantial market failure that harms us all. So I think that’s one important point I wanted to make before we close.

Phil: Thank you very much, this has been truly enlightening

Erika: Thank you for having me.

(Editor’s Note: To read a pre-publication version of Professor Wilson’s article on SSRN, Google “Monopolizing Whiteness.”

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